FEDERAL REGISTER

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TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

AVERAGE VALUES OF FARMS: VIRGINIA

On February 27, 1957, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below were determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under § 331.17, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties.

VIRGINIA

County	Average value	County	Average value
Accomack	$25,000	Henry	$25,000
Albemarle	30,000	Highland	30,000
Alleghany	30,000	Isle of Wight	22,000
Amelia	22,000	James City	25,000
Amherst	25,000	King and Queen	25,000
Appomattox	22,000	KingWilliam	25,000
Augusta	30,000	Lancaster	25,000
Bath	30,000	Lee	25,000
Bedford	25,000	Loudoun	30,000
Botetourt	25,000	Louisa	25,000
Brunswick	22,000	Lunenburg	22,000
Buckingham	25,000	Madison	25,000
Campbell	22,000	Mathews	25,000
Carroll	25,000	Mecklenburg	22,000
Charlotte	22,000	Middlesex	25,000
Clarke	30,000	Montgomery	25,000
Craig	25,000	Nansemond	22,000
Culpeper	30,000	Nelson	25,000
Cumberland	25,000	Norfolk	22,000
Essex	25,000	Northampton	25,000
Fairfax	30,000	Northumberland	25,000
Fauquier	30,000	Nottoway	22,000
Floyd	25,000	Page	30,000
Fluvanna	25,000	Patrick	25,000
Franklin	25,000	Pittsylvania	22,000
Frederick	30,000	Powhatan	25,000
Giles	25,000	Prince Edward	22,000
Gloucester	25,000	Princess Anne	22,000
Goochland	25,000	Prince William	$30,000
Grayson	25,000	Pulaski	25,000
Greene	25,000	Rappahannock	30,000
Greensville	22,000	Richmond	25,000
Halifax	22,000	Roanoke	25,000
Hanover	25,000	Rockbridge	30,000
		Rockingham	30,000
		Russell	25,000
		Scott	25,000
		Shenandoah	30,000
		Smyth	$25,000
		Southampton	22,000
		Surry	22,000
		Sussex	22,000
		Tazewell	25,000
		Warren	30,000
		Washington	25,000
		Westmoreland	25,000
		Wythe	25,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1))

Dated: March 4, 1957.

[SEAL] K. H. HANSEN,
Administrator,
Farmers Home Administration.

[F. R. Doc. 57-2007; Filed, Mar. 15, 1957; 8:47 a. m.]

TITLE 7—AGRICULTURE

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

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART—UNITED STATES STANDARDS FOR GRADES OF FROZEN LIMA BEANS[1]

PRODUCT DESCRIPTION

On November 10, 1956, a notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 8777) regarding the amendment of United States Standards for Grades of Frozen Lima Beans.

After considering all relevant matters presented, including the proposal set forth in the aforesaid notice, the following amendment to the United States Standards for Grades of Frozen Lima Beans is hereby promulgated pursuant

[1] Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(Continued on p. 1707)

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FEDERAL REGISTER

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CODIFICATION GUIDE

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

to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1037 et seq., 7 U. S. C. 1621 et seq.).

The amendment is as follows:

Section 52.501 is amended to read as follows:

§ 52.501 *Product description.* "Frozen lima beans" means the frozen product prepared from the clean, sound, succulent seed of the lima bean plant without soaking, by shelling, washing, blanching, and properly draining, and is then frozen in accordance with good commercial practice and maintained at temperatures necessary for the preservation of the product.

This amendment shall become effective 30 days after the date of its publication in the FEDERAL REGISTER.

(Sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624)

Dated: March 13, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 57-2031; Filed, Mar. 15, 1957; 8:51 a. m.]

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART—UNITED STATES STANDARDS FOR GRADES OF SUGARCANE SIRUP [1]

On October 2, 1956, a notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 7544) regarding a proposed revision of United States Standards for Grades of Sugarcane Sirup.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Sugarcane Sirup are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., 7 U. S. C. 1621 et seq.).

PRODUCT DESCRIPTION, TYPES, AND GRADES

AUTHORITY: §§ 52.3101 to 52.3120 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, TYPES, AND GRADES

§ 52.3101 *Product description.* Sugarcane sirup is the clean, sound liquid product obtained by evaporating the juice of sugarcane without the removal of any of the soluble solids or by dissolving sugarcane concrete in water, and is produced and packed in accordance with good commercial practice.

§ 52.3102 *Types of sugarcane sirup.* The type of sugarcane sirup is not incorporated in the grades of the finished product since the type of sugarcane sirup, as such, is dependent upon the method of preparation and processing and, therefore, is not a factor of quality for the purpose of these grades. Sugarcane sirup may be prepared and processed as one of the following types:

(a) "Sulfured sugarcane sirup" means sugarcane sirup which is made by the sulfitation process and contains not more than 100 parts per million of sulfur dioxide.

(b) "Unsulfured sugarcane sirup" means sugarcane sirup which is not made by the sulfitation process.

(c) It is recommended that sugarcane sirup of these types contain not less than 74 percent, by weight, of soluble solids (74° Brix; 39.50° Baume').

(d) The maximum ash content recommended for the respective type of sugarcane sirup is given in Table No. 1 of this section.

TABLE NO. 1—RECOMMENDED MAXIMUM ASH CONTENT FOR THE RESPECTIVE TYPE OF SUGARCANE SIRUP

Type of sugarcane sirup:	Ash (*percent*)
Unsulfured	4.5
Sulfured	6.0

§ 52.3103 *Grades of sugarcane sirup.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of sugarcane sirup that possesses a good color; that possesses a good flavor; that is practically free from defects; that is practically clear; and that for those factors which are rated in accordance with the scoring system outlined in this subpart the score is not less than 90 points: *Provided,* That the sugarcane sirup may possess a reasonably good color and may be reasonably clear if the total score is not less than 90 points.

(b) "U. S. Grade B" or "U. S. Choice" is the quality of sugarcane sirup that possesses a reasonably good color; that possesses a reasonably good flavor; that is reasonably free from defects; that is reasonably clear; and that scores not less than 80 points when rated in accordance with the scoring system outlined in this subpart.

(c) "U. S. Grade C" or "U. S. Standard" is the quality of sugarcane sirup that possesses a fairly good color; that possesses a fairly good flavor; that is fairly free from defects; that is fairly clear; and that scores not less than 70 points when rated in accordance with the scoring system outlined in this subpart.

(d) "Substandard" is the quality of sugarcane sirup that fails to meet the requirements of U. S. Grade C or U. S. Standard.

FILL OF CONTAINER

§ 52.3104 *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the product since fill of container, as such, is not a factor of quality for the

[1] Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

purpose of these grades. It is recommended that each container be filled with sirup as full as practicable.

FACTORS OF QUALITY

§ 52.3105 *Ascertaining the grade*—(a) *General.* In addition to considering other requirements outlined in the standards, the following quality factors are evaluated is ascertaining the grade of the product:

(1) *Factors rated by score points.* The relative importance of each factor which is rated is expressed numerically on the scale of 100. The maximum number of points that may be given each such factor is:

Factors:	Points
Color	30
Flavor	30
Defects	20
Clarity	20
Total score	100

§ 52.3106 *Ascertaining the score for the factors which are rated.* The essential variations within each factor which is rated are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is rated is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.3107 *Color*—(a) *General.* Color has reference to the color of sugarcane sirup when examined by means of the U. S. D. A. permanent glass color standards for sugarcane sirup. Information regarding these color standards may be obtained by writing to the Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, U. S. Department of Agriculture, Washington 25, D. C.

(b) (*A*) *Classification.* Sugarcane sirup that possesses a good color may be given a score of 27 to 30 points. "Good color" means that the color is bright and typical of sirup properly prepared and processed from sound, well matured sugarcane, and is equal to or lighter in color than U. S. D. A. permanent glass color standard No. 1 for sugarcane sirup.

(c) (*B*) *classification.* If the sugarcane sirup possesses a reasonably good color, a score of 24 to 26 points may be given. "Reasonably good color" means that the color is reasonably bright, and is equal to or lighter in color than U. S. D. A. permanent glass color standard No. 2 for sugarcane sirup.

(d) (*C*) *classification.* Sugarcane sirup that possesses a fairly good color may be given a score of 21 to 23 points. Sugarcane sirup that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the sugarcane sirup possesses a color that is equal to or lighter in color than U. S. D. A. permanent glass color standard No. 3 for sugarcane sirup.

(e) (*SStd.*) *classification.* Sugarcane sirup that fails to meet the requirements of the above paragraph (c) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3108 *Flavor*—(a) *General.* The factor of flavor refers to the palatability of the sugarcane sirup and the effect on flavor of the method of preparation for the particular type of sugarcane sirup.

(b) (*A*) *classification.* Sugarcane sirup that possesses a good flavor may be given a score of 27 to 30 points. "Good flavor" means that the product possesses a good, characteristic flavor for the type of sugarcane sirup and is free from objectionable flavors, including but not limited to, objectionable flavors caused by scorching or fermentation or the presence of any foreign or disagreeable flavor or odor.

(c) (*B*) *classification.* If the sugarcane sirup possesses a reasonably good flavor, a score of 24 to 26 points may be given. Sugarcane sirup that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good flavor" means that the product possesses a reasonably good, characteristic flavor for the type of sugarcane sirup and is free from objectionable flavors, including but not limited to, objectionable flavors caused by scorching or fermentation or the presence of any foreign or disagreeable flavor or odor.

(d) (*C*) *classification.* Sugarcane sirup that possesses a fairly good flavor may be given a score of 21 to 23 points. Sugarcane sirup that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good flavor" means that the product possesses a fairly good flavor for the type of sugarcane sirup and is free from objectionable flavors, including but not limited to, objectionable flavors caused by scorching or fermentation or the presence of any foreign or disagreeable flavor or odor.

(e) (*SStd.*) *classification.* Sugarcane sirup that fails to meet the requirements of the above paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3109 *Defects*—(a) *General.* Defects refers to the cleanliness of the product and the degree of freedom from harmless extraneous material, such as particles of fiber, carbon, or earthy material which may be in suspension or deposited as sediment in the container.

(b) (*A*) *classification.* Sugarcane sirup that is practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that the appearance and edibility of the product are not affected by the presence of harmless extraneous matter or other material which may be in suspension or deposited as sediment in the container.

(c) (*B*) *classification.* If the sugarcane sirup is reasonably free from defects, a score of 16 or 17 points may be given. Sugarcane sirup that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the appearance and edibility of the product are not materially affected by the presence of harmless extraneous matter or other material which may be in suspension or deposited as sediment in the container.

(d) (*C*) *classification.* Sugarcane sirup that is fairly free from defects may be given a score of 14 or 15 points. Sugarcane sirup that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the appearance and edibility of the product are not seriously affected by the presence of harmless extraneous matter or other material which may be in suspension or deposited as sediment in the container.

(e) (*SStd.*) *classification.* Sugarcane sirup that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3110 *Clarity*—(a) *General.* The factor of clarity has reference to the degree of freedom from fine particles of mineral matter, colloidal or amorphous material, or any other suspended matter that may affect the clarity, appearance, or edibility of the product.

(b) (*A*) *classification.* Sugarcane sirup that is practically clear may be given a score of 18 to 20 points. "Practically clear" means that the sugarcane sirup may contain not more than a trace of finely divided particles of suspended material which does not affect the appearance or edibility of the product.

(c) (*B*) *classification.* If the sugarcane sirup is reasonably clear a score of 16 or 17 points may be given. "Reasonably clear" means that the sugarcane sirup may contain finely divided particles of suspended material which does not materially affect the appearance or edibility of the product.

(d) (*C*) *classification.* Sugarcane sirup that is fairly clear may be given a score of 14 or 15 points. Sugarcane sirup that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly clear" means that the appearance or edibility of the sugarcane sirup may be materially but not seriously affected by the presence of finely divided particles of suspended material.

(e) (*SStd.*) *classification.* Sugarcane sirup that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

DEFINITIONS AND METHODS OF ANALYSIS

§ 52.3111 *Color of sugarcane sirup.* (a) The color classification of sugarcane sirup is determined by means of the U. S. D. A. permanent glass color standards for sugarcane sirup as outlined in this subpart.

(b) Partially crystallized sugarcane sirup is liquefied by heating to approximately 54.4° C. (130° F.) and cooled to approximately 20° C. (68° F.) before ascertaining the color of the sirup by means of the U. S. D. A. permanent glass color standards for sugarcane sirup.

§ 52.3112 *Application of U. S. D. A. permanent glass color standards in classifying the color of sugarcane sirup*—(a) *Sample containers.* The sample containers for use in making the visual color determination, as set forth in this subpart, are cells of colorless optical glass or plastic, having an internal width of 3.175 mm. (⅛ inch) with outside dimensions of approximately 1 7/16 inches by 3½ inches.

(b) *Comparator; viewing box.* The comparator or viewing box for the entire color range in the visual comparison test is divided into five compartments. Each compartment is provided with openings approximately 1 3/16 inches square in the two parallel sides. The U. S. D. A. permanent glass color standards are mounted in a fixed position in the front openings of compartments 1, 3, and 5 of the two comparators, compartments 2 and 4 being adapted to receive the sample containers.

(c) *Visual comparison test.* The color of a sample of sugarcane sirup is compared with the U. S. D. A. permanent glass color standards in the following manner to determine its color classification:

(1) Place the sample of sugarcane sirup in a clean, dry sample container.

(2) Place the container filled with the sample of sugarcane sirup successively in compartments 2 and 4 of the comparator, and visually compare the color of the sample with that of each of the glass color standards by looking through them at a diffuse source of natural or artificial daylight.

§ 52.3113 *Soluble solids; Brix value.* Soluble solids means the solids content of sugarcane sirup or the Brix value as determined by the double dilution method by means of a Brix hydrometer corrected to 20° C. (68° F.).

§ 52.3114 *Ash.* Percent ash means the ash content of sugarcane sirup determined as sulfated ash as outlined in the Official Methods of Analysis of the Association of Official Agricultural Chemists, Seventh Edition, 1950. Percent ash is calculated on the basis of the percent soluble solids content of the product and expressed as percent of sulfated ash with no deduction.

§ 52.3115 *Sulfur dioxide, p. p. m.* means the total sulfites determined by the Monier-Williams method, calculated as parts per million of sulfur dioxide (SO_2).

§ 52.3116 *Reducing sugars.* The percent, by weight, of reducing sugars is calculated on the basis of the percent of soluble solids. Reducing sugars are determined by the Lane-Eynon volumetric method for reducing sugars.

§ 52.3117 *Sucrose.* The percent, by weight, of sucrose is calculated on the basis of the percent of soluble solids. The determination may be made by the Clerget, or double polarization, method using invertase as the inverting agent, by Jackson-Gillis Method Number IV, or by the chemical method, before and after inversion.

§ 52.3118 *Methods of analysis.* The analysis indicated in this subpart shall be made in accordance with methods of analysis given in Official Methods of Analysis of the Association of Official Agricultural Chemists or by any other means which give equivalent results.

LOT CERTIFICATION TOLERANCES

§ 52.3119 *Tolerances for certification of officially drawn samples.* (a) When certifying samples that have been officially drawn and which represent a specific lot of sugarcane sirup the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, (1) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification; and (2) with respect to those factors which are rated by score points:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

SCORE SHEET

§ 52.3120 *Score sheet for sugarcane sirup.*

Size and kind of container	
Container mark or identification	
Label	
Type	
Soluble solids, percent; Brix (degrees)	
Sucrose, percent	
Reducing sugars, percent	
Ash, percent	

Factors		Score points	
Color	30	(A)	27–30
		(B)	24–26
		(C)	[1] 21–23
		(SStd.)	[1] 0–20
Flavor	30	(A)	27–30
		(B)	[1] 24–26
		(C)	[1] 21–23
		(SStd.)	[1] 0–20
Defects	20	(A)	18–20
		(B)	[1] 16–17
		(C)	[1] 14–15
		(SStd.)	[1] 0–13
Clarity	20	(A)	18–20
		(B)	16–17
		(C)	[1] 14–15
		(SStd.)	[1] 0–13
Total score	100		

Grade	
Color	

[1] Indicates limiting rule.

The United States Standards for Grades of Sugarcane Sirup (which is the second issue) contained in this subpart shall become effective 30 days after publication hereof in the FEDERAL REGISTER, and will thereupon supersede the United States Standards for Grades of Sugarcane Sirup which have been in effect since July 20, 1951.

Dated: March 13, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 57-2028; Filed, Mar. 15, 1957; 8:50 a. m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 729—PEANUTS

REVISION OF APPORTIONMENT TO STATES OF NATIONAL ACREAGE ALLOTMENT FOR 1957 CROP OF PEANUTS

Basis and purpose. The purpose of this document is to revise the apportionment of the 1957 national peanut acreage allotment among the several peanut-producing States previously made on November 9, 1956 (21 F. R. 8913). This revision is necessary because the reserve of 8,050 acres set aside for establishing 1957 peanut acreage allotments for new farms exceeds the requirements for this purpose and the unused acreage, which is 3,416 acres, is now available for apportionment. This document revises § 729.803 (21 F. R. 8915) to apportion this unused acreage to the States on exactly the same basis as the 1957 national acreage allotment was previously apportioned to the States.

Farmers in the southernmost areas of the United States will soon begin planting the 1957 crop of peanuts and farmers in the other peanut-producing areas of the nation are completing their plans for the production of peanuts in 1957. In order that the State and county Agricultural Stabilization and Conservation committees may apportion the additional acreage provided herein at the earliest possible date, it is essential that this revision of apportionment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001–1011) is impracticable and contrary to the public interest, and the revised apportionment of the national peanut acreage allotment among the peanut-producing States shall become effective upon filing of this document with the Director, Division of the Federal Register.

For the purpose of apportioning the above mentioned 3,416 acres, § 729.803 is amended to read as follows:

§ 729.803 *Apportionment of the national peanut acreage allotment for the crop produced in the calendar year 1957.* (a) The national peanut acreage allotment proclaimed in § 729.802 is hereby apportioned as follows:

State:	*1957 State acreage allotment*
Alabama	218,429.9
Arizona	718.3
Arkansas	4,228.8
California	942.0
Florida	54,893.8
Georgia	525,729.6
Louisiana	1,967.0
Mississippi	7,573.0
Missouri	246.6
New Mexico	4,916.5
North Carolina	169,174.0
Oklahoma	137,615.7
South Carolina	13,772.3
Tennessee	3,571.5
Texas	355,819.9
Virginia	105,767.1
Total apportionment for old farms	1,605,366.0
Total apportionment for new farms	4,634.0
Total, United States	1,610,000.0

(b) The additional acreage hereby apportioned to each State shall be used for the purpose(s) specified in §§ 729.817 (b) (5), 729.818 and 729.822 of the Allotment and Marketing Quota Regulations for Peanuts of the 1957 and Subsequent Crops (21 F. R. 9370, 9760).

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361–368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, 90, as amended; 66 Stat. 27; secs. 106, 112, 377, 70 Stat. 191, 195, 206; 7 U. S. C. 1301, 1358, 1359, 1361–1368, 1372, 1373, 1374, 1376, 1377, 1388)

Issued at Washington, D. C., this 13th day of March 1957. Witness my hand and the seal of the Department of Agricuture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-2038; Filed, Mar. 15, 1957; 8:52 a. m.]

PART 730—RICE

SUBPART—REGULATIONS FOR ESTABLISHMENT OF FARM ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1957 CROP OF RICE

MISCELLANEOUS AMENDMENTS

The amendments herein are issued under and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended, to provide (1) clarification of the conditions under which rice produced for wildlife feed under contract with the Fish and Wildlife Service will not be classified as rice acreage, (2) authorization for the county committee to consider a producer's request for allocation of his preliminary rice acreage allotment to a farm if his reason for filing such request is for the purpose of filing a request for the preservation of his allotment for history purposes, (3) for adding a subparagraph with respect to the disposition of rice history acreage upon dissolution of a partnership, which was inadvertently omitted from the 1957 allotment regulations previously approved, and (4) for State committee approval of the release of rice acreage allotment by producers and the reapportionment of such acreage by county committees to farms.

Since rice producers are currently making plans for seeding their 1957 crop rice it is imperative that they be informed of the amendments herein as soon as possible. Accordingly, it is hereby found that compliance with the notice, procedure, and effective date provisions of the Administrative Procedure Act (5 U. S. C. 1003) is impracticable and contrary to the public interest, and these amendments shall become effective upon the date of their publication in the FEDERAL REGISTER.

1. Section 730.811 (n) is amended by changing subparagraph (4) thereof to read as follows:

(4) any acreage planted to rice on specifically designated fields under a written contract which was or will be entered into prior to planting with the Fish and Wildlife Service for wildlife feed which was not or will not be harvested, provided prior to planting, a certified copy of such contract is filed with the county committee and such contract is approved by the county and State committees after determination that there is no intent by the producer in entering into the contract to defeat the purposes of the acreage allotment or marketing quota program, and

2. Section 730.817 is amended by changing the period at the end of paragraph (d) thereof to a comma and by adding the following: "or (3) he is requesting the allocation of his preliminary rice acreage allotment to the farm or farms for the purpose of requesting the preservation of his rice acreage allotment for history purposes."

3. Section 730.821 is amended by adding a new paragraph (c), as follows:

(c) The release of preliminary rice acreage allotments by producers and the reapportionment of such acreage by the county committee to farms shall not become effective until approved by the State committee or upon behalf of the State committee by the State administrative officer, program specialist, or farmer fieldman.

4. Section 730.822 is amended by adding a new paragraph (d), as follows:

(d) Upon dissolution of a partnership, the partnership's history of rice production shall be apportioned among the partners in such proportion as agreed upon in writing by the partners and approved by the State committee.

5. Section 730.830 is amended by adding a new paragraph (c) which reads as follows:

(c) The release of farm rice acreage allotments by producers and the reapportionment of such acreage by the county committee to other rice farms in the county shall not become effective until approved by the State committee or on behalf of the State committee by the State administrative officer, program specialist, or farmer fieldman.

(Sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interpret or apply secs. 301, 353, 363, 52 Stat. 38, 61; 63, as amended, 70 Stat. 188; 7 U. S. C. 1301, 1353, 1363)

Done at Washington, D. C., this 13th day of March 1957. Witness my hand and seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-2037; Filed, Mar. 15, 1957; 8:52 a. m.]

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

[Navel Orange Reg. 110]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.410 *Navel Orange Regulation 110*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 21 F. R. 4707), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on March 14, 1957, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is neces-

sary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., March 17, 1957, and ending at 12:01 a. m., P. s. t., March 24, 1957, is hereby fixed as follows:

(i) District 1: 277,200 cartons;

(ii) District 2: 785,400 cartons;

(iii) District 3: Unlimited movement;

(iv) District 4: Unlimited movement.

(2) All navel oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: March 15, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-2085; Filed, Mar. 15, 1957; 11:31 a. m.]

[Orange Reg. 312]

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

LIMITATION OF SHIPMENTS

§ 933.835 *Orange Regulation 312*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all oranges, including Temple oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on March 12, 1957, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

(2) During the period beginning at 12:01 a. m., e. s. t., March 18, 1957, and ending at 12:01 a. m., e. s. t., April 1, 1957, no handler shall ship:

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

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

(iii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than 2$^{6}/_{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title): *Provided,* That in determining the percentage of oranges in any lot which are smaller than 2$^{6}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 2$^{12}/_{16}$ inches in diameter and smaller;

(iv) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size larger than 3$^{6}/_{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges larger than such maximum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title): *Provided,* That in determining the percentage of oranges in any lot which are larger than 3$^{6}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 3 inches in diameter and larger; or

(v) Any Temple oranges, grown in the State of Florida, which are of a size smaller than 2$^{6}/_{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

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

Dated: March 13, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-2030; Filed, Mar. 15, 1957; 8:51 a. m.]

[Grapefruit Reg. 260]

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

LIMITATION OF SHIPMENTS

§ 933.836 *Grapfruit Regulation 260*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice,

engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the department after an open meeting of the Growers Administrative Committee on March 12, 1957, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (chapters 25149 and 28090) and also by section 601.18, as amended June 2, 1955 (chapter 29760).

