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FEDERAL REGISTER

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11024

EXEMPTION OF ALAN T. WATERMAN FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS Dr. Alan T. Waterman, Director of the National Science Foundation, will, during the month of June 1962, become subject to compulsory retirement for age under the provisions of the Civil Service Retirement Act, unless exempted therefrom by Executive order; and

WHEREAS, in my judgment, the public interest requires that Dr. Waterman be exempted from such compulsory retirement:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by section 5 of the Civil Service Retirement Act, 70 Stat. 748 (5 U.S.C. 2255), I hereby exempt Alan T. Waterman from compulsory retirement for age for an indefinite period of time.

JOHN F. KENNEDY

THE WHITE HOUSE,
June 4, 1962.

[F.R. Doc. 62-5609; Filed, June 5, 1962; 4:02 p.m.]

Memorandum of June 1, 1962

[COMMENDATION MEDAL AWARD]

Memorandum for the Secretary of Defense

THE WHITE HOUSE,
Washington, June 1, 1962.

Under uniform regulations to be prescribed by you, the Secretary of a military department may award the Commendation Medal of his department to a member of the armed forces of a friendly foreign nation who, after the date of this memorandum, distinguishes himself by an act of heroism, extraordinary achievement, or meritorious service which has been of mutual benefit to a friendly foreign nation and the United States.

This memorandum shall be published in the FEDERAL REGISTER.

JOHN F. KENNEDY

[F.R. Doc. 62-5643; Filed, June 6, 1962; 11:22 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Housing and Home Finance Agency

Effective upon publication in the FEDERAL REGISTER, subparagraph (3) of paragraph (d) of § 6.342 is revoked.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 62-5543; Filed, June 6, 1962; 8:51 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 319—FOREIGN QUARANTINE NOTICES

Subpart—Foreign Cotton and Covers

MISCELLANEOUS AMENDMENTS

On April 12, 1962, there was published in the FEDERAL REGISTER (27 F.R. 3519) a notice of proposed rule making concerning amendments of 7 CFR 319.8–1, 319.8–3, 319.8–5, 319.8–8, 319.8–9(b) 319.8–10(a), and 319.8–11 through 319.8–27 (Regulations supplemental to Foreign Cotton and Covers Quarantine No. 8). After due consideration of all matters presented, and pursuant to sections 5, 7, and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 159, 160, 162), the Administrator of the Agricultural Research Service hereby amends the aforesaid sections and paragraphs as follows:

A. In § 319.8–1, paragraphs (p), (r), and (aa) are amended; and paragraphs (dd) and (ee) are added, respectively, to read as follows:

§ 319.8–1 Definitions.

* * * * *

(p) *Approved areas of Mexico.* Any areas of Mexico, other than those described in paragraphs (q) and (r) of this section, which are designated by the Director as areas in which cotton and cotton products are produced and handled under conditions comparable to those under which like cotton and cotton products are produced and handled in the generally infested pink bollworm regulated area in the United States.

* * * * *

(r) *Northwest Mexico.* All of the State of Baja California, Mexico, and that part of the State of Sonora, Mexico, lying between San Luis Mesa and the Colorado River.

* * * * *

(aa) *Inspector.* A properly identified employee of the U.S. Department of Agriculture or other person authorized by the Department to enforce the provisions of the Plant Quarantine Act.

* * * * *

(dd) *Pink bollworm regulated area; generally infested pink bollworm regulated area.* The pink bollworm regulated area consists of those States or parts thereof designated as regulated area in Administrative Instructions issued under § 301.52–2 of this chapter. The generally infested pink bollworm regulated area is that part of the regulated area designated as generally infested in the said Administrative Instructions.

(ee) *Approved mill or plant.* A mill or plant operating under a signed agreement with the Division required for approval of a mill or plant as specified in § 319.8–8(a)(2).

B. Section 319.8–3 is amended to read as follows:

§ 319.8–3 Refusal and cancellation of permits.

(a) Permits for entry from the West Coast of Mexico as authorized in § 319.8–12 of lint, linters, waste, cottonseed, and cottonseed hulls may be refused and existing permits cancelled by the Director if he has determined that the pink bollworm is present in the West Coast of Mexico or in Northwest Mexico, or that other conditions exist therein that would increase the hazard of pest introduction into the United States.

(b) Permits for entry from Northwest Mexico as authorized in § 319.8–13 of lint, linters, waste, cottonseed, cottonseed hulls, and covers that have been used for cotton, may be refused and existing permits cancelled by the Director if he has determined that the pink bollworm is present in Northwest Mexico or in the West Coast of Mexico, or that other conditions exist therein that would increase the hazard of pest introduction into the United States.

C. Section 319.8–5 is amended to read as follows:

§ 319.8–5 Marking of containers.

Every bale or other container of cotton lint, linters, waste, or covers imported or offered for entry shall be plainly marked or tagged with a bale number or other mark to distinguish it from other bales or containers of similar material. Bales of lint, linters, and waste from approved areas of Mexico, the West Coast of Mexico, or Northwest Mexico shall be tagged or otherwise marked to show the gin or mill of origin unless they are immediately exported.

D. In § 319.8–8 paragraphs (a)(1)(iii) and (b)(1)(iii) are amended; a new paragraph (b)(1)(iv) is added; and paragraph (b)(2) is amended, respectively, to read as follows:

§ 319.8–8 Lint, linters, and waste.

(a) *Compressed to high density.* (1) * * *

(iii) Such lint, linters, and waste compressed to high density arriving at a port in the State of California where there are no approved fumigation facilities may be entered for immediate transportation in bond via an all-water route if available, otherwise by overland transportation in van-type trucks or box cars after approved surface treatment, or under such other conditions as may be deemed necessary and are prescribed by the inspector, to (*a*) any port where approved fumigation facilities are available, there to receive the required vacuum fumigation before release, or (*b*) to an approved mill or plant for utilization.

* * * * *

(b) *Uncompressed or compressed.* (1) * * *

(iii) Compressed lint, linters, and waste arriving at a port in the State of California where there are no approved fumigation facilities may be entered for immediate transportation in bond by an all-water route if available, otherwise by overland transportation in van-type trucks or box cars after approved surface treatment, or under such other conditions as may be deemed necessary and are prescribed by the inspector, to any port in California or any northern port where approved fumigation facilities are available, there to receive the required vacuum fumigation before release, or to any northern port for movement to an approved mill or plant for utilization.

(iv) Uncompressed lint, linters, and waste arriving at a port in the State of California where there are no approved fumigation facilities may be entered for immediate transportation in bond by an all-water route to any port in California or any northern port where approved fumigation facilities are available, there to receive the required vacuum fumigation before release, or to a northern port for movement to an approved mill or plant for utilization.

(2) Entry without vacuum fumigation will be authorized for compressed lint, linters, and waste, and for uncompressed waste derived from cotton milled in countries that do not produce cotton,[4] arriving at a northern port, subject to movement to an approved mill or plant.

[4] For the purposes of this subpart the following countries are considered to be those in which cotton is not produced: Austria, Belgium, Canada, Denmark, Republic of Ireland (Eire), Finland, France, Germany (both East and West), Great Britain and Northern Ireland (United Kingdom), Iceland, Liechtenstein, Luxembourg, Netherlands, Norway, Portugal, Sweden, and Switzerland.

E. Section 319.8–9(b) is amended to read as follows:

§ 319.8–9 Hull fiber and gin trash.

* * * * *

(b) Gin trash may be imported only under the provisions of § 319.8–19.

F. Section 319.8–10(a) is amended to read as follows:

§ 319.8–10 Covers.

(a) Entry of covers (including bags, slit bags, and parts of bags) which have been used as containers for cotton grown or processed in countries other than the United States may be authorized either (1) through a Mexican border port named in the permit for vacuum fumigation by an approved method in that part of the United States within the generally infested pink bollworm regulated area; or (2) through a northern port or a port in the State of California subject to vacuum fumigation by an approved method or without vacuum fumigation when the covers are to be moved to an approved mill or plant for utilization. When such covers are forwarded from a northern port to a mill or plant in California for utilization, or from a California port to another California or northern port for vacuum fumigation thereat or for movement to a mill or plant for utilization such movement shall be made by an all-water route unless the bales are compressed to a density of 20 pounds or more per cubic foot in which case the bales may be moved overland in van-type trucks or box cars if all-water transportation is not available. Such overland movement may be made only after approved surface treatment or under such other conditions as may be deemed necessary and are prescribed by the inspector. When such covers arrive at a port other than a northern, California, or Mexican border port they will be required to be transported therefrom immediately in bond by an all-water route to a northern or California port where approved vacuum fumigation facilities are available for vacuum fumigation thereat by an approved method or for forwarding therefrom to an approved mill or plant for utilization.

G. The center title "Other Conditions Applicable to Cotton and Covers from Mexico," preceding § 319.8–11, is amended to read "Special Conditions for the Entry of Cotton and Covers from Mexico."

H. Section 319.8–11 is amended to read as follows:

§ 319.8–11 From approved areas of Mexico.

(a) Entry of lint, linters, and waste (including gin and oil mill wastes) which were derived from cotton grown in, and which were produced and handled only in approved areas of Mexico[7] may be authorized through Mexican Border ports in Texas named in the permits (1) for movement into the generally infested pink bollworm regulated area such products becoming subject immediately upon release by the inspector to the requirements, in § 301.52 of this chapter, applicable to like products originating in the pink bollworm regulated area, or (2) for movement to an approved mill or plant for utilization, or (3) for movement to New Orleans for immediate vacuum fumigation.

(b) Entry of cottonseed or cottonseed hulls in bulk, or in covers that are new or which have not been used previously to contain cotton or unmanufactured cotton products, may be authorized through Mexican Border ports in Texas named in the permits, for movement into the generally infested pink bollworm regulated area when certified by an inspector as having been produced in an approved area and handled subsequently in a manner satisfactory to the inspector. Upon arrival in the generally infested pink bollworm regulated area such cottonseed or cottonseed hulls will be released from further plant quarantine entry requirements and shall become subject immediately to the requirements in § 301.52 of this chapter.

I. Section 319.8–12 is amended to read as follows:

§ 319.8–12 From the West Coast of Mexico.

Contingent upon continued freedom of the West Coast of Mexico and of Northwest Mexico from infestations of the pink bollworm, entry of the following products may be authorized under permit subject to inspection to determine freedom from hazardous plant pest conditions:

(a) Compressed lint and linters.

(b) Uncompressed lint and linters for movement into the generally infested pink bollworm regulated area, movement thereafter to be in accordance with § 301.52 of this chapter.

(c) Compressed or uncompressed cotton waste for movement under bond to Fabens, Texas, for vacuum fumigation after which it will be released from further plant quarantine entry requirements.

(d) Cottonseed when certified by an inspector as having been treated, stored, and transported in a manner satisfactory to the Director.

(e) Untreated, non-certified cottonseed contained in new bags for movement by special manifest to any destination in the generally infested pink bollworm regulated area, movement thereafter to be in accordance with § 301.52 of this chapter.

(f) Cottonseed hulls when certified by an inspector as having been treated, stored, and transported in a manner satisfactory to the Director.

(g) Any cotton products for movement through Mexican border ports in Texas directly into the generally infested pink bollworm regulated area, movement thereafter to be in accordance with § 301.52 of this chapter.

J. Section 319.8–13 is amended to read as follows:

§ 319.8–13 From Northwest Mexico.

Contingent upon continued freedom of Northwest Mexico and of the West Coast of Mexico from infestations of the pink bollworm and other plant pest conditions that would increase risk of pest introduction into the United States with importations authorized under this section, entry of the following products may be authorized under permit subject to inspection upon arrival to determine freedom from hazardous plant pest conditions:

(a) Lint, linters, and waste.

(b) Cottonseed.

(c) Cottonseed hulls.

(d) Covers that have been used for cotton only.

K. Section 319.8–14 is amended as follows:

§ 319.8–14 Mexican cotton and covers not otherwise enterable.

Mexican cotton and covers not enterable under § 319.8–11, § 319.8–12, or § 319.8–13 may be entered in accordance with §§ 319.8–6 through 319.8–10 and §§ 319.8–15 through 319.8–19 insofar as said sections are applicable.

§ 319.8–15 [Deletion]

L. The present § 319.8–15 is deleted.

§§ 319.8–16 to 319.8–27 [Redesignation]

M. The present §§ 319.8–16 through 319.8–27 are redesignated, respectively, as §§ 319.8–15 through 319.8–26.

N. The redesignated § 319.8–16 (c) and (f) are amended, respectively, to read as follows:

§ 319.8–16 Importation for exportation, and importation for transportation and exportation; storage.

* * * * *

(c) Entry under permit of lint, linters, or waste compressed to high density will be authorized for purposes of storage in the north pending exportation, fumigation, or utilization in an approved mill or plant provided the owner or operator of such proposed storage place has executed an agreement with the Division similar to those required for mills or plants to utilize lint, linters, and waste as specified in § 319.8–8(a)(2), and provided further that (1) inspectors are available to supervise the storage, (2) the bales of material to be stored are free from surface contamination, (3) the material is kept segregated from other cotton and covers in a manner satisfactory to the inspector, and (4) the waste is collected and disposed of in a manner satisfactory to the inspector.

* * * * *

(f) Entry of uncompressed lint, linters, and waste from Mexico may be authorized at ports named in the permit for exportation at ports within the generally infested pink bollworm regulated area or for transportation and exportation via rail to Canada under such conditions and over such routes as may be specified in the permit.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interpret or apply secs. 5, 7, 37 Stat. 316, 317, as amended; 7 U.S.C. 159, 160. 19 F.R. 74, as amended)

[7] See § 319.8–1(p) for definition of "Approved areas of Mexico." These are within that part of Mexico not included in the "West Coast of Mexico" (§ 319.8–1(q)) or "Northwest Mexico" (§ 319.8–1(r)).

These amendments adapt quarantine procedures to changes in commercial and regulatory practices that have taken place since the regulations were last revised. Some of the amendments are occasioned by the development of the port of Ensenada, in the State of Baja California, Mexico, resulting in changes in the method of transportation and exportation of Mexican cotton. Another amendment recognizes the extension to additional areas of cooperative United States-Mexican supervision of gins in the pink bollworm infested area of Mexico. Also, the quarantine has been adjusted to allow surface transportation of certain imported cotton and clovers under suitable safeguards when all-water transportation is unavailable. A further amendment provides for storage of imported cotton in the north pending exportation, fumigation, or supervised utilization.

These amendments shall become effective July 9, 1962

Done at Washington, D.C., this 4th day of June 1962.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 62-5551; Filed, June 6, 1962; 8:53 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 15,923]

PART 523—MEMBERS OF BANKS

Adjustments in Stock Holdings

JUNE 1, 1962.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of § 523.6 of the Regulations for the Federal Home Loan Bank System (12 CFR § 523.6) for the purpose of having a cross-reference to section 6(1) of the Federal Home Loan Bank Act in the first sentence of said § 523.6 changed to section 6(c) so as to conform to changes in section 6 of the Federal Home Loan Bank Act, as amended by Public Law 87-210 (87th Cong. 1st Sess.), effective January 1, 1962, which resulted in the repeal of section 6(1) and making section 6(c) the applicable section governing stock holdings of member institutions, and, for the purpose of effecting such amendment, hereby amends the aforesaid § 523.6 as follows, effective June 7, 1962:

The first sentence of § 523.6 is amended by deleting the language "section 6(1)" and inserting in lieu thereof the language "section 6(c)". As so amended, § 523.6 reads as follows:

§ 523.6 Adjustments in stock holdings.

The board of directors of any Bank may increase or decrease the amount of stock of any member from time to time so that the stock held by each member shall conform to the provisions of section 6(c) of the act." In any case in which the amount of stock held by a member is decreased upon proper application of such member, the Bank shall pay for each share of stock, upon its surrender, an amount equal to the value thereof, which value shall be determined as provided in section 6(i) of the act, or, at its election, apply the whole or any part of such payment as a credit upon the indebtedness of the member to the Bank. A Bank may require a member to give 30 days' written notice of its intention to make an application to the Bank for a decrease in the amount of stock held by it. In no case shall there be a reduction in the amount of stock held by any member to an amount less than that required by section 10(c) of the act. The board of directors of any Bank may, by resolution, designate the duly constituted executive committee or any officer of such Bank to exercise the powers granted by this section.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, since this is in the nature of a technical amendment to delete a cross-reference to a section of the law which has been repealed, and to substitute a proper cross-reference, and since such amendment is essential to give effect to the provisions of Public Law 87-210 governing stock holdings of members of the Federal Home Loan Bank System without further delay, the Board hereby finds and determines that notice and public procedure with respect to said amendments would be impracticable under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) or section 4(a) of the Administrative Procedure Act, and, for the same reasons, the Board hereby finds and determines that deferment of the effective date of such amendments under section 4(c) of said Act would be impractical and not in the public interest, and accordingly, the amendment shall be effective upon publication in the FEDERAL REGISTER.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 62-5552; Filed, June 6, 1962; 8:53 a.m.]

