FEDERAL REGISTER

VOLUME 22 NUMBER 102

Washington, Saturday, May 25, 1957

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter D—Regulations Under Soil Bank Act

PART 485—SOIL BANK

SUBPART—ACREAGE RESERVE PROGRAM

SUPPLEMENT II

For purposes of clarification, paragraph 5 of Supplement II (22 F. R. 2703) to the regulations governing the 1957 acreage reserve part of the Soil Bank Program is hereby amended by adding at the end thereof the sentence, "The foregoing provision is subject to the limitation that in no event shall the actual acreage of wheat exceed the permitted acreage by more than 60 acres." so that such paragraph 5 reads as follows:

5. A producer who has placed a part of his original wheat allotment in the 1957 Acreage Reserve Program will be in violation of his 1957 Acreage Reserve Agreement if he harvests more than the permitted acreage of wheat shown in his agreement, and, in the case of such violation, will be subject to forfeiture of all compensation and to the civil penalty prescribed in section 123 of the Soil Bank Act. However, in determining whether a producer who obtains an increased allotment for durum wheat has exceeded his permitted acreage under his Acreage Reserve Agreement, each acre of durum wheat will count as only one-half acre of wheat. The foregoing provision is subject to the limitation that in no event shall the actual acreage of wheat exceed the permitted acreage by more than 60 acres.

(Sec. 124, 70 Stat. 198; 7 U. S. C. 1812)

Issued at Washington, D. C., this 22d day of May 1957.

[SEAL] TRUE D. MORSE, *Acting Secretary.*

[F. R. Doc. 57-4266; Filed, May 24, 1957; 8:49 a. m.]

PART 485—SOIL BANK

SUBPART—ACREAGE RESERVE PROGRAM

COMPENSATION IN CASE OF SALE OR TRANSFER OF FARM OR CHANGE IN TENANTS

Section 485.228 of the regulations governing the 1957 acreage reserve part of the Soil Bank Program, 21 F. R. 10449, as amended and supplemented, is hereby amended as follows:

1. Paragraphs "(a)," "(b)," and "c)" of § 485.228 are redesignated "(b)," "(c)," and "(d)," respectively, and the following new paragraph is inserted immediately after the heading:

(a) *Cases not covered by this section.* In case all or a part of the farm is sold or transferred after the execution of an agreement, and the farm allotment for the commodity covered thereby is revised as a result of reconstitution, the provisions of § 485.229, shall apply.

2. Paragraph (b) (3) of § 485.228, as redesignated, is amended to read as follows:

(3) No compensation shall be paid to a buyer or successor unless he becomes a party to the acreage reserve agreement by executing a form prescribed by the Administrator for such purpose within 30 days after receiving notification from the county committee of his eligibility to execute such a form. If the buyer or successor in the case of the sale or transfer of an entire farm does not become a party to the agreement, the county committee may, upon the request of all producers who signed the original agreement, consent to the termination of the original agreement. Nothing herein shall be construed as a release of any producer from liability for civil penalties incurred by such producer prior to a termination under this section for having knowingly and wilfully harvested or grazed any crop from the acreage reserve in violation of the agreement.

(Sec. 124, 70 Stat. 198; 7 U. S. C. 1812)

Issued at Washington, D. C., this 22d day of May 1957.

[SEAL] TRUE D. MORSE, *Acting Secretary.*

[F. R. Doc. 57-4267; Filed, May 24, 1957; 8:49 a. m.]

CONTENTS

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

CONTENTS—Continued

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.

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

[Reg. T]

PART 220—CREDIT BY BROKERS, DEALERS AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

SPECIAL MISCELLANEOUS ACCOUNTS

Effective May 27, 1957, § 220.4 (f) (2) is hereby amended to read as follows:

(2) (i) Make loans, and may maintain loans, (*a*) to or for any partner of a firm which is a member of a national securities exchange to enable such partner to make a contribution of capital to such firm, or to purchase stock in an affiliated corporation of such firm; or (*b*) to or for any person who is or will become the holder of stock of a corporation which is a member of a national securities exchange to enable such person to purchase stock in such corporation, or to purchase stock in an affiliated corporation of such corporation; provided the lender as well as the borrower is a partner in such member firm or a stockholder in such member corporation, or the lender is a firm or corporation which is a member of a national securities exchange and the borrower is a partner in such firm or a stockholder in such corporation.

(ii) Make and maintain subordinated loans to another creditor for capital purposes, provided:

(*a*) Either the lender or the borrower is a firm or corporation which is a member of a national securities exchange, the other party to the loan is an affiliated corporation of such member firm or corporation, and, in addition to the fact that an appropriate committee of the exchange is satisfied that the loan is not in contravention of any rule of the exchange, the loan has the approval of such committee, or

(*b*) The lender as well as the borrower is a member of such exchange, the loan has the approval of an appropriate committee of the exchange, and the committee, in addition to being satisfied that the loan is not in contravention of any rule of the exchange is satisfied that the loan is outside the ordinary course of the lender's business, and that, if the borrower's firm or corporation or an affiliated corporation of such firm or corporation does any dealing in securities for its own account, the loan is not for the purpose of increasing the amount of such dealing.

(iii) For the purpose of subdivisions (i) and (ii) of this subparagraph, the term "affiliated corporation" means a corporation all the common stock of which is owned directly or indirectly by the member firm or general partners and employees of the firm, or by the member corporation or holders of voting stock and employees of the corporation and an appropriate committee of the exchange has approved the member firm's or member corporation's affiliation with such affiliated corporation.

This amendment to § 220.4 (f) (2) is issued pursuant to the Securities Exchange Act of 1934, particularly section 7 thereof. The purpose of this amendment is to make the permissive provisions of the section applicable to certain additional types of loans for capital purposes, particularly certain such loans between a member firm or member corporation of an exchange and its corporate affiliate.

The amendment set forth herein was the subject of a notice of proposed rulemaking published in the FEDERAL REGISTER (22 F. R. 1991), pursuant to section 4 of the Administrative Procedure Act, and was adopted by the Board after consideration of all relevant matter, including the data, views and arguments received from interested persons. The 30-day prior publication described in section 4 (c) of the Administrative Procedure Act is not followed in connection with this amendment for the reasons and good cause found as stated in the Board's rules of practice (12 CFR 262.2 (e)), and especially because in connection with this permissive amendment such procedure is unnecessary as it would not aid the persons affected and would serve no other useful purpose.

(Sec. 11, 38 Stat. 262; 12 U. S. C. 248. Interprets or applies secs. 3, 7, 8, 17, 23, 48 Stat. 882, 886, 888, 897, 901, as amended; 15 U. S. C. 78c, 78g, 78h, 78q, 78w)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 57-4272; Filed, May 24, 1957; 8:50 a. m.]

TITLE 7—AGRICULTURE

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

PART 728—WHEAT

REDESIGNATION OF SECTIONS

1. In F. R. Doc. 56-6545, appearing at page 6056 of the issue of Tuesday, August 14, 1956, § 728.725 is redesignated § 728.727. Section 728.725 appearing at 21 F. R. 3305 remains in effect.

2. In F. R. Doc. 57-3005, appearing at pages 2519 and 2521 of the issue of Saturday, April 13, 1957, § 728.725 is redesignated § 728.726. Section 728.725 appearing at 21 F. R. 3305 remains in effect.

Done at Washington, D. C., this 22d day of May 1957. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-4271; Filed, May 24, 1957; 8:50 a. m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter A—Practice and Procedure

PART 801—RULES OF PRACTICE AND PROCEDURE GOVERNING PROCEEDINGS TO ALLOT SUGAR QUOTAS, AND TO DETERMINE PROCESSES AND QUALITIES DISTINGUISHING RAW SUGAR AND DIRECT-CONSUMPTION SUGAR

MISCELLANEOUS AMENDMENTS

Basis and purpose. The amendments herein are based on the provisions of the Sugar Act of 1948, as amended (61 Stat. 922, as amended; 7 U. S. C. 1100), and of the Administrative Procedure Act (60 Stat. 237, as amended; 5 U. S. C. 1001). The purpose of the amendments is to enable the Secretary, at his option in those proceedings where an Administrator's recommended decision has been filed, to issue a tentative decision and afford interested persons an opportunity to file exceptions to the tentative decision prior to the issuance of a final determination or regulation.

Since the amendments herein pertain to procedural regulations and provide an optional procedure by the Secretary prior to the issuance of his final determination or regulation, and in order that proceedings now pending under such procedural regulations may be brought to a close without undue delay, it is hereby found and determined that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 238, 5 U. S. C. 1003) is unnecessary and contrary to the public interest and the amendments contained herein shall be effective upon publication in the FEDERAL REGISTER.

Section 801.14, Chapter VIII, Title 7 of the Code of Federal Regulations (21 F. R. 4251), is hereby amended by changing the heading of such section to read *"Submission to Secretary and issuance of tentative decision by Secretary"*; by inserting "(a)" immediately following such heading; by striking out of the second sentence "(a)", "(b)", "(c)" and "(d)" and in lieu thereof inserting "(1)", "(2)", "(3)", and "(4)", respectively; and by adding the following new paragraph:

(b) In cases where an Administrator's recommended decision is a part of the record of the proceeding transmitted to the Secretary as provided in paragraph (a) of this section, the Secretary, in his discretion, may file with the Hearing Clerk a tentative decision which shall set forth a brief history of the proceedings; a statement of his tentative findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law or discretion presented on the record; a tentative ruling upon any exceptions to the Administrator's recommended decision filed by interested persons; and a tentative determination or regulation. Immediately following the filing of his tentative decision, the Secretary shall give notice thereof, and opportunity to file exceptions thereto,

to all interested persons as hereinbefore provided in § 801.5 (a).

Within a period of time specified in such notice of not less than 10 days after the date of publication of the notice in the FEDERAL REGISTER, any interested person may file with the Hearing Clerk written exceptions to the tentative decision of the Secretary with supporting reasons for such exceptions and suggested appropriate changes in the tentative determination or regulation. The tentative decision of the Secretary, if any, and exceptions thereto filed by interested persons shall be a part of the record of the proceeding. Nothing in this section shall be deemed to require the Secretary to issue a tentative decision.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 8, 60 Stat. 242, secs. 101, 205, 61 Stat. 922, as amended, 926, as amended; 5 U. S. C. 1007, 7 U. S. C. 1101, 1115)

Done at Washington, D. C., this 22d day of May 1957. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-4269; Filed, May 24, 1957; 8:49 a. m.]