(2) During the period beginning at 12:01 a. m., e. s. t., March 18, 1957, and ending at 12:01 a. m., e. s. t., April 1, 1957, no handler shall ship:

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

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

(iii) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than $3^{15}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title);

(iv) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than $3^{1}/_{16}$ inches in diameter, measured midway at a right angle to a stright line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of pink seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title);

(v) Any white seedless grapefruit, grown in Regulation Area I, which are not mature and do not grade at least U. S. No. 1 Bronze;

(vi) Any pink seedless grapefruit, grown in Regulation Area I, which are not mature and do not grade at least U. S. No. 2;

(vii) Any white seedless grapefruit, grown in Regulation Area II, which are not mature and do not grade at least U. S. No. 1 Bronze: *Provided,* That not to exceed 40 percent, by count, of such grapefruit may be damaged, but not seriously damaged, by scars;

(viii) Any pink seedless grapefruit, grown in Regulation Area II, which are not mature and do not grade at least U. S. No. 2;

(ix) Any pink seedless grapefruit, grown in Regulation Area II, which are mature and which grade U. S. No. 2 or U. S. No. 2 Bright unless such pink seedless grapefruit (*a*) are in the same container with pink seedless grapefruit which grade at least U. S. No. 1 Russet and (*b*) are not in excess of 50 percent, by count, of the number of all pink seedless grapefruit in such container; or

(x) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than $3^{9}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title).

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

Dated: March 13, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-2035; Filed, Mar. 15, 1957; 8:52 a. m.]

[Tangerine Reg. 188]

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

LIMITATION OF SHIPMENTS

§ 933.837 *Tangarine Regulation 188*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Florida tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on March 12, 1957, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the

declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and standard pack, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title).

(2) During the period beginning at 12:01 a. m., e. s. t., March 18, 1957, and ending at 12:01 a. m., e. s. t., April 1, 1957, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2; or

(ii) Any tangerines, grown in the State of Florida, that are of a size smaller than $2\frac{2}{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title).

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

Dated: March 13, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-2033; Filed, Mar. 15, 1957; 8:52 a. m.]

[Lemon Reg. 678]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.785 *Lemon Regulation 678*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 20 F. R. 8451; 21 F. R. 4393), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on March 13, 1957; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., March 17, 1957, and ending at 12:01 a. m., P. s. t., March 24, 1957, is hereby fixed as follows:

(i) District 1: 6,510 cartons;

(ii) District 2: 216,690 cartons;

(iii) District 3: Unlimited movement.

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

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

Dated: March 14, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-2077; Filed, Mar. 15, 1957; 8:54 a. m.]

[Grapefruit Reg. 114]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.375 *Grapefruit Regulation 114*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than March 17, 1957. Shipments of grapefruit, grown as aforesaid, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 21, 1956, and will so continue until March 17, 1957; the recommendation and supporting information for continued regulation subsequent to March 16, 1957, were promptly submitted to the Department after such recommendation was made by the Administrative Committee on March 7, 1957; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., March 17,

1957, and ending at 12:01 a. m., P. s. t., April 28, 1957, no handler shall ship:

(i) Any grapefruit of any variety grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass unless such grapefruit grade at least U. S. No. 2; or

(ii) From the State of California or the State of Arizona (*a*) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than 3$^{9}/_{16}$ inches in diameter, or (*b*) to any point in Canada, any grapefruit, grown as aforesaid, which are of a size smaller than 3$^{3}/_{16}$ inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than the foregoing minimum sizes shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the revised United States Standards for Grapefruit (California and Arizona), §§ 51.925 to 51.955 of this title: *Provided*, That, in determining the percentage of grapefruit in any lot which are smaller than 3$^{9}/_{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3$^{13}/_{16}$ inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than 3$^{13}/_{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3$^{19}/_{16}$ inches in diameter and smaller.

(2) As used herein, "handler," "variety," "grapefruit," and "ship" shall have the same meaning as when used in said amended marketing agreement and order; and the term "U. S. No. 2" shall have the same meaning as when used in the revised United States Standards for Grapefruit (California and Arizona), §§ 51.925 to 51.955 of this title.

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

Dated: March 13, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-2034; Filed, Mar. 15, 1957; 8:52 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 11752; FCC 57-227]

[Rules Amdt. 3-59]

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS

In the matter of amendment of § 3.606, Table of Assignments, Television Broadcast Stations (New Orleans, Louisiana-Mobile, Alabama; Beaumont-Port Arthur, Texas; Lake Charles, Louisiana; Lafayette, Louisiana; Houma, Louisiana).

1. The Commission has before it for consideration its Notice of Proposed Rule Making issued in this proceeding on June 26, 1956 (FCC 56-593) proposing to shift Channel 4 from New Orleans, Louisiana, to Mobile, Alabama, by making the following changes in the Table of Assignments for Television Broadcast Stations (§ 3.606 of the Commission's rules):

City	Channel No.	
	Present	Proposed
Mobile, Ala.	5, 10, *42, 48.	4, 5, 10, *48.
New Orleans, La.	4, 6, *8, 20, 26, 32, 61.	6, *8, 20, 26, 32, 42, 61.

As a result of a motion filed by Loyola University, conditional grantee of Channel 4 in New Orleans, the Commission announced that it would also consider in this proceeding any proposal to delete from New Orleans Channel 6 as well as Channel 4. See Memorandum Opinion and Order of November 20, 1956 (released November 26, 1956) FCC 56-1159.

2. Included in the comments filed by interested parties were many counterproposals looking to the assignment of an additional VHF channel to New Orleans as a substitute for the Commission's proposal; (a) add Channel 11 at New Orleans as a "drop-in" or "squeeze-in";[1] (b) shift Channel 2 from Baton Rouge to New Orleans; (c) shift Channel 13 from Biloxi to New Orleans; (d) shift Channel 7 from Laurel-Pachuta, Mississippi to Pass Christian, Louisiana; and (e) add Channel 12 to New Orleans. Some parties suggested that the Commission either completely deintermix New Orleans by deleting Channel 6 as well as Channel 4, or, if that is not done, add an additional VHF channel or channels.

3. The proposal to add Channel 12 to New Orleans included the addition of Channel 12 to Beaumont-Port Arthur, Texas; Channel 3 to Lake Charles, Louisiana; and Channel 11 to Houma, Louisiana, all without disturbing allocations elsewhere. This proposal was advanced in reply comments filed jointly by WKRG, Inc., Mobile, Alabama; Laurel Television Company, Laurel, Mississippi; and KTAG Associates, Lake Charles, Louisiana. Since the interested parties had no opportunity to comment on this counterproposal, the Commission on January 18, 1957, released a Notice of Further Proposed Rule Making (FCC 57-62) in this proceeding, inviting comments on this jointly filed counterproposal and two conflicting petitions for changes in the Table of Assignments: (1) a petition filed August 7, 1956, by KTAG Associates requesting the assignment of Channel 3 to Lake Charles, Louisiana, and (2) a petition filed September 2, 1956, by Evangeline Broadcasting Company requesting the assignment of Channel 3 to Lafayette, Louisiana, and Channel 12 to Lake Charles. Comments and reply comments invited by the Notice of Further Proposed Rule Making have now been received, and the proceeding is ready for decision.

4. Comments in opposition to the Commission's proposal to shift Channel 4 to Mobile and the counterproposal to delete both Channel 6 and Channel 4 from New Orleans were filed by Loyola University, conditional grantee of a Channel 4 station in New Orleans; the Times-Picayune Publishing Company, unsuccessful applicant for Channel 4; WDSU Broadcasting Corporation, licensee of WDSU-TV, Channel 6, New Orleans; the City of New Orleans; and United States Representatives F. Edward Hebert and Hale Boggs, jointly. Comments in favor of the deletion of Channel 4 as proposed and the ultimate deletion of Channel 6 as well were filed by Supreme Broadcasting Company, WJMR-TV, Channel 20, New Orleans. American Broadcasting Company favored the addition of one or more VHF channels to New Orleans, but indicated consideration should be given to the alternative of making the city predominantly UHF. WWEZ Radio, Inc., premittee of WWEZ-TV (not constructed), Channel 32, New Orleans, supported deintermixture, but had no preference as to whether this should be accomplished by making New Orleans all VHF or all UHF. There were no comments from interested parties in the Mobile area favoring the shift of Channel 4 to Mobile, and WKRG-TV, Inc., licensee of WKRG-TV, Channel 5, Mobile, joined in the reply comments suggesting inter alia the addition of Channel 12 to New Orleans.

5. In response to the Notice of Further Proposed Rule Making a great variety of comments were received. WKRG-TV, Inc. (WKRG-TV, Channel 5, Mobile, Alabama), Pape Television Company, Inc. (WALA-TV, Channel 10, Mobile), Laurel Television Company, Inc. (permittee for Channel 7, Laurel-Pachuta, Mississippi), and St. Anthony Television Corporation, Houma, Louisiana, supported the assignments of Channel 12 to both New Orleans and Beaumont-Port Arthur, Channel 11 to Houma, and Channel 3 to Lake Charles.[2] Southern Television Corporation (WTOK-TV, Channel 11, Meridian, Mississippi) supported the assignment of Channel 11 to Houma. Television Broadcasters, Inc. (KBMT, Channel 31 (operation suspended), Beaumont) favored the assignment of Channel 12 to Beaumont-Port Arthur and requested that the Commission order it to show cause why its outstanding authorization for KBMT should not be modified to specify operation on Channel 12 in lieu of Channel 31. BMT-Tri-Cities Broadcasting Company, Beaumont, also supported the allocation of Channel 12 to Beaumont-Port Arthur, but opposed Television Broadcaster's re-

[1] The Commission recently denied a petition by Loyola University for a change in the boundary between Zones II and III to permit the "drop-in" of Channel 11 at New Orleans. See Memorandum Opinion and Order of November 8, 1956 (FCC-56-1093).

[2] In a supplemental comment Pape Television Company expressed the view that the assignment of Channel 3 to Lafayette would be in the public interest, would be consistent with a fair, efficient distribution of facilities, and would not preclude the proposed assignments to New Orleans, Houma, and Beaumont-Port Arthur.

quest for a show-cause order. American Broadcasting Company (ABC) supported the assignment of Channel 12 to both New Orleans and Beaumont-Port Arthur. KTAG Associates (KTAG, Channel 25, Lake Charles) supported the assignment of Channel 3 to Lake Charles and requested that the Commission issue an order for it to show cause why its outstanding authorization for Station KTAG–TV should not be modified to specify operation on Channel 3 in lieu of Channel 25. Evangeline Broadcasting Company, licensee of a standard broadcast station in Lafayette, Louisiana, supported the assignments of Channel 12 to New Orleans, Channel 11 to Houma, and Channel 3 to Lafayette, and also proposed that Channel 12 be assigned to Beaumont-Port Arthur-Lake Charles.[3] This latter proposal was opposed by Television Broadcasters (KBMT, Beaumont).

6. Still another counterproposal was advanced by Calcasieu Broadcasting Company (KPLC–TV, Channel 7, Lake Charles), which supported the assignments of Channel 11 to Houma and Channel 12 to Beaumont-Port Arthur, but suggested that action on the assignment of Channel 12 to New Orleans and Channel 3 to Lake Charles be delayed until after action on the application for the move of the transmitter site of Station WLBT, Jackson, Mississippi (see footnote 3). Calcasieu proposed that Channel 13 be assigned to New Orleans by making the following changes in the Table of Assignments:

(a) Shift Channel 13 from Biloxi, Mississippi, to New Orleans;

(b) Shift Channel 9 from Hattiesburg, Mississippi, to Biloxi;

(c) Shift Channel 7 from Laurel-Pachuta, Mississippi, to Hattiesburg, leaving Laurel-Pachuta without an assigned channel.

This counterproposal was opposed by Laurel Television Company, Inc., permittee of Channel 7 at Laurel, and supported by Capitol Broadcasting Company (WJTV, Channel 12, Jackson, Mississippi). Of the New Orleans parties who participated, the Times-Picayune Publishing Company supported the Calcasieu proposal for the addition of Channel 13, while WSMB, Inc., licensee of a standard broadcast station, favored the assignment of Channel 12. Loyola University, conditional grantee of Channel 4, announced that it took no position as to which channel should be added. WWEZ Radio, Inc. (WWEZ–TV, Channel 32, not constructed) opposed the allocation of any VHF channels to New Orleans unless two channels could be assigned in addition to Channels 4 and 6. Supreme Broadcasting Company, Inc. (WJMR–TV, Channel 20, on the air) reaffirmed its previous position that New Orleans should ultimately be made all UHF, but requested that, if Channel 12 should be assigned, it be ordered to show cause why its authorization should not be modified to specify operation on Channel 12 in lieu of Channel 20.

7. The above recitation of the various proposals and comments thereon reveals a great variety of ideas as to how the television allocations in the New Orleans area could be improved. Although the New Orleans participants are apparently agreed that the assignments in the city should be either all VHF or all UHF, there is no unanimity even among the advocates on one side, and especially among those favoring VHF, as to how either course could best be accomplished. We have carefully considered all the proposals and the data and arguments submitted by the parties, and we have reached the conclusion that it would be more in the public interest to add an additional VHF channel, thus making New Orleans a predominantly VHF community, than it would to make New Orleans a UHF city by deleting one or both of the present VHF assignments.

8. New Orleans, by far the largest city in its general area, is rated as the nation's 23rd market. It has a population of 570,445, and a metropolitan area population of 685,405.[4] In area, the city is the third largest in the country with an area of 363.5 square miles, and the distance from its southwest to its northeast boundary is approximately 35 miles. Its metropolitan area covers approximately 1,769 square miles, and its normal trade area is still more extensive. We concluded in the Sixth Report and Order (paragraph 66) that, since VHF can effectively cover large areas, VHF channels should be assigned whenever possible to such a large metropolitan center as New Orleans. Only if the deletion of the presently assigned VHF channels and the assignment of additional UHF channels would make for a more fair, efficient and equitable distribution of the available facilities in New Orleans and other communities should we reverse that conclusion here.

9. The present allocations to New Orleans are Channels 4, 6, 8 (reserved for educational use), 20, 26, 32 and 61. There is a conditional grant for Channel 4, the conditions being that construction be not commenced pending the outcome of this rule making proceeding, and that, if the channel is deleted from the city, a UHF channel may be substituted therefor without the necessity of further proceedings. Channels 6 (WDSU–TV) and Channel 20 (WJMR–TV) are on the air. A noncommercial educational station (WYES) is reported as about ready to commence operation on Channel 8. Construction permits for Channels 26 (WCKG) and 32 (WWEZ–TV) have been issued, but the stations have not yet been constructed.[5] Construction permits for Channels 20 (WTLO) and 32 (WCNO–TV) have been deleted without the stations having gone on the air.[6] Thus, only one UHF station is presently operating in New Orleans, and there has never been any other UHF station operating in the city. The only other UHF station operating in the area is WAFB–TV, Channel 28, Baton Rouge, Louisiana,[7] 75 miles from New Orleans, and that station is controlled by the ownership of WDSU–TV in New Orleans. The city of New Orleans presently receives Grade B service from WBRZ, Channel 2, Baton Rouge, and will receive a second Grade B service (or the approximate equivalent) from a Channel 13 station at Biloxi, Mississippi (78 miles). Portions of the New Orleans trade area are served by KLFY–TV (Channel 10, Lafayette, Louisiana, 118 miles), WDAM–TV (Channel 9, Hattiesburg, Mississippi, 106 miles), and WKRG–TV and WALA–TV (Channels 5 and 10, Mobile, Alabama, 132 miles). The only other service presently available in New Orleans is that from its two local operating stations, WDSU–TV (VHF) and WJMR–TV (UHF). There has been no interest displayed in the activation of UHF allocations in such cities in the New Orleans area as Houma, Hammond, Franklin, Morgan City, and Thibodaux.

10. The New Orleans area is considered to be one of the most favorable areas in the country for UHF propagation. Yet, despite the relative scarcity of television signals (VHF or UHF) in the city and the fact that a UHF station (WJMR–TV) has been on the air since November 1953, sets have not been converted to receive UHF transmissions at as high a rate as in cities where we have determined VHF channels should be replaced by UHF assignments, for example, in Springfield and Peoria, Illinois, and Albany-Schenectady, New York.[8] Further, surveys have shown that viewers in the New Orleans area show a marked preference for the VHF station (WDSU–TV) and that the percentage of viewers who watch popular network shows on the UHF station (WJMR–TV) in New Orleans is much lower than in other cities where the same programs are presented on UHF stations with VHF competition.

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[3] Evangeline also requested that the boundary of Zone III be changed so as to permit both the assignment of Channel 3 to Lafayette and the grant of an application to move the transmitter site of Station WLBT, Channel 3, Jackson, Mississippi, in a southerly direction. Lamar Life Broadcasting Company (WLBT) and Gulfport Broadcasting Company, Inc. (WEAR–TV, Channel 3, Pensacola, Florida), which has a pending application to move its transmitter site in the direction of Jackson, supported Evangeline's request for a change in the boundary of Zone III.

[4] The population figures are derived from the United States Census for 1950. As of January 1, 1956, the city's population is estimated as 629,000, and the metropolitan area population as 801,000.

[5] The construction permit for WCKG was issued April 2, 1953; that for WWEZ–TV was issued September 26, 1956.

[6] Station WJMR–TV formerly operated on Channel 61, but transferred to Channel 20 when the construction permit for WTLO was deleted on September 17, 1954. The construction permit for WCNO–TV was deleted March 10, 1955.

[7] There is an outstanding construction permit (issued July 18, 1956) for Channel 40 (WCNS) at Baton Rouge, and there is an application for operation on Channel 18. The permittee for Channel 40 has filed an application for modification of its authorization to specify operation on Channel 18.

[8] The most optimistic estimate as to the conversion rate in New Orleans is 75 percent, while estimates based on other surveys run from 60 percent to 72 percent. It must be stated, however, that the rate of conversion has been on the increase and that reportedly only all-channel receivers are at present being retailed in New Orleans.

Hence, it is clear that, from the standpoint of both the use made of the UHF allocations by broadcasters and of acceptance by viewers, New Orleans cannot be described as a UHF community.

11. The flat terrain in the vicinity of New Orleans is eminently favorable for the reception of UHF transmissions in the areas within line of sight distances, so that at distances up to 40 to 50 miles UHF stations can provide as good, if not better, service as VHF stations at similar power levels. However, inasmuch as UHF signals become significantly poorer beyond line of sight on smooth terrain, it is clear that under present conditions UHF stations could not provide satisfactory coverage of the large New Orleans trade area. Indeed, it appears that, if both Channels 4 and 6 were deleted from New Orleans, several thousand persons in southern Louisiana, now receiving service from WDSU–TV, would be deprived of their only television service, and that substantial portions of the northern segment of the New Orleans trade area would have to depend upon VHF stations in other cities for their television service. We conclude, therefore, that the best answer to the New Orleans problem is the assignment of additional VHF channels.

12. This conclusion may not be overcome, but rather is strengthened, by consideration of the use that could be made of Channels 4 and 6 elsewhere. The proposal set out in the original Notice of Proposed Rule Making in this proceeding was to shift Channel 4 to Mobile, Alabama, where two VHF stations are currently on the air. That city also receives a Grade B signal from a VHF station at Pensacola, Florida; will receive a Grade A signal if an application for change in the transmitter location of the Pensacola station is granted; and will receive another Grade B signal when a VHF assignmnet at Biloxi, Mississippi, is activated. Mobile is rated as the 82nd market and has a population of 129,009, with a metropolitan area population of 231,105. Plainly, under all the circumstances (see paragraphs 8–11), there is a greater need for Channel 4 at New Orleans than at Mobile. Moreover, in view of the size of Mobile and the services available to the city now and in the near future, and inasmuch as no party in this proceeding has evidenced any interest in making use of Channel 4 if it should be assigned to Mobile,[9] there is a strong likelihood that the channel would lie fallow if allocated to that city. With respect to Channel 6, minimum transmitter separation requirements would prevent the reallocation of that channel except in close proximity to New Orleans. Hence, a reallocated channel 6 station would in effect remain a New Orleans station, so that the competitive situation in New Orleans would not be improved. And the alternative of leaving the channel unassigned in the area, thus wasting a scarce VHF frequency, is not an appealing one.

13. Having concluded that we should assign additional VHF channels to New Orleans, we must decide whether the new VHF channel should be Channel 12 or Channel 13. The assignment of Channel 13 would permit greater flexibility in the location of a transmitter site, but would require the modification of an existing VHF authorization in Laurel, Mississippi to a UHF frequency and shifts from one VHF channel to another in two other communities (see paragraph 6). In one of these cities (Hattiesburg, Mississippi) the assigned VHF channel is in use. The modification of the outstanding authorizations would require time-consuming evidentiary hearing. The assignment of Channel 12 can be made without disturbing authorizations and for that reason is to be preferred if at all feasible.

14. It is pointed out that because of the necessity of maintaining a 190 mile separation from the transmitter site of co-channel Station WJTV in Jackson, Mississippi, the transmitter sites available for a New Orleans Channel 12 station would be severely limited. The assignment would require a transmitter site south of the city about 35 miles from the outer portion of the built-up area of New Orleans. Some parties point out that all of New Orleans could not possibly be covered with the required city grade signal from such a location, since the site would be at least 50 miles from the northeast city boundary. But New Orleans, because of its extremely large area, presents a special case as is demonstrated by the fact that in the granting of five authorizations for the city the Commission has waived the city grade signal requirement. Since the area which would not receive a city grade signal is largely swampland and sparsely populated, we would likewise waive the city grade signal requirement for a Channel 12 operation.

15. It now remains for us to consider the various proposals for the addition of VHF channels to other communities as set forth in the Notice of Further Proposed Rule Making. First considered is the proposal for the assignment of Channel 11 to Houma, Louisiana (population of 11,505), a growing community in the midst of activity in the oil industry. There has been no opposition to the proposed assignment. The most critical of the transmitter spacing requirements is the 60 mile separation from a New Orleans Channel 12 station. It appears that transmitter sites are available which would meet this and all other spacing requirements and from which the required city grade signal could be placed over Houma with reasonable power and antenna height. However, with the assignment of Channel 12 to New Orleans and Channel 11 to Houma, all parties concerned would have to cooperate on the selection of sites in order to provide both areas and communities with the best possible service.

16. The proposal to allocate Channel 12 to Beaumont-Port Arthur, Texas, presents no special problems. But we must consider this proposal in connection with proposals to allocate Channel 12 to Lake Charles, Louisiana or to Beaumont-Port Arthur-Lake Charles on a hyphenated basis. Neither of those proposals takes precedence over the allocation to Beaumont-Port Arthur. Beaumont-Port Arthur has a metropolitan area population of 185,507. It has two VHF and one UHF commercial assignments. The UHF assignment and one of the VHF assignments are in use, and the second VHF assignment is in hearing status. Lake Charles has a population of 41,272 and has two television stations in operation, one VHF and one UHF. Clearly, the assignment of Channel 12 to Beaumont-Port Arthur would better meet the requirement of section 307 (b) of the act for a fair, efficient and equitable distribution of the available facilities than would the assignment to Lake Charles.[10] In view of these same section 307 (b) considerations, the suggested hyphenated assignment to Beaumont-Port Arthur-Lake Charles would be an empty gesture insofar as Lake Charles is concerned. Even a proposal by a Lake Charles applicant to serve Beaumont-Port Arthur as well as Lake Charles would not change the result. For the two areas (Beaumont-Port Arthur and Lake Charles) are separate and distinct with no common interests, and the area in which a transmitter would have to be located in order to serve both communities lies in remote, uninhabited swampland unsuited for a transmitter site.