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 15,908]

PART 543—INCORPORATION, ORGANIZATION, AND CONVERSION

Organization After Conversion

JUNE 1, 1962.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of liberalization of § 543.12 of the rules and regulations for the Federal Savings and Loan System (12 CFR 543.12), relating to initial meetings of members and of the board of directors in cases of the conversion of an institution into a Federal savings and loan association, by deletion from said section of the last sentence thereof, which provides that such association shall not represent itself as a Federal association until the meetings have been held and the required actions taken as set forth in said sentence, and for the purpose of effecting such liberalization, hereby amends said § 543.12 to read as follows, effective June 7, 1962.

§ 543.12 Organization after conversion.

Upon issuance of a Federal charter, as provided in § 543.11, a legal meeting of the members of such Federal association shall be held promptly, after due notice unless held upon a valid adjournment of a previous legal meeting. At such meeting directors shall be elected and such other action shall be taken as is necessary fully to carry into effect the conversion as approved by the Board and to operate such Federal association in accordance with the law and the rules and regulations in this subchapter. Immediately thereafter the board of directors shall meet, elect officers, and transact such other business as may be necessary and proper.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, as said amendment only relieves restriction, the Board hereby finds that notice and public procedure thereon are unnecessary under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) or section 4(a) of the Administrative Procedure Act and, as said amendment relieves restriction, deferment of the effective date thereof is not required under section 4(c) of said Act.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 62-5553; Filed, June 6, 1962; 8:54 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 1062; Amdt. 42-40]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

Proving Period for Large Airplanes

A notice of proposed rule making was published in the FEDERAL REGISTER on February 9, 1962 (27 F.R. 1219), and circulated to the industry as Civil Air Regulations Draft Release No. 62-5 dated February 5, 1962, which proposed to amend Part 42 of the Civil Air Regulations to provide for proving tests for large aircraft not previously proved for use in air carrier operations and large aircraft which have been previously proved but which are materially altered in design or are to be used by an air

carrier or commercial operator who has not previously proved the aircraft.

In general, the comments received were in favor of requiring proving tests for large aircraft and reflected endorsement of the principles of the proposal. However, there was some concern relative to the applicability of this revision to a type of an aircraft previously proved by operators other than the affected carrier, and whether or not the rule would apply to all aircraft in use before or after the effective date of the rule.

With regard to the applicability of this amendment, it is not intended to require retroactive proving periods for large aircraft placed into service by an air carrier or commercial operator prior to the effective date of this amendment. However, after the effective date of this amendment, it is intended to require proving periods for large aircraft not previously proven for use in air carrier or commercial operations and large aircraft which have been previously proven but which are materially altered in design or are to be used by an air carrier or commercial operator who has not previously proven the aircraft.

Suggestions were also made that air taxi operators and operators using aircraft under the provisions of Part 43 should be required to conduct proving flights. Since this would be the subject of a separate study it is not considered pertinent to this amendment.

In proposing this amendment, the Agency considered the fact that for a number of years proving periods for aircraft placed into service by air carriers operating under the provisions of Part 40, 41, or 46 of the Civil Air Regulations have been required in accordance with the applicable provisions of these Civil Air Regulations before being used in air carrier operations. These proving periods have been conducted under the surveillance of the Federal Aviation Agency or its predecessor agencies.

There are two primary reasons for requiring a proving period: (1) It provides the Administrator with basic information to assist him in determining that an air carrier or commercial operator can safely operate a new or different type of aircraft; and (2) it affords the air carrier or commercial operator an opportunity to acquire, first hand, the experience necessary to operate new equipment with the highest degree of safety. Proving periods are also of value since they help to familiarize the operator's personnel with the peculiarities of new or different types of aircraft with regard to operations, maintenance, servicing, and handling.

Until recently, aircraft placed into service by an air carrier or commercial operator operating under the provisions of Part 42 were not required to undergo any specific proving period. Prior to the adoption of this amendment, it was the responsibility of the Administrator to find the aircraft safe for the service offered. This determination did not pose any problem in the past since the aircraft placed in service by operators had undergone a previous proving period either when operated by a scheduled air carrier or had been proven by virtue of many years of safe and successful operation by the military services. Recently, however, newly certificated aircraft not previously proved, and previously proved aircraft which were subsequently altered in design, have been placed into service by certain supplemental and irregular operators operating under the provisions of Part 42. Prior to utilizing these aircraft in operations under the provisions of Part 42, the operators concerned conducted fairly extensive familiarization and training programs. While these programs did, to some extent, accomplish many of the objectives of the proving period, they did not fully comply with, or were not as comprehensive as, the specific proving period requirements set forth in either Part 40, 41, or 46. Accordingly, it is determined that there is a requirement for proving periods for large aircraft in Part 42.

Interested persons have been afforded an opportunity to participate in the making of this regulation (27 F.R. 1219), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 42 of the Civil Air Regulations (14 CFR Part 42, as amended) is hereby amended by adding a new § 42.17 to read as follows, effective July 9, 1962:

§ 42.17 Proving tests for large aircraft.

(a) A type of aircraft not previously proved for use in air carrier operation shall have at least 100 hours of proving tests, in addition to the aircraft certification tests, accomplished under the supervision of an authorized representative of the Administrator. As part of the 100-hour total, at least 50 hours shall be flown in en route operation and at least 10 hours shall be flown at night.

(b) A type of aircraft which has been previously proved for use in air carrier operation shall be tested for at least 50 hours, of which at least 25 hours shall be flown in en route operation, unless deviations are specifically authorized by the Administrator on the ground that the special circumstances of a particular case make a literal observance of the requirements of this paragraph unnecessary for safety, when the aircraft:

(1) Is materially altered in design, or

(2) Is to be used by an air carrier who has not previously proved such a type.

NOTE: A type of aircraft will be considered to be materially altered in design when the alterations include, but are not necessarily limited to: (a) Installation of powerplants other than the powerplants of a type similar to those with which the aircraft is certificated; (b) major alteration to the aircraft or its components which materially affects the flight characteristics.

(c) During proving tests only those persons required to make the test and those designated by the Administrator shall be carried. Mail, express, and other cargo may be carried when approved.

(Secs. 313(a), 601, 605; 72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, 1425)

Issued in Washington, D.C., on May 31, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-5535; Filed, June 6, 1962; 8:49 a.m.]

[Reg. Docket No. 1235; Amdt. 49-4]

PART 49—TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Authorization for Use of Facsimile Signature

Section 49.13(a) of the Civil Air Regulations prohibits a shipper from offering, or an air carrier or other operator of civil aircraft from knowingly accepting, explosives and other dangerous articles for carriage by air unless the package is accompanied by or shows a clear and plainly visible statement signed by the shipper or his duly authorized agent that the shipment complies with the requirements of Part 49 of the Civil Air Regulations. Section 49.13(b) requires that this certification of compliance be made upon the ICC label affixed to each package when there is a provision on the face of the label for such certification. When the label used does not have such a provision, the certification must be made in duplicate and signed by the shipper or his duly authorized agent for each consignment.

The increase in the manufacture of new chemicals and other restricted materials has resulted in a greater demand for the shipment of these articles by air. Manufacturers who produce and ship by air large quantities of these articles have met with delays in preparing them for shipment because of the necessity of having each label or statement actually signed by the shipper or a duly authorized agent. It has been recommended that the shipper be permitted to have the label or statement stamped with a facsimile signature of the shipper or his authorized agent as an alternative to the actual signature. This practice is permitted in other forms of transportation which are regulated by the Interstate Commerce Commission. It has been determined that the use of the stamped certificate of compliance is satisfactory and has caused no safety problems.

The authorization for the use of a facsimile signature under Part 49 would conform with the requirements for the shipment of these articles in other forms of transportation and thus facilitate their acceptance for shipment by air. The use of a facsimile signature identifies the shipper as clearly as an actual signature, thus meeting that purpose of the regulation.

Since this amendment relieves a restriction and imposes no additional burden on any person, I find that notice and public procedure hereon are unnecessary, and it may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 49 of the Civil Air Regulations (14 CFR Part 49) is hereby amended as follows, effective June 7, 1962:

1. By amending § 49.13(a) by substituting for the first sentence in that section the following two sentences: "No shipper shall offer, and no air carrier or other operator of aircraft shall knowingly accept, explosives and other dangerous articles for carriage by air unless the package is accompanied by, or shows, a clear and plainly visible statement that the shipment complies with the require-

ments of this part which shall be signed by the shipper or his duly authorized agent. The shipper or his duly authorized agent may use a facsimile stamp of his signature in lieu of his actual signature."

2. By amending the Note following § 49.13(a) by inserting in the first sentence the words "or stamped with the facsimile signature of" after the words "signed by".

3. By amending § 49.13(b) by inserting in the second sentence the words "or stamped with the facsimile signature of" after the words "signed by".

4. By amending § 49.13(b) by inserting in two places in the third sentence between the words "signed" and "copy" the words "or stamped".

(Secs. 313(a), 601, 604, 902; 72 Stat. 752, 775, 778, 784; 49 U.S.C. 1354(a), 1421, 1424, 1472)

Issued in Washington, D.C., on May 31, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-5536; Filed, June 6, 1962; 8:50 a.m.]

[Reg. Docket No. 1049; Amdt. 49-3]

PART 49—TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS MATERIALS

Transportation of Magnetized Materials

A notice of proposed rule making was published in the FEDERAL REGISTER on February 6, 1962 (27 F.R. 1073), and circulated as Draft Release No. 62-3 dated January 29, 1962, which proposed to amend Part 49 of the Civil Air Regulations to provide for the transportation of magnetic materials.

The comments received were generally in favor of requiring that certain safeguards be taken in the shipment of magnets or magnetic material by air and reflected endorsement of the principles of the proposal. However, there was some concern noted relative to the possible obscuration of warning markers on the packages of magnetized material which might occur during the loading of this cargo. The comments also reflected concern over requiring that keeper bars only be installed on magnets "where possible," and indicated the need to have keepers bars installed on magnets at all times or a need for other means of protection to be provided to prevent the magnetic field from adversely affecting the magnetic compass.

In proposing this amendment, the Agency considered that explosives and other dangerous articles as defined by Part 49 of the Civil Air Regulations do not include magnetic materials. Air shipments of magnets and magnetic devices can adversely influence the accuracy of magnetic compasses unless they are properly packed and kept at a safe distance from the aircraft's compass. In order to safeguard the navigation of the aircraft, it is necessary to require the shippers of magnetic materials to mark clearly any packages containing magnetized materials and to install keeper bars on permanent magnets at all times or provide other protection to prevent the magnetic field from adversely affecting the magnetic compass.

There are a number of magnetic shield materials available which are being used as dust covers on some airborne weather radar units. These dust covers are sufficiently effective as magnetic shielding devices so that compass external compensating magnets are not required.

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

In consideration of the foregoing, Part 49 of the Civil Air Regulations (14 CFR Part 49, as amended) is hereby amended as follows, effective July 9, 1962:

§ 49.1 [Amendment]

1. By amending § 49.1(a) by adding between the words "articles" and "shall" the phrase ", or any other articles specifically regulated by the rules of this part,".

2. By adding a new § 49.16 to read as follows:

§ 49.16 Packing and marking requirements for magnetized materials.

No shipper shall offer magnetized materials for shipment by air unless:

(a) The outside of the package has been plainly marked "Magnetized Materials";

(b) Magnets or magnetized devices such as magnetrons and light meters have been packed so that the polarities of the individual units oppose one another; and

(c) Permanent magnets have keeper bars installed, or are shielded so as to prevent the magnetic field from affecting the magnetic compass.

3. By amending § 49.21 by adding a new paragraph (d) to read as follows:

§ 49.21 Cargo location.

* * * * *

(d) Magnetized materials shall not be loaded on the aircraft in the vicinity of the magnetic compasses or compass master units which are a part of the instrument equipment of the aircraft so as to affect their operation. If it is not possible to meet this requirement, a special aircraft swing and compass calibration shall be made. Care shall be taken so that warning markers are not obscured upon cargo loading.

NOTE: Magnetized material as used herein is that material which is magnetized to the extent that it might affect the magnetic compass and produce an erroneous compass reading.

(Secs. 313(a), 601, 604, 902; 72 Stat. 752, 775, 778, 784; 49 U.S.C. 1354, 1421, 1424, 1472)

Issued in Washington, D.C., on May 31, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-5537; Filed, June 6, 1962; 8:50 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1236; Amdt. 448]

PART 507—AIRWORTHINESS DIRECTIVES

Boeing 707/720 Series and Douglas DC-8 Series Aircraft

Investigation has shown that extensions of repetitive inspection intervals based on service experience may be granted to some operators of Boeing 707/720 Series and Douglas DC-8 Series aircraft in complying with Amendment 369, 26 F.R. 10963 (AD 61-24-1), as amended by Amendment 397, 27 F.R. 1313. Accordingly, this amendment is being published to permit extension of inspection intervals where justified.

Since this amendment provides a procedure by which a different inspection interval may be established for the operators concerned, and thus relieves a present restriction, compliance with notice and public procedure hereon is unnecessary, and it may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is amended as follows:

Amendment 369, 26 F.R. 10963 (AD 61-24-1), as amended by Amendment 397, 27 F.R. 1313, Boeing 707/720 Series and Douglas DC-8 Series aircraft, is further amended by adding the following paragraph before the parenthetical reference statement:

Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the repetitive inspection intervals specified in this Airworthiness Directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

This amendment shall become effective June 7, 1962.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on May 31, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-5538; Filed, June 6, 1962; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-44]

PART 13—PROHIBITED TRADE PRACTICES

Imperial International Corp. et al.

Subpart—Misbranding or mislabeling: § 13.1325 *Source or origin:* § 13.1325-70

Place: § 13.1325–70(g) *Imported product or parts as domestic.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1647 *Guarantees;* § 13.1745 *Source or origin:* § 13.1745–70 *Place:* § 13.1745–70 (c) *Imported product or parts as domestic.* Subpart—Using misleading name—Vendor: § 13.2395 *Individual or private business being association or guild.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Imperial International Corporation et al., New York, N.Y., Docket C–44, Dec. 15, 1961]

In the Matter of Imperial International Corporation, a Corporation, Cutlers Guild, Ltd., a Corporation, and K. Peter Lekisch and W. George Lekisch, Individually and as Officers of Both Corporations

Consent order requiring a New York City concern and its subsidiary sales agent, engaged in packaging stainless steel tableware imported from Japan and selling it to domestic retailers, to cease labeling the boxes falsely "Made and Printed in U.S.A." and making similar statements on inserts; stating "Lifetime Guarantee" on inserts without disclosing the limitations on their performance; and using the word "Guild" in the name of their business operated for private profit.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That Imperial International Corporation, a corporation, and its officers, and Cutlers Guild, Ltd., a corporation, and its officers, and K. Peter Lekisch and W. George Lekisch, individually and as officers of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution, in commerce, as "commerce" is defined in the Federal Trade Commission Act, of foreign made tableware, or any other products, do forthwith cease and desist from, directly or by implication:

(1) Representing that products made in Japan, or any other foreign country, are made in the United States of America.

(2) Failing to disclose clearly, conspicuously and unambiguously the country of origin of foreign made products in such a manner as to be readily apparent to prospective purchasers of such products.

(3) Representing that said products are "guaranteed" unless the nature and extent of the guarantee and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

(4) Using the word "Guild" as part of their trade or corporate name, or otherwise representing that their business is anything other than a commercial enterprise operated for profit.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: December 15, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62–5500; Filed, June 6, 1962; 8:45 a.m.]