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 814.24, Amdt. 1]

PART 814—ALLOTMENT OF SUGAR QUOTAS

MAINLAND CANE SUGAR AREA, 1957

Basis and purpose. This allotment order is issued under section 205 (a) of the Sugar Act of 1948, as amended (7 U. S. C. 1100 et seq., hereinafter called the "act") for the purpose of allotting the 1957 sugar quota for the Mainland Cane Sugar Area. The basis and purpose of the order are more fully explained below.

Effective date. Allotments established by this order are in some cases smaller and in others larger than the allotments established in § 814.24. To limit the marketings of those receiving smaller allotments, and to afford those receiving increased allotments adequate opportunity to market the additional quantities of sugar in an orderly manner, it is imperative that this order be effective as soon as possible. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237), is impracticable and contrary to the public interest and, consequently, this order shall be effective when published in the FEDERAL REGISTER.

Preliminary statement. Section 205 (a) of the act requires the Secretary to allot a quota whenever he finds that the allotment is necessary, among other things to (1) prevent disorderly marketing of sugar or liquid sugar and (2) afford all interested persons an equitable opportunity to market sugar or liquid sugar. Section 205 (a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may prescribe.

Pursuant to the applicable rules of practice and procedure (21 F. R. 4251), a preliminary finding was made that allotment of the quota is necessary, and a notice was published on March 1, 1957 (22 F. R. 1298), of a public hearing to be held at New Orleans, Louisiana, in the Monteleone Hotel, on March 15, 1957, at 10:00 a. m., c. s. t., for the purpose of receiving evidence to enable the Secretary (1) to affirm, modify or revoke the preliminary finding of necessity for allotments; (2) to establish fair, efficient and equitable allotments of the 1957 quota for the Mainland Cane Sugar Area for the calendar year 1957; (3) to revise or amend the allotment of the quota for the purpose of (a) allotting any increase or decrease in the quota, (b) prorating any deficit in the allotment for any allottee and (c) substituting final data for estimates of such data; and (4) make provisions for the transfer and exchange of allotments. The hearing was held at the place and time specified in the notice.

Based upon the record of the hearing and pursuant to the applicable rules of practice and procedure, the Associate Administrator, Commodity Stabilization Service, United States Department of Agriculture, on May 3, 1957, filed a recommended decision and proposed order (22 F. R. 3161) with respect to the allotment of the 1957 sugar quota for the Mainland Cane Sugar Area with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C. Notice of such filing and opportunity to file exceptions thereto were given to all interested persons in the manner provided in the rules of practice and procedure (21 F. R. 4520). In arriving at the findings, conclusions and regulatory provisions of this order, the exception filed to the findings, conclusions and actions recommended by the Associate Administrator, and the proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that findings, conclusions and actions decided upon herein are at variance with the exception filed to the recommended decision, such exception is overruled.

Basis for findings and conclusions. Section 205 (a) of the act reads in pertinent part as follows:

* * * Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of Section 302, pertained; the last marketings or importations of each such person and the ability of such person to market or import that portion of such quota or proration thereof allotted to him * * *.

The record of the hearing indicates that the prospective supply of mainland cane sugar available for marketing in 1957 exceeds the quota for that area to an extent that allotment of the quota is necessary (R. 8).

All three factors specified in the provisions of law quoted above have been considered and each is given a percentile weighting by the formula on which this allotment of the 1957 Mainland Cane Sugar Area quota is based. That formula follows the proposal made in the record in regard to the measures and weightings of factors to be used for determining allotments (R. 20, 21; Ex. 8) and all processors of the area joined in recommending its adoption (R. 26) and no separate Government proposal was made.

The Government witness introduced for the record annual data on processings, past marketings and inventories for the period 1948 through 1956 (R. 9, 11; Ex. 5, 6).

The record of the hearing contains only a single proposal or recommendation on each of the matters with respect to which a finding or conclusion is made in this order, and each such proposal or recommendation either was concurred in by all interested persons or no alternative proposal was made.

Findings and conclusions. On the basis of the record of the hearing, I hereby find and conclude that:

(1) January 1, 1957, effective inventories of mainland cane sugar approximate 350,000 short tons, raw value. With a quota of 601,250 tons, such inventories limit 1957 marketings of 1957-crop mainland cane sugar to about 250,000 tons. New-crop marketings during the period 1948–52, when marketings were unrestricted, ranged from a low of about 275,000 tons to a high of about 435,000. Thus, the supply of sugar available for marketing in 1957 is expected to greatly exceed any statutory quota that may be established.

(2) The supply situation makes necessary the allotment of the 1957 sugar quota for the Mainland Cane Sugar Area to assure an orderly flow of such sugar in the channels of interstate commerce, to prevent disorderly marketing of sugar, and to afford all interested persons equitable opportunities to market sugar within the quota.

(3) Processings of all sugar from 1956-crop sugarcane by each processor, exclusive of known quantities of sugar produced from sugarcane to which proportionate shares did not pertain, is a fair, efficient and equitable measure of processings of sugar from the 1956-crop of sugarcane to which proportionate shares pertained.

(4) An allotment of 100 short tons, raw value, should be established for the Louisiana State University and the balance of any quota, established for the area should be allotted in accordance with the method set forth in (5) and (6), below.

(5) For processors other than the Louisiana State University each of the three factors specified in section 205 (a) of the act shall be measured and weighted, and allotments determined as follows, based on data in the hearing record and final data of which official notice will be taken.

(a) The factor processings from proportionate shares should be measured by each processor's production of sugar from 1956-crop sugarcane, in short tons, raw value, exclusive of known quantities of sugar produced from sugarcane to which proportionate shares did not pertain, expressed as a percentage of the total of the measure for all processors, and weighted by 60 percent.

(b) The factor past marketings should be measured by each processor's average annual marketings within his allotment for the years 1952 through 1956, in short tons, raw value, expressed as a percentage of the total for all processors of the measure, and weighted by 20 percent.

(c) The factor ability to market should be measured by the sum of (1) each processor's January 1, 1957, effective inventory and (2) his share of the difference between 601,150 short tons, raw value, and total January 1, 1957, effective inventories of all processors. Each processor's share of such difference shall be determined by applying to the area total difference the percentage that his average 1952–56 new-crop marketings within the processor's allotments were of the area average. The sum of (1) and (2), above, in short tons, raw value, expressed as a percentage of the total of the measure of all processors should be weighted by 20 percent.

(d) The total of the percentages resulting from (a), (b) and (c), above, for each processor should be multiplied by the quota, or portion thereof, to be allotted to determine his allotment in short tons, raw value.

(6) The quantities of sugar and the percentages referred to in paragraph (5), above, based on data involving estimates for 1956-crop processings, 1956 marketings and January 1, 1957, inventories which should be used in determining allotments pending the availability and substitution of final data for such estimates, and as adjusted for findings made in (7), (8) and (9), are set forth in the following table:

Processor	Processings of sugar from 1956-crop cane		Past marketings average within allotments, 1952–56		Ability to market					Processor's percentage share of quota to be alloted [2]
					Effective inventory 1-1-57	New-crop marketings		Measures used		
	Short tons, raw value	Percent of total	Short tons, raw value	Percent of total		Average within allotments 1952–56	"Shares" of Difference [1]	Col. (5) plus col. (7)	Percent of total	
					Short tons, raw value					
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Albania Sugar Coop., Inc.	5,961	1.084	5,763	1.070	2,521	4,382	4,155	6,676	1.111	1.087
Alma Plantation, Ltd.	7,754	1.410	6,366	1.182	3,907	4,954	4,698	8,605	1.431	1.369
J. Aron & Co., Inc.	12,238	2.226	11,516	2.139	5,779	8,224	7,798	13,577	2.259	2.215
Billeaud Sugar Factory	7,512	1.366	8,237	1.530	1,807	6,850	6,495	8,302	1.381	1.402
Breaux Bridge Sugar Coop., Inc.	6,064	1.103	6,594	1.225	1,778	5,307	5,032	6,810	1.133	1.133
J. M. Burguieres Co., Ltd., The	7,414	1.348	5,565	1.034	4,141	4,169	3,953	8,094	1.346	1.285
Burton-Sutton Oil Co., Inc.	7,462	1.357	5,684	1.056	6,544	1,170	1,109	7,653	1.273	1.280
Caire & Graugnard	3,039	.553	3,090	.574	889	2,576	2,443	3,332	.554	.557
Caldwell Sugar Coop., Inc.	9,920	1.804	10,152	1.886	5,015	6,268	5,943	10,958	1.823	1.824
Catherine Sugar Co., Inc.	7,327	1.333	8,198	1.523	2,781	6,028	5,716	8,497	1.413	1.387
Columbia Sugar Co.	5,733	1.043	4,815	.894	3,993	1,907	1,808	5,801	.965	.998
Cora-Texas Mfg. Co., Inc.	2,662	.484	2,143	.398	1,725	1,160	1,100	2,825	.470	.464
Dugas & LeBlanc, Ltd.	11,313	2.058	10,250	1.904	5,105	7,493	7,105	12,210	2.031	2.022
Duhe & Bourgeois Sugar Co., Inc.	9,135	1.661	7,532	1.399	4,934	5,297	5,023	9,957	1.656	1.608
Erath Sugar Co., Ltd.	4,352	.791	4,892	.909	846	4,189	3,972	4,818	.801	.817
Evan Hall Sugar Coop., Inc.	19,967	3.631	18,252	3.390	9,289	13,554	12,852	22,141	3.683	3.593
Evangeline Pepper & Food Prod., Inc.	4,232	.770	4,883	.907	704	4,214	3,996	4,700	.782	.800
Fellsmere Sugar Prod. Assoc.	6,400	1.164	8,765	1.628	6,831	605	574	7,405	1.232	1.270
Frisco Cane Co., Inc.	780	.142	728	.135	514	480	455	969	.161	.144
Glenwood Coop., Inc.	14,046	2.555	12,869	2.390	7,559	7,814	7,409	14,968	2.490	2.509
Gulf States Land & Industries, Inc.	18,159	3.303	18,993	3.528	9,975	9,715	9,212	19,187	3.192	3.326
Helvetia Sugar Coop., Inc.	8,384	1.525	5,975	1.110	4,962	4,540	4,305	9,267	1.542	1.445
Iberia Sugar Coop., Inc.	13,183	2.398	12,796	2.377	4,480	10,491	9,948	14,428	2.400	2.394
LaFourche Sugar Company	13,112	2.385	12,862	2.389	6,038	8,861	8,402	14,440	2.402	2.389
Harry L. Laws & Co., Inc.	9,999	1.819	8,287	1.539	5,402	6,046	5,733	11,135	1.852	1.769
Levert-St. John, Inc.	7,947	1.445	9,070	1.685	1,207	7,983	7,570	8,777	1.460	1.496
Loisel Sugar Co., Inc.	4,793	.872	5,916	1,099	877	4,448	4,218	5,095	.848	.913
Louisiana State Penitentiary	2,747	.500	2,837	.527	901	1,940	1,840	2,741	.456	.497
Lula Factory, Inc.	10,008	1.820	10,375	1.927	3,642	7,968	7,555	11,197	1.863	1.850
Meeker Sugar Coop., Inc.	4,472	.813	3,221	.598	2,348	2,573	2,440	4,788	.796	.767
Milliken & Farwell, Inc.	11,790	2.144	10,720	1.991	6,810	6,122	5,805	12,615	2.099	2.104
National Sugar Refining Co., The	11,714	2.130	12,662	2.352	6,258	6,477	6,142	12,400	2.063	2,161
Okeelanta Sugar Refinery, Inc.	15,000	2.728	11,809	2.193	15,873	996	944	16,817	2.797	2.635
M. A. Patout & Son, Ltd.	8,902	1.619	7,903	1.468	3,590	6,324	5,997	9,587	1.595	1.584
Poplar Grove Pltg. & Ref. Co., Inc.	6,580	1.197	5,947	1.104	2,931	4,632	4,392	7,323	1.218	1.183
St. James Sugar Coop., Inc.	11,465	2.085	10,545	1.959	5,849	7,467	7,080	12,929	2.151	2.073
St. Mary Sugar Coop., Inc.	11,061	2.012	11,755	2.183	2,314	10,176	9,649	11,963	1.990	2.042
South Coast Corp.	38,826	7.061	38,715	7.191	22,999	18,772	17,800	40,799	6.787	7.032
Southdown Sugars, Inc.	37,897	6.892	37,628	6.989	27,251	11,948	11,329	38,580	6.418	6.816
Sterling Sugars, Inc.	18,618	3.386	15,731	2.922	10,181	10,992	10,423	20,604	3.427	3.301
J. Supple's Sons Pltg. Co., Inc.	4,859	.884	3,732	.693	3,081	2,261	2,144	5,225	.869	.843
United States Sugar Corp.	98,000	17.823	102,625	19.061	104,292	7,545	7,154	111,446	18.539	18.214
Valentine Sugars, Inc.	8,711	1.584	11,011	2.045	5,235	4,438	4,208	9,443	1.571	1.673
Vermilion Sugar Co., Inc.	2,119	.385	2,477	.460	000	2,371	2,248	2,248	.374	.398
Vida Sugars, Inc.	3,949	.718	4,357	.809	643	3,858	3,658	4,301	.715	.736
A. Wilbert's Sons Lbr. & Sh. Co.	8,718	1.586	7,636	1.418	4,469	5,397	5,118	9,587	1.595	1.554
Young's Industries, Inc.	5,514	1.003	6,514	1.210	958	5,244	4,972	5,930	.986	1.041
Total	549,838	100.000	538,393	100.000	339,228	276,226	261,922	601,150	100.000	100.000

[1] The difference between 601,150 tons (quota established by S. R. 811, Amdt. 1, amounting to 601,250 tons less 100-ton allotment to Louisiana State University) and 339,228 tons (January 1, 1957, effective inventory) amounting to 261,922 tons prorated on the basis of each processor's 1952–56 average new-crop marketings within allotments (Col. 6).

[2] Determined by weighting "processings" (Col. 2) by 60 percent "marketings" (Col. 4) by 20 percent; and "ability" (Col. 9) by 20 percent.

(7) Sterling Sugars, Inc., shall succeed to all interest in the historical data, pertinent to determining allotments, of the former allottee, Alice C. Plantation and Refinery, Inc.

(8) The following processors shall succeed to the interest in the historical data, pertinent to determining allotments, of the former allottee, Slack Bros., Inc., to the extent shown: Alma Plantation, Ltd., 0.689 percent; Catherine Sugar Company, Inc., 76.928 percent; Milliken and Farwell, Inc., 5.854 percent, and Poplar Grove Planting and Refining Co., 16.529 percent.

(9) The following processors shall succeed to the interest in the historical data, pertinent to determining allotments, of the former allottee, Smedes Bros., Inc., to the extent shown: Albania Sugar Co., Inc., 2.857 percent; Billeaud Sugar Factory, 16.504 percent; Breaux Bridge Sugar Coop., Inc., 3.798 percent; Columbia Sugar Co., 0.471 percent; The J. M. Burguieres Sugar Co., Inc., 9.479 percent; Duhe & Bourgeois Sugar Co., Inc., 4.739 percent; Erath Sugar Co., Ltd., 7.127 percent; Evangeline Pepper & Food Products, Inc., 6.151 percent; Iberia Sugar Coop., Inc., 9.479 percent; Levert-

St. John, Inc., 7.126 percent; Loisel Sugar Co., Inc., 6.655 percent; M. A. Patout & Sons, Ltd., 9.479 percent; Vermilion Sugar Co., Inc., 2.387 percent, and Young's Industries, Inc., 13.748 percent.

(10) To prevent any allottee from marketing a quantity of sugar in excess of his final 1957 allotment to be established later on the basis of final data, allotments established by this order should be limited to 90 percent of the quota of 601,250 short tons, raw value, established in S. R. 811, Amendment 1 (22 F. R. 369, 423), pending the allotment of the quota based upon final data and any allotment order based on final data should limit either allotments or marketings chargeable to allotments to conform with limitations on the use of quota established in § 811.86 of S. R. 811 (21 F. R. 10332).

(11) The order shall be revised without further notice or hearing, for the purpose of (a) substituting final data for estimated data on 1956-crop processings, 1956-marketings and January 1, 1957, inventories used in measuring the factors, when such data become part of the official records of the Department; (b) allotting any quantity of an allotment to other allottees, when written notification of release of such allotment becomes part of the official records of the Department; (c) allotting any area deficit to which the Mainland Cane Sugar Area may become beneficiary and (d) making allotments to give effect to any change in quota due to action pursuant to sections 201 and 202 (a) of the act. Revisions of allotments due to a change referred to in (b), (c) or (d), above, shall be made by increasing or decreasing proportionately, the allotments otherwise established by this proceeding except that the quantity prorated to any allottee shall be limited in accordance with statements in writing from allottees releasing allotments in excess of specific quantities.

(12) Official notice will be taken of written notification to the Sugar Division by an allottee that he is unable to fill part of his allotment when the notification becomes a part of the official records of the Department, any regulation issued by the Secretary which changes the 1957 Mainland Cane Sugar Area quota or limits the use of a portion of such quota, and final data for 1956-crop processings, 1956 marketings and January 1, 1957, inventories that become a part of the official records of the Department.

(13) To facilitate full and effective use of allotments, provision shall be made in the order for transfer of allotments under circumstances of a succession of interest, and under circumstances involving an allottee becoming unable to process sugarcane and such sugarcane as he would normally process, if operating, is processed by other allottees.

(14) To aid in the efficient movement and storage of sugar, provision shall be made to enable a processor to market a quantity of sugar of his own production in excess of his allotment equivalent to the quantity of sugar which he holds in storage and which was acquired by him within the allotment of another allottee of the 1957 Mainland Cane Sugar Area quota.

(15) Allotments established in the foregoing manner and in the amounts set forth in the order provide a fair, efficient and equitable distribution of any 1957 quota that may be established for the Mainland Cane Sugar Area as required by section 205 (a) of the act.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, it is hereby ordered that § 814.24 be amended to read as follows:

§ 814.24 *Allotment of the 1957 sugar quota for the Mainland Cane Sugar Area*—(a) *Allotments.* The 1957 sugar quota for the Mainland Cane Sugar Area is hereby allotted, to the extent shown in this section, to the following processors in amounts which appear opposite their respective names:

Processors	Allotments (short tons, raw value)
Albania Sugar Coop., Inc	5,881
Alma Plantation, Ltd	7,407
J. Aron & Co., Inc	11,984
Billeaud Sugar Factory	7,585
Breaux Bridge Sugar Coop	6,130
J. M. Burguieres Co., Ltd., The	6,952
Burton-Sutton Oil Co., Inc	6,925
Caire & Graugnard	3,014
Caldwell Sugar Coop., Inc	9,868
Catherine Sugar Co., Inc	7,504
Columbia Sugar Company	5,400
Cora-Texas Mfg. Co., Inc	2,510
Dugas & LeBlanc, Ltd	10,940
Duhe & Bourgeois Sugar Co., Inc	8,700
Erath Sugar Co., Ltd	4,420
Evan Hall Sugar Coop., Inc	19,439
Evangeline Pepper & Food Products, Inc	4,328
Fellsmere Sugar Producers Assoc	6,871
Frisco Cane Co., Inc	779
Glenwood Coop., Inc	13,575
Gulf States Land & Industries, Inc	17,995
Helvetia Sugar Coop., Inc	7,818
Iberia Sugar Coop., Inc	12,952
LaFourche Sugar Company	12,925
Harry L. Laws & Co., Inc	9,571
Levert-St. John, Inc	8,094
Loisel Sugar Co., Inc	4,940
Louisiana State Penitentiary	2,689
Lula Factory, Inc	10,009
Meeker Sugar Coop., Inc	4,150
Milliken & Farwell, Inc	11,383
National Sugar Refining Co	11,692
Okeelanta Sugar Refinery, Inc	14,256
M. A. Patout & Son, Ltd	8,570
Poplar Grove Pltg. & Ref. Co., Inc	6,400
St. James Sugar Coop., Inc	11,216
St. Mary Sugar Coop., Inc	11,048
South Coast Corp	38,046
Southdown Sugars, Inc	36,877
Sterling Sugars, Inc	17,860
J. Supple's Sons Pltg. Co., Inc	4,561
United States Sugar Corp	98,544
Valentine Sugars, Inc	9,052
Vermilion Sugar Co., Inc	2,153
Vida Sugars, Inc	3,982
A. Wilbert's Sons Lbr. & Sh. Co	8,408
Young's Industries, Inc	5,632
Louisiana State University	90
All other persons	00
Subtotal	541,125
Unallotted	60,125
Total	601,250

(b) *Restrictions on shipment and marketing.* During the calendar year 1957 each person named in paragraph (a) of this section, and any other person, is hereby prohibited from marketing in interstate commerce or in competition with sugar or liquid sugar shipped, transported or marketed in interstate commerce or foreign commerce, any sugar or liquid sugar produced from sugarcane grown in the Mainland Cane Sugar Area in excess of his allotment established in paragraph (a) of this section.