17. We have left the conflicting proposals for the assignment of Channel 3 to Lake Charles or Lafayette, Louisiana, about 70 miles apart. As we have previously stated, Lake Charles has a population of 41,272, and one VHF station (KPLC–TV) and one UHF station (KTAG–TV) are presently operating in the city. Lafayette has a population of 33,541 and a VHF station (KLFY–TV) is presently operating in the city. Each city has an unused UHF assignment for which no application has ever been made. The proponents of the allocation to Lake Charles assert that this would be the only way in which a second competitive service could be provided for the city. Those favoring the assignment to Lafayette assert that only by such assignment could a second service be brought to that area. Under present cochannel authorizations (KTBS–TV, Shreveport, Louisiana; WLBT, Jackson, Mississippi; KBTX, Bryan, Texas) suitable transmitter sites are available within 12 miles of Lafayette. The proponents of the assignment to Lake Charles assert that sites are available about 30 miles from the city from which a station could provide city grade service to Lake Charles with 100 kw power and an antenna height of 2,000 feet. The Lafayette party contends that such an operation would be inefficient and financially prohibitive, and that the site would meet with vigor-

[9] WKAB–TV operated on Channel 48 in Mobile from December 29, 1952, to August 1, 1954, and its construction permit was deleted on February 28, 1956. WALA–TV commenced operation on Channel 10 in Mobile on January 14, 1953; WEAR–TV began operation on Channel 3 in Pensacola on January 13, 1954; and WKRG–TV, Channel 5 in Mobile, went on the air August 29, 1955.

[10] For the same reason, insofar as the assignment of Channel 12 to New Orleans might be considered as foreclosing the assignment of the same channel to Lake Charles, we must prefer, to an even greater degree, the assignment to New Orleans.

ous opposition from aviation interests. All these contentions are denied by the Lake Charles party. It is our view that the issue as to the proper assignment of Channel 3 can best be decided in an adjudicatory hearing, and we will assign the channel to Lafayette-Lake Charles.

18. We point out that there is pending before the Commission an application (BPCT–2271) for a change in the transmitter location of Station WLBT, Jackson, Mississippi, from a point in Zone II to a point a few miles within Zone III. This proposed operation of WLBT would require a co-channel transmitter separation of 220 miles, instead of 190 miles, and would conflict with the assignment of Channel 3 to either Lafayette or Lake Charles. All parties concerned have requested a change in the boundary between Zones II and III to eliminate this conflict and also a conflict between the WLBT application and a similar application for change in transmitter sites by WEAR–TV, Pensacola, Florida. We have made it clear in a number of previous decisions on proposals to change zone lines that we would not consider zone line changes merely for the purpose of accommodating particular channel assignments or authorizations.[11] We can accede to the requests for a change in the location of reference point (e) to a point about 5 miles south of its present location without doing violence to those decisions. In our Sixth Report and Order the location of reference point (e) was described as North Latitude 30°23'00", West Longitude 90°12'00". On petition for reconsideration by Lamar Life Broadcasting Company (WLBT), we amended the location of reference point (e) to North Latitude 30°05'00", West Longitude 90°38'30". Lamar Life Insurance Co., 8 RR 340a. At that time we deemed it reasonable to amend the zone line because, due to the irregularities in the Gulf Coast shore line near reference point (e) (the Louisiana Peninsula), the boundary of Zone III in this vicinity had been placed farther north, relatively, from the Gulf Coast than at any other part of the boundary. At that time reference point (e) was moved 33 miles to the south and 11 miles to the west, and we pointed out that the proposed new reference point would still be 22 miles farther north from the outermost extremity of the coast than any other reference point, and that adoption of the proposal would make the boundaries of Zone III more closely approximate the outline of the shore of the Gulf Coast. Similarly, the grant of the instant requests to move the reference point about 5 miles farther south would result in reference point (e) still being 17 miles farther north from the outermost extremity of the coast than any other reference point and the boundary of Zone III more closely approximating the outline of the shore.

19. In view of the foregoing: It is ordered, That effective April 20, 1957, §§ 3.609 and 3.699 of the Commission's rules are amended as follows:

1. Substitute the following coordinates for reference point (e) in § 3.609 (a) (3):

(e) 30°00'00" 90°38'30"

2. Delete Figure 2 of § 3.699 and substitute new Figure 2—March 1957 as set forth below.

20. *It is further ordered,* That effective April 20, 1957, § 3.606 *Table of Television channel assignments* with respect to the cities named, is amended, to read as follows: [12]

City	Channels
Houma, La	11, 30+.
Lafayette-Lake Charles, La	3.
New Orleans, La	4+, 6+, *8, 12, 20−, 26, 32+, 61.
Beaumont-Port Arthur, Tex	4−, 6−, 12−, 31+, *37.

21. Authority for the adoption of the amendments is contained in sections 1, 4 (i), and (j), 301, 303 (a), (b), (c), (d), (e), (f), (g), (h), and (r), and 307 (b) of the Communications Act of 1934, as amended, and section 4 of the Administrative Procedure Act.

22. Supreme Broadcasting Company (WJMR–TV, Channel 20, New Orleans), KTAG Associates (KTAG–TV, Channel 25, Lake Charles) and Television Broadcasters, Inc. (KBMT, Channel 31, Beaumont) have each requested that, in the event of a VHF assignment being added to its community, it be ordered to show cause why its authorization should not be modified to specify operation on the newly added channel. Inasmuch as the amendments we have made require no changes in existing authorizations, the several requests for show cause orders are denied.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 301, 303, 307, 48 Stat. 1081, 1082, 1083; 47 U. S. C. 301, 303, 307)

Adopted: March 7, 1957.

Released: March 8, 1957.

FEDERAL COMMUNICATIONS COMMISSION [13]

[SEAL] MARY JANE MORRIS, *Secretary.*

[11] See Daily Telegraph Printing Co., 9 RR 1104a; Logansport Broadcasting Corp., 9 RR 1175; American Broadcasting Company, 11 RR 1552; Loyola University, 14 RR 1569.

[12] The Commission's public notice of February 26, 1957, Report No. 1 indicated that Channel 12— was to be added to New Orleans. Since we believe that the assignment of Channel 12 even to New Orleans would make for a better allocation, Channel 12 even is being added to New Orleans herein.

[13] Concurring statement of Commissioner Lee as part of the original document.

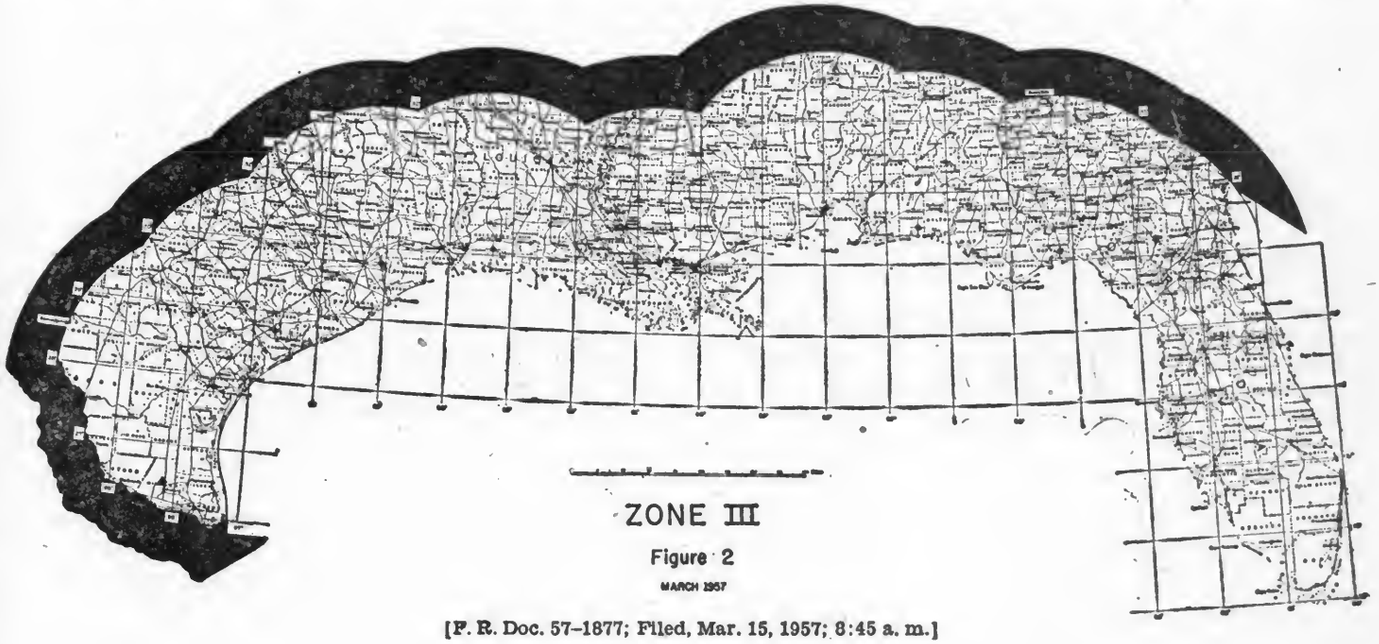

Figure 2

MARCH 1957

[F. R. Doc. 57–1877; Filed, Mar. 15, 1957; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 14]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

MISCELLANEOUS AMENDMENTS

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 610 is amended as follows: (Listed items to be placed in appropriate sequence in the sections indicated.)

Section 610.16 *Green civil airway 6* is amended to read in part:

From Atlanta, Ga., LFR; to Anderson, S. C., LF/RBN; MEA 2,700.

From Anderson, S. C., LF/RBN; to Spartanburg, S. C., LFR; MEA 2,200.

Section 610.104 *Amber civil airway 4* is amended to read in part:

From Cibolo Creek INT, Tex.; to Austin, Tex., LFR; MEA 3,000.

Section 610.210 *Red civil airway 10* is amended to read in part:

From Meridian, Miss., LFR; to Warrior INT, Ala.; MEA 2,000.

From Warrior INT, Ala.; to Birmingham, Ala., LFR; MEA 2,600.

From Atlanta, Ga., LFR; to Augusta, Ga., LFR; MEA 2,200.

Section 610.227 *Red civil airway 27* is amended to read in part:

From Int. S crs Atlanta NAS and NE crs Atlanta LFR; to Atlanta NAS, Ga., LFR; MEA 3,000.

From Atlanta NAS, Ga., LFR; to Murphy, N. C., LF/RBN; MEA 7,000.

From Murphy, N. C., LF/RBN; to Knoxville, Tenn., LFR; MEA 7,600.

From Tallassee, Tenn., FM; to Knoxville, Tenn., LFR southbound only; MEA 7,000.

Section 610.602 *Blue civil airway 2* is amended to read in part:

From Mulberry INT, Ala.; to Birmingham, Ala., LFR; MEA 2,600.

Section 610.618 *Blue civil airway 18* is amended to read in part:

From West Point INT, N. Y.; to Poughkeepsie, N. Y., LFR; MEA 2,700.

Section 610.639 *Blue civil airway 39* is amended to read in part:

From Augusta, Ga., LFR; to Greenville, S. C., LFR; MEA 2,300.

Section 610.1001 *Direct routes—U. S.* is amended by adding:

From San Francisco, Calif., LFR; to Half Moon Bay INT, Calif.; MEA 4,000.

From Fremont, Calif., LF/RBN; to Half Moon Bay INT, Calif.; MEA 4,500.

From Pinecliff INT, Colo.; to Aurora, Colo., LF/RBN eastbound only; MEA 10,000.

Section 610.1001 *Direct routes, U. S.* is amended to delete:

From Cedar Creek INT, Tex.; to McDade INT, Tex., MEA 3,000.

From Anton Chico, N. Mex., VOR; to Clovis, N. Mex., LF/RBN; MEA 9,500.

Section 610.1001 *Direct routes, U. S.* is amended to read in part:

From Gage, Okla., LFR; to La Junta, Colo., LFR; MEA 6,900.

From Fremont, Calif., LF/RBN; to Altamont INT, Calif., southwest bound only; MEA 5,000.

From Fremont, Calif., LF/RBN; to Bay Point, Calif., FM southwest bound only; MEA 6,000.

From San Francisco, Calif., LFR; to Fremont, Calif., LF/RBN; MEA 4,000.

From Stockton, Calif., LFR; to Fremont, Calif., LF/RBN; MEA 5,000.

From Red Bluff, Calif., VOR; to Fortuna, Calif., VOR; MEA 8,500.

Section 610.6003 *VOR civil airway 3* is amended to delete:

From Brunswick, Ga., VOR via E alter.; to Savannah, Ga., VOR via E alter.; MEA 1,500.

From Int. 016 T rad Wash., D. C., TVOR and 104 T rad Herndon, Va., VOR; to Hereford INT, Md.; MEA *5,000. *2,000—MOCA.

From Hereford INT, Md.; to Parkton INT, Md.; MEA *3,000. *1,500—MOCA.

Section 610.6003 *VOR civil airway 3* is amended by adding:

From Jacksonville, Fla., VOR via E alter.: to Sea Island INT, Fla., via E alter.; MEA *2,500. *1,200—MOCA.

From Sea Island INT, Fla.; via E alter.; to Savannah, Ga., VOR via E alter.; MEA *3,000. *1,500—MOCA.

From Riverdale, Md., LF/RBN; to Westminster, Md., VOR; MEA 2,800.

From Westminster, Md., VOR; to Parkton INT, Md.; MEA 3,000.

Section 610.6004 *VOR civil airway 4* is amended to read in part:

From Laramie, Wyo., VOR; to *Loveland INT, Colo.; MEA 11,500. *13,000—MRA.

From Loveland INT, Colo.; to *Dacono INT, Colo.; MEA, 11,500. *8,000—MCA Dacono INT, northwestbound.

From Gill INT, Colo., via N alter.; to *Hudson INT, Colo., via N alter.; MEA 7,500. *9,000—MRA.

From Hudson INT, Colo., via N alter.; to Denver, Colo., VOR via N alter.; MEA 7,500.

Section 610.6007 *VOR civil airway 7* is amended by adding:

From Evergreen, Ala., VOR; to *Pine Apple INT, Ala.; MEA 1,800. *8,000—MCA Pine Apple INT, northbound.

From Pine Apple INT, Ala.; to Birmingham, Ala., VOR; MEA *8,500. *2,600—MOCA.

From Birmingham, Ala., VOR; to Muscle Shoals, Ala., VOR; MEA 2,500.

From Muscle Shoals, Ala., VOR; to Graham, Tenn., VOR; MEA 2,500.

Section 610.6008 *VOR civil airway 8* is amended by adding:

From Kremmling, Colo., VOR via S alter.; to Grand Junction, Colo., VOR via S alter.; MEA 14,000.

Section 610.6016 *VOR civil airway 16* is amended to read in part:

From Haslet INT, Tex., via N alter.; to *Roanoke INT, Tex., via N alter.; MEA **2,600. *2,600—MRA. **1,900—MOCA.

From Roanoke INT, Tex., via N alter.; to *Lewisville INT, Tex., via N alter.; MEA **3,900. *3,900—MRA. **1,900—MOCA.

From Lewisville INT, Tex., via N alter.; to Little Elm INT, Tex., via N alter.; MEA *4,900. *1,700—MOCA.

From Little Elm INT, Tex., via N alter.; to *McKinney INT, Tex., via N alter.; MEA **5,700. *5,700—MRA. **2,100—MOCA.

Section 610.6017 *VOR civil airway 17* is amended to read in part:

From San Antonio, Tex., VOR; to Austin, Tex., VOR; MEA 3,000.

From Spring Branch INT, Tex., via W alter.; to Austin, Tex., VOR via W alter.; MEA 3,000.

From *Mill INT, Tex., via W alter.; to Mineral Wells, Tex., VOR via W alter.; MEA 2,400. *3,500—MRA.

Section 610.6019 *VOR civil airway 19* is amended to read in part:

From Kiowa, Colo., VOR; to *State Line INT, Wyo.; MEA 8,000. *8,000—MRA.

From State Line INT, Wyo.; to Cheyenne, Wyo., VOR; MEA 7,300.

Section 610.6020 *VOR civil airway 20* is amended to read in part:

From Spartanburg, S. C., VOR; to *Mooresville INT, N. C.; MEA 2,500.

Section 610.6027 *VOR civil airway 27* is amended to delete:

From Salinas, Calif., VOR via E alter.; to *Agnew, Calif., VOR via E alter.; MEA 6,000. *4,000—MCA Agnew VOR, southeastbound.

From Ames INT, Calif., via E alter.; to Agnew, Calif., VOR via E alter. northwestbound only; MEA 3,000.

From Agnew, Calif., VOR via E alter.; to Oakland, Calif., VOR via E alter.; MEA 3,000.

From Oakland, Calif., VOR via E alter.; to Point Reyes, Calif., VOR via E alter.; MEA 5,000.

Section 610.6037 *VOR civil airway 37* is amended to read in part:

From Charlotte, N. C., VOR; to *Mooresville INT, N. C.; MEA **2,700. *2,700—MRA. **2,300—MOCA.

From Mooresville INT, N. C.; to Elkin INT, N. C.; MEA *6,000. *3,300—MOCA.

From Elkin INT, N. C.; to Pulaski, Va., VOR; MEA 5,600.

Section 610.6038 *VOR civil airway 38* is amended to read in part:

From Joliet, Ill., VOR; to *Manteno INT, Ill.; MEA 2,000. *2,500—MRA.

From Manteno INT, Ill.; to Peotone, Ill., VOR; MEA 2,000.

Section 610.6047 *VOR civil airway 47* is amended to read in part:

From Cincinnati, Ohio, VOR; to Englewood INT, Ohio; MEA 3,000.

From Hamilton INT, Ohio; to Cincinnati, Ohio, VOR southbound only; MEA 2,300.

From Englewood INT, Ohio; to Dayton, Ohio, VOR; MEA 2,300.

From Cincinnati, Ohio, VOR via W alter.; to Englewood INT, Ohio, via W alter.; MEA 2,500.

From Englewood INT, Ohio, via W alter.; to Dayton, Ohio, VOR via W alter.; MEA 2,300.

Section 610.6062 *VOR civil airway 62* is amended to read in part:

From *Pleasant Hill INT, N. Mex.; to Farwell INT, Tex.; MEA **13,000. *15,500—MRA. **5,300—MOCA.

Section 610.6066 *VOR civil airway 66* is amended to read in part:

From *Prosper INT, Tex.; to **McKinney INT, Tex.; MEA ***2,900. *2,900—MRA. **5,700—MRA. ***2,100—MOCA.

From McKinney INT, Tex.; to Princeton INT, Tex.; MEA *2,900. *2,100—MOCA.

Section 610.6069 *VOR civil airway 69* is amended to read in part:

From Joliet, Ill., VOR; to Big Run INT, Ill.; MEA 2,000.

From Big Run INT, Ill.; to Chicago (Midway), Ill., TVOR; MEA 2,100.

Section 610.6081 *VOR civil airway 81* is amended by adding:

From Amarillo, Tex., VOR; to Dalhart, Tex., VOR; MEA 5,300.
From Dalhart, Tex., VOR; to Purgatoire INT, Colo.; MEA *10,000. *8,900—MOCA.
From Purgatoire INT, Colo.; to Pueblo, Colo., VOR; MEA 7,500.
From Amarillo, Tex., VOR via E alter.; to Dalhart, Tex., VOR via E alter.; MEA 5,200.

Section 610.6089 *VOR civil airway 89* is amended to read in part:

From Denver, Colo., VOR via E alter.; to *Hudson INT, Colo., via E alter.; MEA 7,500. *9,000—MRA.
From Hudson INT, Colo., via E alter.; to Gill INT, Colo., via E alter.; MEA 7,500.

Section 610.6107 *VOR civil airway 107* is amended to read in part:

From Long Beach, Calif., VOR; to Hermosa INT, Calif.; MEA 2,000.
From Hermosa INT, Calif.; to *Pt. Dume INT, Calif.; MEA 3,000. *4,000—MCA Pt. Dume INT, northbound.

Section 610.6114 *VOR civil airway 114* is amended to delete:

From Pueblo, Colo., VOR; to Purgatoire INT, Colo.; MEA 7,500.
From Purgatoire INT, Colo.; to Dalhart, Tex., VOR; MEA *10,000. *8,900—MOCA.
From Dalhart, Tex., VOR; to Amarillo, Tex., VOR; MEA 5,300.
From Dalhart, Tex., VOR via N alter.; to Amarillo, Tex., VOR via N alter.; MEA 5,200.

Section 610.6123 *VOR civil airway 123* is amended by adding:

From Washington, D. C., TVOR; to Baltimore, Md., LFR; MEA 1,600.
From Baltimore, Md., LFR; to Essex INT, Md.; MEA 1,600.
From Essex INT, Md.; to Port Deposit INT, Md.; MEA 2,000.
From Port Deposit INT, Md.; to Woodstown, N. J., VOR; MEA 1,600.

Section 610.6137 *VOR civil airway 137* is amended by adding:

From Salinas, Calif., VOR; to *Agnew, Calif., VOR; MEA 6,000. *4,000—MCA Agnew VOR, southeastbound.
From Ames INT, Calif.; to Agnew, Calif., VOR, northwestbound only; MEA 3,000.
From Agnew, Calif., VOR; to Oakland, Calif., VOR, MEA 3,000.
From Oakland, Calif., VOR; to Point Reyes, Calif., VOR; MEA 5,000.
From Point Reyes, Calif., VOR; to Bodega INT, Calif.; MEA 5,000.
From Bodega INT, Calif.; to Ukiah, Calif., VOR; MEA 6,000.

Section 610.6137 *VOR civil airway 137* is amended to read in part:

From McKettrick INT, Calif.; to *Coalinga, Calif., VOR; MEA 6,000. *5,000—MCA Coalinga VOR, northwestbound.

Section 610.6138 *VOR civil airway 138* is amended to read in part:

From Cheyenne, Wyo., VOR via S alter.; to *State Line INT, Wyo., via S alter.; MEA 7,300. *8,000—MRA.
From State Line INT, Wyo., via S alter.; to Sidney, Nebr., VOR via S alter.; MEA 7,300.

Section 610.6143 *Vor civil airway 143* is amended to read in part:

From Charlotte, N. C., VOR via W alter.; to *Mooresville INT, N. C., via W alter.; MEA **2,700. *2,700—MRA. **2,300—MOCA.

Section 610.6161 *VOR civil airway 161* is amended to read in part:

From Ft. Worth (Carter), ILS loc., to *Roanoke INT, Tex.; MEA **2,000. *2,600—MRA. **1,900—MOCA.
From Roanoke INT, Tex.; to Justin INT, Tex.; MEA *2,000. *1,900—MOCA.

Section 610.6171 *VOR civil airway 171* is amended to read in part:

From Peotone, Ill., VOR; to *Manteno INT, Ill.; MEA 2,000. *2,500—MRA.
From Manteno INT, Ill.; to Joliet, Ill., VOR; MEA 2,000.

Section 610.6191 *VOR civil airway 191* is amended to read in part:

From Chicago (O'Hare), Ill. TVOR; to Taylor INT, Wis.; MEA *3,000. *2,000—MOCA.

Section 610.6207 *VOR civil airway 207* is amended to read in part:

From Denver, Colo., VOR; to *Hudson INT, Colo.; MEA 7,500. *9,000—MRA.
From Hudson INT, Colo.; to Gill INT, Colo.; MEA 7,500.

Section 610.6209 *VOR civil airway 209* is amended to read in part:

From Long Beach, Calif., VOR; to Hermosa INT, Calif.; MEA 2,000.
From Hermosa INT, Calif.; to *Pt. Dume INT, Calif.; MEA 3,000. *4,000—MCA Pt. Dume INT, northbound.

Section 610.6222 *VOR civil airway 222* is amended to read in part:

From Round Top INT, Tex.; to Sealy INT, Tex.; MEA *3,500. *1,700—MOCA.

Section 610.6251 *VOR civil airway 251* is amended to read:

From Riverdale, Md., LF/RBN; to Westminster, Md., VOR; MEA 2,800.
From Westminster, Md., VOR; to Pottstown, Pa., VOR; MEA 2,100.
From Pottstown, Pa., VOR; to Captain INT, Pa.; MEA 2,000.
From Captain INT, Pa.; to Caldwell, N. J., VOR; MEA 2,500.

Section 610.6257 *VOR civil airway 257* is added to read:

From Delta, Utah, VOR; to Ogden, Utah, VOR; MEA 13,000.

Section 610.6262 *VOR civil airway 262* is amended to read in part:

From Joliet, Ill., VOR; to Big Run INT, Ill.; MEA 2,000.
From Big Run INT, Ill.; to Chicago (Midway), Ill., TVOR; MEA 2,100.

Section 610.6265 *VOR civil airway 265* is added to read:

From Riverdale, Md., LF/RBN; to Westminster, Md., VOR; MEA 2,800.
From Westminister, Md., VOR; to Harrisburg, Pa., VOR; MEA 3,000.