[Docket C–45]

PART 13—PROHIBITED TRADE PRACTICES

Globe Products Corp. et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* § 13.1185–80 *Textile Fiber Products Identification Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845–70 *Textile Fiber Products Identification Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Globe Products Corporation et al., Baltimore, Md., Docket C–45, Dec. 18, 1961]

In the Matter of Globe Products Corporation, a Corporation, and Paul Huddles, and Esther Huddles, Individually and as Officers of Said Corporation

Consent order requiring Baltimore sellers to cease violating the Textile Fiber Products Identification Act by such practices as labeling as nylon, "Re-Cord" and "Re-Tape and Re-Cord" kits for the repair of Venetian blinds which contained substantial amounts of rayon, and failing to label such kits with the true generic name of the fibers present and the percentage thereof.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Globe Products Corporation, a corporation, and its officers, and Paul Huddles and Esther Huddles, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported, in commerce, or the importation into the United States of textile fiber products; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of textile fiber products which have been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber products, whether in their original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of constituent fibers contained therein;

2. Failing to affix labels to such products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act, where required by such Act or by the rules and regulations promulgated thereunder.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: December 18, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62–5501; Filed, June 6, 1962; 8:45 a.m.]

[Docket C–46]

PART 13—PROHIBITED TRADE PRACTICES

L. Hammel Dry Goods Co.

Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: § 13.1852–35 *Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, L. Hammel Dry Goods Company, Mobile, Ala., Docket C–46, Dec. 18, 1961]

Consent order requiring a Mobile, Ala., department store to cease violating the Fur Products Labeling Act by making price and value claims in newspaper advertisements of fur products without maintaining adequate records disclosing the facts upon which such representations were based.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

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

1. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondent full and

adequate records disclosing the facts upon which such claims and representations are based.

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

Issued: December 18, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-5502; Filed, June 6, 1962; 8:45 a.m.]

[Docket C-47]

PART 13—PROHIBITED TRADE PRACTICES

Egyptian Vault Co. and Ulys Pyle

Subpart—Advertising falsely or misleadingly: § 13.20 *Comparative data or merits;* § 13.70 *Fictitious or misleading guarantees;* § 13.170 *Qualities or properties of product or service:* § 13.170-30 *Durability or permanence.* Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Egyptian Vault Company et al., Carmi, Ill., Docket C-47, Dec. 18, 1961]

In the Matter of Egyptian Vault Company, a Corporation, and Ulys Pyle, Individually and as an Officer of Said Corporation

Consent order requiring an individual manufacturer of burial vaults in Carmi, Ill., to cease representing falsely in advertising in newspapers, trade journals, brochures, and otherwise, that his vaults were "Virtually indestructible," "Impervious to all known elements in the earth", with "No Limit on Warranty", etc.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Egyptian Vault Company, a corporation, and its officers, and Ulys Pyle, individually and as an officer of said corporate respondent, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of burial vaults, or any related product, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) Respondents' products are impervious to all known elements in the earth.

(b) Respondents' products will not corrode or decay.

(c) Respondents' products will last over the ages or will last for any other indefinite period of time, are indestructible, or are more durable than other vaults.

(d) Respondents' products are warranted or guaranteed unless the nature and extent of the warranty or guarantee and the manner in which the guarantor will perform are clearly set forth.

2. Furnishing to others any means or instrumentality by or through which the public may be misled as to the inhibitions set forth in paragraph 1 of this order.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: December 18, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-5503; Filed, June 6, 1962; 8:45 a.m.]

[Docket C-48]

PART 13—PROHIBITED TRADE PRACTICES

Einiger Mills, Inc., and Jack H. Einiger

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* § 13.1185-90 *Wool Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845-80 *Wool Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Einiger Mills, Inc., et al., New York, N.Y., Docket C-48, Dec. 18, 1961]

In the Matter of Einiger Mills, Inc., a Corporation, Jack H. Einiger, Individually and as an Officer of Said Corporation

Consent order requiring New York City manufacturers to cease violating the Wool Products Labeling Act by failing to disclose on labels on fabrics the true generic name of the fibers present and the percentage thereof, and by describing a portion of the fiber content of certain fabrics on labels as "Angora" instead of using the true generic name.

The order to cease and desist, together with further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents, Einiger Mills, Inc., a corporation, and its officers, and Jack H. Einiger, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of fabrics or any other "wool products", as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

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

2. Failing to securely affix to or place on each product, a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner, each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. Failing to identify each of the fibers contained in such products by its common generic name.

It is further ordered, That respondents Einiger Mills, Inc., a corporation and its officers, and Jack H. Einiger, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of fabric or any other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the character or amount of constituent fibers contained in such products on invoices or shipping memoranda applicable thereto or in any other manner.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: December 18, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-5504; Filed, June 6, 1962; 8:45 a.m.]

[Docket C-49]

PART 13—PROHIBITED TRADE PRACTICES

Robin Rousseau et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* § 13.1108-45 *Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845-30 *Fur Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements:* § 13.1852-35 *Fur Products Labeling Act;* § 13.1865 *Manufacture or preparation:* § 13.1865-40 *Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Robin Rousseau, trading as Alaska Sew & Fur Shop, etc., Spenard, Alaska, Docket C-49, Dec. 21, 1961]

In the Matter of Robin Rousseau, an Individual Trading as Alaska Sew & Fur Shop and Bobbie's Fur Shop

Consent order requiring a furrier in Spenard, Alaska, to cease violating the

Fur Products Labeling Act by failing to show on labels the true animal name of the fur used in fur products and to disclose when fur was dyed; and by failing to comply with invoicing requirements.

The order to cease and desist, together with further order requiring report of compliance therewith, is as follows:

It is ordered, That Robin Rousseau, an individual trading as Alaska Sew & Fur Shop and Bobbie's Fur Shop, or under any other trade name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, manufacture for introduction, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce of fur products or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Falsely or deceptively invoicing fur products by:

A. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5 (b) (1) of the Fur Products Labeling Act.

B. Failing to set forth the item number or mark assigned to a fur product.

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

Issued: December 21, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-5505; Filed, June 6, 1962; 8:45 a.m.]

[Docket C-50]

PART 13—PROHIBITED TRADE PRACTICES

Bell Importing Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections:* § 13.15-75 *Foreign branches, operations, etc.;* § 13.15-235 *Producer status of dealer or seller:* § 13.15-235(m) *Manufacturer.* Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* § 13.1108-90 *Wool Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* § 13.1185-90 *Wool Products Labeling Act;* § 13.1212 *Formal regulatory and statutory requirements:* § 13.1212-90 *Wool Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845-80 *Wool Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements:* § 13.1852-80 *Wool Products Labeling Act;* § 13.1900 *Source or origin:* § 13.1900-90 *Wool Products Labeling Act:* § 13.1900-90(a) *Maker or seller.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Bell Importing Company et al., Mississippi City, Miss., Docket C-50, Dec. 21, 1961]

In the Matter of Bell Importing Company, a Corporation, Crown Colony Shops, Inc., a Corporation, and John E. Bell, Sr., Mary Canon Bell and John E. Bell, Jr., Individually and as Officers of Said Corporations

Consent order requiring two associated sellers of men's and women's clothes, with headquarters in Mississippi City, Miss., and two branch stores in Biloxi—taking measurements of customers who made a selection from samples or swatches and placing the filled-in orders with a tailor in the Crown Colony of Hong Kong, China, who shipped the completed garments to respondents—to cease violating the Wool Products Labeling Act by tagging as "Super Cashmere", "Cashmere", and "Mohair", men's coats and samples which contained a substantial quantity of other fibers, and failing to disclose on the labels the true generic names of the fibers present, the percentage thereof, and the registered identification number of the manufacturer; falsely representing various men's coats as entirely composed of vicuna, on invoices, shipping memoranda, etc.; and representing falsely that they manufactured their products and had a place of business in Hong Kong.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That the respondents Bell Importing Company, a corporation, Crown Colony Shops, Inc., a corporation, and John E. Bell, Sr., Mary Canon Bell, and John E. Bell, Jr., individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce or the offering for sale, sale, transportation, distribution, delivery for shipment, or shipment in commerce, of wool products, as the terms "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding wool products by:

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

2. Failing to affix labels to such products showing each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as "cashmere" or "mohair" without setting forth the actual percentages of the cashmere or mohair contained therein.

4. Failing to affix labels to samples, swatches or specimens of wool products used to promote or effect sales of wool products, showing each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That the respondents Bell Importing Company, a corporation, Crown Colony Shops, Inc., a corporation, and John E. Bell, Sr., Mary Canon Bell, and John E. Bell, Jr., individually and as officers of said corporations and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of articles of wearing apparel or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Misrepresenting the character and amount of constituent fibers contained in such products on invoices or shipping memoranda applicable thereto or in any other manner.

B. Representing in any manner, contrary to fact, that respondents own, operate, or control the factory in which such products are tailored or manufactured, or that respondents, have a place of business in the Crown Colony of Hong Kong.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: December 21, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62-5506; Filed, June 6, 1962; 8:45 a.m.]

[Docket C-51]

PART 13—PROHIBITED TRADE PRACTICES

White Stag Manufacturing Co.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices:* § 13.155-40 *Exaggerated as regular and customary;* § 13.155-45 *Fictitious marking;* § 13.230 *Size or weight.* Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055-50 *Preticketing merchandise misleadingly.* Subpart—Misbranding or mislabeling: § 13.1280 *Price;* § 13.1323 *Size or weight.* Subpart—Misrepresenting oneself and goods—Prices: § 13.1811 *Fictitious preticketing.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, White

Stag Manufacturing Co., Portland, Oreg., Docket C–51, Dec. 21, 1961]

Consent order requiring a manufacturer in Portland, Oreg., to cease misrepresenting the usual prices and size of its sleeping bags by printing on attached labels and in catalogs a fictitious figure, in excess of the regular retail price, and stating the "cut size" on labels, which was larger than the finished size of the bags.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent White Stag Manufacturing Co., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the manufacture, offering for sale, sale or distribution of sleeping bags or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Advertising, labeling, representing in a catalog or otherwise representing the "cut size" or dimensions of material used in their construction, unless such representation is accompanied by a description of the finished or actual size, with the latter description being given at least equal prominence;

2. Misrepresenting the size of such products on labels or in any other manner;

3. Representing, directly or by implication, by means of preticketing or by stating in a catalog, or in any other manner, that any amount is the usual and regular retail price of merchandise when such amount is in excess of the price at which said merchandise is usually and regularly sold at retail in the trade area or areas where the representations are made;

4. Furnishing to others any means or instrumentality by or through which the public may be misled as to the usual and regular retail price of respondent's merchandise;

5. Putting any plan into operation through the use of which retailers or others may misrepresent the usual and regular retail price of merchandise;

6. Using the word "Price" or any other word or expression of the same import to describe or refer to the retail price of respondent's merchandise unless such price is the usual and regular retail price of said merchandise.

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

Issued: December 21, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62–5507; Filed, June 6, 1962; 8:45 a.m.]

[Docket C–52]

PART 13—PROHIBITED TRADE PRACTICES

Raphael's, Inc., and S. M. Bauer

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* § 13.1108–45 *Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* § 13.1845–30 *Fur Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements:* § 13.1852–35 *Fur Products Labeling Act;* § 13.1900 *Source or origin:* § 13.1900–40 *Fur Products Labeling Act:* § 13.1900–40 (b) *Place.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f). [Cease and desist order, Raphael's, Inc., et al., Mobile, Ala., Docket C–52, Dec. 21, 1961]

In the Matter of Raphael's, Inc., a Corporation, and S. M. Bauer, Individually and as an Officer of Said Corporation

Consent order requiring a furrier in Mobile, Ala., to cease violating the Fur Products Labeling Act by failing to show on invoices the true animal name of the fur used in fur products and the country of origin of imported furs, and failing to maintain adequate records disclosing the facts upon which advertised price and value claims were based.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That Raphael's Inc., a corporation, and its officers, and S. M. Bauer, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of fur products; or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which are made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Falsely or deceptively invoicing fur products by:

(A) Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all of the information required to be disclosed by each of the subsections of section 5 (b) (1) of the Fur Products Labeling Act.

2. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: December 21, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 62–5508; Filed, June 6, 1962; 8:45 a.m.]

[Docket 8339 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Chemical Compounds, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections:* § 13.15–60 *Exclusive distributor or producer;* § 13.15–278 *Time in business;* § 13.235 *Source or origin:* § 13.235–60 *Place:* § 13.235–60(a) *Domestic products as imported.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, C. D. Liggett, Robert P. DeHart, and James C. Hill, individually, St. Joseph, Mo., Docket 8339, Dec. 21, 1961]

In the Matter of Chemical Compounds, Inc., a Corporation, and Ralph D. Ligett, Robert P. DeHart and James C. Hill, Individually and as Officers of Said Corporation

Consent order requiring three individuals, formerly officers of a company liquidated before complaint issued, to cease representing falsely in advertising that their "STP" oil additive was "German developed", that they were its sole distributors, and that they had been selling it for 17 years.

The order to cease and desist is as follows:

It is ordered, That respondents C. D. Liggett (erroneously named in the complaint as Ralph D. Ligett), Robert P. DeHart and James C. Hill, individually, and their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of oil additives, or any other related product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Misrepresenting, directly or by implication:

(a) The country of origin of their product.

(b) That they are the only distributor of the product in the United States; or in any other manner misrepresent their status as distributor of the product.

(c) The number of years in which they have been conducting their business.

(d) The time during which they have been selling their product.

2. Placing any means or instrumentalities in the hands of others by and through which the public may be misled as to the inhibitions set forth in paragraph 1 of this order.

It is further ordered, That subparagraphs 1 of Paragraphs Four and Five of the complaint issued herein be, and they are hereby, dismissed as to all respondents.

Also, it is further ordered, That the complaint be, and it is hereby, dismissed as to respondent Chemical Compounds, Inc., and as to respondents Ralph D. Ligett, Robert P. DeHart, and James C. Hill as officers of respondent Chemical Compounds, Inc.

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

It is ordered, That respondents C. D. Liggett (erroneously named in the complaint as Ralph D. Ligett), Robert P. DeHart and James C. Hill, individually, shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 21, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-5509; Filed, June 6, 1962; 8:46 a.m.]

PART 29—ACCIDENT AND HEALTH INSURANCE INDUSTRY

Rescission of Trade Practice Rules

Whereas, the Commission promulgated trade practice rules for the Accident and Health Insurance Industry on June 15, 1956; and

Whereas, subsequent court decisions have necessitated redefinement of the jurisdiction on which such rules are premised, and the rescission of such rules does not have the effect of abridging, in any way, the statutory jurisdiction of the Commission with respect to trade practices in such industry;

It is ordered, That the trade practice rules for the Accident and Health Insurance Industry be and the same are hereby rescinded.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-5533; Filed, June 6, 1962; 8:49 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 262—MISCELLANEOUS

Actuarial Advisory Committee

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (50 Stat. 314, 45 U.S.C. 228j), § 262.19 of Part 262 (20 CFR 262.19) of the regulations under such act is deleted by Board Order 62-63, dated May 23, 1962, and § 262.18. (20 CFR 262.18) is amended, by Board Order 62-63, to read as follows:

§ 262.18 Actuaries to be recommended by employees and carriers.

(a) One member of the Actuarial Advisory Committee shall be selected by recommendations made by "carrier representatives." "Carrier representatives," as used in this section, shall mean any organization formed jointly by the express companies, sleeping-car companies and carriers by railroad subject to Part I of the Interstate Commerce Act which own or control more than 50 percent of the total railroad mileage within the United States.

(b) The other member of the Actuarial Advisory Committee to be selected by the Board shall be recommended by "representatives of employees."

(c) "Representatives of employees," as used in this section, shall mean any organization or body formed jointly by a majority of railway labor organizations organized in accordance with the provisions of the Railway Labor Act, as amended, or any individual or committee authorized by a majority of such railway labor organizations to make such recommendation.

(Sec. 10, 50 Stat. 314, 45 U.S.C. 228j)

Dated: May 31, 1962.

By authority of the Board.

LAWRENCE GARLAND,
Acting Secretary of the Board.

[F.R. Doc. 62-5522; Filed, June 6, 1962; 8:47 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 1—GENERAL RULES AND REGULATIONS

Fishing

On page 3468 of the FEDERAL REGISTER of April 11, 1962, there was published a notice and text of a proposed amendment to Part 1 of Title 36, Code of Federal Regulations. The purpose of the amendment is to require any person fishing in the waters of the national monuments in Alaska to secure a State of Alaska sport fishing license in conformity with the laws of that State.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received, and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

Paragraph (a) of § 1.4 is amended and revised to read as follows:

§ 1.4 Fishing.