(c) *Transfer of allotments.* The Director of the Sugar Division, Commodity Stabilization Service, of the Department, may permit marketings to be made by one allottee, or other person, within the allotment established for another allottee upon relinquishment by such allottee of a quantity of its allotment and upon receipt of evidence satisfactory to the Director that (1) a merger, consolidation, transfer of sugar-processing facilities, or other action of similar effect upon the allottees or persons involved has occurred, or (2) the allottee receiving such permission will process 1957-crop sugarcane which the allottee relinquishing allotment has become unable to process.

(d) *Exchanges of sugar between allottees.* When approved in writing by the Director of the Sugar Division, or the Chief of the Quota and Allotment Branch thereof, Commodity Stabilization Service of the Department, any allottee holding sugar or liquid sugar acquired by him within the allotment of another person established in paragraph (a) of this section, may ship, transport or market up to an equivalent quantity of sugar processed by him in excess of his allotment established in paragraph (a) of this section. The sugar or liquid sugar held under this paragraph shall be subject to all other provisions of this section as if it had been processed by the allottee who acquired it for the purpose authorized by this paragraph.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 205, 209; 61 Stat. 926, as amended, 928; 7 U. S. C. 1115, 1119)

Done at Washington, D. C., this 22d day of May 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-4270; Filed, May 24, 1957; 8:50 a. m.]

Subchapter I—Determination of Prices

PART 871—SUGAR BEETS

1957 CROP

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation, and due consideration of evidence presented at the public hearings held in December 1956 (for southern Oregon, California, southwestern Arizona, and western Nevada), and during January 1957 (for States other than those regions), the following determination is hereby issued:

§ 871.10 *Fair and reasonable prices for the 1957 crop of sugar beets.* A producer of sugar beets who is also a processor of sugar beets (herein referred to as "processor") shall have paid, or contracted to pay for sugar beets of the 1957

crop grown by other producers and processed by him, in accordance with the following requirements:

(a) Purchase agreements: (1) The price for sugar beets in regions other than Imperial Valley, California, shall be not less than that determined pursuant to the 1957 crop sugar beet purchase contract between the processor and producers; (2) the price for sugar beets in Imperial Valley, California, shall be not less than that determined pursuant to the 1957 crop sugar beet purchase contract which may be negotiated between the processor and producers, unless the Secretary gives public notice prior to December 31, 1957, that such price is found not to be fair and reasonable, or the price for sugar beets in Imperial Valley, California, is otherwise determined by an amendment to this determination.

(b) The requirements of this section are applicable to all sugar beets grown by a producer and processed by the processor for the extraction of sugar or liquid sugar: *Provided,* That such requirements shall not apply with respect to sugar beets grown on acreage in excess of the proportionate share for the farm if such sugar beets are marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed.

(c) Subterfuge: The processor shall not reduce returns to producers below those determined herein through any subterfuge or device whatsoever.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination establishes the fair and reasonable price requirements which must be met, as one of the conditions for payment under the act, by a producer who processes sugar beets of the 1957 crop grown by other producers.

(b) *Requirements of the act.* Section 301 (c) (2) of the act provides that the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

(c) *1957 fair price determination.* The 1957 price determination provides that in regions other than Imperial Valley, California, a processor shall be deemed to have complied with the fair price provisions of the act if he has paid, or contracted to pay, prices for sugar beets not less than those determined pursuant to his 1957 crop purchase contracts with producers. The price for 1957 crop sugar beets in Imperial Valley, California, shall be that determined pursuant to purchase contracts which may be negotiated between the processor and producers unless such price is deemed to be inequitable or a contract is not negotiated.

At the public hearings producers and processors reported that the majority of 1957 crop purchase contracts had been negotiated and that such contracts were substantially the same as the 1956 crop contracts. Consideration has been given to this testimony, to the results of investigations covering economic conditions, to the volume of production, to estimated price levels during the production and marketing of the 1957 crop of sugar beets, and to comparative operating results of processors and producers. The analysis indicates that prices payable for sugar beets in the 1957 crop purchase contracts are fair and reasonable at average prices of sugar which may be expected during the marketing season.

An analysis of the 1957 crop sugar beet purchase contracts which have been negotiated by producers and processors, indicates that the scales of payments for sugar beets are the same as those provided in the 1956 crop contracts. Changes have been made in a few contracts relating to the furnishing of sugar beet seed, freight allowances, and a provision in one contract requiring individual producers to stockpile beets on the farm during periods when deliveries of sugar beets would cause a congestion at the factory. In such instances, the processor pays producers a stated amount per ton of sugar beets for stockpiling. The effect of the changes on the returns to producers for 1957 crop sugar beets is deemed to be nominal.

Purchase contracts for the Imperial Valley (California) for the 1957 crop (to be planted in the fall of 1957 and harvested in 1958) have not been negotiated and, therefore, were not available for examination. When the contracts covering the purchase of sugar beets in this region are negotiated and are received by the Department, they will be analyzed to determine whether the terms and conditions provide for an equitable sharing relationship. If the contracts are found to be fair and reasonable, no amendment to this determination will be required. However, if any of the contracts do not provide for an equitable sharing of returns or no contract is negotiated, an amendment to this determination will be issued.

Accordingly, I hereby find and conclude that the foregoing price determination will effectuate the price provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. 1131)

Issued this 22d day of May 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-4268; Filed, May 24, 1957; 8:49 a. m.]

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

[Valencia Orange Reg. 103]

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

LIMITATION OF HANDLING

§ 922.403 *Valencia Orange Regulation 103*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 23, 1957.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Ari-

zona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., May 26, 1957, and ending at 12:01 a. m., P. s. t., June 2, 1957, are hereby fixed as follows:

(i) District 1: 369,600 cartons;

(ii) District 2: 554,400 cartons;

(iii) District 3: Unlimited movement.

(2) All Valencia 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," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

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

Dated: May 24, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-4328; Filed, May 24, 1957; 11:58 a. m.]

[Orange Reg. 317]

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

LIMITATION OF SHIPMENTS

§ 933.848 *Orange Regulation 317*—(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, except 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 May 21, 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, except 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., May 27, 1957, and ending at 12:01 a. m., e. s. t., June 10, 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 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$^{1}/_{16}$ inches in diameter and smaller; or

(iii) 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.

Shipments of Temple oranges, grown in the State of Florida, are subject to the provisions of Orange Regulation 314 (7 CFR 933.841; 22 F. R. 2522).

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

Dated: May 22, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-4265; Filed, May 24, 1957; 8:48 a. m.]

[Grapefruit Reg. 265]

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

LIMITATION OF SHIPMENTS

§ 933.849 *Grapefruit Regulation 265*—(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 oder 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 May 21, 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., May 27, 1957, and ending at 12:01 a. m., e. s. t., June 10, 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 $3^{12}/_{16}$ 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 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 seedless grapefruit, grown in Regulation Area I, 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);

(viii) 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;

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

(x) 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

(xi) Any seedless grapefruit, grown in Regulation Area II, which are of a size smaller than $3^{7}/_{16}$ 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: May 22, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-4264; Filed, May 24, 1957; 8:48 a. m.]

[Lemon Reg. 688]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF HANDLING

§ 953.795 *Lemon Regulation 688*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based become available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 22, 1957.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., May 26, 1957, and ending at 12:01 a. m., P. s. t., June 2, 1957, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 465,000 cartons;
(iii) District 3: Unlimited movement.

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

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

Dated: May 23, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-4300; Filed, May 24, 1957; 9:05 a. m.]

[Peach Order 1]

PART 962—FRESH PEACHES GROWN IN GEORGIA

SUSPENSION OF INSPECTION REQUIREMENT

§ 962.312 *Peach Order 1*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 62, as amended (7 CFR Part 962), regulating the handling of fresh peaches grown in the State of Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation of the Industry Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that this order will tend to effectuate the declared policy of the act with respect to shipments of fresh peaches grown in the State of Georgia.

(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.) in that 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 this section relieves restrictions on the handling of fresh peaches grown in the State of Georgia.

(b) *Order.* During the period beginning at 12:01 a. m., e. s. t., May 27, 1957, and ending at 12:01 a. m., e. s. t., March 1, 1958:

(1) The inspection requirement contained in § 962.64 of this part is hereby suspended with respect to peaches in bulk shipped to destinations in the adjacent markets.

(2) When used in this section, the terms "adjacent markets," "shipped," and "peaches in bulk" shall have the same meaning as when used in the aforesaid amended marketing agreement and order.

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

Dated: May 22, 1957.

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

[F. R. Doc. 57-4251; Filed, May 24, 1957; 8:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Reg. SR-420]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

SPECIAL CIVIL AIR REGULATION; EMERGENCY EVACUATION EQUIPMENT FOR DC-3 TYPE AIRPLANES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 21st day of May, 1957.