Section 610.6268 *VOR civil airway 268* is added to read:

From Keymar INT, Md.; to Westminster, Md., VOR; MEA 3,000.
From Westminster, Md., VOR; to Baltimore, Md., VOR; MEA 2,100.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective April 11, 1957.

[SEAL] WILLIAM B. DAVIS,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 57-1900; Filed, Mar. 15, 1957; 8:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54318]

PART 11—PACKING AND STAMPING; MARKING; TRADE-MARKS AND TRADE NAMES; COPYRIGHTS

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

MARKING REQUIREMENTS

Under section 304 (c) of the Tariff Act of 1930, as amended, and § 11.8 (m) of the Customs Regulations compensation and expenses of customs officers and employees assigned to supervise the marking of the name of the country of origin on imported articles are required to be reimbursed to the Government. To establish a similar requirement in connection with the labeling of imported wool and fur products, in accordance with the intent of Congress as expressed in section 501 of the Independent Offices Appropriation Act, 1952 (5 U. S. C. 140), §§ 11.12 (b) and 11.12a (b) of the Customs Regulations are amended by adding to each the following sentence: "The compensation and expenses of customs officers and employees assigned to supervise the labeling shall be reimbursed to the Government and shall be assessed in the same manner as in the case of marking of country of origin, § 11.8 (m)."

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

Section 24.17 (a) listing services of customs officers which are reimbursable is amended to include the services described in §§ 11.12 (b) and 11.12a (b) by adding a new subparagraph (10) reading as follows:

(10) When fur or wool products are labeled under customs supervision in accordance with §§ 11.12 (b) and 11.12a (b) of this chapter, the compensation and expenses of customs officers and employees assigned to supervise the labeling shall be reimbursed to the Government by the party in interest.

(R. S. 161, 251, Sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

Notice of the proposed issuance of the foregoing amendments was published in the FEDERAL REGISTER on September 12, 1956 (21 F. R. 6889), pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003.) No data, views, or arguments relating thereto having been received, the amendments as set forth above are hereby adopted. The amendments shall become effective 30 days after the date of publication in the FEDERAL REGISTER.

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

Approved: March 11, 1957.

DAVID W. KENDALL,
Acting Secretary of the Treasury.

[F. R. Doc. 57-2012; Filed, Mar. 15, 1957; 8:48 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter C—Office of the Treasurer of the United States

PART 360—INDORSEMENT AND PAYMENT OF CHECKS DRAWN ON THE TREASURER OF THE UNITED STATES

CHECKS INDORSED BY AN ATTORNEY IN FACT; INCOMPETENT PAYEES

Part 360, Subchapter C, Chapter II, Title 31 of the Code of Federal Regulations of the United States of America (appearing also as Treasury Department Circular No. 21 (Revised) dated September 5, 1946, as amended) is hereby amended in the following respects:

1. By revising § 360.5 to read as follows:

§ 360.5 *Checks indorsed by an attorney in fact.* (a) Checks indorsed by an attorney in fact for the payee and presented for payment by a bank will be paid by the Treasurer without the submission to the Treasurer of documentary proof of the authority of the attorney in fact. A general power of attorney in favor of an individual, bank or other appropriate entity is acceptable as authority for the indorsement of checks issued for the following purposes:

1. Principal or interest on public debt obligations or obligations guaranteed by the United States.
2. Tax refunds.
3. Payments for goods and services.

(b) Other classes of checks drawn on the Treasurer of the United States may be negotiated only under a specific power of attorney executed after the issuance of the check and describing it in full, except that such classes of checks may be negotiated also under a special power of attorney naming a bank as attorney in fact, limited to a period not exceeding twelve months and reciting that it is not given to carry into effect an assignment of the right to receive payment, either to the attorney in fact or to any other person. Powers of attorney are revoked by the death of the grantor and may also be revoked by notice from the grantor to the parties concerned. Notice of revocation to the Treasury will not ordinarily serve to revoke the power.

2. By revising § 360.6 to read as follows:

§ 360.6 *Incompetent payees.* (a) Where the payee of a check of any class not listed in § 360.4 (a) has been declared incompetent, the check should not be indorsed by a guardian or other fiduciary but, instead, should be returned to the drawer, or to the administrative office which authorized the issuance of the check, with information as to the incompetency of the payee and submission of documentary evidence showing the appointment of the guardian, in order that the particular check, and others to be issued subsequently, may be drawn in favor of the guardian. If a guardian has not been and will not be appointed the full circumstances should be stated.

(b) Checks of the classes listed in § 360.4 (a) indorsed by a guardian or other fiduciary and presented for payment by a bank will be paid by the Treasurer without the submission to the Treasurer of documentary proof of the authority of the guardian or other fiduciary. If a guardian has not been and will not be appointed, the check should be forwarded for advice to the Treasurer of the United States, Check Claims Division, Washington 25, D. C.

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

[SEAL] W. RANDOLPH BURGESS,
Acting Secretary of the Treasury.

MARCH 13, 1957.

[F. R. Doc. 57-2014; Filed, Mar. 15, 1957; 8:48 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 1—GENERAL PROVISIONS

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

PART 13—DEPARTMENT OF VETERANS BENEFITS, CHIEF ATTORNEYS

PART 17—MEDICAL

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

MISCELLANEOUS AMENDMENTS; CORRECTIONS

1. In Federal Register Document 56-10562, published at page 10375 of the issue for December 28, 1956, Part 1, make the following corrections:

(a) In § 1.508 (b), second sentence: Between "desired" and "by" insert "either".

(b) In § 1.511 (c), last line: Between "remain" and "in" insert "intact".

(c) In § 1.511 (d), first sentence, lines 2 and 3: Between "use" and "in" insert "in suits".

(d) In § 1.511 (e), first sentence, line 3: After "1944" delete the comma and insert "(Pub. Law 346, 78th Cong.),".

2. In Federal Register Document 57-734, published at page 637 of the issue for January 31, 1957, Part 4, between the words "Total" and "annual" appearing in the column I box headnote of § 4.450 (c), insert the word "combined".

3. In Federal Register Document 56-10545, published at page 10378 of the issue for December 28, 1956, Parts 6 and 8, make the following corrections:

(a) In § 6.7 (a) (1) (i), first sentence, line 1: Delete "application" and insert "applications".

(b) In the headnote of § 6.86, line 5: Between "*Service*" and "*Insurance*" insert "*Life*".

(c) In § 6.86 (a), first sentence, line 13: Between "such" and "service" insert "active".

(d) In the headnote of § 8.0 (e), line 1: Delete "*Application*" and insert "*Applications*".

(e) In § 8.2 (d) (2) (i), first sentence, line 1: Delete "application" and insert "applications".

(f) In § 8.113 (c), first sentence, line 6: Between "into" and "service" insert "active".

(g) At the end of this document: Delete "This regulation is effective December 28, 1956" and insert "This regulation is effective January 1, 1957".

4. In Federal Register Document 56-10232, published at page 9980 of the issue for December 14, 1956, Parts 6 and 8, make the following corrections:

(a) In § 6.150, third sentence: Between "die" and "a time" delete "as" and insert "at".

(b) In § 6.204, third sentence, line 15: Between "of" and "year" insert "1".

(c) In § 8.66, first sentence, lines 11 and 12: Between "Assistant Manager for Insurance" and "in the district offices" insert "Veterans Administration Center, Denver, Colo., and Directors of Insurance".

5. In Federal Register Document 56-10453 published at page 10384 of the issue for December 28, 1956, Part 13, the parenthetical reference "(12 U. S. C. 1725)" appearing on lines 10 and 11 of the first sentence of § 13.321 (d) (1) should read "(12 U. S. C. A. 1725)".

6. In Federal Register Document 56-10449, published at page 10385 of the issue for December 28, 1956, Part 17, make the following corrections:

(a) In § 17.50, introductory paragraph, first sentence, line 9: After "necessary" delete "service" and insert "services".

(b) In § 17.100 (a) (4) first sentence: In line 1, delete "submission" and insert "admission"; in lines 2 and 3, delete "§ 21.47 (c) (2) and (d)" and insert "§ 17.47 (c) (2) and (d)".

(c) In § 17.116 (a) (3), second sentence, last word: Delete "Director." and insert "Directors."

(d) In § 17.141 (b), first sentence, line 9: Between "(3)," and "(4)" insert "and".

(e) In § 17.123, introductory paragraph, first sentence, last line: Delete "paragraph" and insert "section".

7. In Federal Register Document 56-10450, published at page 10390 of the issue for December 28, 1956, Part 21, make the following corrections:

(a) In the headnote of § 21.15 (e), line 1: Delete "*Commissioner*" and insert "*Commissioned*".

(b) In § 21.16 (b), second sentence, last line: Delete "§ 3.1" and insert "§ 3.2 (c)".

(c) In § 21.221, second sentence, lines 17 to 19: Delete the expression "the chief of education * * * to effect" and insert "there will be effected".

8. In Federal Register Document 56-10448, published at page 10392 of the issue for December 28, 1956, Part 21, make the following corrections:

(a) In § 21.530 (a) (2), introductory paragraph preceding (i), fifth sentence: Delete "information of the cost data." and insert "information on the cost data.".

(b) In § 21.530 (a) (5) (iii) (*b*), last sentence of (*b*) preceding (*1*): Delete "paragraph.)" and insert "subparagraph.)".

(c) In § 21.530 (a) (5) (vi), first sentence, line 7: Delete "subdivision," and insert "subparagraph,".

(d) In § 21.530 (a) (5) (vii), second sentence, last line: Delete "of" and insert "for".

9. In Federal Register Document 57-520, published at page 428 of the issue for January 23, 1957, Part 21, the parenthetical reference "(ii)" appearing in the second sentence of § 21.2012 (d) (2) should read "(iv)".

[SEAL] H. V. HIGLEY,
Administrator of Veterans Affairs.

[F. R. Doc. 57-2005; Filed, Mar. 15, 1957; 8:46 a. m.]

TITLE 50—WILDLIFE

Chapter III—International Regulatory Agencies (Fishing and Whaling)

Subchapter B—International Whaling Commission

PART 351—WHALING

REPUBLICATION OF REGULATIONS

Basis and purpose. Section 13 of the Whaling Convention Act of 1949 (64 Stat. 421, 425; 16 U. S. C., 1952 ed., 916k), the legislation implementing the International Convention for the Regulation of Whaling signed at Washington December 2, 1946, by the United States of America and certain other Governments, provides that regulations of the International Whaling Commission shall be submitted for publication in the FEDERAL REGISTER by the Secretary of the Interior. Regulations of the Commission are defined to mean the whaling regulations in the schedule annexed to and constituting a part of the Convention in their original form or as modified, revised, or amended by the Commission. The provisions of the whaling regulations, as originally embodied in the schedule annexed to the Convention, have been amended several times by the International Whaling Commission, the last amendments having been made in July 1956. The whaling regulations, as last amended in July 1956, have been edited to conform the numbering, internal references, and similar items to regulations of the Administrative Committee of the Federal Register but no changes have been made in the substantive provisions. The provisions of these regulations are applicable to nationals and whaling enterprises of the United States.

Amendments to the whaling regulations are adopted by the International Whaling Commission pursuant to Article V of the Convention without regard to the notice and public procedure requirements of the Administrative Procedure Act (5 U. S. C. 1001). Accordingly, in fulfillment of the duty imposed upon the Secretary of the Interior by section 13 of the Whaling Convention Act of 1949, the whaling regulations published as Part 351, Title 50, Code of Federal Regulations, as the same appeared in 21 F. R. 4668, June 27, 1956, are amended and republished to read as hereinafter set forth.

ROSS LEFFLER,
Assistant Secretary of the Interior.

MARCH 12, 1957.

Sec.

AUTHORITY: §§ 351.1 to 351.18 issued under 64 Stat. 421-425; 16 U. S. C. 916-916*l*.

§ 351.1 *Inspection:* (a) There shall be maintained on each factory ship at least two inspectors of whaling for the purpose of maintaining twenty-four-hour inspection. These inspectors shall be appointed and paid by the Government having jurisdiction over the factory ship.

(b) Adequate inspection shall be maintained at each land station. The inspectors serving at each land station shall be appointed and paid by the Government having jurisdiction over the land station.

§ 351.2 *Killing of gray or right whales prohibited.* It is forbidden to take or kill gray whales or right whales, except when the meat and products of such whales are to be used exclusively for local consumption by the aborigines.

§ 351.3 *Killing of calves or suckling whales prohibited.* It is forbidden to take or kill calves or suckling whales or female whales which are accompanied by calves or suckling whales.

§ 351.4 *Operation of factory ships limited.* (a) It is forbidden to kill or attempt to kill blue whales in the North Atlantic Ocean for a period of five years.[1]

(b) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill baleen whales in any of the following areas:

(1) In the the waters north of 66° North Latitude except that from 150° East Longitude eastward as far as 140° West Longitude the taking or killing of baleen whales by a factory ship or whale catcher shall be permitted between 66° North Latitude and 72° North Latitude;

(2) In the Atlantic Ocean and its dependent waters north of 40° South Latitude;

(3) In the Pacific Ocean and its dependent waters east of 150° West Longitude between 40° South Latitude and 35° North Latitude;

(4) In the Pacific Ocean and its dependent waters west of 150° West Longitude between 40° South Latitude and 20° North Latitude;

(5) In the Indian Ocean and its dependent waters north of 40° South Latitude.

§ 351.5 *Closed area for factory ships in Antarctic.* It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill baleen whales in the waters south of 40° South Latitude from 70° West Longitude westward as far as 160° West Longitude. (This article, as the result of the seventh meeting at Moscow, was rendered inoperative for a period of three years from November 8, 1955, after which it will automatically become operative again (November 8, 1958)).

§ 351.6 *Limitations on the taking of humpback whales.* (a) It is forbidden to kill or attempt to kill humpback whales in the North Atlantic Ocean for a period of five years.

(b) It is forbidden to kill or attempt to kill humpback whales in the waters south of 40° South Latitude between 0° Longitude and 70° West Longitude for a period of five years.

(c) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill humpback whales in any waters south of 40° South Latitude except on the 1st, 2d, 3d, and 4th February in any year.

§ 351.7 *Closed seasons for pelagic whaling for baleen and sperm whales.* (a) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill baleen whales (excluding minke whales) in any waters south of 40° South Latitude, except during the period from January 7 to April 7, following, both days inclusive; and no such whale catcher shall be used for the purpose of killing or attempting to kill blue whales before February 1 in any year.

(b) It is forbidden to use a whale catcher attached to a factory ship for the purpose of killing or attempting to kill sperm or minke whales, except as permitted by the Contracting Governments in accordance with paragraphs (c), (d) and (e) of this section.

(c) Each Contracting Government shall declare for all factory ships and Whale catchers attached thereto under its jurisdiction, one continuous open season not to exceed eight months out of any period of twelve months during which the taking or killing of sperm whales by whale catchers may be permitted; provided that a separate open season may be declared for each factory ship and the whale catchers attached thereto.

(d) Each Contracting Government shall declare for all factory ships and

[1] This paragraph was objected to within the prescribed period ending November 7, 1954, by the Government of Iceland, and subsequently by that of Denmark. Neither objection was withdrawn and the paragraph came into force on February 24, 1955, but is not binding on Iceland and Denmark. It ceases to operate as from February 24, 1960.

whale catchers attached thereto under its jurisdiction one continous open season not to exceed six months out of any period of twelve months during which the taking or killing of minke whales by the whale catchers may be permitted: *Provided,* That:

(1) A separate open season may be declared for each factory ship and the whale catchers attached thereto:

(2) The open season need not necessarily include the whole or any part of the period declared for other baleen whales pursuant to paragraph (a) of this section.

(e) Each Contracting Government shall declare for all whale catchers under its jurisdiction not operating in conjunction with a factory ship or land station one continuous open season not to exceed six months out of any period of twelve months during which the taking or killing of minke whales by such whale catchers may be permitted.

§ 351.8 *Catch quota for baleen whales.* (a) The number of baleen whales taken during the open season caught in any waters south of 40° South Latitude by whale catchers attached to factory ships under the jurisdiction of the Contracting Governments shall not exceed fifteen thousand blue-whale units in any one season, provided that in the season 1956–57 the number shall not exceed fourteen thousand five hundred blue-whale units.

(b) For the purposes of paragraph (a) of this section, blue-whale units shall be calculated on the basis that one blue whale equals:

(1) Two fin whales or

(2) Two and a half humpback whales or

(3) Six sei whales.

(c) Notification shall be given in accordance with the provision of Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue-whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government; provided that when the number of blue-whale units is deemed by the Bureau of International Whaling Statistics to have reached 13,500 in the season 1955–56 and 13,000 thereafter, notification shall be given as aforesaid at the end of each day of data on the number of blue-whale units taken.

(d) It it appears that the maximum catch of whales permitted by paragraph (a) of this section may be reached before April 7 of any year, the Bureau of International Whaling Statistics shall determine, on the basis of the data provided, the date on which the maximum catch of whales shall be deemed to have been reached and shall notify the master of each factory ship and each Contracting Government of that date not less than four days in advance thereof. The killing or attempting to kill baleen whales by whale catchers attached to factory ships shall be illegal in any waters south of 40° South Latitude after midnight of the date so determined.

(e) Notification shall be given in accordance with the provisions of Article VII of the Convention of each factory ship intending to engage in whaling operations in any waters south of 40° South Latitude.

§ 351.9 *Minimum size limits.* (a) It is forbidden to take or kill any blue, sei or humpback whales below the following lengths:

Blue whales 70 feet (21.3 metres),
Sei whales 40 feet (12.2 metres),
Humpback whales 35 feet (10.7 metres),

except that blue whales of not less than 65 feet (19.8 metres) and sei whales of not less than 35 feet (10.7 metres) in length may be taken for delivery to land stations, provided that the meat of such whales is to be used for local consumption as human or animal food.

(b) It is forbidden to take or kill any fin whales below 57 feet (17.4 metres) in length for delivery to factory ships or land stations in the Southern Hemisphere, and it is forbidden to take or kill fin whales below 55 feet (16.8 metres) for delivery to factory ships or land stations in the Northern Hemisphere; except that fin whales of not less than 55 feet (16.8 metres) may be taken for delivery to land stations in the Southern Hemisphere and fin whales of not less than 50 feet (15.2 metres) may be taken for delivery to land stations in the Northern Hemisphere provided in each case that the meat of such whales is to be used for local consumption as human or animal food.

(c) It is forbidden to take or kill any sperm whales below 38 feet (11.6 metres) in length, except that sperm whales of not less than 35 feet (10.7 metres) in length may be taken for delivery to land stations.

(d) Whales must be measured when at rest on deck or platform, as accurately as possible by means of a steel tape measure fitted at the zero end with a spiked handle which can be stuck into the deck planking abreast of one end of the whale. The tape measure shall be stretched in a straight line parallel with the whale's body and read abreast the other end of the whale. The ends of the whale, for measurement purposes, shall be the point of the upper jaw and the notch between the tail flukes. Measurements, after being accurately read on the tape measure, shall be logged to the nearest foot, that is to say, any whale between 75 feet 6 inches and 76 feet 6 inches shall be logged as 76 feet, and any whale between 76 feet 6 inches and 77 feet 6 inches shall be logged as 77 feet. The measurement of any whale which falls on an exact half foot shall be logged at the next half foot, e. g. 76 feet 6 inches precisely shall be logged as 77 feet.

§ 351.10 *Closed seasons for land stations.* (a) It is forbidden to use a whale catcher attached to a land station for the purpose of killing or attempting to kill baleen and sperm whales except as permitted by the Contracting Government in accordance with paragraphs (b), (c), and (d) of this section.

(b) Each Contracting Government shall declare for all land stations under its jurisdiction, and whale catchers attached to such land stations, one open season during which the taking or killing of baleen (excluding minke) whales by the whale catchers shall be permitted. Such open season shall be for a period of not more than six consecutive months in any period of twelve months and shall apply to all land stations under the jurisdiction of the Contracting Government; provided that a separate open season may be declared for any land station used for the taking or treating of baleen (excluding minke) whales which is more than 1,000 miles from the nearest land station used for the taking or treating of baleen (excluding minke) whales under the jurisdiction of the same Contracting Government.

(c) [2] Each Contracting Government shall declare for all land stations under its jurisdiction and for whale catchers attached to such land stations, one open season not to exceed eight continuous months in any one period of twelve months, during which the taking or killing of sperm whales by the whale catchers shall be permitted, such period of eight months to include the whole of the period of six months declared for baleen whales (excluding minke whales) as provided for in paragraph (b) of this section; provided that a separate open season may be declared for any land station used for the taking or treating of sperm whales which is more than 1,000 miles from the nearest land station used for the taking or treating of sperm whales under the jurisdiction of the same Contracting Government.

(d) Each Contracting Government shall declare for all land stations under its jurisdiction and for whale catchers attached to such land stations one open season not to exceed six continuous months in any period of twelve months during which the taking or killing of minke whales by the whale catchers shall be permitted (such period not being necessarily concurrent with the period declared for other baleen whales, as provided for in paragraph (b) of this section); provided that a separate open season may be declared for any land station used for the taking or treating of minke whales which is more than 1,000 miles from the nearest land station used for the taking or treating of minke whales under the jurisdiction of the same Contracting Government.

Except that a separate open season may be declared for any land station used for the taking or treating of minke whales which is located in an area having oceanographic conditions clearly distinguishable from those of the area in which are located the other land stations used for the taking or treating of minke whales under the jurisdiction of the same Contracting Government; but the declaration of a separate open season by virtue of the provisions of this paragraph shall not cause thereby the period of time covering the open seasons declared by the same Contracting Government to exceed

[2] Section 351.10, paragraph (c) came into force as from February 21, 1952, in respect to all Contracting Governments, except the Commonwealth of Australia, who lodged an objection to it within the prescribed period, and this objection was not withdrawn. The provisions of this paragraph are not therefore binding on the Commonwealth of Australia.

nine continuous months of any twelve months.

(e) The prohibitions contained in this section shall apply to all land stations as defined in Article II of the Whaling Convention of 1946 and to all factory ships which are subject to the regulations governing the operation of land stations under the proivsions of § 351.17.

§ 351.11 *Use of factory ships in waters other than south of 40° South Latitude.* It is forbidden to use a factory ship which has been used during a season in any waters south of 40° South Latitude for the purpose of treating baleen whales, in any other area for the same purpose within a period of one year from the termination of that season.

§ 351.12 *Limitations of processing of whales.* (a) It is forbidden to use a factory ship or a land station for the purpose of treating any whales (whether or not killed by whale catchers under the jurisdiction of a Contracting Government) the killing of which by whale catchers under the jurisdiction of a Contracting Government is prohibited by the provisions of § 351.2, § 351.4, § 351.5, § 351.6, § 351.7, § 351.8 or § 351.10.

(b) All other whales (except minke whales) taken shall be delivered to the factory ship or land station and all parts of such whales shall be processed by boiling or otherwise, except the internal organs, whale bone and flippers of all whales, the meat of sperm whales and of parts of whales intended for human food or feeding animals.

(c) Complete treatment of the carcasses of "Dauhval" and of whales used as fenders will not be required in cases where the meat or bone of such whales is in bad condition.

§ 351.13 *Prompt processing required.* (a) The taking of whales for delivery to a factory ship shall be so regulated or restricted by the master of person in charge of the factory ship that no whale carcass (except of a whale used as a fender, which shall be processed as soon as is reasonably practicable) shall remain in the sea for a longer period than thirty-three hours from the time of killing to the time when it is hauled up for treatment.

(b) Whales taken by all whale catchers, whether for factory ships or land stations, shall be clearly marked so as to identify the catcher and to indicate the order of catching.

(c) All whale catchers operating in conjunction with a factory ship shall report by radio to the factory ship:

(1) The time when each whale is taken,

(2) Its species, and

(3) Its marking effected pursuant to paragraph (b) of this section.

(d) The information reported by radio pursuant to paragraph (c) of this section shall be entered immediately in a permanent record which shall be available at all times for examination by the whaling inspectors; and in addition there shall be entered in such permanent record the following information as soon as it becomes available:

(1) Time of hauling up for treatment,

(2) Length, measured pursuant to paragraph (d) of § 351.9,

(3) Sex,

(4) If female, whether milk-filled or lactating,

(5) Length and sex of foetus, if present, and

(6) A full explanation of each infraction.