(a) Any person fishing in the waters of the Yosemite, Sequoia, Kings Canyon, Lassen Volcanic, Grand Canyon, Rocky Mountain, Grand Teton, Acadia, Wind Cave, Great Smoky Mountains, Shenandoah, Everglades, and Zion National Parks, and the monuments under the jurisdiction of the National Park Service, must secure a sport fishing license, as required by the laws of the State in which such park or monument, or portion thereof, is situated. Fishing in all parks and monuments shall be done in conformity with the laws of the State in which such park or monument, or portion thereof, is situated, regarding open seasons, size of fish, and limit of catch, except as otherwise provided in the following paragraphs of this section.

(39 Stat. 535; 16 U.S.C. 3)

STEWART L. UDALL,
Secretary of the Interior.

MAY 31, 1962.

[F.R. Doc. 62-5510; Filed, June 6, 1962; 8:46 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 95—TRANSPORTATION OF MAIL BEYOND BORDERS OF UNITED STATES

Compensation for Transportation of Empty Air Mail Sacks

The regulations of the Post Office Department in § 95.4 *Compensation for transportation of surface mail* are amended by making the following changes:

I. That part of paragraph (a) preceding the rate schedule is amended by adding "The term 'foreign closed transit mail' includes air mail sacks being returned to country of origin by the United States". As so amended, that part of paragraph (a) preceding the rate schedule reads as follows:

(a) Definite rates: Payment shall be made for the transportation of United States mail and foreign closed transit mail on steamships of the United States and foreign registry at the rates specified in the schedule below. The word "mails" includes parcel post. The term "foreign closed transit mail" includes empty air mail sacks being returned to country of origin by the United States.

II. Paragraph (c) is amended for the purpose of clarification by striking out "bags" where it appears therein and inserting in lieu thereof "sacks"; and by adding "(other than air mail)" immediately following the second reference to the revised word "sacks". As so amended, paragraph (c) reads as follows:

(c) The rates prescribed in paragraph (a) of this section, while measured by the net weight of the mails alone, are intended to include payment for the transportation, at the companies' expense and without additional payment by the Post Office Department, of the covering mail sacks, the return of the empty mail sacks (other than air mail

sacks), and the truck transportation from the post offices to the piers. Acceptance by steamship companies of mails for transportation constitutes an acceptance of this method of computing payment.

(R.S. 161 as amended; 5 U.S.C. 22, 18 U.S.C. 1724, 39 U.S.C. 501, 6101, 6409)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 62-5520; Filed, June 6, 1962; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 95—CAR SERVICE

[Rev. S.O. 939]

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

At a session of the Interstate Commerce Commission, Safety and Service Board No. 1, held in Washington, D.C., on the 4th day of June A.D. 1962.

It appearing that an acute shortage of box cars fifty-foot long or longer and box cars forty-foot long or longer with side door openings eight-foot wide or more; and it appearing that the present carrier rules, regulations and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of box cars of these dimensions to the railroads owning such cars are ineffective; the Commission is of the opinion that an emergency exists requiring immediate action in all parts of the country, and that notice and public procedure are impracticable and contrary to the public interest and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 95.939 Utilization of fifty-foot long or longer plain box cars and plain box cars forty-foot long or longer with side door openings eight-foot wide or wider.

(a) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce and obey the following rules, regulations and practices with respect to its car service:

(1) The provisions of this section apply to plain (XM, XME, and XI) forty-foot or longer box cars with side door openings of eight-foot or wider and plain (XM, XME, and XI) fifty-foot or longer box cars with any size side door opening of all ownerships, including all box cars with plug doors.

(2) For purposes of this section, districts as shown in the Official Railway Equipment Register, ICC R.E.R.-No. 343, supplements thereto or subsequent reissues thereof govern. These districts are identified as Association of American Railroads car selection chart showing home districts for all principal freight car ownership.

(3) Cars locating in a home district may be used only for loading to a destination on or via owner's rails or to a junction with the owner.

(4) Cars locating in a district adjacent to a home district may be used only for loading to a home district or beyond if routed via the owner.

(5) Cars locating in other districts (not home districts or districts adjacent thereto) may be used for loading to, via, or in the direction of the owner, or to any destination within a home district or within a district adjacent or intermediate to a home district.

(6) Cars locating empty at a junction with the owner must be loaded to or via the owning road or delivered owner empty at that junction.

(7) In the absence of proper loading, cars must be moved, to the owner empty under Association of American Railroads Car Service Rules or Special Car Order 90.

(b) *Application.* The provisions of this section shall apply to intrastate and interstate commerce.

(c) *Effective date.* This section shall become effective at 12:01 a.m., June 5, 1962.

(d) *Expiration date.* This section shall expire at 11:59 p.m., December 31, 1962, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

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

It is further ordered, That this order vacates and supersedes Corrected Service Order No. 939 and that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and filing it with the Director, Office of the Federal Register.

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

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-5548; Filed, June 6, 1962; 8:52 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Aleutian Islands National Wildlife Refuge, Alaska

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ALASKA

ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

Sport fishing on the Aleutian Islands National Wildlife Refuge, Alaska is permissible only under the following conditions:

(a) Species permitted to be taken: As permitted by Alaska regulations.

(b) Open season: No closed season.

(c) Daily creel limits: As prescribed by Alaska regulations.

(d) Methods of fishing: With a single line having attached to it not more than one plug, spoon, spinner or series of spinners, or two flies or two hooks and as otherwise permitted by Alaska regulations.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on all of the waters within the Aleutian Islands National Wildlife Refuge.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective through December 31, 1962.

URBAN C. NELSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1962.

[F.R. Doc. 62-5511; Filed, June 6, 1962; 8:46 a.m.]

PART 33—SPORT FISHING

Arctic National Wildlife Range, Alaska

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ALASKA

ARCTIC NATIONAL WILDLIFE RANGE

Sport fishing on the Arctic National Wildlife Range, Alaska is permissible only under the following conditions:

(a) Species permitted to be taken: Arctic char, grayling, lake trout, sheefish and whitefish.

(b) Open season: No closed season.

(c) Daily creel limits: As prescribed by Alaska regulation.

(d) Methods of fishing: With a single line having attached to it not more than one plug, spoon, spinner or series of spinners, or two flies or two hooks and as otherwise permitted by Alaska regulation.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above all of the waters within the Arctic National Wildlife Range.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations

which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective through December 31, 1962.

URBAN C. NELSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1962.

[F.R. Doc. 62-5512; Filed, June 6, 1962; 8:46 a.m.]

PART 33—SPORT FISHING

Bering Sea National Wildlife Refuge, Alaska

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ALASKA

BERING SEA NATIONAL WILDLIFE REFUGE

Sport fishing on the Bering Sea National Wildlife Refuge, Alaska is permissible only under the following conditions:

(a) Species permitted to be taken: As permitted by Alaska regulations.

(b) Open season: No closed season.

(c) Daily creel limits: As prescribed by Alaska regulations.

(d) Methods of fishing: With a single line having attached to it not more than one plug, spoon, spinner or series of spinners, or two hooks or two flies and as otherwise permitted by Alaska regulations.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on all waters within the Bering Sea National Wildlife Refuge.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective through December 31, 1962.

URBAN C. NELSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1962.

[F.R. Doc. 62-5513; Filed, June 6, 1962; 8:46 a.m.]

PART 33—SPORT FISHING

Clarence Rhode National Wildlife Range, Alaska

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ALASKA

CLARENCE RHODE NATIONAL WILDLIFE RANGE

Sport fishing on the Clarence Rhode National Wildlife Range, Alaska is permissible only under the following conditions:

(a) Species permitted to be taken: As permitted by Alaska regulations.

(b) Open season: No closed season.

(c) Daily creel limits: As prescribed by Alaska regulations.

(d) Methods of fishing: With a single line having attached to it not more than one plug, spoon, spinner or series of spinners, or two flies or two hooks and as otherwise permitted by Alaska regulations.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on all of the waters within the Clarence Rhode National Wildlife Range.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective through December 31, 1962.

URBAN C. NELSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1962.

[F.R. Doc. 62-5514; Filed, June 6, 1962; 8:46 a.m.]

PART 33—SPORT FISHING

Izembek National Wildlife Range, Alaska

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ALASKA

IZEMBEK NATIONAL WILDLIFE RANGE

Sport fishing on the Izembek National Wildlife Range, Alaska is permissible only under the following conditions:

(a) Species permitted to be taken: Salmon, rainbow and dolly varden trout.

(b) Open season: No closed season.

(c) Daily creel limits: As prescribed by Alaska regulation.

(d) Methods of fishing: With a single line having attached to it not more than one plug, spoon, spinner or series of spinners, or two flies or two hooks and as otherwise permitted by Alaska regulation.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on all of the waters within the Izembek National Wildlife Range.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective through December 31, 1962.

URBAN C. NELSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1962.

[F.R. Doc. 62-5515; Filed, June 6, 1962; 8:46 a.m.]

PART 33—SPORT FISHING

Kenai National Moose Range, Alaska

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ALASKA

KENAI NATIONAL MOOSE RANGE

Sport fishing on the Kenai National Moose Range, Alaska is permissible only under the following conditions:

(a) Species permitted to be taken: As permitted by Alaska regulations.

(b) Open season: January 1–March 31 and May 26—December 31.

(c) Daily creel limits: As prescribed by Alaska regulations.

(d) Methods of fishing: With a single line having attached to it not more than one plug, spoon, spinner or series of spinners, or two hooks or two flies and as otherwise permitted by Alaska regulations.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on all waters within the Kenai National Moose Range.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective through December 31, 1962.

URBAN C. NELSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1962.

[F.R. Doc. 62-5516; Filed, June 6, 1962; 8:46 a.m.]

PART 33—SPORT FISHING

Kodiak National Wildlife Refuge, Alaska

The folowing special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ALASKA

KODIAK NATIONAL WILDLIFE REFUGE

Sport fishing on the Kodiak National Wildlife Refuge, Alaska is permissible only under the following conditions:

(a) Species permitted to be taken: As permitted by Alaska regulations.

(b) Open season: No closed season.

(c) Daily creel limits: As prescribed by Alaska regulations.

(d) Methods of fishing: With a single line having attached to it not more than one plug, spoon, spinner or series of spinners, or two hooks or two flies and as otherwise permitted by Alaska regulations.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on all waters within the Kodiak National Wildlife Refuge.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective through December 31, 1962.

URBAN C. NELSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1962.

[F.R. Doc. 62-5517; Filed, June 6, 1962; 8:46 a.m.]

PART 33—SPORT FISHING

Nunivak Island National Wildlife Refuge, Alaska

The folowing special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ALASKA

NUNIVAK ISLAND NATIONAL WILDLIFE REFUGE

Sport fishing on the Nunivak National Wildlife Refuge, Alaska is permissible only under the following conditions:

(a) Species permitted to be taken: As permitted by Alaska regulations.

(b) Open season: No closed season.

(c) Daily creel limits: As prescribed by Alaska regulations.

(d) Methods of fishing: With a single line having attached to it not more than one plug, spoon, spinner or series of spiners, or two hooks or two flies and as otherwise permitted by Alaska regulations.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on all waters within the Nunivak Island National Wildlife Refuge.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective through December 31, 1962.

URBAN C. NELSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

MAY 24, 1962.

[F.R. Doc. 62-5518; Filed, June 6, 1962; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Parts 1005, 1011, 1065, 1066, 1071–1076, 1090, 1094, 1096, 1098, 1101–1107, 1120, 1126–1130, 1132, 1134, 1135, 1137]

HANDLING OF MILK IN CERTAIN MARKETING AREAS

Supplemental Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

In the matter of:

7 CFR Part; Docket No.; and Marketing Area

1005	AO–177–A20	Tri-State.
1011	AO–251–A4	Appalachian.
1065	AO–86 –A14	Nebraska-Western Iowa.
1066	AO–122–A9	Sioux City, Iowa.
1071	AO–227–A13	Neosho Valley.
1072	AO–235–A4	Sioux Falls-Mitchell, S. Dak.
1073	OA–173–A14	Wichita, Kans.
1074	AO–249–A4	Southwest Kansas.
1075	AO–248–A3	Black Hills, S. Dak.
1076	AO–260–A4	Eastern South Dakota.
1090	AO–266–A3	Chattanooga, Tenn.
1094	AO–103–A20	New Orleans, La.
1096	AO–257–A8	Northern Louisiana.
1098	AO–184–A18	Nashville, Tenn.
1101	AO–195–A10	Knoxville, Tenn.
1102	AO–237–A6	Fort Smith, Ark.
1103	AO–252–A7	Central Mississippi.
1104	AO–298–A2	Red River Valley.
1105	AO–297–A2	Mississippi Delta.
1106	AO–210–A14	Oklahoma Metropolitan.
1107	AO–304–A3	Mississippi Gulf Coast.
1120	AO–328–A1	Lubbock-Plainview, Tex.
1126	AO–231–A19	North Texas.
1127	AO–232–A11	San Antonio, Tex.
1128	AO–238–A13	Central West Texas.
1129	AO–256–A7	Austin-Waco, Tex.
1130	AO–259–A7	Corpus Christi, Tex.
1132	AO–262–A8	Texas Panhandle.
1134	AO–301–A2	Western Colorado.
1135	AO–300–A4	Colorado Springs-Pueblo.
1137	AO–326–A1	Eastern Colorado.

Notice was issued May 22, 1962, and published in the FEDERAL REGISTER on May 25, 1962 (27 F.R. 4919) of a joint public hearing with respect to proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in 24 of the marketing areas specified above, with sessions of such public hearing to be held as follows: June 7, 1962, at the Lassen Motel, 155 North Market Street, Wichita, Kansas; June 12, 1962, at the Alama Plasa Courts, 450 Murfreesboro Road, Nashville, Tennessee; and June 14, 1962, at the Monte Leone Hotel, 214 Royal Street, New Orleans, Louisiana.

Notice is hereby given that at the session of the hearing to be held beginning at 10:00 a.m., June 14 at the Monte Leone Hotel, 214 Royal Street, New Orleans, Louisiana, evidence will also be received with respect to identical proposed amendments with respect to the tentative marketing agreements and to the orders regulating the handling of milk in the Lubbock-Plainview, Tex.; North Texas; San Antonio, Tex.; Central West Texas; Austin-Waco, Tex.; Corpus Christi, Tex.; and Texas Panhandle marketing areas.

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

Additional proposals with respect to the matters set forth below have been made by the following:

The North Texas Producers Association
The Milk Producers Association of San Antonio, Inc.
The Mid-Tex Milk Producers Association
The Coastal Bend Milk Producers Association
The Central West Texas Producers Association

Proposal No. 1. (As set forth in the original notice of hearing). That the basic formula price to be used in computing the price for Class I milk under each of the following orders shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the United States Department of Agriculture for the applicable month, adjusted to a 3.5 percent butterfat basis by a butterfat differential computed by multiplying the Chicago 92-score butter price by 0.12. Adjustments of the several Class I price differentials appropriate in relation to the proposed change in the basic formula price will also be considered.

This proposal affects the following additional marketing areas and order provisions:

Marketing area	*Provisions affected (section)*
Lubbock-Plainview, Tex	(1)
North Texas	1126.50
San Antonio, Tex	(1)
Central West Texas	(1)
Austin-Waco, Tex	(1)
Corpus Christi, Tex	(1)
Texas Panhandle	1132.50

[1] Class I price based on that of Order No. 126 for North Texas marketing area.

Under this proposal evidence will be received only with respect to change in the basic formula prices used to compute Class I prices. To the extent that prices now stated as basic formula prices or alternative basic formula prices in any of the orders are used to compute prices for other classes of milk, it is anticipated that amendment of such orders on the basis of this proposal will require conforming changes to preserve present pricing provisions for such classes.

Proposal No. 2. (As set forth in the original notice of hearing.) That all class and producer prices under the orders for the following marketing areas be stated on a 3.5 percent butterfat basis:

Additional markets affected:
Lubbock-Plainview, Tex.
North Texas.
San Antonio, Tex.
Central West Texas.
Austin-Waco, Tex.
Corpus Christi, Tex.
Texas Panhandle.

Copies of this supplemental notice of hearing and the orders may be inspected at the office of the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be procured from the Milk Marketing Orders Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington 25, D.C., or from the offices of the market administrators listed below or may be there inspected:

3621 West Mockingbird Lane, Dallas 35, Tex.
834 Brooklyn Avenue, San Antonio 12, Tex.
1950 East Avenue, Austin 2, Tex.
112 Tarlton Street, Corpus Christi, Tex.
4023 W. 50th Street, Amarillo, Tex.

Signed at Washington, D.C., on June 4, 1962.