Sections 40.173, 41.23d, and 42.24c effective November 28, 1955, require in part that after May 31, 1957, on all passenger-carrying airplanes, at all emergency exits which are more than 6 feet from the ground with the airplane on the ground and with the landing gear extended, means shall be provided to assist the occupants in descending from the airplane. This requirement was adopted on the basis of experience which had shown that in certain instances, it is essential that some means be provided to assist passengers in evacuating airplanes on the ground.

The application of this emergency evacuation requirement to the DC-3 airplane, however, would impose an economic burden on the operators of this airplane without a commensurate increase in safety. The rear window emergency exit of this airplane is just over 6 feet from the ground, with the landing gear extended, and accordingly would require the installation of a means to assist descent. However, the main passenger door and 2 window emergency exits which are located over the wings require no special means to assist descent and they afford an excellent means of emergency evacuation. Furthermore, a study of DC-3 airplane accidents from 1938 through 1955 does not disclose any incident in which the absence of a means to assist the descent of occupants from the rear window emergency exit adversely affected the emergency evacuation of passengers. This record can be attributed in great part to the fact that the DC-3 airplane does not utilize a nose-wheel type landing gear and the probability of the rear window emergency exit being raised above its normal height from the ground, such as can occur when a nose-wheel gear collapses, is extremely remote.

Accordingly, the Board is of the view that it is not necessary in the interest of safety to require that means be provided to assist occupants in descending from the rear window emergency exit of a DC-3 airplane. It should be noted, however, that a DC-3 operator would not be prevented from installing a means to assist descent should he so desire.

Interested persons have been afforded an opportunity to participate in the making of this regulation (22 F. R. 2663), and due consideration has been given to all relevant matter presented. Since this regulation imposes no additional burden on any person, it may be made effective without prior notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective May 21, 1957.

Contrary provisions of §§ 40.173 (e), 41.23d (a), and 42.24c (a) of Parts 40, 41, and 42, respectively, of the Civil Air Regulations notwithstanding, after May 31, 1957, means need not be provided to assist the occupants of a passenger-carrying DC-3 airplane in descending from the airplane by way of the rear window emergency exit: *Provided*, That the authority contained herein shall not apply to DC-3 airplanes which are operated with an occupancy greater than that specified in Special Civil Air Regulation No. SR-389 for DC-3 airplanes with 4 exits authorized for passenger use.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007, 1010, as amended; 49 U. S. C. 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 57-4263; Filed, May 24, 1957; 8:48 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

CHESAPEAKE BAY, IN VICINITY OF TANGIER ISLAND; NAVAL GUIDED MISSILES TEST OPERATIONS AREA

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), § 204.44 establishing and governing the use and navigation of a Naval guided missiles test operations area in Chesapeake Bay in the vicinity of Tangier Island is amended by changing paragraph (b) (7) to provide for dropping small inert-type bombs on a target to be installed within the northeasterly section of the restricted area as follows:

§ 204.44 *Chesapeake Bay, in vicinity of Tangier Island; Naval guided missiles test operations area.* * * *

(b) *The regulations.* * * *

(7) All projectiles, bombs and rockets will be fired to land within the prohibited area, and on or in the immediate vicinity of a target in the restricted area located adjacent to the west side of Tangier

Island. The Department of the Navy will not be responsible for damages by such projectiles, bombs, or rockets to nets, traps, buoys, pots, fishpounds, stakes, or other equipment which may be located within the restricted area.

[Regs., May 10, 1957, 800.2121 (Chesapeake Bay)—ENGWO] (Sec. 7, 40 Stat. 266; 33 U. S. C. 1)

[SEAL] HERBERT M. JONES,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 57-4237; Filed, May 24, 1957; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 1420]

[Los Angeles 0124077]

CALIFORNIA

RESERVING PUBLIC LAND FOR USE OF ATOMIC ENERGY COMMISSION AS ADDITION TO WITHDRAWAL MADE BY PLO 845 OF JUNE 24, 1952

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public land in California is hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Atomic Energy Commission as an addition to the withdrawal made by Public Land Order No. 845 of June 24, 1952:

SAN BERNARDINO MERIDIAN

T. 10 S., R. 9 E.,
Sec. 24, SE¼SW¼.

The area described contains 40 acres.

HATFIELD CHILSON,
Under Secretary of the Interior.

MAY 21, 1957.

[F. R. Doc. 57-4238; Filed, May 24, 1957; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 936]

FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

EXPENSES AND FIXING OF RATES OF ASSESSMENT FOR 1957-58 SEASON

Consideration is being given to the following proposals submitted by the Control Committee, established under the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), as the agency to administer the provisions thereof:

(a) That the Secretary of Agriculture find, with respect to Bartlett pears, early varieties of plums, late varieties of plums, and Elberta peaches, that expenses not to exceed the following amounts are likely to be incurred, during the season beginning March 1, 1957, and ending February 28, 1958, both dates inclusive, by the Control Committee for the maintenance and functioning of such committee and the respective commodity committee established under the aforesaid amended marketing agreement and order:

(1) Bartlett pears, $23,888.93;

(2) Early varieties of plums, $18,966.50;

(3) Late varieties of plums, $20,332.41; and

(4) Elberta peaches, $20,102.16.

(b) That the Secretary of Agriculture fix, as each handler's pro rata share of such expenses, the following rates of assessment in which each handler shall pay in accordance with the provisions of said amended marketing agreement and order:

(1) 8½ mills ($0.0085) per standard western pear box of Bartlett pears, or its equivalent in other containers or in bulk;

(2) 9 mills ($0.009) per standard four-basket crate of early varieties of plums, or its equivalent in other containers or in bulk;

(3) 9 mills ($0.009) per standard four-basket crate of late varieties of plums, or its equivalent in other containers or in bulk; and

(4) 4 mills ($0.004) per California peach box of Elberta peaches, or its equivalent in other containers or in bulk.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposals 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 10th day following publication of this notice in the FEDERAL REGISTER.

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.

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

Dated: May 21, 1957.

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

[F. R. Doc. 57-4252; Filed, May 24, 1957; 8:47 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

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

NOTICE OF FILING OF PETITION FOR ESTABLISHMENT OF EXEMPTIONS FROM REQUIREMENT OF TOLERANCE FOR RESIDUES OF CHLOROPICRIN

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

A petition has been filed by Larvacide Products, Inc., Ringwood, Illinois, proposing the establishment of exemptions from the requirement of a tolerance for residues of chloropicrin in or on the following raw agricultural commodities: Wheat, corn, barley, oats, rice, grain sorghum, rye, buckwheat, and cottonseed.

The analytical method proposed in the petition for determining residues of chloropicrin is an adaptation of the method of L. Feinsilver and F. W. Oberst in Analytical Chemistry, Volume 25, page 820 (1953).

Dated: May 20, 1957.

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

[F. R. Doc. 57-4250; Filed, May 24, 1957; 8:47 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

SECRETARY OF THE NAVY

REDELEGATION OF AUTHORITY CONCERNING DISPOSAL OF REAL PROPERTY

On April 26, 1957, the Administrator of General Services, GSA, delegated to me authority to dispose of a one-half undivided interest in 202.54 acres of land at Hitchcock NAF, Texas, which is currently excess to the requirements of the Department of the Navy.

Pursuant to section 202 (f) of the National Security Act of 1947, as amended (63 Stat. 581), such authority as is vested in me by "Delegation of Authority" by the Administrator of General Services, dated April 26, 1957, to accomplish disposal of a one-half undivided interest in 202.54 acres of land at the Hitchcock NAF, Hitchcock, Texas, is hereby redelegated to the Secretary of the Navy.

The Secretary of the Navy is hereby authorized to make further redelegation of such authority, to any officer or employee of the Department of the Navy as he may determine necessary.

Attention is invited to the requirement of section 203 (e) of the Federal Property and Administrative Services Act of 1949, as amended, that an explanatory statement be submitted to the appropriate Committees of Congress.

DONALD A. QUARLES,
Deputy.

[F. R. Doc. 57-4236; Filed, May 24, 1957; 8:45 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-32]

AEROJET-GENERAL NUCLEONICS

NOTICE OF PROPOSED ISSUANCE OF AMENDMENT TO LICENSE R-9

Please take notice that the Atomic Energy Commission proposes to issue to Aerojet-General Nucleonics an amendment to License R-9 substantially in the form set forth as Appendix "A" unless within fifteen (15) days after publication of this notice in the FEDERAL REGISTER a request for a formal hearing is filed with the Commission as provided by § 2.102 (b) of the Commission's rules of practice (10 CFR Part 2). There is annexed as Appendix "B" a memorandum submitted by the Division of Civilian Application which summarizes Aerojet-General Nucleonics' proposal and the principal factors considered in reviewing the application for an amendment to license. For further details see the application for license at the Commission's Public Document Room, 1717 H Street NW., Washington, D. C.

Dated at Washington, D. C., this 23d day of May 1957.

For the Atomic Energy Commission.

F. K. PITTMAN,
Acting Director,
Division of Civilian Application.

APPENDIX "A"

AMENDMENT TO LICENSE

1. Subject to the conditions and requirements incorporated herein, the Atomic Energy Commission hereby amends License R-9 issued to Aerojet-General Nucleonics (herein referred to as "AGN") for the operation of the subject reactor, which has been designated by AGN, Model AGN-201, Serial No. 102, (hereinafter referred to as the "reactor"), in the following respects:

(a) AGN is authorized to transfer the reactor from AGN's plant in San Ramon, California, to the Oklahoma State Fair Grounds, Oklahoma City, Oklahoma.

(b) AGN is authorized to operate the reactor at the site designated in its application on the Oklahoma State Fair Grounds as an exhibit at the Oklahoma Semi-Centennial Exposition during the period June 19 through June 23, 1957.

(c) AGN is authorized thereafter to return the core of the reactor to its plant at San Ramon, California, to continue to display the reactor without core at the Exposition through July 7, 1957, and to transfer the reactor, without core, to a site at Oklahoma Agricultural and Mechanical College, Stillwater, Oklahoma (hereinafter referred to as Oklahoma A&M) for storage by AGN;

(d) AGN shall transfer the reactor to Oklahoma City, operate the reactor at the Oklahoma State Fair Grounds, return the core to San Ramon, California, and transfer the reactor without core to the site at Oklahoma A&M, Stillwater, Oklahoma, in accordance with the procedures described in its application filed April 29, 1957, and amendment thereto filed May 10, 1957.