(e) A record similar to that described in paragraph (d) of this section shall be maintained by land stations, and all of the information mentioned in the said paragraph shall be entered therein as soon as available.

§ 351.14 *Remuneration of employees.* Gunners and crews of factory ships, land stations, and whale catchers, shall be engaged on such terms that their remuneration shall depend to a considerable extent upon such factors as the species, size and yield of whales taken and not merely upon the number of the whales taken. No bonus or other remuneration shall be paid to the gunners or crews of whale catchers in respect to the taking of milk-filled or lactating whales.

§ 351.15 *Submission of laws and regulations.* Copies of all official laws and regulations relating to whales and whaling and changes in such laws and regulations shall be transmitted to the Commission.

§ 351.16 *Submission of statistical data.* Notification shall be given in accordance with the provisions of Article VII of the Convention with regard to all factory ships and land stations of statistical information (a) concerning the number of whales of each species taken, the number thereof lost, and the number treated at each factory ship or land station, and (b) as to the aggregate amounts of oil of each grade and quantities of meal, fertilizer (guano), and other products derived from them, together with (c) particulars with respect to each whale treated in the factory ship or land station as to the date and approximate latitude and longitude of taking, the species and sex of the whale, its length and, if it contains a foetus, the length and sex, if ascertainable, of the foetus. This data referred to in (a) and (c) above shall be verified at the time of the tally and there shall also be notification to the Commission of any information which may be collected or obtained concerning the calving grounds and migration routes of whales. In communicating this information there shall be specified:

(1) The name and gross tonnage of each factory ship;

(2) The number and aggregate gross tonnage of the whale catchers;

(3) A list of the land stations which were in operation during the period concerned.

§ 351.17[2] *Factory ship operations within territorial waters.* (a) A factory ship which operates solely within territorial waters is one of the areas specified in paragraph (c) of this section, by permission of the Government having jurisdiction over those waters, and which flies the flag of that Government shall, while so operating, be subject to the regulations governing the operation of land stations and not to the regulations governing the operation of factory ships.

(b) Such factory ship shall not, within a period of one year from the termination of the season in which she so operated, be used for the purpose of treating baleen whales in any of the other areas specified in paragraph (c) of this section or south of 40° South Latitude.

(c) The areas referred to in paragraphs (a) and (b) of this section are—

(1) On the coast of Madagascar and its dependencies;

(2) On the west coasts of French Africa;

(3) On the coasts of Australia, namely on the whole east coast and on the west coast in the area known as Shark Bay and northward to North-west Cape and including Exmouth Gulf and King George's Sound, including the Port of Albany.

§ 351.18 *Definitions.* (a) The following expressions have the meanings respectively assigned to them, that is to say:

"Baleen whale" means any whale which has baleen or whale bone in the mouth, i. e., any whale other than a toothed whale.

"Blue whale" (Balaenoptera or Sibbaldus musculus) means any whale known by the name of blue whale, Sibbald's rorqual, or sulphur bottom.

"Dauhval" means any unclaimed dead whale found floating.

"Fin whale" (Balaenoptera physalus) means any whale known by the name of common finback, common rorqual, finback, finner, fin whale, herring whale, razorback, or true fin whale.

"Gray whale" (Rhachianectes glaucus) means any whale known by the name of gray whale, California gray, devil fish, hard head, mussel digger, gray back or rip sack.

"Humpback whale" (Megatera nodosa or novaeangliae) means any whale known by the name of bunch, humpback, humpback whale, humpbacked whale, hump whale or hunchbacked whale.

"Minke whale" (Balaenoptera acutorostrata, B. Davidsoni, B. huttoni) means any whale known by the name of lesser rorqual, little piked whale, minke whale, pike-headed whale or sharp-headed finner.

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[2] Section 351.17 was inserted by the Commission at its first meeting in 1949, and came into force on January 11, 1950, as regards all Contracting Governments except France, who therefore remain bound by the provisions of the original § 351.17, which reads as follows:

§ 351.17 Notwithstanding the definition of land station contained in Article II of the Convention, a factory ship operating under the jurisdiction of a Contracting Government, and the movements of which are confined solely to the territorial waters of that Government, shall be subject to the regulations governing the operation of land stations within the following areas:

(a) on the coast of Madagascar and its dependencies, and on the west coasts of French Africa;

(b) on the west coast of Australia in the area known as Shark Bay and northward to Northwest Cape and including Exmouth Gulf and King George's Sound, including the port of Albany; and on the east coast of Australia, in Twofold Bay and Jervis Bay.

"Right whale" (Balaena mysticetus; Eubalaena glacialis, E. australis, etc.; Neobalaena marginata) means any whale known by the name of Atlantic right whale, Arctic right whale, Biscayan right whale, bowhead, great polar whale, Greenland right whale, Greenland whale, Nordkaper, North Atlantic right whale, North Cape whale, Pacific right whale, pigmy right whale, Southern pigmy right whale, or Southern right whale.

"Sei whale" (Balaenoptera borealis) means any whale known by the name of sei whale, Rudolphi's rorqual, pollack whale, or coalfish whale and shall be taken to include Bryde's whale (B. brydei).

"Sperm whale" (Physeter catodon) means any whale known by the name of sperm whale, spermacet whale, cachalot or pot whale.

"Toothed whale" means any whale which has teeth in the jaws.

(b) "Whales taken" means whales that have been killed and either flagged or made fast to catchers.

[F. R. Doc. 57-1999; Filed, Mar. 15, 1957; 8:45 a. m.]

PROPOSED RULE MAKING

POST OFFICE DEPARTMENT

[39 CFR Parts 37, 47]

POSTAGE REFUNDS; FORWARDING POSTAGE

NOTICE OF PROPOSED RULE MAKING

The following are amendments proposed to be made by the Department to the regulations in Part 37 and Part 47 of Title 39, Code of Federal Regulations, respecting postage refunds and forwarding postage, respectively.

The regulations relate to a proprietary function of the Government, and therefore are exempted from the rule making requirements of section 1003 of Title 5, United States Code. However, it is the desire of the Postmaster General to voluntarily observe the rule making requirements of the Administrative Procedure Act in matters of this kind, and to afford patrons of the Postal Service an opportunity to present written views concerning the proposed amendments. Such written views may be submitted to E. A. Riley, Director, Division of Mail Classification, Bureau of Post Office Operations, Post Office Department, Washington 25, D. C., at any time prior to April 15, 1957.

1. Section 37.2 *Refunds* is amended to read as follows:

§ 37.2 *Refunds*—(a) *Conditions that justify refund.* (1) When postage or special service fees have been paid on mail for which no service is rendered, or collected in excess of the lawful rate, a refund may be made.

(2) The Postal Service is considered to be at fault and "no service is rendered" in cases involving returned articles improperly accepted in both domestic and international services because of excess size or weight.

(3) The responsibility for proper enclosing, packing, and sealing of international mail rests with the sender, and no liability for returned articles will be assumed for defects not observed at the time of mailing.

(4) Mailers who customarily weigh and rate their mail are expected to be familiar with basic requirements and the Postal Service is not considered to be at fault when these mailers are required to withdraw articles from the mail prior to dispatch.

(5) See paragraphs (c) (2) and (f) of this section for special provisions for refunding the postage value of unused meter stamps.

(b) *Application.* Submit an application on Form 3533 (Application and Voucher for Refund of Postage and Fees), in duplicate, to the postmaster together with the envelope or wrapper, or the portion thereof having names and addresses of sender and addressee, canceled postage and postal markings, or other evidence of payment of the amount of postage and fees for which refund is desired.

(c) *Amount of refund allowable.* (1) Refund of 100 percent will be made:

(i) When the Postal Service is at fault.

(ii) For the excess when postage or fees have been overpaid the lawful rate.

(iii) When service to the country of destination has been suspended.

(iv) When postage is fire-scarred while in the custody of the Postal Service, including fire in letter box, and the mail is returned to sender without service.

(v) When special-delivery stamps are erroneously used in payment of postage, and the mail is returned to the sender without service.

(vi) When fees are paid for special delivery, special handling and certified mail, and the article fails to receive the special service for which the fee has been paid.

(vii) When surcharges are erroneously collected on domestic registered mail or collected in excess of the proper amount, or represented by stamps affixed to matter not actually accepted for registration.

(viii) For fees paid for return receipts or for restricted delivery when the failure to furnish return receipt or its equivalent, or erroneous delivery, or nondelivery, is due to fault or negligence of Postal Service.

(ix) For annual bulk mailing fee when no bulk mailings of third-class matter are made during the year for which the annual fee has been paid.

(x) When customs clearance and delivery fees are erroneously collected.

(xi) When fees are paid for registry or insurance service on mail addressed to a country to which such services are not available, unless claim for indemnity is made.

(2) Refund of 90 percent shall be made:

(i) When it is determined that there is no fault or negligence attributable to the Postal Service.

(ii) When complete and legible unused meter stamps are submitted within 1 year from the dates appearing in the stamps. See paragraph (f) of this section.

(3) When mail is returned at the request of the sender or for a reason not the fault of the Postal Service, any difference between the amount paid and the appropriate domestic air or surface rate chargeable from mailing office to interception point and return will be refunded.

(4) On articles prepaid at airmail rates but actually transported by surface means, the difference between the postage computed at the airmail and surface rates is refundable. The fact that surface transportation was used must be confirmed.

(5) One-half of an original second-class application fee will be refunded if the application is not approved. See § 22.3 (e) of this chapter.

(d) *Unallowable refunds.* No refund will be made:

(1) For an application fee to use permit imprints.

(2) For registered, insured, and c. o. d. fees after the mail has been accepted by the post office even though it is later withdrawn from the mailing post office.

(e) *Meters.* The postage value of unused units set in a meter surrendered to the post office to be checked out of service may be refunded or, if desired, an equivalent amount will be transferred to another meter used by the same license holder. If the meter is withdrawn from service because of faulty mechanical operation, a final postage adjustment or refund may be withheld pending report of the meter manufacturer of the cause of faulty operation. If the meter is damaged by fire, a refund or transfer of postage will be made only if the registers are legible, or can be reconstructed by the meter manufacturer.

(f) *Meter stamps*—(1) *What to submit.* (i) Unused meter stamps that are complete and legible accompanied by an application, in duplicate, on Form 3533 within 1 year from dates appearing in the stamps, will be considered for refund. Arrange the stamps so that all of one denomination are together.

(ii) If portion of stamp is printed on one envelope or card and remaining portion on another, fasten the two together to show that the two portions represent one stamp.

(iii) Meter stamps printed on labels or tapes which have not been stuck to wrappers or envelopes must be submitted loose.

(iv) Refunds are allowable for stamps on metered reply envelopes only when it is obvious that an incorrect amount of postage was printed thereon.

(v) Submit separately with statement of facts, envelopes or address portions of wrappers on mail returned to sender from the mailing office marked "No such post office in State named," "Returned for better address," or "Received without contents," indicating no effort to deliver was made.

(2) *What not to submit.* Do not submit:

(i) Meter reply envelopes or cards paid at the proper rate of postage.

(ii) Meter stamps printed on labels or tape which have been removed from wrappers.

(iii) Meter stamps without the name of the post office and State.

(iv) Meter stamps without the date printed on tape. (See § 33.4 (f) of this chapter.)

(v) Meter stamps printed on mail which was dispatched from the mailing post office in regular course and returned to sender as undeliverable, including nixies marked No such post office in State named.

(vi) Meter stamps on mail addressed for local delivery and returned to sender after directory service was given or effort was made to deliver.

(R. S. 161, 396, as amended; sec. 2, 33 Stat. 1091; 5 U. S. C. 22, 369, 39 U. S. C. 300)

2. In § 47.7 *Guarantee to pay forwarding postage* amend paragraph (b) to read as follows:

(b) The sender may guarantee payment of forwarding postage on third- or fourth-class mail by printing "Forwarding Postage Guaranteed" below his return address. On second-class mail the guarantee must be printed on the envelope or wrapper or on one of the outside covers of unwrapped copies and must be immediately preceded by the sender's name and address. Mail bearing this pledge is accepted with the understanding that the sender will pay both the forwarding and return postage if the mail is returned as undeliverable from the post office to which it is forwarded. Where an addressee has unqualifiedly refused to pay forwarding postage on other mail of the same class, the mail will not be forwarded even though it bears the sender's pledge guaranteeing forwarding postage, but it shall be treated the same as if it bore sender's pledge to pay return postage.

(R. S. 161, 396, as amended; sec. 1, 64 Stat. 210; 5 U. S. C. 22, 369, 39 U. S. C. 278a)

[SEAL] ABE MCGREGOR GOFF,
General Counsel.

[F. R. Doc. 57-2080; Filed, Mar. 15, 1957; 8:54 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 46]

REGULATIONS (OTHER THAN RULES OF PRACTICE) UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

EXTENSION OF TIME TO SUBMIT DATA, VIEWS OR ARGUMENTS

A proposed amendment of the regulations (other than rules of practice) under the Perishable Agricultural Commodities Act, 1930, was set forth in a notice which was published in the FEDERAL REGISTER on January 23, 1957 (22 F. R. 436-444).

In consideration of comments and suggestions received indicating the need for further study of the proposed changes, notice is hereby given of an extension of time until May 25, 1957, of the period of time within which written data, views, or arguments may be submitted by interested parties for consideration in connection with the aforesaid proposed amended regulations.

Dated: March 12, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 57-2006; Filed, Mar. 15, 1957; 8:47 a. m.]

[7 CFR Part 52]

COMB HONEY

NON-ISSUANCE OF REVISED STANDARDS

A notice of proposed rule making was published in the April 24, 1956, issue of the FEDERAL REGISTER (21 F. R. 2627) concerning the issuance of revised United States Standards for Grades of Comb Honey, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended, et seq.; 7 U. S. C. 1621 et seq.).

This notice provided a period until December 31, 1956, for all persons to submit written data, views, or arguments for consideration in connection with the proposed amendment. An extension until February 28, 1957, of the period within which such data, views, or arguments could be filed was published July 9, 1956, in the FEDERAL REGISTER (21 F. R. 5236).

In consideration of data, views, and arguments which have been filed with the Chief, Processed Products Standardization and Inspection Branch, Agricultural Marketing Service, and all relevant matters presented pursuant to such notice, it has been concluded that it would not be desirable to issue the proposed standards at this time.

It is determined, therefore, that the United States Standards, as proposed in the aforementioned notice, will not be made effective at this time. Accordingly, the present standards will continue to be effective.

Dated: March 13, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 57-2029; Filed, Mar. 15, 1957; 8:51 a. m.]

[7 CFR Parts 913, 980]

[Docket Nos. AO-23-A17, AO-182-A8]

MILK IN KANSAS CITY-TOPEKA MARKETING AREA (PRESENTLY GREATER KANSAS CITY AND TOPEKA, KANSAS, MARKETING AREA)

HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENTS AND ORDERS, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Bellerive Hotel, 214 East Armour, Kansas City, Missouri, beginning at 10 a. m., on April 2, 1957, with respect to proposed amendments to the tentative marketing agreements and orders, as amended, regulating the handling of milk in the Great Kansas City, and Topeka, Kansas, marketing areas.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreements, and orders, as amended.

The proposals to redesignate the Greater Kansas City marketing area to include the Topeka, Kansas, marketing area and substantial additional territory contemplates suspension of all provisions of Order No. 80, with a merger of the marketing service funds, administrative funds, and producer-settlement funds upon the adoption of such redesignation. These proposals raise the issue as to whether the present provisions of Order No. 13 regulating the handling of milk in the Greater Kansas City marketing area would tend to effectuate the declared policy of the Act if applied to the marketing area as proposed to be redesignated and extended and if not, what modifications of the order, in effect, should be made to effectuate the declared policy of the Act.

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

By Pure Milk Producers Association:

Delete § 913.6 and amend to read as follows:

§ 913.6 *Kansas City-Topeka marketing area.* "Kansas City-Topeka marketing area" hereinafter called "marketing

area" means all of the territory in Jackson County, Platte County, Clay County and Cass County, all in the State of Missouri; Leavenworth County, Wyandotte County, Johnson County, the City of Lawrence and all of Douglas County, the City of Topeka and all of Shawnee County, and the City of Emporia and all of Lyon County, all in the State of Kansas.

By Shawnee County Milk Producers Association:

2. Delete § 913.6 of Federal Order No. 13 and amend to read as follows:

§ 913.6 *Kansas City-Topeka marketing area.* "Kansas City-Topeka marketing area" hereinafter called "marketing area", means all of the territory in Jackson County, Platte County, Clay County, and Cass County, all in the State of Missouri; Leavenworth County, Wyandotte County, Johnson County, the City of Lawrence and all of Douglas County, the City of Topeka and all of Shawnee County, the City of Emporia and all of Lyon County, and the City of Manhattan and all of Riley County, all in the State of Kansas.

By Fairmont Foods Company:

3. To the counties already listed in the State of Kansas, add "Morris County" as part of the marketing area.

By Pure Milk Producers Association and Shawnee County Milk Producers Association:

4. Amend § 913.10 by deleting paragraph (b) and substitute the following:

(b) Which during any delivery period of August through January transfers in bulk to a plant described in paragraph (a) of this section an amount of milk equal to fifty (50%) percent or more of such plant's receipts of milk from dairy farmers qualified to become producers (as defined in § 913.7) less any milk regularly disposed of as Class I on routes. Any such plant which is a pool plant in each of the delivery periods of August through January shall be a pool plant in each of the following delivery periods of February through July, regardless of the quantity of milk then disposed of to other pool plants, if a written request for pool plant status for such six-month period is received from the operator of such plant by the market administrator before February 1, or.

5. Amend § 913.11 (b) by adding the following:

(3) The milk of members of such cooperative association collected by bulk tank when it is transferred from one pool plant to another pool plant during any delivery period.

By DeCoursey Tastemark Dairy:

6. Amend such provisions in the order as are necessary to permit shrinkage allowance at Class 2 cost on inter-handler transfers to the extent shown below:

a. To the receiving handler of producer milk at a pool plant or receiving station, allow up to one-half of one percent shrinkage at Class 2 cost on the pounds of skimmed milk and butterfat sold in bulk form to another handler.

b. To the transferee handler, allow up to one and one-half percent shrinkage at Class 2 cost on the pounds of skimmed milk and butterfat purchased in bulk form from another handler.

By Pure Milk Producers Association and Shawnee County Milk Producers Association:

7. Amend § 913.44 (c) and (d) as follows:

(c) As Class I milk if transferred or diverted in the form of milk, skim milk or cream to a nonpool plant located more than 200 miles from the closest point in the marketing area by the shortest highway distance as determined by the market administrator, except that (1) cream so transferred may be classified as Class II milk if its utilization as Class II milk is established through the operation of another Federal order for another milk marketing area; or (2) cream so transferred with prior notice to the market administrator, and with each container labeled or tagged with a certificate of the transferor that such cream is sold as "Grade C cream for manufacturing only", may be classified as Class II milk, subject to such verification of alternate utilization as the market administrator may make.

(d) As Class I milk, if transferred or diverted in the form of milk, skim milk or cream to a nonpool plant located not more than 200 miles from the closest point in the marketing area by shortest highway distance as determined by the market administrator, unless the market administrator is permitted to audit the records of receipts and utilization at such nonpool plant, in which case the classification of all skim milk and butterfat received at such nonpool plant shall be determined and the skim milk and butterfat transferred from the pool plant shall be allocated to the highest use remaining after subtracting, in series beginning with Class I milk, receipts of skim milk and butterfat as such nonpool plant directly from dairy farmers who the market administrator determines constitute the regular source of supply for fluid usage of such nonpool plant in markets supplied by such plant.

8. Amend § 913.51 (a) to provide for a supply demand adjustment that will result in less erratic fluctuation of the Class I price.

9. Consider the level of Class II pricing provided under § 913.51 (b).

10. Amend § 913.53 as follows:

§ 913.53 *Location adjustment to handlers.* (a) For milk which is received from producers at a pool plant located more than 55 miles by shortest highway distance, as determined by the market administrator from the City Hall in either Kansas City, Missouri, Lawrence, Kansas, Topeka, Kansas, or Emporia, Kansas, whichever is closer, and which is classified as Class I milk, the price computed pursuant to § 913.51 (a) shall be reduced by sixteen (16¢) cents if such plant is located more than 55 miles but not more than 70 miles from such City Hall and by an additional one-half (½) cent for each ten miles or fraction thereof that such distance exceeds 70 miles.

(b) In case such pool plant is operated by a handler who also has a plant in the marketing area, milk moved to such plant in the marketing area shall be considered to be Class I milk to the extent that the Class I milk disposed of from such plant in the marketing area exceeds receipts of milk from producers at such plant in the marketing area: *Provided*, That, if such handler has two or more pool plants to which location adjustments apply, then milk so classified as Class I milk shall be deemed to have been transferred from such pool plants in the order of their distance from the closest of such City Halls in Kansas City, Lawrence, Topeka, or Emporia.

(c) Location adjustments on milk transferred as Class I milk from a pool plant to the pool plant of another handler shall apply only to that portion of such milk which is not in excess of the amount by which the total Class I sales of the receiving handler are greater than the total receipts of such handler from producers.

11. Amend § 913.63 by deleting paragraph (c) and substitute the following:

(c) Milk diverted by a cooperative association from a pool plant to another milk plant for the account of such cooperative association shall be deemed to have been received by such cooperative association at a pool plant at the same location as the pool plant from which such milk was diverted.

12. Amend § 913.71 (f) to conform to proposed amendment to § 913.53.

13. Amend § 913.72 (f) and (i) to conform to proposed amendment to § 913.53.

14. Amend § 913.81 as follows:

§ 913.81 *Location adjustment to producers.* In making payments to producers, pursuant to § 913.80 (a), for milk received at a pool plant located 55 miles or more from the City Hall in either Kansas City, Missouri, Lawrence, Kansas, Topeka, Kansas, or Emporia, Kansas, whichever is closer, by shortest highway distance as determined by the market administrator, there shall be deducted sixteen (16) cents per hundredweight of milk for distances of 55 to 70 miles, inclusive, plus an additional one-half (½) cent for each additional ten miles or fraction thereof in excess of 70 miles.

By Bates County Milk Producers Association:

15. To amend § 913.81, Order No. 13, to read as follows:

§ 913.81 *Location adjustment to producers.* In making payments to producers, pursuant to § 913.80 (a), for milk received at a pool plant located 50 miles or more from the City Hall in Kansas City, Missouri, by shortest highway distance as determined by the market administrator, there shall be deducted 10 cents per hundredweight of milk for distances of 50 to 70 miles, inclusive, plus an additional one-half cent for each additional 10 miles or fraction thereof in excess of 70 miles.

By Dairy Division, Agricultural Marketing Service:

16. Increase the time available to the market administrator between the filing

of reports by handlers and the announcement of the uniform price.

17. Make such other changes as are necessary to make the order conform with any amendments thereto as may result from the hearing.

Copies of this notice of hearing and of the order as now in effect may be obtained from the market administrator, Room 297, Plaza Theatre Building, 231 West 47th Street, Kansas City 12, Missouri, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 13th day of March 1957.

[SEAL] F. R. BURKE,
Acting Deputy Administrator.

[F. R. Doc. 57-2039; Filed, Mar. 15, 1957; 8:53 a. m.]

[7 CFR Part 969]

AVOCADOS GROWN IN SOUTH FLORIDA

PROPOSED INCREASE IN EXPENSES FOR THE 1956-57 FISCAL YEAR

Consideration is being given to the following proposal submitted by the Avocado Administrative Committee, established under the marketing agreement, as amended, and Order No. 69, as amended (7 CFR Part 969), regulating the handling of avocados grown in South Florida, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), as the agency to administer the provisions thereof:

(a) That the Secretary of Agriculture find that the provisions pertaining to expenses in paragraph (a) of § 969.203 *Expenses and rate of assessment for the 1956-57 fiscal year* (22 F. R. 211) be amended to read as follows:

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Avocado Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for the maintenance and functioning of such committee, in accordance with the provisions thereof, during the fiscal year beginning April 1, 1956, and ending March 31, 1957, will amount to $13,037.00.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal may do so by submitting the same to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than the fifth day following publication of this notice in the FEDERAL REGISTER.