ROBERT G. LEWIS,
Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62–5550; Filed, June 6, 1962; 8:53 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 48, 60]

[Reg. Docket No. 1234; Draft Release 62–26]

OPERATION RULES FOR ROCKETS

Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator (14 CFR 405), notice is hereby given that the Federal Aviation Agency (FAA) has under consideration a proposal to amend Parts 48 and 60 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section, Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C. All communications received prior to August 6, 1962, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time. Because of the large number of comments anticipated in response to this proposal, we

will be unable to acknowledge receipt of each reply.

Part 48 now governs the operation of moored balloons and kites. The amendment to Part 48 proposed herein would incorporate regulations regarding the operation of rockets. Part 60 contains the Air Traffic Rules governing the operation of aircraft, including rockets. The amendment to Part 60 proposed herein would exclude rockets subject to Part 48.

On February 25, 1961, in Draft Release No. 61–4 (26 F.R. 1666), the FAA proposed regulations pertaining to the operation of rockets and missiles. That proposal generated a great deal of interest, as evidenced by the large number of comments received. Rocket enthusiasts generally opposed the requirements advanced, while civil aviation interests endorsed the proposal. Satisfactory resolution of the many comments to the draft release would have resulted in a regulation substantially different from that originally proposed. The Agency, therefore, has developed the new proposed rule making contained herein, based on the valuable comments received.

In developing this proposal, the Agency has taken cognizance of the broad meaning which can be attached to the term "rocket." The earlier draft release spoke of "rockets and missiles" and made no differentiation between amateur rockets and model rockets. In this proposal, we consider the term "rocket" to include "missile" and have exempted model rocketry from regulation herein if certain conditions are met. Typically, model rockets are made of paper, wood, or fragile plastic, contain no substantial metal parts, and are powered by a premixed propellant. Under these conditions, provided reasonable weights are not exceeded, no real hazard appears to exist and this proposal would not govern such operations.

Activity in the field of rocket operations is steadily increasing, especially experimental amateur rocketry. Amateur rocketry, unlike model rocketry, concerns itself with metallic rockets which have a far greater thrust due to the use of more powerful homemade fuels; utilizes rocket systems which require extensive safety precautions and expert supervision; and requires a greater amount of land and airspace to contain the operations. The bulk of the amateur activity is carried on by youthful individuals, high school and college classes, local recreation department groups, and various rocket clubs. As these activities increase there is an increasing possibility of hazard to aircraft and to persons and property on the surface. Therefore, it has been determined that rules which will control the indiscriminate firing of rockets without unduly suppressing such activities are both necessary and reasonable. This proposal recognizes this need and contains regulatory measures regarding weather conditions, type of airspace, notification, and proximity of the operation to persons and airports.

The Agency recognizes that amateur rocketry has established a good safety record. No doubt this is due to the keen interest of the rocketeer and the realization of his legal and moral responsibilities. Also, many of the known rocket launchings have taken place in restricted areas under adult and military supervision. However, even there, elaborate safety precautions were taken, such as mobile fire equipment, protective type vehicles, heavily reinforced bunkers, and supervision by military ordnance experts.

These precautions emphasize the unpredictability and hazard of rocket operations. When launchings are confined to such approved areas and are properly supervised, the hazard to aircraft is greatly reduced; however, there is no assurance that rocket launchings will continue under such favorable conditions.

Members of this Agency have been present at several of the rocket meets held within restricted areas. They observed rockets ranging in sizes up to 11 feet long with diameters up to three inches. For the most part, these rockets were constructed of aluminum or steel tubing. They were powered by fuel mixtures such as zinc and sulphur or nitrate and sugar. In one instance the fuel alone weighed 31 pounds. The average weight was not ascertained, however, some amateur rockets have a gross weight of 65–75 pounds and are capable of reaching altitudes of over five miles. Since there are over 5,000 amateur rocket societies in the United States with over 40,000 members actively engaged in rocket activities, the potential hazard to aircraft created by amateur rocket operations is evident.

This proposal seeks to achieve two safety objectives. First, the possibility of hazard to aircraft would be minimized by prohibiting the operation of rockets within five miles of airports or within controlled airspace; and by charging the operator with the responsibility to operate the rocket in a manner that will not create a hazard to aircraft in flight. These provisions would restrict potentially hazardous objects from areas of concentrated air traffic and would make rocket operations more compatible with the activities of other airspace users. Second, protection to persons not associated with the operation would be provided by prescribing minimum separation standards between the rocket operation and such persons. This requirement would apply regardless of the location of the launching area.

"Controlled airspace" is a term referring to designated airspace of defined dimensions. It includes control zones, control areas, transition areas, and the Continental Control Area. Controlled airspace is designated to contain the vast network of airways and the various areas of more concentrated air activity. The sizes and shapes of controlled airspace vary with the exception of the Continental Control Area. The latter consists of airspace of the 48 contiguous states and the District of Columbia at and above 14,500 feet mean sea level. Therefore, the proposed rule would allow rocket operations to be conducted up to 14,500 feet mean sea level if all other types of controlled airspace are avoided. In conjunction with this, however, the operator must assure that the rocket remains clear of clouds; that the cloud cover or obscuring phenomena in the area of operation does not cover more than five tenths of the sky; and that the horizontal visibility from the rocket is at least five miles during the entire operation. These limitations are specified so that the operator may visually scan the area and conduct his operation with due regard for the safety of aircraft.

The proposed regulation would require the operator of a rocket to give prior notice of the operation to the nearest FAA air traffic control facility. This information would be incorporated in a Notice to Airmen (NOTAM) informing airspace users of the existence and general location of the rocket operations, the duration of such activities, and the maximum altitude to which the rocket/s will be operated.

Section 60.1 of the Air Traffic Rules states in part, "the air traffic rules of this part shall apply to aircraft operated anywhere in the United States, * * *" Since rockets are within the definition of aircraft, they are subject to all the provisions contained therein. The scope of Part 60 would be amended so that rockets which are subject to the provisions of Part 48 would be excluded from the provisions of Part 60.

This proposal is subject to the FAA Recodification Program, recently announced in Draft Release No. 61–25 (26 F.R. 10698). The final rule, if adopted, may be in a recodified form, however, the recodification itself will not alter the substantive contents proposed herein.

In consideration of the foregoing, notice is hereby given that Parts 48 and 60 of the Civil Air Regulations are proposed to be amended as follows:

1. By amending § 48.1 to read:

§ 48.1 Applicability.

This part applies to the operation of moored balloons, kites and rockets in the United States.

NOTE: Radio transmitting equipment used in conjunction with operations under this part must be licensed as required by the Federal Communications Commission, Washington 25, D.C.

2. By amending § 48.3 by adding in proper alphabetical order the following new definitions:

§ 48.3 Definitions.

"Airport" means a defined area on land or water, including any buildings and installations, normally used for the take-off and landing of aircraft.

* * * * *

"Rocket" means an unmanned aircraft, whose flight in the air is derived from the thrust of ejected expanding gases generated in the engine from self-contained fuels or propellants and is not dependent on the intake of outside substance. It includes any part which becomes separated during the operation.

3. By amending Part 48 to include a new Subpart C to read:

Subpart C—Rockets

§ 48.20 Applicability.

This subpart applies to the operation of rockets in the United States, except

those exempted in § 48.21. Operations conducted within restricted areas shall comply only with § 48.22(7) and with such additional limitations as may be imposed by the using agency or controlling agency.

§ 48.21 Exempt operations.

This subpart does not apply to the following:

(a) Operations conducted under a written agreement reached by the operator with the Federal Aviation Agency.

(b) Static testing activities in which the rocket is not operated in flight.

(c) Pyrotechnics, such as firework displays, etc., conducted in accordance with local, county or state ordinances.

(d) Model rocket activities, if:

(1) Conducted in a manner that does not create a hazard to aircraft, persons, or property;

(2) No more than four ounces of propellant is used; and

(3) The model rocket is made of paper, wood or breakable plastic, contains no substantial metal parts, and weighs no more than 16 ounces, including the propellant.

§ 48.22 Operational limitations.

A rocket may not be operated:

(a) In a manner that creates a collision hazard with aircraft;

(b) In controlled airspace;

(c) Within five miles of the boundary of any airport;

(d) At altitudes where clouds or obscuring phenomena of more than five tenths coverage prevail;

(e) Into any cloud;

(f) Unless the horizontal visibility from the rocket is at least five miles during the entire operation;

(g) Within 1500 feet of any persons not associated with the operation; or

(h) During the hours of darkness.

§ 48.23 Notice requirements.

A rocket may not be operated unless at least 24 hours, but not more than 48 hours, prior notice is given to the nearest FAA air traffic control faciilty. This notice shall include:

(a) Name and address of the person in charge of the operation;

(b) The number of rockets to be operated;

(c) The maximum altitude to which the rocket will be operated;

(d) The geographical location of the operation;

(e) Date, time and duration of operation; and

(f) Other pertinent information requested by air traffic control.

4. By amending § 60.1 of Part 60 to include a new paragraph (c), to read:

§ 60.1 Scope.

* * * * *

(c) Rockets which are subject to the provisions of Part 48 of this chapter.

This amendment is proposed under the authority of section 307 of the Federal Aviation Act of 1958 (72 Stat. 749, 49 U.S.C. 1348).

Issued in Washington, D.C., on May 31, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-5529; Filed, June 6, 1962; 8:49 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 62-SW-23]

FEDERAL AIRWAY

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6022 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 22 extends in part from the Sabine Pass, Texas, VOR to the Tibby, La., VOR including a north alternate from the intersection of the Sabine Pass VOR 090° and the Lake Charles, La., VOR 218° True radials via the Lake Charles VOR to the intersection of the Lake Charles VOR 119° and the Tibby VOR 271° True radials. The Federal Aviation Agency is considering the revocation of this north alternate of Victor 22 and its associated control areas.

The Federal Aviation Agency's latest traffic surveys indicate no instrument flight rule traffic on this north alternate of Victor 22. It would appear, therefore, that retention of this segment of the airway is unjustified as an assignment of airspace.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on May 31, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-5539; Filed, June 6, 1962; 8:50 a.m.]

[14 CFR Parts 600, 601, 602]

[Airspace Docket No. 61-NY-101]

FEDERAL AIRWAYS, CONTROL AREAS, REPORTING POINTS AND JET ROUTES

Proposed Designation and Alteration of Federal Airways and Associated Control Areas, Proposed Alteration of Jet Routes, and Proposed Alteration of Control Area Extension

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to Parts 600, 601 and 602 of the regulations of the Administrator which would alter the airway and jet route structure in the New York Metropolitan area. The proposed actions would provide the required lateral separation between en route aircraft and aircraft executing the new holding pattern procedures recently implemented by the Federal Aviation Agency, and provide the designated airways required by the revised New York terminal area traffic control procedures. The proposed actions are as follows:

1. Low altitude VOR Federal airway No. 1 is designated in part from Barnegat, N.J., to Wilton, Conn. It is proposed to extend this segment of Victor 1 and its associated control areas from the Wilton, Conn., VOR; to the Poughkeepsie, N.Y., VOR.

2. Low altitude VOR Federal airway No. 6 is designated in part from Solberg, N.J. to Idlewild, N.Y. It is proposed to realign this segment of Victor 6 and its associated control areas from the Solberg VORTAC via the intersection of the Solberg VORTAC 095° and the Idlewild VORTAC 259° True radials; to the Idlewild VORTAC.

3. Low altitude VOR Federal airway No. 30 is designated in part from Colts Neck, N.J., to Red Bank, N.J. It is proposed to extend and realign this segment of Victor 30 and its associated control areas from the Colts Neck VOR via the intersection of the Colts Neck VOR 089° and the Idlewild VORTAC 195° True radials; to the Idlewild VORTAC.

4. Low altitude VOR Federal airway No. 34 is designated in part from Wilton, Conn., to Saybrook, Conn. It is proposed to redesignate this segment of Victor 34 and its associated control areas from the Wilton VOR to the Riverhead, N.Y., VORTAC.

5. Low altitude VOR Federal airway No. 36 is designated in part from Sparta, N.J., to Paterson, N.J. It is proposed to redesignate this segment of Victor 36

and its associated control areas from the Sparta VORTAC to the Riverhead, N.Y., VORTAC.

6. Low altitude VOR Federal airway No. 46 is designated in part from Glen Cove, N.Y., to Hampton, N.Y. It is proposed to extend and realign this segment of Victor 46 and its associated control areas from the Idlewild, N.Y., VORTAC via the Deer Park, N.Y., VOR; Beach, N.Y. intersection (intersection of the Deer Park VOR 095° and the Hampton VOR 223° True radials); including a north alternate from the Deer Park VOR to the Beach intersection via the Riverhead, N.Y., VORTAC; to the Hampton VOR.

7. Low altitude VOR Federal airway No. 91 is designated in part from Idlewild, N.Y., to Poughkeepsie, N.Y. It is proposed to redesignate this segment of Victor 91 and its associated control areas from the Riverhead, N.Y., VORTAC to the Poughkeepsie VOR.

8. Low altitude VOR Federal airway No. 123 is designated in part from Robbinsville, N.J., to Wilton, Conn. It is proposed to realign this segment of Victor 123 and its associated control areas from the Robbinsville VOR via the intersection of the Solberg, N.J., VORTAC 110° and the Idlewild, N.Y., VORTAC 232° True radials; the LaGuardia, N.Y., VOR; to the Wilton VOR.

9. Low altitude VOR Federal airway No. 140 is designated in part from Coyle, N.J., to Idlewild, N.Y. It is proposed to redesignate this segment of Victor 140 and its associated control areas from the Coyle VORTAC via the intersection of the Coyle VORTAC 031° and the Colts Neck, N.J., VOR 179° True radials; Colts Neck VOR; to the intersection of the Colts Neck VOR 335° and the Solberg, N.J., VORTAC 110° True radials.

10. Low altitude VOR Federal airway No. 153 is designated in part from Stillwater, N.J., to Caldwell, N.J. It is proposed to realign and extend this segment of Victor 153 and its associated control areas from the Stillwater VORTAC via the intersection of the Stillwater VORTAC 110° and the LaGuardia, N.Y., VOR 280° True radials; LaGuardia VOR; to the intersection of the LaGuardia VOR 059° True radial with the direct radial between the Idlewild VORTAC and the Hartford, Conn., VOR.

11. Low altitude VOR Federal airway No. 157 is designated in part from Robbinsville, N.J., to Idlewild, N.Y. It is proposed to realign this segment of Victor 157 and its associated control areas from the Robbinsville VOR via the Colts Neck, N.J., VOR; intersection of the Colts Neck VOR 089° and the Idlewild VORTAC 195° True radials; to the Idlewild VORTAC.

12. Low altitude VOR Federal airway No. 167 is designated in part from Point Pleasant, N.J., to Idlewild, N.Y. It is proposed to realign and extend this segment of Victor 167 and its associated control areas from the Coyle, N.J., VORTAC via the intersection of the Coyle VORTAC 047° and the Idlewild VORTAC 195° True radials; to the Idlewild VORTAC.

13. Low altitude VOR Federal airway No. 213 is designated in part from Woodstown, N.J., to Columbus, N.J. It is proposed to extend this segment of Victor 213 and its associated control areas from the Woodstown VOR via the intersection of the Pottstown, Pa., VOR 104° True radial with the direct radial between the Robbinsville, N.J., VOR and the New Castle, Del., VORTAC; the Robbinsville VOR; to the Idlewild, N.Y., VORTAC.

14. Low altitude VOR Federal airway No. 226 is designated in part from Stillwater, N.J., to Paterson, N.J. It is proposed to realign and extend this segment of Victor 226 and its associated control areas from the Stillwater VORTAC via the intersection of the Stillwater VORTAC 110° and the Idlewild N.Y., VORTAC 297° True radials; to the Idlewild VORTAC.

15. Low altitude VOR Federal airway No. 232 is designated in part from Tannersville, Pa., to Somerset, N.J. It is proposed to extend this segment of Victor 232 and its associated control areas from the Tannersville VORTAC via the intersection of the Tannersville VORTAC 114° and the Solberg, N.J., VORTAC 051° True radials; to the Idlewild, N.Y., VORTAC.

16. Low altitude VOR Federal airway No. 249 is designated in part from Sparta, N.J., to Huguenot, Pa. It is proposed to extend Victor 249 and its associated control areas from the Sparta VORTAC via the intersection of the Sparta VORTAC 170° and the Colts Neck, N.J., VOR 314° True radials; to the Colts Neck VOR.

17. Low altitude VOR Federal airway No. 251 is designated in part from Pottstown, Pa., to Sparta, N.J. It is proposed to extend Victor 251 and its associated control areas from the Sparta VORTAC direct to the Hartford, Conn., VOR.