(e) Material irradiated in the reactor shall not be distributed to any person except as authorized in or pursuant to the regulations contained in 10 CFR Part 30, "Licensing of Byproduct Material"; and

(f) The reactor core shall for purposes of transportation be packaged and labeled in accordance with the procedures specified in the application, and the regulations contained in 10 CFR Part 20, "Standards for Protection Against Radiation" and in accordance with applicable regulations of other Federal Agencies.

2. Nothing contained in this amendment shall relieve AGN from compliance with any of the provisions contained or incorporated in License R-9.

For the Atomic Energy Commission.

Director,
Division of Civilian Application.

APPENDIX "B"

MEMORANDUM

The nuclear reactor proposed by Aerojet-General Nucleonics (AGN) to be transferred to the Oklahoma State Fair Grounds, Oklahoma City, for operation at the Oklahoma Semi-Centennial Exposition during the period June 19 through June 23, 1957, is one of the type of small research reactors designed by AGN to operate at a maximum power of 100 milliwatts and designated by the company as Model AGN-201. The particular reactor proposed to be transferred, which AGN has designated Serial No. 102, was constructed at AGN's San Ramon, California, plant and was authorized to be operated by License R-9 issued by the AEC on March 14, 1957.

A complete description of the reactor and a hazards analysis concerning the reactor are contained in various license applications and amendments which have been submitted by AGN in Docket Nos. F-15, F-32, and F-44. A summary of the reactor description and detailed discussion of the hazards analysis of the AGN-201 type reactor have been incorporated in a memorandum accompanying the notice of proposed issuance of construction permit for this reactor and two others of the same type in Docket No. F-32, published in the FEDERAL REGISTER on February 6, 1957, 22 F. R. 742.

Pursuant to an amendment to License R-7 issued February 26, 1957, a reactor of this type was transferred to Philadelphia, Pennsylvania, where it was operated as an exhibit at the Atomic Exposition and Nuclear Congress in Convention Hall from March 6 to March 15, 1957. A hazards analysis pertaining to this transfer and operation of the reactor, including procedures for transporting the nuclear component of the reactor and the radium-beryllium source, were incorporated in a memorandum accompanying the notice of proposed issuance of license amendment, published in the FEDERAL REGISTER on February 8, 1957, 22 F. R. 798.

Prior to transporting the reactor, all special nuclear material and the radium-beryllium neutron source will be removed from the reactor and prepared for shipment. Upon completion of operation of the reactor at the Oklahoma Semi-Centennial Exposition on June 23, 1957, the reactor core and source will be returned to AGN's San Ramon, California, plant. The reactor itself, without fuel and source, will be left on exhibition during the period June 24-July 7, 1957, after which time AGN plans to transfer the non-nuclear components of the reactor to Oklahoma A&M.

Description of site, Oklahoma State Fair Grounds. The exposition building which will house the reactor is a wood, concrete and steel structure, 170 feet long, 120 feet wide and 30 feet high, identified as Building B in the AGN hazards summary report. Building B is one of four buildings in the Livestock Group. The exhibit space will be in one corner of the building and in close proximity to two of the many exits. The reactor will be placed on a 16-foot-square, 4-inch-thick, reinforced concrete pad. Ventilation of the building is provided by natural circulation of air through doors and overhead vents.

The exhibit space will be surrounded by a chain guard rail, and another guard rail will be placed around the reactor control console. Access to the control console will be limited to a licensed operator at all times. A uniformed policeman stationed at the entrance of the exhibit area will restrict entrance of persons other than AGN personnel and such others who are specifically invited into the exhibit area by AGN. A maximum of four visitors will be permitted within the exhibit area at any one time. When the reactor is in operating condition, and the exhibition hall is open to the public, the exhibit area will be supervised by AGN personnel. At other times, when the reactor is shut down, locked and in a non-operating condition, the area will be guarded by uniformed policemen.

Plans for demonstration of reactor. AGN's plans for operating the reactor at the Oklahoma Semi-Centennial Exposition include: (1) Bringing the reactor to power approximately 10 times each day, (2) irradiation of samples of polyethylene, polystyrene, aluminum and other materials, and (3) irradiation of silver contained in dimes, to illustrate neutron activation.

Hazards analysis. In the aforementioned memorandum published in the FEDERAL REGISTER, 22 F. R. 742, the hazards and safety features associated with a reactor of this type were fully discussed, and it was concluded from an examination of the potential hazards and conceivable mishaps that no significant amount of radiation or radioactive materials would be released, and that no hazard to the public would ensue from the proposed operation. In our opinion, there are no characteristics of the site or proposed operations at the Oklahoma State Fair Grounds which would detract from the safety of operation of the reactor.

Conclusion. From a consideration of the problems involved, it is concluded that there is reasonable assurance that the reactor may be transferred to and operated at the proposed site at the Oklahoma Semi-Centennial Exposition, Oklahoma City, Oklahoma, in accordance with described procedures without undue risk to the health and safety of the public.

For the Division of Civilian Application.

F. K. PITTMAN,
Acting Director.

[F. R. Doc. 57-4290; Filed, May 24, 1957; 12:30 p. m.]

[Docket No. 50-63]

INTERCONTINENTAL CHEMICAL CORP.

NOTICE OF PROPOSED ISSUANCE OF FACILITY EXPORT LICENSE

Please take notice that the Atomic Energy Commission (hereinafter "the Commission") proposes to issue, on Form AEC-250, the facility export license described below unless within 15 days after publication of this notice in the FEDERAL REGISTER, a request for a formal hearing is filed with the Commission as provided by § 2.102 (b) of the Commission's rules of practice (10 CFR Part 2).

1. Pursuant to section 104 (c) of the Atomic Energy Act of 1954 (hereinafter "the act") and Title 10, CFR, Chapter 1,

Part 50, "Licensing of Production and Utilization Facilities", and findings by the Commission that (a) the reactor proposed to be exported is a utilization facility; (b) the issuance of a license for the export thereof is within the scope of and is consistent with the terms of an agreement for cooperation with the Federal Republic of West Germany; and (c) the issuance of an export license to Intercontinental Chemical Corporation will not be inimical to the common defense and security and to the health and safety of the public, the Commission will issue a license to Intercontinental Chemical Corporation, Empire State Building, 350 Fifth Avenue, New York 1, N. Y., authorizing the export of a 50-kilowatt solution-type research reactor described in the Corporation's license application filed April 1, 1957. The reactor is to be exported to Farbwerke Hoechst AG, Frankfurt a. M.-Hoechst, West Germany. Fa. NV Rhenus Transport Maatschappij, Westblask 6, Rotterdam, Holland is the intermediate consignee.

2. The license will be subject to the following conditions:

(a) Neither the license nor any right under the license shall be assigned or otherwise transferred in violation of the provisions of the act.

(b) The license will be subject to the right of recapture of control reserved by section 108 of the act and to all other provisions of the act, now or hereafter in effect, and to all rules and regulations of the Commission.

(c) The license will be effective as of the date of issuance thereof and shall expire on June 1, 1958, unless sooner terminated.

Dated at Washington, D. C., this 23d day of May 1957.

For the Atomic Energy Commission.

FRANK K. PITTMAN,
Acting Director,
Division of Civilian Application.

[F. R. Doc. 57-4241; Filed, May 24, 1957; 12:30 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-3667]

BRITISH INDUSTRIES CORP.

ORDER VACATING ORDER OF SUSPENSION

MAY 21, 1957.

British Industries Corporation, 164 Duane Street, New York, New York, a corporation incorporated under the laws of New York, joined with Mrs. Kay L. Rockey and filed with the Commission on April 23, 1954, a Notification on Form 1-A relating to a proposed offering of 3,750 shares of 50 cent par value common stock on behalf of Mrs. Kay L. Rockey, selling stockholder, to net the offeror $2.00 per share (the market value being 1⅞ bid, 2¼ asked) for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to section 3 (b) thereof and Regulation A thereunder.

The Commission on March 22, 1957 ordered, pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the conditional exemption under Regulation A sought for the offering be temporarily suspended on the ground that the terms and conditions of Regulation A had not been complied with in that Form 2-A reports of sales, as required by Rule 224, had not been filed.

Subsequent to the Commission's action temporarily suspending the exemption, a Form 2-A report of sales was filed, a request was made that the said order be vacated, and information was submitted to establish that the failure to file the report of sales was due to inadvertence.

It appearing to the Commission that a hearing is not necessary or appropriate in the public interest or for the protection of investors;

It is ordered, Pursuant to Rule 223 (b) of the general rules and regulations under the Securities Act of 1933, as amended, that said temporary order for suspension be, and it hereby is, vacated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-4244; Filed, May 24, 1957; 8:46 a. m.]

[File No. 70-3582]

CONSOLIDATED NATURAL GAS CO. ET AL.

ORDER AUTHORIZING ISSUANCE AND SALE BY PARENT OF PRINCIPAL AMOUNT OF DEBENTURES AT COMPETITIVE BIDDING, BANK BORROWING AND EXTENSION OF BANK LOAN BY PARENT, OPEN ACCOUNT ADVANCES BY PARENT TO SUBSIDIARIES, ISSUANCE BY SUBSIDIARIES OF SHORT-TERM AND LONG-TERM NOTES AND ACQUISITION THEREOF BY PARENT

MAY 20, 1957.

In the matter of Consolidated Natural Gas Company, The East Ohio Gas Company, Hope Natural Gas Company, The Peoples Natural Gas Company, New York State Natural Gas Corporation, The River Gas Company; File No. 70-3582.