Dated: March 13, 1957.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-2032; Filed, Mar. 15, 1957; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[434.25]

EMBROIDERY MACHINES

PROSPECTIVE TARIFF CLASSIFICATION

MARCH 13, 1957.

It appears probable that a correct interpretation of paragraph 372, Tariff Act of 1930, requires that Cornely & Cie embroidery machines, Models A2, A5, AB, BCH, D, FBN, FD, L5, LG5, LGCH, RT, 121, 123, 148, 148H, and X, and similar machines by the same or other manufacturers, be classified thereunder as embroidery machines with duty at the rate of 15 percent ad valorem which is higher than that assessed on such articles under an established and uniform practice.

Pursuant to § 16.10a (d) of the Customs Regulations (19 CFR 16.10a (d)), notice is hereby given that the existing uniform practice of classifying these machines as sewing machines, not specially provided for, under paragraph 372, Tariff Act of 1930, as modified, with duty at the rate of 10 percent ad valorem is under review in the Bureau of Customs.

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

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

[F. R. Doc. 57-2013; Filed, Mar. 15, 1957; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Territorial Department of Lands, has filed an application, Serial No. Anchorage 033810, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining laws, but excepting the mineral leasing laws and the Materials Act. The applicant desires the land for a public service site.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

RAVINE LAKE AREA

T. 20 N., R. 6 E., S. M.,
Section 24: SE¼SW¼SW¼;
Containing 10 acres.

EUGENE V. ZUMWALT,
Acting Operations Supervisor.

[F. R. Doc. 57-1996; Filed, Mar. 15, 1957; 8:45 a. m.]

CALIFORNIA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

MARCH 7, 1957.

The U. S. Fish and Wildlife Service has filed an application, Serial No. Los Angeles 0146497, for the withdrawal of the lands described below, from all forms of appropriation except mineral leasing under the mineral leasing laws and the disposal of materials under the Materials Act of July 31, 1947 (61 Stat. 681; 43 USC 1185). The management, use and disposal of the forest and range resources will continue under the administration of the Bureau of Land Management in accordance with applicable laws and regulations.

The applicant desires the land be reserved in public ownership to provide assistance to the State of California for the protection, development and management of the wildlife resources. The area is known as the Jacumba Wildlife Management Area.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Room 801, California Fruit Building, Fourth and J Streets, Sacramento, California.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SAN BERNARDINO MERIDIAN

T. 17 S., R. 8 E.,
Sec. 15;
Secs. 21 and 22;
Secs. 26, 27 and 28;
Sec. 33, all except the S½SW¼;
Secs. 34 and 35.
T. 18 S., R. 8 E.,
Sec. 2, SW¼NW¼, N½SW¼, SW¼SW¼, NW¼SE¼;
Sec. 3, Lots 1-4, incl., S½NE¼, SE¼, SE¼NW¼, NE¼SW¼;
Sec. 4, Lot 1.

The area described aggregates 6,400.04 acres of public land in San Diego County.

R. R. BEST,
State Supervisor.

[F. R. Doc. 57-1997; Filed, Mar. 15, 1957; 8:45 a. m.]

[74632]

OREGON

RESTORATION ORDER UNDER FEDERAL POWER ACT

Correction

MARCH 12, 1957.

In Federal Register Document 57-1128, appearing at page 935 of the issue for Thursday, February 14, 1957, the date of Power Site Reserve No. 170 in the first sentence of paragraph 1 should read "December 30, 1910".

EDWARD WOOZLEY,
Director.

[F. R. Doc. 57-1998; Filed, Mar. 15, 1957; 8:45 a. m.]

COLORADO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

MARCH 11, 1957.

The United States Forest Service of the Department of Agriculture has filed an application, Serial Colorado 016619, for withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the general mining laws but not the mineral leasing laws, subject to existing valid claims.

The applicant desires the land for use as picnic grounds, camp grounds, recreation areas and administrative sites.

For a period of thirty (30) days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, 357 New Custom House, P. O. Box 1018, Denver 1, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN

ROOSEVELT NATIONAL FOREST

Brown Park Campground:
T. 10 N., R. 76 W.,
Sec. 33, NE¼NW¼, N½SE¼NW¼.
Chambers Lake Campground:
T. 7 N., R. 75 W.,
Sec. 6, SE¼SW¼, E½SW¼SW¼;
Sec. 7, NW¼NE¼NW¼, NW¼NW¼NE¼.
Hooligan Roost Campground:
T. 10 N., R. 76 W.,
Sec. 29, S½NW¼SE¼, N½SW¼SE¼.
Skyline Campground:
T. 8 N., R. 75 W.,
Sec. 19, E½ Lot 1, NE¼ Lot 2.
Tunnel Campground:
T. 8 N., R. 75 W.,
Sec. 7, S½ Lot 3, N½ Lot 4, NE¼SW¼, NW¼SE¼SW¼.
Bellaire Lake Campground:
T. 9 N., R. 73 W.,
Sec. 6, NW¼SE¼, SW¼NE¼, E½NE¼SW¼.
Sleeping Elephant Campground:
T. 8 N., R. 75 W.,
Sec. 11, NE¼NE¼NW¼, W½NW¼NE¼.
Tom Bennett Campground:
T. 7 N., R. 73 W.,
Sec. 16, E½SE¼NW¼, W½SW¼NE¼.
Mt. Meeker Campground:
T. 3 N., R. 73 W.,
Sec. 11, SE¼NW¼.
Dahl-Kelly Campground:
T. 1 S., R. 72 W.,
Sec. 30, S½SW¼NW¼, SW¼SE¼NW¼, NW¼SW¼, W½NE¼SW¼.
Creedmore Lake Campground:
T. 10 N., R. 73 W.,
Sec. 4, SW¼NW¼, S½NW¼NW¼.
West Lake Campground:
T. 10 N., R. 73 W.,
Sec. 34, S½N½NW¼, SE¼NW¼.
Sheep Creek Campground:
T. 11 N., R. 74 W.,
Sec. 12, W½SW¼, SE¼SW¼, S½NE¼SW¼.
Allenspark Campground:
T. 3 N., R. 73 W.,
Sec. 26, SW¼NE¼, S½NW¼NE¼.
Jenny Lake Campground:
T. 1 S., R. 74 W.,
Sec. 27, E½SW¼NW¼, W½SE¼NW¼.
North Fork Poudre Picnic Ground:
T. 10 N., R. 74 W.,
Sec. 20, S½NE¼SE¼, N½SE¼SE¼.
Ansel Watrous Picnic Ground:
T. 8 N., R. 71 W.,
Sec. 4, S½SW¼NE¼, SW¼SE¼NE¼, N½NW¼SE¼.
Bennett Creek Picnic Ground:
T. 8 N., R. 73 W.,
Sec. 13, N½SE¼SE¼.
Big South Picnic Ground:
T. 8 N., R. 75 W.,
Sec. 28, NE¼NW¼SE¼, NW¼NE¼SE¼.
Diamond Rock Picnic Ground:
T. 8 N., R. 71 W.,
Sec. 3, SE¼ Lot 2, NE¼SW¼NE¼, NW¼SE¼NE¼.
Fish Creek Picnic Ground:
T. 7 N., R. 73 W.,
Sec. 1, Lot 4.
Narrows Picnic Ground:
T. 8 N., R. 72 W.,
Sec. 2, SW¼SE¼NW¼, NW¼NE¼SW¼.
Rist Canyon Picnic Ground:
T. 8 N., R. 71 W.,
Sec. 26, S½NE¼NW¼, SE¼NW¼NW¼, SW¼NW¼.
Upper and Lower North Fork Picnic Grounds:
T. 6 N., R. 72 W.,
Sec. 26, W½NW¼SE¼, E½NE¼SW¼.
Longmont Picnic Ground:
T. 2 N., R. 73 W.,
Sec. 13, S½SW¼SW¼, S½SE¼SW¼;
Sec. 24, N½NW¼NW¼, N½NE¼NW¼.
Middle St. Vrain Picnic Ground:
T. 2 N., R. 73 W.,
Sec. 13, S½SE¼SE¼;
Sec. 24, N½NE¼NE¼.
Mont Alto Picnic Ground:
T. 1 N., R. 72 W.,
Sec. 15, NE¼SW¼, E½NW¼SW¼, NE¼SW¼SW¼, N½SE¼SW¼.
Rainbow Lakes Picnic Ground:
T. 1 N., R. 73 W.,
Sec. 33, SE¼NE¼NW¼, NE¼SE¼NW¼, SW¼NW¼NE¼, NW¼SW¼NE¼.
South St. Vrain Picnic Ground:
T. 3 N., R. 71 W.,
Sec. 26, S½NW¼NW¼.
Brainard Lake Recreation Area:
T. 1 N., R. 73 W.,
Sec. 5, E½NE¼SE¼, SE¼SE¼NE¼;
Sec. 4, S½S½NW¼, N½SW¼, N½S½SW¼, NW¼SE¼, NW¼SW¼SE¼.
Dowdy Lake Recreation Area:
T. 10 N., R. 73 W.,
Sec. 27, SE¼, N½SE¼SW¼, SE¼SE¼SW¼;
Sec. 26, W½SW¼, SW¼NW¼;
Sec. 34 N½NE¼, NE¼NE¼NW¼.
Fox Creek Recreation Area:
T. 3 N., R. 73 W.,
Sec. 24, NW¼SW¼, W½NE¼SW¼;
Sec. 23, NE¼SE¼.
Rock Creek Recreation Area:
T. 2 N., R. 73 W.,
Sec. 2, SE¼SW¼.
Redfeather Ranger Station Administrative Site:
T. 10 N., R. 73 W.,
Sec. 34, N½NW¼,NW¼, NW¼NE¼NW¼, S½NE¼;
Sec. 27, SW¼SE¼SW¼.
White Pine Lookout Administrative Site:
T. 7 N., R. 72 W.,
Sec. 4, SE¼NW¼.
Deadman Lookout Administrative Site:
T. 10 N., R. 75 W.,
Sec. 13, SE¼NW¼SE¼, SW¼NE¼SE¼, NW¼SE¼SE¼, NE¼SW¼SE¼.
Mt. Thorodin Lookout Administrative Site:
T. 2 S., R. 72 W.,
Sec. 11, N½SE¼NW¼.
Ft. Collins Mt. Recreation Area:
T. 8 N., R. 72 W.,
Sec. 4, SE¼SE¼SW¼, S½SW¼SE¼, SW¼SE¼SE¼;
Sec. 9, NE¼NW¼, N½NW¼NE¼.

Total acreage 2674.48.

MAX CAPLAN,
State Supervisor.

[F. R. Doc. 57-2010; Filed, Mar. 15, 1957; 8:47 a. m.]

[Misc. No. 74886]

ALABAMA

SMALL TRACT CLASSIFICATION ORDER NO. 3

FEBRUARY 28, 1957.

1. Pursuant to the authority delegated by section 1.9 (o) of Bureau Order No. 541, dated April 21, 1954 (19 F. R. 2473), Bureau Order No. 596 of August 30, 1955 and Eastern States Supervisor's Memorandum of May 21, 1956, I hereby classify the following described public lands, totaling 16.16 acres, under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended:

ST. STEPHENS MERIDIAN

For lease and sale to individuals having a prior valid existing right whose applications were filed prior to this order.

T. 21 N., R. 16 E.,
Sec. 14, Lot 4, 1.58 acres;
Sec. 14, Lot 7, 0.61 acres;
Sec. 14, Lot 8, 0.80 acres;
Sec. 14, Lot 9, 1.52 acres;
Sec. 14, Lot 10, 1.16 acres;
Sec. 14, Lot 12, 2.21 acres.

For direct sale at public auction:

T. 21 N., R. 16 E.,
Sec. 14, Lot 3, 3.78 acres;
Sec. 14, Lot 5, 1.51 acres;
Sec. 14, Lot 6, 1.39 acres;
Sec. 14, Lot 11, 1.30 acres.

2. Classification of the above-described lands by this order segregates them from all appropriations, except applications under the mineral leasing laws.

3. The lands classified by this order for direct sale shall not become subject to public sale under the Small Tract Act, supra, until it is so provided by an order

to be issued by the authorized officer, opening the lands for direct sale by public auction, with a preference right to Veterans of World War II and the Korean conflict and others entitled to preference under the act of September 27, 1944 (58 Stat. 497; 43 U. S. C. 279–284), as amended.

4. Inquiries concerning the lands to be offered for direct sale shall be addressed to the Manager, Russellville Office, Bureau of Land Management, P. O. Box 189, Russellville, Arkansas.

H. K. SCHOLL,
Acting Manager.

[F. R. Doc. 57–2026; Filed, Mar. 15, 1957; 8:50 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF FAR EAST CONFERENCE

NOTICE OF AGREEMENT FILED WITH BOARD FOR APPROVAL

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

Agreement No. 17–27, between the member lines of the Far East Conference, modifying the preamble of the basic conference agreement (No. 17, as amended), (1) by deleting the words "Formosa" and "Philippine Islands", and substituting therefor the present day designations of these countries, i. e., "Taiwan (Formosa)" and "Republic of the Philippines", respectively; (2) by adding Hong Kong to the trading area of the conference; and (3) by clarifying the language of the preamble to show that the trade covered by the conference is from Atlantic and Gulf ports of the United States to certain specified countries in the Far East rather than between said areas.

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

Dated: March 13, 1957.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 57–2011; Filed, Mar. 15, 1957; 8:47 a. m.]

[Docket No. M–78]

GRACE LINE, INC., ET AL

NOTICE OF HEARING ON APPLICATIONS TO BAREROAT CHARTER DRY-CARGO VESSELS

Notice is hereby given that a public hearing will be held pursuant to section 5 (e) of the Merchant Ship Sales Act, 1946, as amended (Public Law 591, 81st Cong., 50 U. S. C. App. 1738), on March 28, 1957, in Chicago, Illinois, at a time and place to be announced, upon the application of Grace Line, Inc., to bareboat charter four (4) N3–S–A2 type vessels to be used in trade between Great Lakes and St. Lawrence River ports and the Caribbean. Grace Line, Inc., seeks operating-differential subsidy for operation of these vessels in this service, and its petition for a determination under section 211 of the Merchant Marine Act, 1936 (46 U. S. C. 1121), that this route is an essential trade route is being considered by the Maritime Administrator.

Documents expressing desires for charter of N3–S–A2 type vessels for use on Trade Route 32 have been received from:

Isbrandtsen Company, Inc., 8 vessels;
United States Lines Company, 8 vessels;
T. J. McCarthy Steamship Company, 4 vessels; and
Einar H. Crown, 2 vessels.

All of these applicants seek operating-differential subsidy for operation of these vessels. If any of these applicants request, within seven (7) days from publication hereof in the FEDERAL REGISTER, the applications will be considered in these proceedings. Prerequisite to consideration of any application to charter is receipt of an application substantially in the forms prescribed in General Order 60 (See 46 CFR 299.31, 299.80 and 299.81) which must be filed before, and made available at, the hearing.

The purpose of the hearing is to receive evidence with respect to whether the services for which such vessels are proposed to be chartered are required in the public interest and are not adequately served, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such services. Evidence will be received with respect to any restrictions or conditions that may be necessary or appropriate to protect the public interest in respect of such charters as may be granted and to protect privately owned vessels against competition from vessels chartered as a result of this proceeding. All persons having an interest in the applications will be given an opportunity to be heard if present.

An Examiner from the Hearing Examiners' Office will preside at the hearing which will be conducted in accordance with the Board's rules of practice and procedure, and an initial decision will be issued.

Dated: March 14, 1957.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 57–2084; Filed, Mar. 15, 1957; 8:55 a. m.]

LAMAR FORWARDING CO. ET AL.

NOTICE TO SHOW CAUSE WHY FREIGHT FORWARDER REGISTRATIONS ISSUED TO CERTAIN REGISTRANTS SHOULD NOT BE CANCELLED

Notice is hereby given that at a session of the Federal Maritime Board held at its Office in Washington, D. C., the 7th day of March 1957, the Board entered the following order:

Whereas, the following registrants were assigned freight forwarder registration numbers pursuant to General Order 72 (46 CFR part 244):

Name, Reg. No., and Date Issued

LaMar Forwarding Co. (New York) (Domenica Spertino, dba), 1252, 4–10–53.
Murkay Trading Company (Rutherford, N. J.), 1918, 9–1–55.
Transportes Rody S. A., Inc. (Miami), 1917, 8–30–55.
Tropical Express, Inc. (Miami), 1287, 4–5–51.

Whereas, the Board has by registered letters requested these registrants to furnish certain information in connection with their forwarding activities, pursuant to § 244.3 of General Order 72; and

Whereas, registered mail sent to Domenica Spertino, doing business as LaMar Forwarding Co., has been returned by the post office as undeliverable, and the Board is therefore unable to exercise regulatory authority over him because his present whereabouts is unknown; and

Whereas, the other three registrants named above have failed to respond to registered letters in violation of General Order 72; now, therefore,

It is ordered, That the above-named registrants show cause, in writing or at a public hearing to be hereafter set if requested by registrant, within thirty (30) days from the date of publication hereof in the FEDERAL REGISTER why their registrations should not be cancelled for the reasons above stated; and

It is further ordered, That failure of any registrant named above to respond as ordered hereby will result in automatic cancellation of its freight forwarder registration without further action by the Board; and that notice of such cancellation shall be sent to the registrant by the Secretary; and

It is further ordered, That a copy of this order be sent by registered mail to each of the above-named registrants at its last known address; and

It is further ordered, That this order be published in the FEDERAL REGISTER.

Dated: March 14, 1957.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 57–2081; Filed, Mar. 15, 1957; 8:54 a. m.]

Office of the Secretary

PETER MEYNS AND PETER MEYNS & CO.

APPEALS BOARD DECISION

In the matter of: Peter Meyns, Peter Meyns & Co., Gertrudenkirchhof 10, Hamburg 1, Germany; Appeals Board Docket No. FC–36; B. F. C. Case No. 207.

Peter Meyns, doing business under the firm name and style of Peter Meyns & Company, of Hamburg, Germany, hereinafter referred to as the appellant, has appealed from the order revoking export licenses and denying export privileges issued April 10, 1956 by John C. Borton, Director, Office of Export Supply, Bureau

of Foreign Commerce. (21 F. R. 2415 April 13, 1956).

The appellant was allowed an extended time by the Appeals Board to submit documentation in support of his appeal.

Preceding, during, and following a hearing on the record at which appellant, although given ample opportunity, did not appear and was not represented by counsel, the Appeals Board examined the record closely, questioned counsel for the Bureau of Foreign Commerce in the interest of the appellant's defense, and finds that the order from which the appeal was taken is supported by the record.

Therefore, the Board finds that the appellant, as stated in the order, with knowledge that potassium bichromate, sodium bichromate, paraffin wax, and butyl alcohol of U. S. origin could not be exported to Hong Kong or Communist China without specific approval therefore by the Bureau of Foreign Commerce, did transship and divert or cause to be transshipped and diverted the above commodities in quantity to Hong Kong and/or Communist China in violation of United States laws and United States regulations applicable thereunder.

Therefore, it is ordered, That: The appeal hereby be denied.

FREDERIC W. OLMSTEAD,
Chairman,
Appeals Board.

MARCH 12, 1957.

[F. R. Doc. 57-2027; Filed, Mar. 15, 1957; 8:50 a. m.]

JOHN H. CLEMSON

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER:

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

This statement is made as of March 1, 1957.

Dated: March 7, 1957.

JOHN H. CLEMSON.

[F. R. Doc. 57-1995; Filed, Mar. 15, 1957; 8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO HOSIERY AND KNITTED WEAR INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.43, as amended March 1, 1956, 21 F. R. 629).

The following learner certificates were issued authorizing the employment of 5 percent of the total number of factory production workers as learners for normal labor turnover purposes.

Adams-Millis Corp., 710 Grimes Street, 400 English Street, High Point, N. C.; effective 3-1-57 to 10-30-57 (seamless).

Amos Hosiery Mills, Inc., 328 Mangum Avenue, High Point, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Auburn Dyeing & Finishing Co., Auburn, Ky.; effective 3-1-57 to 9-30-57 (dyeing and finishing women's nylon hosiery).

Auburn Hosiery Mills, Inc., Auburn, Ky.; effective 3-1-57 to 10-30-57 (full-fashioned).

Charles H. Bacon Co., Loudon, Tenn.; effective 3-1-57 to 9-30-57 (full-fashioned and seamless).

Baker-Cammack Hosiery Mills, Inc., Burlington, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Balfour Hosiery Co., Burlington Industries, Inc., Sporo Road, Asheboro, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Bear Brand Hosiery Co., Fayetteville, Ark.; effective 3-1-57 to 10-30-57 (seamless).

Bear Brand Hosiery Co., Kankakee, Ill.; effective 3-1-57 to 10-30-57 (seamless and full-fashioned).

Bear Brand Hosiery Co., Paxton, Ill.; effective 3-1-57 to 10-30-57 (full-fashioned).

Bear Brand Hosiery Co., Gary Ind.; effective 3-1-57 to 10-30-57 (seamless).

Bear Brand Hosiery Co., Henderson, Ky.; effective 3-1-57 to 10-30-57 (seamless).

Burlington Industries, Inc., Vance Hosiery Plant, Kernersville, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Burlington Industries, Inc., Scottsboro Hosiery Plant, Scottsboro, Ala.; effective 3-1-57 to 9-30-57 (seamless).

Claussner Hosiery Co., No. 1 Hosiery Division, 28th and Adams Streets, Paducah, Ky.; effective 3-1-57 to 9-30-57 (full-fashioned).

J. A. Cline & Son, Inc., Hildebran, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Commonwealth Hosiery Mills, Randleman, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Davenport Hosiery Mills, Inc., 400 East 11th Street, Chattanooga, Tenn.; effective 3-1-57 to 9-30-57 (full-fashioned).

Diamond Hosiery Corp., High Point, N. C.; effective 3-1-57 to 9-30-57 (full-fashioned).

Francis-Louise Full Fashion Mills, Valdese, N. C.; effective 3-1-57 to 9-30-57 (full-fashioned).

Full-Knit Hosiery Mills, Inc., Burlington, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Grace Hosiery Mills, Inc., Burlington, N. C.; effective 3-1-57 to 9-30-57 (men's hosiery).

Great American Knitting Mills, Inc., Bechtelsville, Pa.; effective 3-1-57 to 9-30-57 (seamless).

Greensboro Hosiery Mills, Inc., Greensboro, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Mary Grey Hosiery Mills, Bristol, Va.; effective 3-1-57 to 10-30-57 (full-fashioned and seamless).

Hall Brothers, Snow Shoe, Pa.; effective 3-1-57 to 10-30-57 (full-fashioned).

Huffman Full Fashioned Mills, Inc., Morganton, N. C.; effective 3-1-57 to 9-30-57 (full-fashioned).

O. E. Kearns & Son, Inc., South Hamilton Street, High Point, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Knit Products Corp., Belmont, N. C.; effective 3-1-57 to 9-30-57 (full-fashioned)

Lenoir Hosiery Mills, Inc., Lenoir, N. C.; effective 3-1-57 to 10-30-57 (full-fashioned and seamless).

Merrill Hosiery Co., Bank St., Hornell, N. Y.; effective 3-23-57 to 9-30-57 (full-fashioned).

Morganton Full Fashioned Hosiery Co., Morganton, N. C.; effective 3-1-57 to 9-30-57 (full-fashioned and seamless).

Newland Knitting Mills, Newland, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Nebel Knitting Co., 101 West Worthington Avenue, Charlotte, N. C.; effective 3-1-57 to 10-30-57 (full-fashioned).

Nolde & Horst Co., Dayton, Tenn.; effective 3-1-57 to 9-30-57 (seamless).

Nolde & Horst Co., Hickory, N. C.; effective 3-1-57 to 9-30-57 (seamless).

The Nolde & Horst Co., Hugh Grey Division, Concord, N. C.; effective 3-1-57 to 10-30-57 (full-fashioned and seamless).

Owen-Osborne Hosiery Mills, Inc., Gainesville, Ga.; effective 3-1-57 to 9-30-57 (full-fashioned).

Peerless Hosiery Co., North Wilkesboro, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Peerless Hosiery Co., West Jefferson, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Princeton Hosiery Mills, Princeton, Ky.; effective 3-1-57 to 9-30-57 (seamless).