18. Low altitude VOR Federal airway No. 252 is designated in part from Huguenot, Pa., to Paterson, N.J. It is proposed to realign and extend this segment of Victor 252 and its associated control areas from the Huguenot VORTAC via the Sparta, N.J., VORTAC; to the intersection of the Sparta VORTAC 144° and the Solberg, N.J., VORTAC 051° True radials.

19. Low altitude VOR Federal airway No. 268 is designated in part from Baltimore, Md., to Salisbury, Md. It is proposed to realign and extend this segment of Victor 268 and its associated control areas from the Baltimore VORTAC via the intersection of the Baltimore VORTAC 097° and the Kenton, Del., VORTAC 242° True radials; Kenton VORTAC; to the intersection of the Kenton VORTAC 086° and the Sea Isle, N.J., VOR 049° True radials.

20. Low altitude VOR Federal airway No. 433 is designated in part from the Yardley, Pa., VOR to the Newark, N.J., ILS outer marker. It is proposed to realign and extend this segment of Victor 433 and its associated control areas from the Yardley VOR via the intersection of the Yardley VOR 059° and the La Guardia, N.Y., VOR 231° True radials; the La Guardia VOR; Wilton, Conn., VOR; to the intersection of the Wilton VOR 090° and the Norwich, Conn., VOR 227° True radials.

21. It is proposed to designate low altitude VOR Federal airway No. 467 and its associated control areas from the Huguenot, Pa., VORTAC via the intersection of the Huguenot VORTAC 132° and the La Guardia, N.Y., VOR 338° True radials; to the La Guardia VOR.

22. It is proposed to designate low altitude VOR Federal airway No. 445 and its associated control areas from the Clermont, N.Y., VOR via the intersection of the Clermont VOR 192° and the La-Guardia, N.Y., VOR 338° True radials; to the LaGuardia VOR.

23. Low altitude VOR Federal airway No. 837 is designated in part from Kenton, Del., to Hampton, N.Y. It is proposed to realign this segment of Victor 837 from the Kenton VORTAC via the intersection of the Kenton VORTAC 086° and the Sea Isle, N.J., VOR 049° True radials; intersection of the Sea Isle VOR 049° and the Hampton VOR 223° True radials; Hampton VOR, including the airspace between lines diverging from the Sea Isle VOR to a point of tangency to a circle with a 9-statute mile radius centered at the intersection of the Sea Isle VOR 049° and the Hampton VOR 223° True radials; within the circumference of the circle and between lines tangent to that circle converging to the Hampton VOR. The portion of this airway below 2,000 feet MSL that lies outside the continental limits of the United States and the portion below 3,000 feet MSL between the 087° and the 141° True radials of the Idlewild, N.Y., VORTAC are excluded.

24. Low altitude VOR Federal airway No. 885 is designated in part from Kenton, Del., to the intersection of the Riverhead VORTAC 218° and the Idlewild, N.Y., VORTAC 083° True radials. It is proposed to realign Victor 885 from the Kenton VORTAC via the Millville, N.J., VOR; Atlantic City, N.J., VORTAC; Barnegat, N.J., VOR; intersection of the Coyle, N.J., VOR 057° and the Riverhead, N.Y., VORTAC 218° True radials; to the intersection of the Riverhead VORTAC 218° and the Idlewild, N.Y., VORTAC 083° True radials. The portion of this airway below 2,000 feet MSL that lies outside of the United States is excluded. The portion of this airway that coincides with the Warren Grove, N.J., Restricted Area R–5002 is excluded.

25. Intermediate altitude VOR Federal airway No. 1658 is designated in part from Baltimore, Md., to the Price Intersection (intersection of the Baltimore VOR 097° and the Kenton, Del., VOR 242° True radials). It is proposed to extend Victor 1658 as a 10-mile wide airway from the Price Intersection via the Kenton VOR; intersection of the Kenton VOR 086° and the Barnegat, N.J., VOR 233° True radials; to the Barnegat VOR.

26. Jet Routes No. 6, No. 8 and No. 42 are designated in part from Front Royal, Va., to Idlewild, N.Y. It is proposed to realign these segments of J–6, J–8 and J–42 from the Front Royal VOR via the Yardley, Pa., VOR; to the Idlewild VORTAC.

27. Jet Route No. 64 is designated in part from Pittsburgh, Pa., via Coyle, N.J.; to Idlewild, N.Y. It is proposed to

realign this segment of J–64 from the Pittsburgh VORTAC via the Yardley, Pa., VOR; to the Idlewild VORTAC.

28. Jet Route No. 70 is designated in part from Erie, Pa., via Thornhurst, Pa.; to Idlewild, N.Y. It is proposed to realign this segment of J–70 from the Erie VORTAC via the Huguenot, N.Y., VORTAC; to the Idlewild VORTAC.

29. Jet Route No. 95 is designated in part from Buffalo, N.Y., via Thornhurst; to Idlewild. It is proposed to realign this segment of J–95 from the Buffalo VORTAC via the Huguenot, Pa., VORTAC; to the Idlewild VORTAC.

30. Jet Route No. 63 is designated from Syracuse, N.Y., direct to Idlewild, N.Y. It is proposed to realign J–63 from the Syracuse VORTAC via the Huguenot, N.Y., VORTAC; to the Idlewild VORTAC.

Victor 268 presently describes one boundary of the Dover, Del., control area extension (§ 601.1341). Since Victor 268 would be altered by the action contained herein, it is proposed to substitute low altitude VOR Federal airway No. 29 for Victor 268 in the description of this control area extension. Controlled airspace designated elsewhere in Part 601 of the regulations of the Administrator would cover the airspace which would be deleted from the Dover control area extension by this action.

Upon completion of action being taken in Airspace Docket No. 61–NY–110 to realign Victors 1, 44 and 238 in the vicinity of the Millville, N.J., VOR and the Atlantic City, N.J., VORTAC, VOR Federal airway Nos. 837 and 885 will overlie existing VOR Federal airways. The reduced width for the proposed segment of Victor 1658 between Price and Barnegat would provide the required lateral separation between aircraft operating along this airway segment and aircraft operating along parallel segments of intermediate altitude VOR Federal airways Nos. 1501 and 1548 which will become effective May 31, 1962. The control areas associated with those segments of airways proposed herein would extend upward from 700 feet above the surface to the base of the continental control area. Separate actions would be initiated to implement on an area basis Amendment 60–21 to Part 60 of the Civil Air Regulations. The jet advisory areas associated with the jet routes to be altered herein are so designated that they would automatically conform to the new alignment of these jet routes.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on May 31, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–5540; Filed, June 6, 1962; 8:51 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 62–KC–10]

TRANSITION AREA

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.10849 of the regulations of the Administrator, the substance of which is stated below.

The Vichy, Mo., transition area is designated as that airspace extending upward from 1,200 feet above the surface within 10 miles southeast and 7 miles northwest of the Vichy 239° and 059° True radials extending from 20 miles southwest to 9 miles northeast of the VORTAC.

The Federal Aviation Agency has under consideration the alteration of the Vichy transition area to include the airspace extending upward from 700 feet above the surface within a 5-mile radius of the Rolla National Airport (latitude 38°07'40'' N., longtitude 91°46'10'' W.); within 2 miles either side of the Vichy VORTAC 067° True radial extending from the 5-mile radius area to 8 miles northeast of the VORTAC. This would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Rolla National Airport.

If this action is taken, the Vichy, Mo., transition area would be redesignated as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Rolla National Airport (latitude 38°07'40'' N., longitude 91°46'10'' W.); within 2 miles either side of the Vichy VORTAC 067° True radial extending from the 5-mile radius area to 8 miles northeast of the VORTAC; and the airspace extending upward from 1,200 feet above the surface within 10 miles southeast and 7 miles northwest of the Vichy VORTAC 239° and 059° True radials extending from 20 miles southwest to 9 miles northeast of the VORTAC.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on May 31, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–5541; Filed, June 6, 1962; 8:51 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 61–WA–239]

JET ROUTES AND JET ADVISORY AREAS

Proposed Alteration and Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to §§ 602.100 and 602.200 of the regulations of the Administrator, the substance of which is stated below.

Jet Route No. 54 presently extends from Garden City, Kans., via Ponca City, Okla., to Springfield, Mo.

The Federal Aviation Agency has under consideration the revocation of the segment of J–54 between Ponca City and Springfield and redesignating J–54 from the Atlanta, Ga., VORTAC via the Birmingham, Ala., Little Rock, Ark., Tulsa, Okla., Ponca City, Okla., and Garden City, Kans., VORTACs to the Alamosa, Colo., VORTAC. In addition, an en route radar jet advisory area would be designated within 16 statute miles either side of J–54 from Atlanta to Garden City from flight level 240 to flight level 390, inclusive, and an en route nonradar jet advisory area within 16 statute

miles either side of J–54 from Garden City to Alamosa from flight level 270 to flight level 310 inclusive, and from flight level 370 to flight level 390 inclusive. The Fiscal Year 1961 Peak Day Instrument Flight Rule Air Traffic Survey indicated no use of J–54 between Ponca City and Springfield. The redesignation of J–54 as proposed herein would provide an alternate routing for jet aircraft operating between Atlanta, Ga., and Los Angeles, Calif. The designation of the proposed en route jet advisory areas would provide defined areas wherein jet advisory service would be provided to civil turbojet aircraft while operating on J–54 between Atlanta and Los Angeles.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C–226, 1711 New York Avenue NW., Washington 25, D.C.

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

Issued in Washington, D.C., on May 31, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62–5542; Filed, June 6, 1962; 8:51 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 73]

[Docket No. 3666; Notice 55]

TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Notice of Proposed Rule Making

JUNE 4, 1962.

In the notice of proposed rule making in the above-entitled docket, dated May 18, 1962 (volume 27, number 106), under the heading Part 73—Shippers, several proposed amendments were inadvertently omitted immediately preceding the proposed amendment to § 73.32 beginning "In § 73.32 amend paragraph (e) (2) (24 F.R. 5639, July 14, 1959) to read as follows".

The omitted material reads as follows:

Subpart A—Preparation of Articles for Transportation by Carriers by Rail Freight, Rail Express, Highway, or Water

In § 73.23 amend paragraph (a) (15 F.R. 8277, Dec. 2, 1950) to read as follows:

§ 73.23 Closures for containers.

(a) Outside containers must be closed for shipment as prescribed in the specifications for the container unless otherwise authorized for the particular article being shipped and in addition, closures of inside containers must be secured in a manner that will prevent leakage of contents under conditions of normal transportation. Gasketed closures must be fitted with gaskets of efficient material which will not be deteriorated by the contents of the container.

In § 73.28 amend paragraph (h) (25 F.R. 3098, Apr. 12, 1960) to read as follows:

§ 73.28 Reused containers.

* * * * *

(h) Single-trip containers made under specifications prescribed in Part 78 of this chapter, from which contents have once been removed following use for shipment of any article, must not be again used as shipping containers for explosives, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, or poisons, class B, C, or D, as defined in this part: *Provided,* That during the present emergency and until further order of the Commission, single-trip containers may be reused if retested in accordance with methods approved by the Bureau of Explosives before each reuse and approved for service for specific commodities or classes of commodities. Applications for permission for reuse should be made to the Bureau of Explosives, 63 Vesey Street, New York 7, New York.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62–5547; Filed, June 6, 1962; 8:52 a.m.]

Notices

POST OFFICE DEPARTMENT

ORGANIZATION AND ADMINISTRATION

Regional Director

The statement of the Department's Organization and Administration, as published in the FEDERAL REGISTER of July 12, 1960, at pages 6526 through 6545, and amended by 26 F.R. 626–627, 26 F.R. 3726, 26 F.R. 6863–6864, 26 F.R. 9957–9958, and 27 F.R. 2375–2378 is further amended by making the following changes in Part 825—Regional Director, to reflect functional changes in the regional offices.

I. In 825.5—Personnel Division, delete paragraph "f".

II. In 825.7—Local Services Division, add a new paragraph "e" to read as follows:

e. Makes determination of legitimate receipts and classification of post office.

III. In 825.72—Delivery Services Branch, amend paragraph "a" to read as follows:

a. Establishes and adjusts patterns of delivery services.

IV. In 825.9—Engineering and Facilities Division, amend paragraph "f" to read as follows:

f. Provides Government vehicle maintenance guidance and technical direction to post offices; assists the Training Branch in implementing and improving vehicle maintenance training programs; analyzes cost control reports; and administers the vehicle disposal program.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 309, 501)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 62–5521; Filed, June 6, 1962; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

MODIFICATION OF MORATORIUM ON APPLICATIONS AND PETITIONS

1. Pursuant to the authority granted to Secretary of Interior by sections 453 and 2478 of the Revised Statutes (43 U.S.C. 2 and 1201), as amended, and otherwise, the moratorium on applications and petitions directed by the Secretary of the Interior on February 14, 1961, and published on page 1382 of the FEDERAL REGISTER for February 16, 1961, is hereby modified to exclude from its provisions public lands in the State of Alaska.

2. Beginning at 10:00 a.m. on June 1, 1962, the manager of the land office at 516 Second Avenue, Fairbanks, Alaska, who has jurisdiction over public lands in the Fairbanks Land District of Alaska, and the Manager of the land office in the Cordova Building, Sixth and Cordova Streets, Anchorage, Alaska, who has jurisdiction over public lands in the Anchorage Land District of Alaska, will resume, pursuant to and subject to the regulations in Title 43 of the Code of Federal Regulations, the receipt of applications for rights and privileges, acceptance of which was suspended by the moratorium referred to in section 1 of this order.

STEWART L. UDALL,
Secretary of the Interior.

MAY 31, 1962.

[F.R. Doc. 62–5519; Filed, June 6, 1962; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

UNITED STATES LINES CO.

Notice of Application

Notice is hereby given that United States Lines Company has applied to consolidate its subsidized freight services on Trade Route No. 5–7–8–9, presently designated as Lines B, C, and F to provide for a minimum of 220 and maximum of 254 sailings with freight ships "Between United States North Atlantic ports (Maine-Virginia, inclusive) and ports in the United Kingdom, Republic of Ireland, and Atlantic Europe (Germany to the northern border of Portugal): *Provided,* That outward sailings shall be made direct to each of the following areas at a rate of not less than approximately weekly frequency: Germany; Belgium and the Netherlands; West Coast United Kingdom; and France and East Coast United Kingdom."

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1175, should by the close of business on June 19, 1962, notify the Secretary, Maritime Subsidy Board in writing, in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: May 31, 1962.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 62–5497; Filed, June 6, 1962; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 115–3]

CONSUMERS PUBLIC POWER DISTRICT, POWER DEMONSTRATION REACTOR PROJECT (HALLAM)

Order Reconvening Hearing

On May 24, 1962, and following the regular hearing convened by the Commission and held on May 17, 1962, North American Aviation, Inc., as Applicant herein, filed a Motion requesting that the hearing in this proceeding be reconvened on June 8, 1962, for the purpose of receiving into the record made at the public hearing the results of the hot sodium circulation tests. These tests were in progress and incomplete at the time of the hearing held on May 17. The Staff testified at the hearing that the hot sodium circulation tests and an evaluation thereof, were necessary for a determination of the safety of the Hallam reactor project. At the hearing, inquiry was made by the Presiding Officer whether the record of this proceeding should be kept open to permit a statement respecting that evaluation to be made at the public hearing. Some objection was indicated to the necessity of keeping this record open for that purpose. The Presiding Officer stated:

> It is my understanding that the purpose of these hearings was to provide a public hearing for the presentation of all matters relating to safety on the public record, so that all matters could be presented for such inquiry and examination * * * by participants, and intervenors, if any.

In the consent filed on May 30, 1962 to a reopening of the hearing, the Staff stated:

> The Regulatory Staff consents to this motion in order to avoid delay but specifically emphasizes that such consent should not be construed as Staff concurrence in the position that the rules and regulations of the Commission require that this proceeding be reopened for the presentation of evidence with respect to the completeness of the "Hot Sodium Circulation Test" before the Presiding Officer is authorized to issue a provisional operating authorization in the form proposed by Staff Exhibit No. 5.

This hearing is reopened for the express purpose of, and in accordance with the Commission direction in proceedings of this kind, to require that all matters of safety evaluations be presented upon a record at a public hearing to permit inquiry and examination of such safety evaluations by the participants [1] and intervenors, if any. The Staff consent herein is no limitation on this Commission direction.