Consolidated Natural Gas Company ("Consolidated"), a registered holding company, and its wholly-owned subsidiaries, The East Ohio Gas Company ("East Ohio"), Hope Natural Gas Company ("Hope"), The Peoples Natural Gas Company ("Peoples"), New York State Natural Gas Corporation ("New York State") and The River Gas Company ("River") have filed a joint application-declaration and amendments thereto pursuant to sections 6 (b), 7, 10, 12 (b) and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-43, U-45 and U-50 thereunder regarding proposed transactions which are summarized as follows:

Consolidated proposes to sell $50,000,000 of twenty-five year sinking fund debentures during 1957 at competitive bidding pursuant to Rule U-50. Two issues are proposed to be sold, the first $25,000,000 in June and the second $25,000,000 being tentatively scheduled for October. Both issues will be included in one indenture but the details of the second issue have not as yet been supplied. Accordingly Consolidated does not presently request authorization for the second issue.

Pending the sale of the two debenture issues Consolidated proposes to make open account advances, without interest, to its subsidiaries up to $50,800,000 for the purpose of financing plant construction and for other corporate purposes, as follows: East Ohio $23,000,000, Hope $15,000,000, New York State $6,000,000, Peoples $6,500,000 and River $300,000.

Following the sale of the second issue of debentures, the subsidiaries will issue long-term non-negotiable serial notes to Consolidated in replacement of the open account advances. The interest rate on the notes will be predicated upon and substantially equal to the cost of money to Consolidated through the issuance of the two series of debentures.

Consolidated also proposes to obtain funds to advance to its subsidiaries to enable them to effect seasonal storage gas purchases by its borrowing $30,000,000 from banks on various dates up to December 31, 1957. The funds will be obtained through the issuance of a promissory note or notes, at the prime interest rate, maturing one year from the date of the first borrowing with a repayment privilege upon five days' notice.

Consolidated then proposes to make gas storage loans to its subsidiaries on notes of one year or less from the date of the first note issued by each subsidiary with interest at the prime rate obtained by Consolidated on its related bank loan, such notes to be issued from time to time as funds are needed, up to December 31, 1957 as follows: East Ohio, $5,000,000, Hope $6,000,000, New York State $18,000,000 and Peoples, $1,000,000.

Consolidated has also arranged for an extension of its outstanding one year $30,000,000 bank loan maturing on July 1, 1957 and bearing interest at the rate of 3¾ percent per annum. In this connection Consolidated has obtained commitments from the participating banks for an extension of the maturity of the loan for three additional years to July 1, 1960 with an option to Consolidated for an additional extension to July 1, 1961. The interest rate agreed upon is 3¾ percent per annum to July 1, 1958, and 4 percent thereafter. Interest is payable semiannually on January 1 and July 1 of each year and repayment of the principal may be made in whole or in part at any time without penalty.

Consolidated seeks approval of the extension of the above bank loan for the three year period (July 1, 1957 to July 1, 1960) but does not request authority, at this time, to exercise the option of extending the loan to July 1, 1961.

In line with this extension, Consolidated and its subsidiaries request authority for an extension of the maturity of the related loans made in 1956 by Consolidated to its subsidiaries, from June 28, 1957 to June 28, 1960, the interest rate to be 3¾ percent to June 28, 1958, and 4 percent thereafter.

The State Commissions of West Virginia, Pennsylvania and Ohio have issued orders authorizing certain of the

proposed transactions by Hope, Peoples, East Ohio and River.

The fees and expenses incurred and to be incurred in connection with the above transactions, are estimated as follows:

Filing fee, Securities and Exchange Commission	$2,600.00
Printing of registration statement, prospectus, Indenture, definitive debentures, and other documents	59,000.00
Trustee's charges in connection with the authentication and issuance of definitive debentures	9,500.00
Legal fees	3,000.00
Accountants' fees and expenses	7,500.00
Engineering fees and expenses	10,000.00
Original issue tax	27,500.00
Listing fee, New York Stock Exchange	3,000.00
Other miscellaneous expenses	3,900.00
Total	126,000.00

The legal fee of Cahill, Gordon, Reindell & Ohl, who have been selected as counsel for the underwriters will be paid by the underwriters.

The record has not been completed with respect to the legal, engineering and accounting fees and expenses and jurisdiction will be reserved over the payment thereof.

Due notice having been given of the filing of said joint application-declaration (Holding Company Act Release No. 13460), and a hearing not having been requested of or ordered by the Commission; and the Commission finding, with respect to the above described transactions exclusive of the issuance and sale by Consolidated of $25,000,000 principal amount of debentures tentatively scheduled for October 1957, that the applicable provisions of the act and the rules thereunder are satisfied and that no adverse findings are necessary; and, except for the excluded transaction by Consolidated, the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration as amended be, and hereby is, granted and permitted to become effective forthwith as to the aforesaid transactions (except with respect to the issuance and sale by Consolidated of $25,000,000 principal amount of debentures tentatively scheduled for October 1957), subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction be, and hereby is, reserved with respect to (1) Consolidated's proposal to issue and sell $25,000,000 principal amount of debentures tentatively scheduled for October 1957, and (2) the legal, engineering and accounting fees and expenses to be paid in connection with the other transactions described above.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-4242; Filed, May 24, 1957; 8:46 a. m.]

[File No. 812-1080]

DELAWARE INCOME FUND, INC.

NOTICE OF FILING FOR ORDER PERMITTING REDUCED OFFERING PRICE ON PURCHASES OF COMPANY SHARES

MAY 20, 1957.

Notice is hereby given that Delaware Income Fund, Inc. ("Delaware"), a registered open-end diversified investment company, has filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 ("act") for an order of the Commission exempting from the provisions of section 22 (d) of the act the offering of shares of Delaware at a reduced sales commission to officers, directors and employees of Delaware, its principal underwriter and its investment adviser under the circumstances described below.

The current public offering price of Delaware's shares is equal to the net asset value per share, including a proportionate share of brokerage costs in acquiring the existing portfolio of securities of Delaware, plus a sales commission graduated as follows:

Amount of purchase	Sales commission as percent of offering price	Sales commission as percent of net asset value
	Percent	*Percent*
Up to $25,000	8.5	9.29
Between $25,000 and $50,000	6.0	6.38
Between $50,000 and $100,000	4.0	4.17
Over $100,000	2.75	2.83

It is recited in the application that Delaware has adopted a plan, subject to appropriate action by this Commission, whereby its shares may be offered by its principal underwriter to officers, directors, and full-time employees of Delaware, of Delaware Distributors, Inc., its principal underwriter, and of Barringer & Nelson, its investment adviser, at a price which includes a sales commission of 2.75 percent of net asset value, or 2.5 percent of the offering price. In order to participate in the plan, the officers, directors and full-time employees of the foregoing companies must have held offices or have been continually employed for a period of at least six months immediately preceding a purchase. Each eligible purchaser is required to declare in writing that the purchase of shares of Delaware is for his own investment and not for resale except by redemption in the usual manner prescribed in the company's prospectus.

Among other things, section 22 (d) of the act, with certain exceptions not pertinent here, prohibits a principal underwriter of a registered investment company from selling the shares of such investment company to any person except at a current public offering price described in the prospectus. Since the plan would be in contravention of the provisions of section 22 (d) of the act inasmuch as it contemplates certain sales of shares of Delaware at prices other than the public offering price thereof described in the prospectus of Delaware, an order pursuant to section 6 (c) of the act exempting such sales is requested by the applicant.

Section 6 (c) of the act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the act.

Applicant represents that the purpose of the plan is to foster and maintain employee good will and morale, to provide an incentive to the persons involved, and to encourage savings and investment. It is the applicant's belief that such purpose may be accomplished without detriment to other shareholders of Delaware or to the general public.

Notice is further given that any interested person may, not later than June 4, 1957, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-4243; Filed, May 24, 1957; 8:46 a. m.]

[File No. 812-1081]

DELAWARE INCOME FUND, INC.

NOTICE OF FILING OF APPLICATION PERMITTING CERTAIN REINVESTMENTS OF DIVIDEND DISTRIBUTIONS AT NET ASSET VALUE

MAY, 20, 1957.

Notice is hereby given that Delaware Income Fund, Inc. ("Delaware"), a registered open-end management investment company, has filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 ("act") for an order of the Commission exempting from the provisions of section 22 (d) of the act the offering of certain shares of Delaware at net asset value where such shares represent investments of dividends paid under the company's proposed Systematic Withdrawal Plan described below.

Delaware has at the present time a dividend reinvestment plan under which holders of shares of Delaware may reinvest distributions representing capital gains in additional shares at net asset value and reinvest other dividends in additional shares at the public offering price.

Delaware now proposes to establish a Systematic Withdrawal Plan under

which any holder of $5,000, or more of its shares at the public offering price may request Delaware to pay the shareholder $50 or more, either monthly or quarterly. Under such plan all distributions, whether from capital gains or income, will be automatically reinvested in additional shares at net asset value and credited to the account. It is contemplated that the amount of periodic withdrawals under such plan will be in excess of dividends from income.

Among other things, section 22 (d) of the act, with certain exceptions not applicable here, prohibits a principal underwriter of a registered investment company from selling redeemable securities of such registered investment company except at a current public offering price described in the prospectus. Since the proposal set forth above may involve the offering of shares of Delaware below the normal public offering price thereof described in the prospectus in contravention of the provisions of section 22 (d) of the act, Delaware seeks an order pursuant to section 6 (c) of the act exempting such transactions from the provisions of section 22 (d) of the act.

Section 6 (c) of the act authorizes the Commission, by order upon application, to exempt conditionally or unconditionally, any transaction from any provisions of the act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and purposes fairly intended by the policy and provisions of the act.

Notice is further given that any interested person may, not later than June 4, 1957, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-4244; Filed, May 24, 1957; 8:46 a. m.]

[File No. 70-3593]

MICHIGAN CONSOLIDATED GAS CO.

NOTICE OF FILING OF APPLICATION REGARDING PROPOSAL TO ISSUE AND SELL AT COMPETITIVE BIDDING PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS

MAY 21, 1957.

Notice is hereby given that Michigan Consolidated Gas Company ("Michigan Consolidated"), a public utility subsidiary of American Natural Gas Company, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"), and has designated section 6 (b) of the act and Rule U-50 promulgated thereunder as applicable to the transactions therein proposed.