Ridgeview Hosiery Mill Co., Main Street, Newton, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Russell Hosiery Mills, Inc., Star, N. C.; effective 3-1-57 to 10-30-57 (seamless).

Shenandoah Knitting Mills, Inc., Shenandoah, Va.; effective 3-1-57 to 9-30-57 (full-fashioned).

Slane Hosiery Mills, Inc., Mangum Avenue, High Point, N. C.; effective 3-1-57 to 10-30-57 (seamless).

Tip-Top Hosiery Mills, Inc., 400 West Salisbury Street, Asheboro, N. C.; effective 3-14-57 to 10-30-57 (seamless).

Tower Hosiery Mills, Inc., Broad Street, Burlington, N. C.; effective 3-1-57 to 9-30-57 (full-fashioned).

Waldensian Hosiery Mills, Inc., Lenoir, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Waldensian Hosiery Mills, Inc., Pauline Seamless Knitting Plant, Valdese, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Waldensian Hosiery Mills, Inc., Finishing Plant, Valdese, N. C.; effective 3-1-57 to 9-30-57 (seamless and full-fashioned).

Wee-Sox Hosiery Mills, Randleman, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Williamson Hosiery Mills, Inc., 615 North Jackson Street, Athens, Tenn.; effective 3-1-57 to 9-30-57 (seamless).

Willis Hosiery Mills, Inc., 184 Academy Street, Concord, N. C.; effective 3-12-57 to 9-30-57 (seamless).

The following learner certificates were issued for five learners for normal labor turnover purposes. The effective dates are indicated.

Auburn Hoisery Mills, Inc., No. 2, Adairville, Ky.; effective 3-1-57 to 9-30-57 (full-fashioned and seamless).

Bear Brand Hosiery Co., Siloam Springs, Ark.; effective 3-1-57 to 10-30-57 (seamless).

Bear Brand Hosiery Co., Kearney, Nebr.; effective 3-1-57 to 10-30-57 (full-fashioned).

Black Mountain Hosiery Mills, Inc., 111 East Vance Avenue, Black Mountain, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Bloomsburg Hosiery Mills Inc., 164 West Ninth Street, Bloomsburg, Pa.; effective 3-1-57 to 9-30-57 (seamless).

Claussner Hosiery Co., No. 2 Seamless Division, 30th and Adams Streets, Paducah, Ky.; effective 3-1-57 to 9-30-57 (seamless).

Commonwealth Hosiery Mills, Ellerbe, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Hanson Hosiery Mills, Inc., South Coldbrook Avenue, Chambersburg, Pa.; effective 3-10-57 to 10-30-57 (full-fashioned).

Hunter Hosiery, Inc., 1269 Union Avenue, Laconia, N. H.; effective 3-1-57 to 9-30-57 (seamless).

Kosciusko Hosiery Mills, Division of Wayne Knitting Mills, Kosciusko, Miss.; effective 2-23-57 to 9-30-57 (seamless).

Outlook Manufacturing Co., Belmont, N. C.; effective 3-12-57 to 9-20-57 (seamless).

Shannon Hosiery Mills, Inc., Concord, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Southerland Dyeing & Finishing Mills, Inc., Mebane, N. C.; effective 3-1-57 to 9-30-57 (commercial hosiery finishing).

Strutwear, Inc.; Clarksdale, Miss.; effective 3-1-57 to 10-30-57 (full-fashioned).

Surratt Hosiery Mills, Highway No. 8, Denton, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Texas Knitting Mills, Inc., Mineral Wells, Tex.; effective 3-1-57 to 9-30-57 (full-fashioned).

Trigg Knit, Cadiz, Ky.; effective 3-1-57 to 10-30-57 (seamless).

Vermont Hosiery & Machinery Co., North Main Street, Northfield, Vt.; effective 3-1-57 to 10-30-57 (seamless).

Walnut Cove Hosiery Mills, Walnut Cove, N. C.; effective 3-1-57 to 9-30-57 (seamless).

Wyatt Knitting Co., 1006 Goldsboro Avenue, Sanford, N. C.; effective 3-1-57 to 10-30-57 (full-fashioned).

The following learner certificates were issued for normal labor turnover purposes. The number of learners authorized and the effective dates are indicated.

Bear Brand Hosiery Co., Siloam Springs, Ark.; effective 3-1-57 to 8-31-57; authorizing the employment of 20 high school students only for part time employment in the occupation of looping, for a learning period of 816 hours, at 80¢ per hour for the first 432 hours and not less than 87½¢ per hour for the remaining 384 hours (seamless).

Bear Brand Hosiery Co., Henderson, Ky.; effective 3-1-57 to 8-31-57; authorizing the employment of 30 high school students only for part time employment in the occupation of looping, for a learning period of 816 hours, at 80¢ per hour for the first 432 hours and not less than 87½¢ per hour for the remaining 384 hours (seamless).

'Gann Hosiery Mills Co., 309 South Allston Avenue, Durham, N. C.; effective 3-1-57 to 10-30-57; six learners (seamless).

The following learner certificates were issued for plant expansion purposes. The number of learners authorized and the effective dates are indicated.

Bear Brand Hosiery Co., Fayetteville, Ark.; effective 3-1-57 to 8-31-57; five learners (seamless).

Bear Brand Hosiery Co., Siloam Springs, Ark.; effective 3-1-57 to 8-31-57; 15 learners (seamless).

Bear Brand Hosiery Co., Henderson, Ky.; effective 3-1-57 to 8-31-57; 15 learners (seamless).

Bear Brand Hosiery Co., Kearney, Nebr.; effective 3-1-57 to 8-31-57; eight learners (full-fashioned).

Burlington Industries, Inc., Scottsboro Hosiery Plant, Scottsboro, Ala.; effective 3-1-57 to 8-31-57; 50 learners (seamless).

Kosciusko Hosiery Mills, Division of Wayne Knitting Mills, Kosciusko, Miss.; effective 2-23-57 to 8-22-57; 25 learners (seamless).

J. W. Landenberger & Co., 100 South Cass Street, Middletown, Del.; effective 3-1-57 to 9-30-57; 42 learners (seamless).

The Nolde & Horst Co., Hugh Grey Division, Concord, N. C.; effective 3-17-57 to 9-16-57; 25 learners (full-fashioned and seamless).

The Nolde & Horst Co., Division of Chester H. Roth Co., Inc., Pittsboro, N. C.; effective 3-1-57 to 8-31-57; 30 learners (seamless).

Surratt Hosiery Mills, Highway No. 8, Denton, N. C.; effective 3-1-57 to 8-31-57; 10 learners (seamless).

Van Raalte Co., Inc., Blue Ridge, Ga.; effective 3-1-57 to 8-31-57; 10 learners (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.30 to 522.35, as amended March 1, 1956, 21 F. R. 581).

The following learner certificates were issued authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes. The effective dates are indicated.

Anniston Knitting Co., Division of Flagg-Utica Corp., Anniston, Ala.; effective 3-20-57 to 9-30-57 (knitted underwear).

B. V. D. Co., Inc., Piqua, Ohio; effective 3-1-57 to 9-30-57 (tee and athletic shirts).

Benham Underwear Mills, Scottsboro, Ala.; effective 3-1-57 to 9-30-57 (men's and boys' cotton underwear).

Blue Swan Mills, Sayre, Pa.; effective 3-1-57 to 9-30-57 (ladies' nitewear and underwear).

The William Carter Co., 400 East Main, Senatobia, Miss.; effective 3-1-57 to 9-30-57 (women's and children's cotton pants).

Century Mills Division of A. H. Schreiber Co., Inc., Lincoln and Reeder Streets, Riverside, N. J.; effective 3-1-57 to 9-20-57 (Nylon and cotton underwear).

Clarke Mills, Jackson, Ala.; effective 3-1-57 to 9-30-57 (women's knitted underwear and lingerie).

Escambia Mills, Atmore, Ala.; effective 3-1-57 to 9-30-57 (women's knitted underwear and lingerie).

Gurney Manufacturing Division, Botony Cottons, Inc.. Prattville, Ala.; effective 3-1-57 to 9-30-57 (knitting yarns).

Hamburg Knitting Mills, Inc., 239 Pine Street, Hamburg, Pa.; effective 3-1-57 to 9-30-57 (cotton knit underwear).

Marengo Mills, Demopolis, Ala.; effective 3-1-57 to 9-30-57 (women's knitted underwear and lingerie).

Monroe Mills, Monroeville, Ala.; effective 3-1-57 to 9-30-57 (women's knitted underwear and lingerie).

J. E. Morgan Knitting Mills, Inc., 205 Center Street, Tamaqua, Pa.; effective 3-1-57 to 9-30-57 (men's and boys' knitted underwear).

Walter W. Meyer Co., Inc., 400 West Main Street, Ephrata, Pa.; effective 3-1-57 to 9-30-57 (knit underwear).

Norwich Mills, Inc., Clayton, N. C.; effective 3-1-57 to 9-30-57 (knitted underwear and outerwear).

Ohio Knitting Mills, Inc., 7500 Stanton Avenue, Cleveland, Ohio; effective 3-1-57 to 9-30-57 (sweaters).

Phillips-Jones Corp., Ozark, Ala.; effective 3-1-57 to 9-30-57; 5 percent of the total number of factory production workers for normal labor turnover purposes in the production of shorts (shorts).

Roanoke Mills, Inc., 505 Sixth Street SW., Roanoke, Va.; effective 3-1-57 to 9-30-57 (knitted underwear, sportswear, etc.).

Robinson Manufacturing Co., Inc., South Market Street, Dayton, Tenn.; effective 3-1-57 to 9-30-57 (woven cotton shorts).

The Russell Manufacturing Co., Alexander City, Ala.; effective 3-1-57 to 9-30-57 (knit underwear, sleepers, sweatshirts, etc.).

A. H. Schreiber Co., Inc., Washington Street, Mt. Holly, N. J.; effective 3-1-57 to 9-30-57 (underwear).

Van Raalte Co., Inc., Randolph, Vermont; effective 3-1-57 to 9-30-57 (nylon slips for women).

Van Raalte Co., Inc., High Rock and Circular Streets, Saratoga Springs, N. Y.; effective 3-1-57 to 9-30-57 (knitted underwear).

Ware Knitters, Inc., Calais, Maine; effective 3-1-57 to 9-30-57 (knit outerwear).

Wilson Bros., 1008 West Sample Street, South Bend, Ind.; effective 3-1-57 to 9-30-57 (woven underwear—shorts).

The following learner certificates were issued and except as otherwise indicated authorize the employment of five learners for normal labor turnover purposes. The effective dates are indicated.

Beltex Corp., 106 South Main Street, Belmont, N. C.; effective 3-1-57 to 9-30-57 (knitted underwear).

Creston Knitting Mills, Inc., Swainsboro, Ga.; effective 3-1-57 to 9-30-57; five learners for normal labor turnover purposes engaged in the production of men's T shirts and ladies' and girls' briefs (ladies' and girls' panties).

Dri-Set, Inc., Graysville, Tenn.; effective 3-1-57 to 9-30-57 (children's knitted sleeping wear).

Fashion Industries, Inc., 120 Maple Street, Big Rapids, Mich.; effective 3-1-57 to 9-30-57 (knitted underwear and nitewear).

Fashion Industries, Inc., 207 River Street, Cadillac, Mich.; effective 3-1-57 to 9-30-57 (knitted underwear, nitewear).

Fitzgerald Underwear Corp., 702-704 South Sherman Street, Fitzgerald, Ga.; effective 3-12-57 to 9-30-57 (ladies' and children's underwear).

Geissler Knitting Mills, Inc., 129 East Broad Street, Hazleton, Pa.; effective 3-1-57 to 9-30-57 (polo and athletic shirts).

Keystone Mills, Inc., 325 South Lancaster Street, Annville, Pa.; effective 3-1-57 to 9-30-57 (cotton polo shirts).

Lacy Manufacturing Co., Inc., 901 Adele Street, Martinsville, Va.; effective 3-1-57 to 9-30-57; five learners engaged in the manufacturing of swim trunks for normal labor turnover purposes (swim trunks).

Logan Knitting Mills, 1094 North Main Street, Logan, Utah; effective 3-1-57 to 9-30-57 (women's knitted fabric outerwear).

Meck Knitting Mills, Inc., Schuylkill Haven, Pa.; effective 3-1-57 to 9-30-57 (men's and boys' knitted underwear).

Milaca Underwear Co., Inc., Milaca, Minn.; effective 3-1-57 to 9-30-57 (underwear and slipwear).

Nescopeck Knitting Mills, Inc., 213 West Third Street, Nescopeck, Pa.; effective 3-1-57 to 9-30-57 (cotton shirts and sweaters).

Oregon Manufacturing Co., 126 North Third Street, Oregon, Ill.; effective 3-1-57 to 9-30-57 (knit cotton polo shirts).

Pottsville Mills, Inc., 480 Peacock Street, Pottsville, Pa.; effective 3-1-57 to 9-30-57 (knitted outerwear).

Rhea Mills, Inc., South Market Street, Dayton, Tenn.; effective 3-1-57 to 9-30-57 (woven undershorts).

Snowdon, Inc., Osceola, Iowa; effective 3-10-57 to 11-30-57 (women's underwear, lingerie).

Society Lingerie Co., Springland and Reeske, Michigan City, Ind.; effective 3-1-57 to 9-30-57 (lingerie, slips, petticoats, etc.).

Sorrento Sportswear, Inc., 356 West Broad Street, Hazleton, Pa.; effective 3-1-57 to 9-30-57 (wool sweaters).

Strutwear, Inc., Clarksdale, Miss.; effective 3-1-57 to 9-30-57 (sweaters).

Strutwear, Inc., Glencoe, Minn.; effective 3-1-57 to 9-30-57; four learners in the production of women's underwear from purchased knitted fabric (women's lingerie).

The following learner certificate was issued for plant expansion purposes. The effective dates and number of learners authorized are indicated.

Sylvester Textile Corp., Sylvester, Ga.; effective 3-10-57 to 9-9-57; 60 learners (ladies' lingerie).

Each learner certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn in the manner provided in Part 528, and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 11th day of March 1957.

VERL E. ROBERTS,
Authorized Representative of the Administrator.

[F. R. Doc. 57-2000; Filed, Mar. 15, 1957; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11323 etc.; FCC 57 M-201]

B. J. PARRISH ET AL.

ORDER SCHEDULING ORAL ARGUMENT

In re applications of B. J. Parrish, Pine Bluff, Arkansas; Docket No. 11323, File No. BP-8698; James S. Rivers, tr/as The Southeastern Broadcasting System, Macon, Georgia; Docket No. 11326, File No. BP-8747; James A. Noe (KNOE), Monroe, Louisiana; Docket No. 11327, File No. BP-9161; Radio Columbus, Inc. (WDAK), Columbus, Georgia; Docket No. 11328, File No. BP-9260; for construction permits.

It is Ordered, This 8th day of March 1957, that oral argument on petitions filed February 28, 1957, in the above-entitled proceeding on behalf of B. J. Parrish and James A. Noe (KNOE), requesting authority to amend their applications, will be held in the Offices of the Commission, Washington, D. C., commencing at 10:00 a. m., Thursday, March 14, 1957.

Released: March 11, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2018; Filed, Mar. 15, 1957; 8:49 a. m.]

[Docket Nos. 11907, 11908; FCC 57M-204]

CLARK COUNTY BROADCASTING CO. AND NORTHSIDE BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Horace E. Tabb, Holly Skidmore, Stokley Bowling, C. A. Diecks, J. W. Hodges and W. Dee Huddleston, d/b as Clark County Broadcasting Company, Jeffersonville, Indiana; Docket No. 11907, File No. BP-10588; Thomas E. Jones and Keith L. Reising, d/b as Northside Broadcasting Company, Jeffersonville, Indiana; Docket No. 11908, File No. BP-10824; for construction permits.

It is ordered, This 12th day of March 1957, on the Hearing Examiner's own motion, that the hearing now scheduled to commence on March 18, 1957, is continued to April 22, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2019; Filed, Mar. 15, 1957; 8:49 a. m.]

[Docket No. 11927; FCC 57M-205]

Q BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Q Broadcasting Company, Phoenix, Arizona; Docket No. 11927, File No. BP-10178; for construction permit.

Upon the Hearing Examiner's own motion, and by agreement of the parties; *It is ordered,* This 12th day of March 1957, that the hearing scheduled to be held on March 15, 1957, is hereby continued to April 5, 1957, at 10:00 a. m., in the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2020; Filed, Mar. 15, 1957; 8:49 a. m.]

[Docket No. 11932; FCC 57M-197]

NEW JERSEY EXCHANGES, INC. (KEC 738)

ORDER CONTROLLING CONDUCT OF HEARING

MARCH 6, 1957.

In the matter of the application of New Jersey Exchanges, Inc. (KEC738), Docket No. 11932, File No. 2379-C2-P-56; for a construction permit to establish a new station for two-way communications in the Domestic Public Land Mobile Radio Service at Ridgewood, New Jersey.

Appearances: Daryal A. Myse, on behalf of New Jersey Exchanges, Inc.; Jerome S. Boros, on behalf of Telephone Secretarial Service, Inc.; and Byron E. Harrison, on behalf of the Chief, Common Carrier Bureau, Federal Communications Commission.

1. A pre-hearing conference in the above-entitled proceeding was held on February 28, 1957. The parties participating were those as shown in the appearances above.

2. The issues to be resolved in this proceeding are as follows:

(a) To determine the nature and extent of service proposed by Applicant, including the rates, charges, practices, classifications, regulations, personnel and facilities pertaining thereto.

(b) To determine the nature and extent of service now rendered by Protestant, including the rates, charges, practices, classifications, regulations, personnel and facilities pertaining thereto.

(c) To determine the area and population presently covered by the service offered by Protestant.

(d) To determine the area and population to be covered by the service proposed by Applicant.

(e) To determine the need for the proposed service of Applicant, and the nature and extent of any benefits to the public which will accrue because of Applicant's proposed service.

(f) To determine whether any disadvantages to the public will accrue because of Applicant's proposed service.

(g) To determine whether or not the Applicant is financially qualified to establish and operate the proposed service.

(h) To determine, in the light of the evidence adduced on all the foregoing issues, whether the public interest, convenience or necessity will be served by a grant of the subject application.

3. In determining the area covered by the base station of the protestant and of the proposed base station of the applicant, issues (c) and (d), the 37 dbu contour of the base stations will be used (§ 21.504 of the Commission's rules). The method of locating the 37 dbu contours is outlined in the transcript of the prehearing conference to which reference is made. The population figures will be based on the 1950 U. S. Census of Population.

4. Except for exhibits which duplicate documents or exhibits which have been filed with the Commission in support of the application or protest which are now available to the parties, all exhibits to be offered in support of the affirmative showing of either the applicant or the protestant will be exchanged on or before the close of business on March 19, 1957.

5. Following the exchange of the exhibits, each party will advise the other of the name or identity of the witness or witnesses desired for cross-examination.

6. The introduction of exhibits and the cross-examination of witnesses will begin Tuesday, March 26, 1957.

It is so ordered, This the 6th day of March 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2021; Filed, Mar. 15, 1957; 8:49 a. m.]

[Docket No. 11944; FCC 57M-207]

PACIFIC BROADCASTERS

ORDER SCHEDULING HEARING

In re application of J. Claude Warren, Paul E. Wilkins and J. Q. Floyd, d/b as Pacific Broadcasters, Oxnard, California, Docket No. 11944, File No. BP-9270; for construction permit.

It is ordered, This 8th day of March 1957, that Hugh B. Hutchinson will pre-

side at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 1, 1957, in Washington, D. C.

Released: March 13, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2022; Filed, Mar. 15, 1957; 8:49 a. m.]

[Docket No. 11945; FCC 57-225]

BOROUGH OF LEMOYNE, PA.

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Borough of Lemoyne, Pennsylvania; Lemoyne, Pennsylvania; Docket Number 11945, File Number 9350-PF-P/L-L; for authorization in the Fire Radio Service.

1. The Commission has before it for consideration a protest filed February 8, 1957, pursuant to section 309 (c) of the Communications Act of 1934, as amended, by the Commissioners of Cumberland County, Pennsylvania,[1] protesting the Commission's action of January 9, 1957, granting, without a hearing, the application of the Borough of Lemoyne, Pennsylvania[2] for permission to construct and operate a radio station in the Fire Radio Service utilizing one base transmitter and a maximum of ten mobile units on the frequency 46.06 Mc.

2. The protestant contends that the Commission's action in granting the protested application was not in the public interest. In support of this contention, the protestant alleges: that it has in operation a "mutual aid fire network" authorized by the Commission to utilize the frequency 46.06 Mc; that the operation by the Borough of Lemoyne, a political subdivision of Cumberland County, Pennsylvania, of a radio station utilizing the frequency 46.06 Mc "would be extremely harmful and detrimental to the public safety of Cumberland County as a whole in granting mutual aid fire assistance in the county and * * * will interfere with the use of the network presently being operated by the County of Cumberland;" that it "is charged with the complete supervision of the mutual aid fire network for Cumberland County;" and that applicant's proposed operation will compete with the mutual aid fire network of Cumberland County; and that it "has not given its consent to this application by the Borough of Lemoyne." The protestant also alleges it "has a substantial financial interest in the equipment used or to be used by the Borough of Lemoyne."

The protestant states that a copy of its protest has been served upon the applicant. No timely opposition to this protest was received by the Commission.

3. In view of the allegations referred to above, we find that the protestant is a "party in interest" with standing to protest under section 309 (c) of the Communications Act of 1934, as amended.

4. Although the protestant has set out no specific issues, denominated as such, the facts particularly alleged, in support of its contention that the grant of the protested application was not in the public interest, are sufficiently specific to comply with section 309 (c) of the Communications Act of 1934, as amended, and support the following issues:

To determine whether the applicant has complied with the provisions of § 10.101 (a) of the Commission's rules governing the Public Safety Radio Services requiring cooperation by all applicants and licensees in the selection of frequencies.

To determine whether operation under the protested grant will cause harmful interference, as defined in Part 10 of the Commission's rules, to the operation of the "mutual aid fire network" of Cumberland County, Pennsylvania.

To determine the facts with respect to the financial interest, if any, of the protestant in the radio facilities specified in the protested application.

5. The Commission's records show that one of the base stations which the protestant is licensed to operate in the Fire Radio Service is presently located on the same premises which the applicant states it is leasing with "the right to exclusive possession and occupancy." In view of this fact, the Commission, on its own motion, is including the following issue:

To determine whether the applicant will have the necessary degree of ownership and control over the operation of the proposed facilities as to warrant its licensing in the public interest.

6. The Commission, on its own motion, is also including the following additional issue:

To determine, in the light of the evidence adduced on all other specified issues, whether the public interest, convenience, and necessity will be served by a grant of the subject application.

7. It appearing, that the subject application sought authorization to construct and operate a radio station in the Fire Radio Service; and it further appearing that postponement of the effective date of the Commission's action granting such application may adversely affect the public safety of the Borough of Lemoyne, Pennsylvania, the Commission affirmatively finds that the public interest requires that the grant remain in effect pending a final decision by the Commission with respect to the evidentiary hearing hereinafter provided.

Therefore, it is ordered, That the applicant may utilize the facilities authorized by the Commission's action of January 9, 1957, pending the Commission's decision after the evidentiary hearing hereinafter provided;

It is further ordered, That the above-entitled application is designated for hearing, at a time and place to be specified by subsequent order, upon the following issues:

(1) To determine whether operation under the protested grant will cause harmful interference, as defined in Part 10 of the Commission's rules, to the operation of the mutual aid fire network of Cumberland County, Pennsylvania.

(2) To determine the facts with respect to the financial interest, if any, of the protestant in the radio facilities specified in the protested application.

(3) To determine whether the applicant has complied with the provisions of § 10.101 (a) of the Commission's rules governing the Public Safety Radio Services requiring cooperation in the selection of frequencies.

(4) To determine whether the applicant will have the necessary degree of ownership and control over the operation of the proposed facilities as to warrant its licensing in the public interest.