[1] This opportunity for public examination of a Staff evaluation of safety may be particularly important to the participant, North American Aviation, Inc., as Applicant, which has differed in some other and unrelated particulars with the Staff.

It appears that by June 8, 1962, additional evidence may also be available concerning certain design modifications and construction completions that were not available for the May 17, 1962, hearing and an opportunity should be provided for the presentation of such additional evidence in that regard as will bring the record up-to-date in these respects.

Wherefore, it is ordered:

A. The Motion of North American Aviation, Inc., filed on May 24, 1962, is granted and the hearing in this proceeding shall reconvene at 10:00 a.m., e.d.t., June 8, 1962, in the auditorium of the Atomic Energy Commission, Germantown, Maryland, to consider the evidence of the results of the hot sodium circulation tests performed at the Hallam reactor project, as well as the evidence from the Staff, and others respecting the evaluation thereof.

B. In addition to the evidence concerning the hot sodium circulation test, other evidence may be presented concerning the design modifications and construction completions, which were pending at the time of the hearing held on May 17, 1962.

C. The schedule heretofore designated at the hearing held on May 17, 1962 for the filing of briefs and other submittals is cancelled in view of the reconvening of the hearing, and a substitute similar schedule will be provided at the June 8, 1962, hearing.

Issued May 31, 1962, Germantown, Md.

SAMUEL W. JENSCH,
Presiding Officer.

[F.R. Doc. 62-5473; Filed, June 6, 1962; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14269, 14270; FCC 62M-785]

HERSHEY BROADCASTING CO., INC., AND READING RADIO, INC.

Order Re Procedural Dates

In re applications of Hershey Broadcasting Company, Inc., Hershey, Pennsylvania, Docket No. 14269, File No. BPH-3246; Reading Radio, Inc., Reading, Pennsylvania, Docket No. 14270, File No. BPH-3322; for construction permits.

The Hearing Examiner having under consideration a "Petition for Change of Exchange and Prehearing Dates" filed May 25, 1962, by Hershey Broadcasting Company, Inc., and

It appearing that granting of the petition will not materially affect the date for the closing of the record and that good cause for granting the petition has been shown,

It is ordered, This 1st day of June 1962, that the aforesaid petition is granted and that, accordingly, the presently scheduled exchange date of May 29, 1962, is changed to June 12, 1962, and the presently scheduled further prehearing conference date of June 5, 1962, is changed to 2:00 p.m., June 15, 1962, in the Commission's offices in Washington, D.C.

Released: June 1, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-5544; Filed, June 6, 1962; 8:52 a.m.]

[Docket No. 14651; FCC 62M-787]

KFNF BROADCASTING CORP. (KFNF)

Order Rescheduling Prehearing Conference

In re application of KFNF Broadcasting Corporation (KFNF), Shenandoah, Iowa, Docket No. 14651, File No. BP-14026; for construction permit.

On the oral request of counsel for the applicant: *It is ordered,* This 1st day of June 1962, that the prehearing conference is rescheduled from July 2 to Tuesday, June 19, 1962, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: June 4, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-5545; Filed, June 6, 1962; 8:52 a.m.]

[Docket No. 14510 etc.; FCC 62-577]

ROCKLAND BROADCASTING CO. ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of Sidney Fox, George Dacre, Harry Edelstein d/b as Rockland Broadcasting Company, Blauvelt, New York, Docket No. 14510, File No. BP-13477; Delaware Valley Broadcasting Co. (WAAT), Trenton, New Jersey, Docket No. 14511, File No. BP-14054; Rockland Radio Corporation, Spring Valley, New York, Docket No. 14512, File No. BP-14461; Rockland Broadcasters, Inc., Spring Valley, New York, Docket No. 14513, File No. BP-14462; Asbury Park Press, Inc. (WJLK), Asbury Park, New Jersey, Docket No. 14514, File No. BP-14469; City of Camden (WCAM), Camden, New Jersey, Docket No. 14616, File No. BP-14638; for construction permits.

1. The Commission has before it for consideration two petitions, filed March 5, 1962, by Rockland Radio Corporation and Rockland Broadcasters, Inc., respectively. Responsive pleadings were filed by the two petitioners, Asbury Park Press, Inc., Rockland Broadcasting Company and the Broadcast Bureau.

2. The hearing issues in this proceeding include the following: (a) the standard populations and areas issues; (b) interference issues; (c) a 10 percent rule issue; (d) an issue under § 3.30(a) of the Rules to determine whether the proposal for Blauvelt, New York would serve a particular city, town or other political subdivision; (e) 2 and 25 mv/m overlap issues as to Rockland Broadcasters, Inc., and as to Asbury Park Press; and (f) the following two issues the interpretation and scope of which are the subject of the referenced pleadings:

(14) To determine, in the light of the section 307(b) of the Communications Act of 1934, as amended, which one of the proposals for Spring Valley, New York, or the proposal for Trenton, New Jersey, or the proposal for Asbury Park, New Jersey, or the proposal for Blauvelt, New York (should Issue No. 10[1] be decided favorably for Rockland Broadcasting Company), would best provide a fair, efficient and equitable distribution of radio service.

(15) To determine in the event it is concluded pursuant to Issue No. 14 that one of the proposals for Spring Valley, New York, or the proposal for Blauvelt, New York, should be favored, which of the said proposals would best serve the public interest, convenience and necessity in the light of the evidence adduced under the issues herein and the record made with respect to the significant differences between the said applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate the proposed standard broadcast station.

(b) The proposal of each with respect to the management and operation of the proposed station.

(c) The programming services proposed in each of the said applications.

307(b) AND STANDARD COMPARATIVE ISSUES

3. Both of the Spring Valley applicants propose modifications in the phraseology of Issue 14. Rockland Radio Corporation's proposed modification is based upon its concern that Issue 14, as presently phrased, would permit the grant of only one of the proposals in this proceeding. Rockland Broadcasters, Inc., on the other hand, is concerned that Issue 14, if modified as proposed by Rockland Radio Corporation, would exclude a determination of 307(b) differences between its proposal and that of Rockland Radio Corporation; it therefore suggests alternative phrasing to require a determination of such differences. Both the Broadcast Bureau and the Blauvelt applicant contend that the meaning and scope of Issue 14 is perfectly plain and free of ambiguity, and they therefore oppose any change in phraseology. Though the Bureau did not respond directly to the proposed modification offered by Rockland Broadcasters, Inc., it does assert that differences in the efficiency of proposals for the same community are to be considered in connection with the standard comparative issue.

4. Rockland Radio Corporation also requests the deletion from Issue 15 of any reference to the applicant for Blauvelt. It argues that a choice between the Blauvelt proposal as against either of the Spring Valley proposals must be based solely upon 307(b) considerations. The other Spring Valley applicant, Rockland Broadcasters, Inc., argues that the proposed modification of Issue 15 does

[1] Issue 10 requires a determination as to whether Rockland Broadcasting Corporation would serve primarily a particular city, town, or other political subdivision as contemplated by § 3.30(a) of the rules.

not go far enough; it requests deletion of the entire issue. In support of this request, it maintains that the engineering differences between the two Spring Valley proposals are sufficiently significant to eliminate the necessity of any further comparison under the standard comparative issue. Thus, it points out that it proposes 1000 watts as against 500 watts proposed by Rockland Radio Corporation; that it would serve 224,415 persons as against the 182,949 persons who would receive the service of Rockland Radio Corporation; and that its proposal would receive interference affecting only 5.75 percent of the population within its normally protected contour as against a minimum of 9.05 percent interference loss in the case of Rockland Radio Corporation.

5. The Blauvelt applicant and the Broadcast Bureau oppose any change in Issue 15 as presently phrased. In opposition to the deletion of the reference in Issue 15 to the Blauvelt applicant, it is alleged that the Blauvelt proposal would serve Spring Valley with a signal intensity no less than 5 mv/m, and that it would provide no less than a 10 mv/m signal over the Spring Valley (population 6,539) business district. It is further alleged that Spring Valley and Blauvelt are only six miles apart; that the three transmitter sites are less than five miles from one another; that the three proposals would have substantially similar coverage; and that each community would constitute only a small part of the total populations and areas which would be served by each of the three proposals. For all these reasons it is concluded that the Blauvelt proposal must be compared with the Spring Valley proposals under the standard comparative issue.

6. Rockland Radio Corporation and the Broadcast Bureau oppose the deletion of Issue 15. The former does not regard the 307(b) differences between the two Spring Valley proposals as sufficiently significant to eliminate the necessity of comparing the proposals under the standard comparative issue. The Bureau's opposition to the request that the Spring Valley applicants not be compared under the standard comparative issue is that differences in the efficiency between the two proposals for the same community can never be so great as to permit a choice of applicants on this basis alone. According to the Bureau, applicants for the same community must always be compared under the standard comparative issue. The Bureau does, however, concede that differences in efficiency must also be weighed in the balance, but it suggests that differences in efficiency are within the scope of the standard comparative issue. The Bureau does not discuss the weight, if any, which is to be given to 307(b) "equitable" differences between applicants for the same community.

7. The divergence in the parties' views as to the appropriate areas of comparison of the various applicants is in large part attributable to their varying assessments of the facts now available. Thus, on the basis of extremely limited factual allegations, Rockland Broadcasters, Inc., is requesting the Commission to rule that a choice between it and the other Spring Valley applicant can be based solely on 307(b) considerations. On a similarly limited set of factual allegations, the other Spring Valley applicant asserts that a choice between the Spring Valley proposals as against the Blauvelt proposal can be made solely on the basis of 307(b) considerations. The Broadcast Bureau, on the basis of limited engineering allegations, would have the Commission determine at this time that a choice between the Blauvelt and two Spring Valley proposals cannot be made without considering the three proposals under the standard comparative issue. The Broadcast Bureau would likewise have us conclude, prior to the evidentiary hearing, that a choice between the Spring Valley proposals must be based upon their differences in efficiency and the showing made by them under the standard comparative issue. By implication, the Broadcast Bureau would preclude, and we think improperly so, consideration of any "equitable" 307(b) differences between the Spring Valley proposals.

8. It is neither essential nor desirable, prior to the evidentiary hearing, to make the determinations urged upon us. As was indicated in Kent-Ravenna Broadcasting Co., 22 RR 605, FCC 61–1350, it is better practice to avoid refinement of issues where the refinement is based upon the assumption of detailed facts not yet established. The applications in this proceeding were consolidated for hearing because of interference problems between them. Relevant to a determination as to which of the applications should be granted are the "fair, efficient and equitable" considerations specified by section 307(b) of the Communications Act of 1934, as amended. The standard 307(b) issue is designed for this purpose. Until the evidence has been adduced at the hearing under this issue, however, it cannot be determined conclusively whether a choice between applicants can be made solely on the basis of 307(b) considerations. For example, if the evidence adduced at the hearing shows that mutually exclusive applicants for different communities will not provide service to the principal community of the other, the choice between them would in the first instance be based upon 307(b) considerations. Unless the 307(b) differences between them are insubstantial, further comparison of the applicants is foreclosed, and the applicant for the community favored under 307(b) would, if otherwise qualified, be granted. See Allentown v. FCC, 349 U.S. 358 (1955). If, on the other hand, the community that was preferred under 307(b) would receive service with the required signal strength from two or more applicants in the proceeding, it might be appropriate to make a further comparison of the applicants under the contingent standard comparative issue.[2] In such a case, the differences between the applicants under the "fair, efficient and equitable" criteria of section 307(b) of the Act would be weighed in conjunction with their differences under the contingent standard comparative issue in making an ultimate choice of the applications to be granted.

9. The examples set forth in the preceding paragraph serve to illustrate that a determination of whether section 307(b) considerations should be the sole basis of choice, or whether comparison under the standard comparative issue would also be appropriate, is dependent upon the facts of the particular case. It is neither necessary nor desirable to prejudge these facts in advance of an evidentiary hearing. To frame the issues on the basis of such prejudgment may foreclose the parties from presenting evidence which should appropriately be considered in making an ultimate choice of applicants; at the other extreme, it may result in the adduction of a mass of irrelevant evidence.[3] The inclusion in the hearing Order of the standard 307(b) issue and the contingent standard comparative issue permits avoidance of both of these results. They leave to the Hearing Examiner the responsibility of determining, after the evidence under the 307(b) issue has been adduced, whether a determination may be made solely on the basis of 307(b) considerations or whether it would be appropriate to adduce evidence under the contingent standard comparative issue. To assist him in making the determination, the Hearing Examiner may, in his discretion, hear oral argument and require briefs. Should there be a substantial doubt as to whether 307(b) considerations alone would be determinative, evidence under the contingent standard comparative issue should be adduced.

10. Consistent with the foregoing, the Commission will delete existing Issues 14 and 15, and adopt in their stead the standard 307(b) issue and the contingent standard comparative issue. This action renders it unnecessary to prejudge the contentions of the parties before us as to the comparisons which will be required in the instant proceeding. In addition to the substitution of issues, an issue will also be added to determine the applicability of the program origination requirements of § 3.30(a) of the rules to any applicant which would provide service with the required signal strength to the community which, under the 307(b) issue, was preferred to such applicant's principal city, and, if applicable, to determine whether there are circumstances which

[2] We need not determine for present purposes the impact of the program origination requirements of § 3.30(a) of the rules on the question of whether comparative consideration may be accorded to an applicant whose principal community was not the favored community under section 307(b). In order to assure a complete record, an issue is being added to determine whether these requirements of § 3.30(a) have been met, and, if not, whether there are circumstances which would warrant a waiver of these requirements.

[3] An example of such a case would be one in which the issues require a comparison under the standard comparative issue between two applicants for different communities, and at the hearing the evidence showed that neither applicant would provide service with the required signal strength to the community of the other.

would warrant waiver of these requirements.

TEN PERCENT AND OVERLAP ISSUES

11. The requests for deletion of the ten percent issue and overlap issue will be denied. In the case of the former, the factual allegations as to the extent of interference are contradictory and the ultimate facts can best be determined on the basis of a hearing record. The same problem exists as to the requested deletion of the overlap issue.

Accordingly, it is ordered, This 29th day of May 1962, that the petitions filed March 5, 1962, by Rockland Radio Corporation and Rockland Broadcasters, Inc., respectively, are denied; and

It is further ordered, On the Commission's own motion, that Issues 14 and 15 are deleted, that Issue 16 is renumbered as Issue 17; and that the following new issues are added:

14. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient and equitable distribution of radio service.

15. In the event that any applicant seeks comparative consideration on the ground that it provides service with the required signal strength to a community other than its principal city, to determine the applicability of the program origination requirement of § 3.30(a) and, if applicable, to determine whether there are circumstances which would warrant waiver of those requirements.

16. To determine, in the event it is concluded that a choice between the instant applications should not be made solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest in the light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate the proposed station.

(b) The proposals of each of the instant applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the instant applications.

Released: June 4, 1962.

FEDERAL COMMUNICATIONS COMMISSION,[4]

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-5546; Filed, June 6, 1962; 8:52 a.m.]

[4] Statement of Commissioner Ford concurring in part and dissenting in part filed as part of original document.

FEDERAL POWER COMMISSION

[Docket No. RI62-8]

ARKANSAS LOUISIANA GAS CO.

Order Providing for Hearing on and Suspending Proposed Change in Rates, and Allowing Increased Rates To Become Effective Subject To Refund

MAY 31, 1962.

On April 30, 1962, Arkansas Louisiana Gas Company (Respondent) filed Second Revised Sheet No. 51 to its FPC Gas Tariff, Original Volume No. 2 proposing an increase in rates for sales of natural gas in the Jefferson Field, Marion County, Texas, under Rate Schedule XFS-2 to Texas Eastern Transmission Corporation. Respondent requests that the tender be allowed to become effective as soon as possible and that if the proposed increase is suspended, that the suspension period be made as brief as possible.

The proposed increase is based on reimbursement of seven-eighths of the Texas Dedicated Reserve Gas Tax, which tax became effective September 1, 1961. The proposed increase is from 14.6 cents per Mcf (no tax reimbursement) to 14.8436 cents per Mcf (0.2436 cent tax reimbursement).

In support of the proposed increase, Respondent submitted a balance sheet, income statement and an abbreviated statement of principal determinants to test reasonableness of the rate.