(5) To determine, in the light of evidence adduced on all other specified issues, whether the public interest, convenience, and necessity will be served by a grant of the subject application; and

It is further ordered, That the burden of proof on issues (1), (2) and (3) is placed on the protestant and the burden of proof on issues (4) and (5) is placed on the applicant; and

It is further ordered, That the Commissioners of Cumberland County, Pennsylvania, and the Chief, Safety and Special Radio Services Bureau are made parties to the proceeding herein; and

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant herein and the above parties hereto, shall, pursuant to § 1.387 of the Commission's rules, in person or by an attorney, within 20 days, of the mailing of this memorandum opinion and order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing, when determined, and present evidence on the issues specified in this memorandum opinion and order.

Adopted: March 6, 1957.

Released: March 12, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2023; Filed, Mar. 15, 1957; 8:49 a. m.]

[Docket No. 11945; FCC 57M-208]

BOROUGH OF LEMOYNE, PA.

ORDER SCHEDULING HEARING

In re application of Borough of Lemoyne, Pennsylvania, Lemoyne, Pennsylvania; Docket No. 11945, File No. 9350-PF-P/L-L; for authorization in the Fire Radio Service.

It is ordered, This 8th day of March 1957, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 8, 1957, in Washington, D. C.

Released: March 13, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2024; Filed, Mar. 15, 1957; 8:49 a. m.]

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[1] Hereinafter referred to as the protestant.
[2] Hereinafter referred to as the applicant.

[Mexican Change List No. 200]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

FEBRUARY 11, 1957.

Notification under the provisions of Part III, Section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican broadcast stations modifying the appendix containing assignments of Mexican broadcast stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Probable date of change or commencement of operation
		980 kilocycles				
XEIA	San Andres Tuxtla Veracruz (change in call letters from XETV).	250 w		U	IV	Feb. 11, 1957
XECC	Cuernavaca, Morelos (change in call letters from XEJC).	250 w		U	IV	Do.
		1110 kilocycles				
XEVS	Villa de Seris, Sonora (new)	250 w-D		U	II	Aug. 11, 1957
		1310 kilocycles				
XEEX	La Paz, Baja California (change in call letters from XEAL).	500 w		U	III-B	Feb. 11, 1957
		1320 kilocycles				
XENI	Nueva Italia, Michoacan (new)	1 kw D/250 w N		U	IV	Aug. 11, 1957
		1340 kilocycles				
XEJC	Cuernavaca, Morelos (new change from 980 kc. and increase power).	500 w D/250 w N		U	IV	Do.
XELU	Ciudad Serdan, Puebla (new)	250 w		U	IV	Do.
		1450 kilocycles				
XEGC	Sahuayo, Michoacan (increase power)	1000 w D/250 w N	ND	U	IV	May 11, 1957
		1540 kilocycles				
XENC	Celaya, Guanajuato (increase daytime power).	250 w N/1 kw D	ND	U	II	Do.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-2025; Filed, Mar. 15, 1957; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-12183]

MAGNOLIA PETROLEUM CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

MARCH 12, 1957.

Magnolia Petroleum Company (Magnolia) on February 11, 1957 tendered for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change undated.
Purchaser: Cities Service Gas Company.
Rate schedule designation: Supplement No. 2 to Magnolia's FPC Gas Rate Schedule No. 34.
Effective date: [1] March 14, 1957.

In support of the proposed increase, Magnolia states that the increased rate occurred under the provision of a letter agreement between the parties, to be effective as of July 6, 1954, and that the increase is necessary to offset the increased costs of production, exploration and development.

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

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's rules and regulations (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until August 14, 1957, and until such further time as it is made effective in the manner presented by the Natural Gas Act.

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

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

By the Commission.[1]

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-2001; Filed, Mar. 15, 1957; 8:46 a. m.]

[1] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Magnolia if later.

[Project No. 2225]

PUBLIC UTILITY DISTRICT NO. 1 OF PEND OREILLE COUNTY, WASHINGTON

NOTICE OF APPLICATION FOR LICENSE

MARCH 12, 1957.

Public notice is hereby given that Public Utility District No. 1 of Pend Oreille County, Washington, has filed application under the Federal Power Act (16 U. S. C. 791a-823r) for license for constructed Project No. 2225 located on Sullivan Lake, Outlet Creek, and Sullivan Creek, a tributary of Pend Oreille River, in the vicinity of the town of Metaline Falls, Pend Oreille County, Washington. The project known as the Sullivan Creek Power Project, consists of three dams about 25, 40, and 55 feet in height; respectively, creating three reservoirs which flood about 360 acres, and two conduits about 3.4 and 0.018 miles in length respectively.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is April 25, 1957. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-2002; Filed, Mar. 15, 1957; 8:46 a. m.]

[Project No. 2145]

PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASH.

ORDER FIXING HEARING

MARCH 14, 1957.

On July 12, 1956, the Commission issued an order issuing license (major) to Public Utility District No. 1 of Chelan County, Washington, hereinafter called Chelan, under section 4 (e) of the Federal Power Act, hereinafter called act, for proposed Project No. 2145, known as Rocky Reach Hydroelectric Power Project, to be located on the Columbia River, a navigable waterway of the United States, in Chelan and Douglas Counties, Washington, and affecting lands of the United States. On the same date, the

[1] Commissioner Digby dissenting.

Commission issued an order granting intervention to Public Utility District No. 1 of Douglas County, Washington (hereinafter called Douglas or Petitioner) in this proceeding.

On August 10, 1956, Douglas filed an application for rehearing by the Commission of its aforementioned order issuing a license to Chelan and requested modification of Article 42 of the license. By its order issued September 7, 1956, the Commission denied the application for rehearing.

Subsequently, Douglas filed in the United States Court of Appeals for the Ninth Circuit a petition for review of Article 42 of the Commission's order issuing the license. On February 28, 1957, the Court filed its opinion stating that "The cause must be remanded to the Commission with directions to grant a new hearing upon the questions presented by petitioner's protest and application for rehearing, * * *" In connection with this remand, the Court stated it saw no reason why its action called for a modification of any other provisions of the license, but that matter "is for the Commission to determine", citing F. P. C. v. Idaho Power Co., 344 U. S. 17, 20–21.

The Commission finds: It is appropriate in carrying out the directions of the United States Court of Appeals for the Ninth Circuit contained in its aforementioned opinion filed February 28, 1957, that a hearing be held upon the questions presented by Petitioner's protest and application for rehearing respecting Article 42 of the Commission's July 12, 1956, order issuing license (major) to Public District No. 1 of Chelan County, Washington, for Project No. 2145 as hereinafter provided.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 4 and 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held commencing April 3, 1957 at 10:00 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington 25, D. C., upon the questions presented by Petitioner's protest and application for rehearing respecting Article 42 of the Commission's July 12, 1956 order issuing license (major) to Public Utility District No. 1 of Chelan County, Washington, for Project No. 2145.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 57–2060; Filed, Mar. 15, 1957; 8:54 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 13, 1957.

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. 33385: *Asphalt and related commodities—Twin Cities Michigan and Wisconsin.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on asphalt (asphaltum), natural, by-products, or petroleum, other than paint, stain or varnish, tank-car loads, and coal tar and coal tar pitch, tank-car loads from Minneapolis, Minnesota Transfer and St. Paul, Minn., to points in Michigan and Wisconsin named or described in the application.

Grounds for relief: Modified short-line distance formula, market competition and circuitous routes.

Tariffs: Supplement 136 to Agent Prueter's tariff I. C. C. No. A–3910 and other schedules listed in the application.

FSA No. 33386: *Carbon Dioxide—From and to Points in Western Trunk Line Territory.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on carbon dioxide, solidified carloads, from Chicago and Peoria, Ill., Kansas City, Mo.-Kans., Lawrence and Military, Kans., to specified points in Colorado, Kansas, Illinois, Iowa, Missouri, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

Grounds for relief: Modified short-line distance formula.

Tariff: Supplement 79 to Agent Prueter's tariff I. C. C. A–4038 and other supplements to his and individual lines' tariffs listed in the application.

FSA No. 33387: *Chemicals—Houston, Tex., to Montgomery, Ala.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on benzene hexachloride and dichloro-disphenyltrichloroethane, straight or mixed carloads from Houston, Tex., to Montgomery, Ala.

Grounds for relief: Competition of barge-truck carriers and circuitous routes.

Tariff: Supplement 298 to Agent Kratzmeir's tariff I. C. C. 4139.

FSA No. 33388: *Soda Ash—Baton Rouge and North Baton Rouge, La., to Joliet and Ottawa, Ill.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on soda ash (other than modified soda ash), carloads from Baton Rouge and North Baton Rouge, La., to Joliet and Ottawa, Ill.

Grounds for relief: Circuitous routes in part west of the Mississippi River.

FSA No. 33389: *Petroleum Coke—Chicago, Ill., to Ontario.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on Coke, Petroleum; coke, pitch, petroleum coke breeze and petroleum coke screenings, carloads from Chicago, Ill., and specified points in Illinois and Indiana taking Chicago rates to Chippewa, Niagara Falls, Port Colburne, Thorold, and Welland, Ont., Canada.

Grounds for relief: Competition of water carriers on the Great Lakes, and circuitous routes.

Tariff: Supplement 51 to The Baltimore and Ohio Railroad Company's tariff I. C. C. 24271 and other schedules listed in the application.

FSA No. 33390: *Sand—Pennsylvania, Virginia and West Virginia Points to Laurens, S. C.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on sand, ground or pulverized and screened, carloads from Mapelton, McVeytown, Newton-Hamilton, Ryde and Silica Plant, Pa., Gore, Va., and Berkeley Springs, and Hancock, W. Va., to Laurens, S. C.

Grounds for relief: Modified short-line distance formula and circuitous routes.

Tariff: Supplement 40 to Agent C. W. Boin's tariff I. C. C. A–1079.

FSA No. 33391: *Latex—Akron, Ohio to Georgia Points.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on latex (liquid crude rubber), natural or synthetic, carloads from Akron, Ohio, to Cartersville, Cedartown, and Rockmart, Ga.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 49 to Agent Hinsch's tariff I. C. C. 4664.

FSA No. 33392: *Paper articles between Southwestern and Official and Southern Territories.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on paper facial cleansing tissues, toilet paper, paper napkins and paper towels, also sanitary pads, straight or mixed carloads between points in southwestern territory, on one hand, and points in southern and official (including Illinois) territories, on the other.

Grounds for relief: Short-line distance formulas and circuity.

Tariffs: Supplement 18 to Agent Kratzmeir's tariff I. C. C. 4222 and two other tariffs.

FSA No. 33393: *Liquefied petroleum gas—Illinois points to Winona, Minn.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on liquefied petroleum gas, tank-car loads from Centralia, Oil Center, Pana, St. Elmo, and Selmaville, Ill., to Winona, Minn.

Grounds for relief: Circuitous routes.

Tariff: Supplment 16 to Agent Prueter's tariff I. C. C. A–4083.

FSA No. 33394: *Phosphatic Clay—Florida to New Mexico.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on phosphatic clay, carloads from Dunnellton, Fla., and other points in Florida to specified points in New Mexico.

Grounds for relief: Short-line distance formula and circuitious routes.

Tariff: Supplement 32 to Agent Kratzmeir's tariff I. C. C. 3838.

FSA No. 33395: *Clay between points in Southern Territory.* Filed by O. W. South, Jr., Agent for interested rail carriers. Rates on clay, kaolin or pyrophyllite, carloads from specified points in Alabama, Florida, Georgia, North Carolina and South Carolina to Baton Rouge, La., and Aberdeen, Miss.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 62 to Agent Spaninger's tariff I. C. C. 1491.

FSA No. 33396: *Fullers Earth—Florida and Georgia points to Franconia, Va.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on fullers earth, carloads from Jamieson, Magnet Cove, Quincy, Fla., Attapulgus, Quality, Roddenbery, and Faceville, Ga., to Franconia, Va.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 62 to Agent Spaninger's tariff I. C. C. 1491.

FSA No. 33397: *Fullers Earth—Quincy, Fla., to Baton Rouge, La.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on fullers earth, carloads from Quincy, Fla., to Baton Rouge, La.

Grounds for relief: Circuitous routes.

Tariff: Supplement 62 to Agent Spaninger's tariff I. C. C. 1491.

FSA No. 33398: *Alcoholic liquors—Kentucky and Tennessee to Maine.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on liquors, alcoholic, vermouth and wine, carloads from specified points in Kentucky and Tennessee to Augusta and Hallowell, Maine.

Grounds for relief: Market competition and circuity.

Tariff: Supplement 17 to Agent Spaninger's tariff I. C. C. 1519.

By the Commission.

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

[F. R. Doc. 57-2003; Filed, Mar. 15, 1957; 8:46 a. m.]

SMALL BUSINESS ADMINISTRATION

Office of the Administrator

[Delegation of Authority 20 (Rev. 2), Amdt. 1]

DEPUTY ADMINISTRATOR FOR PROCUREMENT AND TECHNICAL ASSISTANCE

DELEGATION OF AUTHORITY WITH RESPECT TO SIZE STANDARD CERTIFICATES

Delegation of Authority No. 20 (Revision 2) is hereby amended by adding a new subsection as follows:

I. B. 4. To take any and all actions relating to matters involving Size Standard Certificates including the issuance or denial of such Certificates under the statutory or other authority of this Administration.

Dated: March 8, 1957.

WENDELL B. BARNES, *Administrator.*

[F. R. Doc. 57-2009; Filed, Mar. 15, 1957; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3560]

EASTERN UTILITIES ASSOCIATES ET AL.

ORDER AUTHORIZING ISSUANCE AND SALE OF COMMON STOCK BY REGISTERED HOLDING COMPANY

MARCH 12, 1957.

In the matter of Eastern Utilities Associates, Blackstone Valley Gas and Electric Company, Brockton Edison Company, Fall River Electric Light Company, File No. 70-3560.

Eastern Utilities Associates ("EUA"), a registered holding company, and its public-utility subsidiary companies, Blackstone Valley Gas and Electric Company ("Blackstone"), Brockton Edison Company ("Brockton"), and Fall River Electric Light Company ("Fall River") have filed with this Commission a joint application-declaration and amendments thereto pursuant to sections 6 (a), 6 (b), 7, 9 (a), 10, 12 (e), and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-43 and U-50 thereunder with respect, inter alia, to the following proposed transaction:

EUA proposes to issue and offer for sale to the holders of its outstanding common stock 89,322 additional common shares, and to use the proceeds to purchase its proportionate part of additional common shares to be issued and sold by Blackstone, Brockton, and Fall River. EUA requests that an order be issued forthwith permitting its declaration to become effective with respect to the proposed issuance and sale of its common stock, reserving for later authorization (after appropriate action by the State regulatory commission) the investment of the proceeds in additional common shares of its said subsidiaries. Jurisdiction will therefore be reserved with respect to all proposed transactions except the issuance and sale of common stock by EUA.

EUA's proposed common stock offering to its stockholders will be on the basis of one new common share for each 12 common shares held of record on March 20, 1957, with the privilege of subscribing for additional new shares, subject to allotment (in the event of oversubscription) on the basis of the primary subscription privilege. The subscription price will be determined by EUA shortly prior to the proposed offering, such price to be not less than 85 percent of the average bid price on the day preceding the day on which the price will be set. All unsubscribed shares will be sold to underwriters, selected pursuant to the competitive bidding requirements of Rule U-50.

Pursuant to Amended Reorganization Plan No. 4 of EUA, some of its common shares are held by a Distribution Agent for exchange for old convertible shares. Rights applicable to these common shares will be sold and the net proceeds held by the Distribution Agent and paid pro rata to the holders of such unexchanged convertible shares upon surrender thereof for exchange.

No State or Federal commission, other than this Commission, has jurisdiction over the proposed issue and sale by EUA of new common shares.

The record is incomplete with respect to the fees and expenses incurred or to be incurred in respect of the various proposals, and jurisdiction will be reserved with respect thereto.

Due notice having been given of the filing of said application-declaration (Holding Company Act Release No. 13396) and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied, and that no adverse findings are necessary in respect of the proposed issuance and sale of common stock by EUA; and deeming it appropriate in the public interest and in the interest of investors and consumers that the application-declaration, in so far as it relates to the issuance and sale of common stock by EUA, be granted and permitted to become effective forthwith, and that jurisdiction be reserved with respect to the remaning proposed transactions:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, to the extent that it relates to the issuance and sale of common stock by EUA, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rules U-50 and U-24.

It is further ordered, That jurisdiction be, and hereby is, reserved with respect to (1) all other transactions proposed in the application-declaration, and (2) all fees and expenses incurred or to be incurred in the premises.

By the Commission.

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

[F. R. Doc. 57-2004; Filed, Mar. 15, 1957; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service and Commodity Credit Corporation

SOIL BANK; ACREAGE RESERVE PROGRAM

FURTHER EXTENSION OF GRAZING PERIOD

By an announcement published in 22 F. R. 480, the Secretary of Agriculture, pursuant to section 103 (a) of the Soil Bank Act (70 Stat. 188, 189) and § 485.214 (c) of the regulations governing the 1957 acreage reserve part of the Soil Bank Program, 21 F. R. 10449, 22 F. R. 494, and 22 F. R. 971, consented to the grazing of land designated as acreage reserve on farms in certain counties named therein for the period from January 1, 1957, through January 31, 1957, which announcement was amended by a notice published in 22 F. R. 989, extending the period for such grazing through February 28, 1957, or through such earlier date as the producer would be notified in writing by the county Agricultural Stabilization and Conservation Committee.

Notice is hereby given that the period for grazing such lands is hereby further extended to cover the period from March 1, 1957, through April 15, 1957, or through such earlier date as the producer may be notified in writing by the county Agricultural Stabilization and Conservation Committee.

Issued at Washington, D. C., this 13th day of March 1957.

[SEAL] TRUE D. MORSE, *Acting Secretary.*

[F. R. Doc. 57-2036; Filed, Mar. 15, 1957; 8:52 a. m.]

Rural Electrification Administration

[Administrative Order 5672]

MISSISSIPPI

LOAN ANNOUNCEMENT

FEBRUARY 6, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mississippi 34T Leflore	$1,370,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1968; Filed, Mar. 14, 1957; 8:49 a. m.]

[Administrative Order 5673]

KENTUCKY

LOAN ANNOUNCEMENT

FEBRUARY 6, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 27W Boyle	$290,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1969; Filed, Mar. 14, 1957; 8:49 a. m.]

[Administrative Order 5674]

ARKANSAS

LOAN ANNOUNCEMENT

FEBRUARY 6, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Arkansas 21 AK Lincoln	$50,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1970; Filed, Mar. 14, 1957; 8:49 a. m.]

[Administrative Order 5675]

TEXAS

AMENDMENT TO LOAN ANNOUNCEMENT

FEBRUARY 6, 1957.

I hereby amend:

(a) Administrative Order No. 331, dated March 31, 1939, by reducing the allocation of $5,000 therein made for "Texas R9072W1 Lamar" by $3,587.32 so that the reduced allocation shall be $1,412.68; and

(b) Administrative Order No. 4939, dated April 13, 1955, by rescinding the loan of $50,000 therein made for "Texas 72R Lamar".

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1971; Filed, Mar. 14, 1957; 8:49 a. m.]

[Administrative Order 5676]

NORTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 8, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 43 S Jones	$500,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1972; Filed Mar. 14, 1957; 8:49 a. m.]

[Administrative Order 5677]

MISSISSIPPI

LOAN ANNOUNCEMENT

FEBRUARY 11, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mississippi 34U Leflore	$50,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1973; Filed, Mar. 14, 1957; 8:50 a. m.]

[Administrative Order 5678]

MINNESOTA

LOAN ANNOUNCEMENT

FEBRUARY 11, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 101G Clearwater	$100,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1974; Filed, Mar. 14, 1957; 8:50 a. m.]

[Administrative Order 5679]

MISSOURI

LOAN ANNOUNCEMENT

FEBRUARY 11, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 27R Andrew	$100,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1975; Filed, Mar. 14, 1957; 8:50 a. m.]

[Administrative Order 5680]

ALABAMA

LOAN ANNOUNCEMENT

FEBRUARY 11, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alabama 36K DeKalb	$781,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1976; Filed, Mar. 14, 1957; 8:50 a. m.]

[Administrative Order 5681]

KANSAS

LOAN ANNOUNCEMENT

FEBRUARY 12, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kansas 25 L Lyon	$205,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1977; Filed, Mar. 14, 1957; 8:50 a. m.]

[Administrative Order 5682]

OKLAHOMA

LOAN ANNOUNCEMENT

FEBRUARY 11, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting

through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 26V Harmon	$40,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1978; Filed, Mar. 14, 1957; 8:50 a. m.]

[Administrative Order 5683]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 12, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 28AB Williamsburg	$100,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1979; Filed, Mar. 14, 1957; 8:50 a. m.]

[Administrative Order 5684]

IDAHO

LOAN ANNOUNCEMENT

FEBRUARY 13, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Idaho 11M Kootenai	$890,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1980; Filed, Mar. 14, 1957; 8:51 a. m.]

[Administrative Order 5685]

GEORGIA

LOAN ANNOUNCEMENT

FEBRUARY 14, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Georgia 97P Dooly	$75,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1981; Filed, Mar. 14, 1957; 8:51 a. m.]

[Administrative Order 5686]

WYOMING

LOAN ANNOUNCEMENT

FEBRUARY 15, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wyoming 21 H Carbon	$48,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1982; Filed, Mar. 14, 1957; 8:51 a. m.]

[Administrative Order 5687]

OKLAHOMA

LOAN ANNOUNCEMENT

FEBRUARY 18, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 34M Texas	$160,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1983; Filed, Mar. 14, 1957; 8:51 a. m.]

[Administrative Order 5688]

OKLAHOMA

LOAN ANNOUNCEMENT

FEBRUARY 19, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 18X Beckham	$100,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1984; Filed, Mar. 14, 1957; 8:51 a. m.]

[Administrative Order 5689]

LOUISIANA

LOAN ANNOUNCEMENT

FEBRUARY 21, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Louisiana 8N Terrebonne	$565,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1985; Filed, Mar. 14, 1957; 8:51 a. m.]

[Administrative Order 5690]

OREGON

LOAN ANNOUNCEMENT

FEBRUARY 21, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oregon 41 B Harney	$292,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1986; Filed, Mar. 14, 1957; 8:52 a. m.]

[Administrative Order 5691]

MISSOURI

LOAN ANNOUNCEMENT

FEBRUARY 25, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 37U Bates	$594,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1987; Filed, Mar. 14, 1957; 8:52 a. m.]

[Administrative Order 5692]

NORTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 25, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 55 R Craven	$50,000

[SEAL] DAVID A. HAMIL,
Administrator.

[F. R. Doc. 57-1988; Filed, Mar. 14, 1957; 8:52 a. m.]

[Administrative Order 5693]

MISSISSIPPI

LOAN ANNOUNCEMENT

FEBRUARY 27, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mississippi 31T Washington	$540,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1989; Filed, Mar. 14, 1957; 8:52 a. m.]

[Administrative Order 5694]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 28, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 32T Calhoun	$225,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1990; Filed, Mar. 14, 1957; 8:52 a. m.]

[Administrative Order 5695]

MAINE

LOAN ANNOUNCEMENT

FEBRUARY 28, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Maine 16H Swan's Island	$5,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1991; Filed, Mar. 14, 1957; 8:52 a. m.]

[Administration Order 5696]

NEW MEXICO

AMENDMENT TO LOAN ANNOUNCEMENT

FEBRUARY 28, 1957.

Inasmuch as The Socorro Electric Cooperative, Inc., has transferred certain of its properties and assets to Plains Electric Generation and Transmission Cooperative, Inc., and Plains Electric Generation and Transmission Cooperative, Inc. has assumed in part the indebtedness to United States of America, of The Socorro Electric Cooperative, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 3748, dated July 1, 1952, by changing the project designation appearing therein as "New Mexico 20N Socorro" in the amount of $1,065,000 to read "New Mexico 20N Socorro" in the amount of $763,659.07 and "New Mexico 18TP1 Plains (New Mexico 20N Socorro)" in the amount of $301,340.93.

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1992; Filed, Mar. 14, 1957; 8:52 a. m.]

[Administrative Order 5697]

INDIANA

LOAN ANNOUNCEMENT

FEBRUARY 28, 1957.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 7S Whitley	$500,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 57-1993; Filed, Mar. 14, 1957; 8:52 a. m.]