The Commission is advised that the validity of the Texas Dedicated Reserve Gas Tax is presently being contested in the courts of Texas. In consideration of this fact, and in order to assure appropriate refund in the event the subject tax should be declared unconstitutional or otherwise held invalid by final judicial decision, it is deemed advisable to suspend the said proposed increase in rates and charges until June 1, 1962, and thereafter to permit them to become effective as of that date; provided, that within 20 days from the date of this order Respondent shall file with the Secretary of the Commission an appropriate undertaking to assure such refund as may be ordered.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated revised tariff sheet be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that Respondent's proposed increase in rates be made effective as hereinafter provided and that Respondent be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications, and services contained in Respondent's FPC Gas Tariff, Original Volume No. 2, as proposed to be amended by the above-designated tender.

(B) Pending such hearing and decision thereon, Second Revised Sheet No. 51 to Respondent's FPC Gas Tariff, Original Volume No. 2 is hereby suspended and the use thereof deferred until June 1, 1962, and thereafter until such further time as it may be made effective in the manner hereinafter prescribed.

(C) The rates, charges, classifications, and services set forth in the above-designated filing shall be effective as of June 1, 1962: *Provided, however,* That, within 20 days from the date of this order, Respondent shall file a motion as required by section 4(e) of the Natural Gas Act to place the filing in effect on such date and shall execute and file with the Secretary of the Commission an appropriate agreement and undertaking requiring Respondent to make any appropriate refunds that may be required by final order of the Commission in this proceeding. Unless Respondent is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(D) If Respondent shall, in conformity with the terms and conditions of its agreement and undertaking and the terms and conditions of this order, make the refunds as may be required by order of the Commission, the undertaking shall be discharged, otherwise it shall remain in full force and effect.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.37(f)) on or before July 16, 1962.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-5498; Filed, June 6, 1962; 8:45 a.m.]

[Docket No. G-19495]

MISSISSIPPI RIVER FUEL CORP.

Notice of Application To Amend

MAY 31, 1962.

Take notice that on March 13, 1962, Mississippi River Fuel Corporation (Applicant), 9900 Clayton Road, St. Louis 24, Missouri, filed in Docket No. G-19495 an application to amend the Commission's order issued January 4, 1960, as amended, in Docket No. G-19495 so as to authorize the construction during

1962 and operation of additional 675 horsepower compressor facilities in the Woodlawn Field, Harrison County, Texas, all as more fully set forth in the application on file with the Commission and open to public inspection.

The order of January 4, 1960, as amended, authorized Applicant, among other things, to construct and operate additional compressor horsepower on its field supply system in the Woodlawn Field in order to take into its system gas from producers' wells in said field. Applicant now has in operation on the system ten field compressors with an aggregate of 3,594 horsepower. It is stated that as a result of the decline in field pressures in the Woodlawn Field, compression facilities have been required for some years and that up to 675 horsepower of additional compressor facilities may be needed during 1962.

The application shows that the cost of the proposed facilities is estimated to be $125,000, which cost will be financed from cash on hand.

Protests, requests for hearing, or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 22, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-5499; Filed, June 6, 1962; 8:45 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

ACTING REGIONAL ADMINISTRATOR, REGION V, FORT WORTH

Designation

The officers appointed to the following listed positions in Region V are hereby designated to act in the place and stead of the Regional Administrator for Region V, with the title of "Acting Regional Administrator" and with all the powers, functions, duties, and responsibilities delegated or assigned to the Regional Administrator, during the absence or disability of the Regional Administrator, provided that no officer shall have authority to act as "Acting Regional Administrator" unless all those whose titles appear before his in this designation are unable to act by reason of absence or disability:

(1) Assistant to the Regional Administrator.
(2) Regional Director of Community Facilities.
(3) Regional Director of Urban Renewal.
(4) Regional Counsel.
(5) Director, Community Requirements Branch.

This designation supersedes the designation effective October 19, 1961 (26 F.R. 10009, October 25, 1961), which is hereby revoked.

(Housing and Home Finance Administrator's delegation effective May 4, 1962 (27 F.R. 4319, May 4, 1962))

Effective as of the 7th day of June 1962.

[SEAL] R. A. BETHUNE,
Regional Administrator, Region V.

[F.R. Doc. 62-5534; Filed, June 6, 1962; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-4579]

AUTOMATED PROCEDURES CORP.

Order Summarily Suspending Trading

JUNE 1, 1962.

The Class A stock, par value 5 cents per share, of Automated Procedures Corp., being listed and registered on The National Stock Exchange, a national securities exchange; and

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

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

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on The National Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, June 4, 1962, to June 13, 1962, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 62-5523; Filed, June 6, 1962; 8:48 a.m.]

[File No. 1-3842]

BLACK BEAR INDUSTRIES, INC.

Order Amending Notice of Hearing and Time and Date for Registrant To File Answer

JUNE 1, 1962.

I. The Commission by an order dated May 8, 1962, scheduled a public hearing pursuant to section 19(a)(2) of the Securities Exchange Act of 1934 (Exchange Act) to be held at 10 a.m., e.d.s.t., June 4, 1962, at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D.C. in the matter of Black Bear Industries, Inc. (formerly Black Bear Consolidated Mining Company) (registrant), to determine whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding 12 months, or to withdraw, the registration of the common stock of the registrant on the San Francisco Mining Exchange for failure to comply with section 13 of the Exchange Act and the rules and regulations adopted thereunder.

The Commission by the order dated May 8, 1962, further ordered that the registrant file an answer to the allegations contained in that order for proceedings on or before May 28, 1962, as provided by Rule 7 of the Commission's rules of practice (17 CFR 201.7).

II. The chairman of the board of directors of the registrant and the counsel for the Division of Corporation Finance requested that the hearing be postponed to allow time for the serving of notice upon the registrant. Notice had been mailed to the address of the registrant's agent for service, but had been returned unclaimed.

III. *It is ordered,* That the hearing scheduled for June 4, 1962, be and hereby is postponed to June 21, 1962, at 10 a.m., e.d.s.t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington, D.C.

It is further ordered, That the registrant file an answer to the allegations contained in the Commission's order dated May 8, 1962, and as amended on or before June 19, 1962 as provided by Rule 7 of the Commission's rules of practice (17 CFR 201.7).

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 62-5524; Filed, June 6, 1962; 8:48 a.m.]

[File No. 1-4597]

INDUSTRIAL ENTERPRISES, INC.

Order Summarily Suspending Trading

JUNE 1, 1962.

The Common assessable stock, $1.00 par value, of Industrial Enterprises, Inc., being listed and registered on the San Francisco Mining Exchange, a national securities exchange; and

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

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction

in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the San Francisco Mining Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, June 4, 1962 to June 13, 1962, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F.R. Doc. 62-5525; Filed, June 6, 1962; 8:48 a.m.]

[File No. 1-4583]

PRECISION MICROWAVE CORP.

Order Summarily Suspending Trading

JUNE 1, 1962.

The Common Stock, Par Value $1.00, of Precision Microwave Corp., being listed and registered on the American Stock Exchange, a national securities exchange; and

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

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

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, June 3, 1962 to June 12, 1962, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F.R. Doc. 62-5526; Filed, June 6, 1962; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 380]

SOUTH DAKOTA

Declaration of Disaster Area

Whereas, it has been reported that during the month of May, 1962, because of the effects of certain disasters, damage resulted to residences and business property located in Davison and Charles Mix Counties in the State of South Dakota;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid Counties and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about May 21, 1962.

Offices—

Small Business Administration Regional Office, Lewis Building, 603 Second Avenue, South, Minneapolis 2, Minn.

Small Business Administration Branch Office, Leaders Building, 109½ N. Main Avenue, Sioux Falls, S. Dak.

2. A temporary field office will be established at Mitchell, South Dakota, address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequently to November 30, 1962.

Dated: May 24, 1962.

JOHN E. HORNE, *Administrator.*

[F.R. Doc. 62-5527; Filed, June 6, 1962; 8:48 a.m.]

[Declaration of Disaster Area 381]

MINNESOTA

Declaration of Disaster Area

Whereas, it has been reported that during the month of May, 1962, because of the effects of certain disasters, damage resulted to residences and business property located in Rice County in the State of Minnesota;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about May 22, 1962.

Office—

Small Business Administration Regional Office, Lewis Building, 603 Second Avenue, South, Minneapolis 2, Minn.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1962.

Dated: May 24, 1962.

JOHN E. HORNE, *Administrator.*

[F.R. Doc. 62-5528; Filed, June 6, 1962; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[No. MC-C-3626]

MOTOR TRANSPORTATION OF PROPERTY WITHIN A SINGLE STATE

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 21st day of May A.D. 1962:

It appearing that there has developed a difference of opinion between Divisions of the Commission as to whether transportation by for-hire motor carriers of property within a State of goods which have moved or will move to or from points outside the State by private motor carriers, the entire movement being continuous, is interstate commerce subject to the Interstate Commerce Act or whether it is intrastate transportation; that decisions illustrative of the divergent views are Dora Motor Carrier Operations Within Arizona, 48 M.C.C. 171, Eldon Miller, Inc., Extension—Illinois, 63 M.C.C. 313, and Hafner and Hanson Com. Car. App., 69 M.C.C. 581, holding that the described for-hire motor transportation within a State is subject to regulation under the Interstate Commerce Act and requires operating authority, and Holiday v. Liberty, 53 M.C.C. 22, and Iron and Steel, Central Territory, 53 M.C.C. 769, holding that such transportation is not subject to regulation under the Interstate Commerce Act and that rates for such service need not be filed with the Commission under the Act; that by petition filed January 15, 1962, South Paterson Trucking Co., Inc., of Paterson, N.J., seeks a declaratory order making definite and certain the application of section 206(a) of the Act when merchandise is transported into a State in proprietary (private) carriage and is ultimately delivered to points in the same State by a for-hire carrier; and that it is desirable that the matter be considered and resolved by the Commission by the issuance of an interpretative ruling; therefore:

It is ordered, That a proceeding be, and it is hereby, instituted under the authority of Part II of the Interstate Commerce Act, including particularly sections 203(a)(10) and (11), 204(a)(6), 206(a)(1), 209(a)(1), and 217, and section 4 of the Administrative Procedure Act, with the view to resolving the above-indicated issues for the future by the issuance of an interpretative ruling.

It is further ordered, That no hearing be scheduled for receiving oral testimony unless a need therefor shall later appear, but that motor, rail, and water carriers, and any other interested person or persons may participate in this proceeding by submitting, for consideration, written statements of facts, views, and arguments, by filing with the Commission at its offices in Washington, D.C., on or before July 13, 1962, fifteen copies of such statements, one copy of which shall be signed. All such statements shall be considered as a part of the record in the proceeding. Any interested person desiring to receive notice by mail of notices, reports, or orders hereafter issued in the proceeding may file request therefor in writing with the Secretary of the Commission.

And it is further ordered, That a copy of this order be served on the public service commissions or boards of each State having jurisdiction over motor transportation; that a copy be posted in the office of the Secretary of the Commission for public inspection; and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-5531; Filed, June 6, 1962; 8:49 a.m.]

[Notice 647]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 4, 1962.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 64749. By order of May 29, 1962, the Transfer Board approved the transfer to Issy Lepchitz, Pulaski, Va., of a portion of the operating rights of Certificates Nos. MC 33131 and MC 33131 Sub-1 issued May 3, 1941, and October 24, 1941, respectively, to O. H. Frazier, Peterstown, W. Va., authorizing the transportation of: General commodities, excluding household goods, and other specified commodities (1) between Peterstown, W. Va., on the one hand, and, on the other, points in Virginia and West Virginia within 50 miles of Peterstown and (2) between points in Monroe County, W. Va., on the one hand, and, on the other, points in that part of Virginia and West Virginia within 50 miles of Monroe County, W. Va. Charles E. Anderson, P. O. Box 3164, Charleston 32, W. Va., attorney for applicants.

No. MC-FC 64777. By order of May 31, 1962, the Transfer Board approved the transfer to Brokamp & Bressler, Inc., Cincinnati, Ohio, of Certificate No. MC 93705, issued May 24, 1949, to Thomas Trabish, Jr., doing business as Trabish Trucking, Mount Washington, Ohio, authorizing the transportation of: Sand, gravel, cinders, earth, brick, coal, and building materials, in dump trucks only, over irregular routes, between points in Ohio within 50 miles of Cincinnati, Ohio, including Cincinnati. Jack B. Josselson, 700 Atlas Bank Building, Cincinnati 2, Ohio, attorney for transferee. Noel F. George, Atlas Bank Building, Cincinnati, Ohio, attorney for transferor.

No. MC-FC 64884. By order of May 31, 1962, the Transfer Board approved the transfer to Lewis Motor Service, Inc., Newburgh, N.Y., of Certificate No. MC 123206, issued January 3, 1962, to Abraham Mestman, Rose Mestman, and Hyman Horowitz, a partnership, doing business as Lewis Motor Service, Newburgh, N.Y., authorizing the transportation of: Cut goods and materials for ladies' and children's garments, from New York, N.Y., to Newburgh, N.Y.; and Ladies' and children's garments, from Newburgh, N.Y., to New York, N.Y., Food products and advertising material used in the sale and distribution of food products, from New York, N.Y., and Bayonne, N.J., to Newburgh and Poughkeepsie, N.Y., and Deteriorated food products and empty food product containers, from Newburgh and Poughkeepsie, N.Y., to New York, N.Y., and Bayonne, N.J. Charles H. Trayford, 220 E. 42d Street, New York 17, N.Y., representative for applicants. Isadore Shapiro, 144 Broadway, Newburgh, N.Y., attorney for applicants.

No. MC-FC-64886. By order of May 31, 1962, the Transfer Board approved the transfer to D & B Motor Transportation Co., Inc., Erie, Pa., of Permits Nos. MC 17860 and MC 17860 Sub-2, issued June 1, 1942 and April 16, 1954, respectively, to B & A Motor Transportation Co., Inc., Fulton, N.Y., authorizing the transportation of: Roofing materials, building paper, asphalt cement, and paint, over irregular routes, between Fulton, N.Y., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Massachusetts, Connecticut, and Rhode Island, and also, from Fulton, N.Y., to points in Vermont, and roofing materials, from points in Vermont to Fulton, N.Y. Raymond A. Richards, P.O. Box 25, 35 Curtice Park, Webster, N.Y., representative for applicants.

No. MC-FC 64912. By order of May 31, 1962, the Transfer Board approved the transfer to Heick Moving and Storage, Inc., 2262 Winnebago Street, Madison, Wis., of Certificate No. MC 77380, issued March 20, 1958, to Dorothy Jorgenson, doing business as Heick Transfer & Storage Co., 2262 Winnebago Street, Madison, Wis., authorizing the transportation of Household goods, as defined by the Commission, between Madison, Wis., and points within 15 miles of Madison, on the one hand, and, on the other, points in Illinois and Minnesota.

No. MC-FC 64914. By order of May 31, 1962, the Transfer Board approved the transfer to Woodfin Brothers, Incorporated, Richmond, Va.. of the operating rights in Permit No. MC 29748, issued March 10, 1950, to Lionel M. Woodfin, Mercel D. Woodfin, and Milton C. Woodfin, a partnership, doing business as Woodfin Brothers, Richmond, Va., authorizing the transportation, over irregular routes, of pipe and sheet iron products, between Richmond, Va., on the one hand, and, on the other, points in Virginia, North Carolina, and South Carolina, and fertilizer, doors, windows, door and window frames, boxes, box shoots, lumber, sash weights, steel bars, metal laths, expansion joint materials, and wire forms, from Richmond, Va., to points in Virginia and North Carolina. Edward P. McGehee, Jr., 615 American Building, Richmond 19, Va., attorney for applicants.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-5532; Filed, June 6, 1962; 8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 4, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37773: *Joint motor-rail rates between the East and West.* Filed by Rocky Mountain Motor Tariff Bureau, Inc., Agent (No. 10), for interested carriers. Rates on various commodities moving on class and commodity rates, over joint routes of applicant rail and motor carriers, between points in Colorado and Wyoming, on the one hand, and points east of such points, on the other.

Grounds for relief: Motor-rail competition.

Tariffs: Various revised pages to Rocky Mountain Motor Tariff Bureau tariffs MF-I.C.C. 137 and MF-I.C.C. 115, as named in the application.

FSA No. 37774: *Pig iron to points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 439), for interested rail carriers. Rates on pig iron, in carloads, from Beaumont, Corpus Christi, Freeport, Galveston, Houston, Orange, Port Arthur, and Texas City, Tex. (import traffic only), to points in Texas.

Grounds for relief: Intrastate competition.

Tariff: Supplement 30 to Texas-Louisiana Freight Bureau tariff I.C.C. 950.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 62-5530; Filed, June 6, 1962; 8:49 a.m.]

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