All interested persons are referred to the application on file at the office of the Commission for a statement of the proposed transactions, which are summarized as follows:

Michigan Consolidated proposes to issue and sell at competitive bidding, pursuant to Rule U-50, $30,000,000 principal amount of First Mortgage Bonds __ percent Series due July 1, 1982. The bonds are to be issued under and secured by the company's mortgage dated March 1, 1944, as heretofore supplemented and as to be further supplemented by a proposed Tenth Supplemental Indenture to be dated as of June 15, 1957. The interest rate on the new bonds (which shall be a multiple of ⅛ of 1 percent), and the price to be received therefor by Michigan Consolidated (which, exclusive of accrued interest, shall be not less than 100 percent and not more than 102¾ percent of the principal amount) are to be determined by competitive bidding.

Approximately $12,000,000 of the net proceeds from the sale of the new bonds will be deposited with the Trustee under the mortgage to be withdrawn from time to time through the certification of unbonded net property additions. Of the remaining approximately $18,000,000 of net proceeds about $7,000,000 will be used to retire Michigan Consolidated's remaining outstanding bank notes due September 30, 1957, issued pursuant to prior authorization (Holding Company Act Release No. 13318, November 20, 1956), and the Credit Agreement under which said notes were issued will be terminated. The balance of such proceeds will be applied to the company's 1957 construction program.

The application states that the proposed issue and sale of the new bonds are subject to the jurisdiction of the Michigan Public Service Commission, the State commission of the State in which Michigan Consolidated is organized and doing business, and that a certified copy of the order of such State commission authorizing the issue and sale of the new bonds will be supplied by amendment.

The fees and expenses to be incurred in connection with the proposed transactions are estimated as follows:

Federal original issue tax	$33,000
Securities and Exchange Commission registration fee	3,150
Michigan Public Service Commission fee	30,000
Counsel fees:	
Sidley, Austin, Burgess & Smith	15,500
Dyer, Meek, Ruegsegger & Bullard	9,000
Sigmund S. Zamierowski	1,500
Accounting fee of Arthur Andersen & Co	5,500
Trustee's fees and expenses	12,500
Fees of oil and gas consultants	7,500
American Natural Gas Service Company—services at cost	750
Printing (including preparation of bonds)	$26,000
Mortgage recording and title expense	3,000
Miscellaneous	7,600
Total	155,000

Brown, Wood, Fuller, Caldwell & Ivey, Esqs., have been designated as counsel for the underwriters, and their fees, to be paid by the purchasers of the bonds, are estimated at $11,000.

Notice is further given that any interested preson may, not later than June 7, 1957, request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert, or he may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date the application, as filed or as it may be amended, may be granted as provided by Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100 thereof, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-4245; Filed, May 24, 1957; 8:46 a. m.]

[File No. 70-3590]

MICHIGAN WISCONSIN PIPE LINE CO. AND AMERICAN NATURAL GAS CO.

NOTICE OF FILING REGARDING CERTAIN PROPOSALS BY SUBSIDIARY OF REGISTERED HOLDING COMPANY

MAY 20, 1957.

Notice is hereby given that Michigan Wisconsin Pipe Line Company ("Michigan Wisconsin"), a non public-utility company, and its parent company, American Natural Gas Company ("American Natural"), a registered holding company, have filed with this Commission a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935 ("act"), designating sections 6 (b), 9, 10, and 12 (f) of the act and Rules U-43, U-50 (a) (2) and (a) (3), and U-70 (b) (2) thereunder as applicable to the proposed transactions, which are summarized as follows:

Michigan Wisconsin proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, $30,000,000 principal amount of its First Mortgage Pipe Line Bonds, __ percent Series, due 1977. The interest rate (which shall be a multiple of ⅛ of 1 percent) and the price to be received by the company for the bonds (which, exclusive of accrued interest, shall be not less than 100 percent nor more than 102¾ percent of the principal amount) are to be determined by competitive bid-

ding. The bonds will be issued under and secured by the company's outstanding Mortgage and Deed of Trust, dated September 1, 1948, as heretofore supplemented, and as to be further supplemented by an Eighth Supplemental Indenture to be dated June 1, 1957.

Michigan Wisconsin also proposes, prior to or simultaneously with the issuance of the new bonds, to increase the authorized number of shares of its $100 par value common stock from 310,000 to 340,000, and to issue and sell to American Natural, and American Natural proposes to acquire, 30,000 additional shares of Michigan Wisconsin's authorized but unissued common stock for a cash consideration of $3,000,000.

The proceeds from the issuance and sale of the new bonds and additional shares of common stock will be used by Michigan Wisconsin to pay off outstanding bank loan indebtedness; to finance approximately $5,500,000 of construction during 1957; and to reimburse the company's treasury for construction expenditures.

Michigan Wisconsin has a credit agreement with several banks under which, with Commission approval (Holding Company Act Release No. 13209), it issued its outstanding $25,000,000 principal amount of short-term notes. By order, dated December 19, 1956 (Holding Company Act Release No. 13341), the Commission authorized an extension of the maturity date of these notes to July 1, 1957. If the $30,000,000 of new bonds are not issued and sold prior to such maturity date, Michigan Wisconsin will execute a new credit agreement with the same banks providing for $30,000,000 of borrowings on notes having an initial maturity date of January 1, 1958, which, at the company's option and subject to Commission approval, may be extended for six months. The new credit agreement will be in the same form as the expiring credit agreement except that appropriate changes will be made with respect to the aggregate amount of notes which may be issued, the initial maturity date and the renewal date of notes issued thereunder, and the commitment of each bank. In this filing Michigan Wisconsin seeks Commission approval to issue $30,000,000 of short-term notes maturing January 1, 1958, such approval to be effective only if the proposed new bonds are not issued and sold prior to July 1, 1957.

Applicants-declarants state (1) that an estimate of fees and expenses expected to be incurred in connection with the proposed transactions will be supplied by amendment; and (2) that the Michigan Public Service Commission may be deemed to have jurisdiction over the proposed issuance of the proposed bonds and common stock by Michigan Wisconsin and that an application for approval thereof will be filed with such Commission and a copy thereof and of any order entered thereon will be filed as an amendment to this filing; and, apart from the foregoing, no regulatory authority, other than this Commission, has jurisdiction over the proposed transactions. Applicants-declarants request that any order issued in connection with the proposed transactions become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than June 3, 1957, at 5:30 p. m., request in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the joint application-declaration which he desires to controvert, or he may request that he be notified if the Commission orders a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-4246; Filed, May 24, 1957; 8:46 a. m.]

[File No. 70-3580]

NATIONAL FUEL GAS CO. ET AL.

ORDER AUTHORIZING ISSUE AND SALE BY PARENT COMPANY, AT COMPETITIVE BIDDING, OF PRINCIPAL AMOUNT OF DEBENTURES; BANK BORROWINGS BY PARENT COMPANY; AND ISSUE AND SALE BY THREE SUBSIDIARIES TO PARENT OF INSTALLMENT NOTES

MAY 20, 1957.

In the matter of National Fuel Gas Company, Iroquois Gas Corporation, United Natural Gas Company, Pennsylvania Gas Company; File No. 70-3580.

National Fuel Gas Company ("National"), a registered holding company, and its gas utility subsidiaries, Iroquois Gas Corporation ("Iroquois"), United Natural Gas Company ("United"), and Pennsylvania Gas Company ("Pennsylvania"), have filed with this Commission a joint application-declaration and amendments thereto, pursuant to sections 6 (b), 7, 9 (a), 10, and 12 (b) of the Public Utility Holding Company Act of 1935 ("act"), and Rules U-45 and U-50 promulgated thereunder. National has outstanding $11,000,000 principal amount of promissory notes payable to The Chase Manhattan Bank ("Chase Bank") and maturing July 15, 1957. Iroquois, United, and Pennsylvania have substantial expansion programs for 1957, involving the construction of plant facilities at an estimated cost of $11,819,000, and the purchase of inventory gas for underground storage at an estimated cost of $2,100,000. Iroquois also has outstanding $1,136,794 principal amount of promissory notes, due in 1957. To provide the new money required for these financial needs, the following transactions are proposed:

Transaction No. 1. National proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, $15,000,000 principal amount of its Sinking Fund Debentures, due 1982 and to be dated June 1, 1957. The interest rate on the Debentures (which shall be a multiple of ⅛ of 1 percent) and the price (exclusive of accrued interest) to be paid for the Debentures (which shall be not less than the principal amount nor more than 102¾ percent thereof) will be fixed by the bidding. The net proceeds from the sale of the Debentures will be used, in part, to retire National's present note indebtedness of $11,100,000 and the balance wil be added to the general funds of the company for purposes hereinafter stated.

Transaction No. 2. Under a Credit Agreement with Chase Bank, dated March 15, 1957, National proposes to issue, from time to time during the period from July 1, 1957 to and including December 31, 1957, promissory notes in an aggregate principal amount not in excess of $10,000,000. Each promissory note will mature on July 15, 1959, and will bear interest at the bank's prime commercial rate currently in force on the issue date thereof. The notes may be prepaid, without penalty, in whole at any time or in part from time to time, unless any such prepayment results directly or indirectly from the proceeds of, or in anticipation of, any bank borrowing other than from Chase Bank in which case National will pay a premium of ½ of 1 percent on the principal sum so prepaid.

Transaction No. 3. Iroquois proposes to issue and sell to National, from time to time during 1957, unsecured promissory notes in an aggregate principal amount not in excess of $8,800,000. Each note will be in the principal amount of $400,000. The first note will mature March 1, 1961, and each succeeding note will mature on March 1 of the calendar year following the maturity date of the next prior note in the series. The notes will bear interest at the coupon rate of National's aforesaid Debentures, payable semi-annually on March 1 and September 1 of each year until paid in full. Iroquois proposes to use the net proceeds, together with funds available from current operations, to make needed additions to its utility plant during 1957 estimated to cost $7,500,000; to purchase additional gas for underground storage; and to discharge short-term bank borrowings due in 1957.

Transaction No. 4. United proposes to issue and sell to National, from time to time during 1957, unsecured promissory notes in an aggregate principal amount not in excess of $2,000,000. Each note will be in the principal amount of $100,000 with the other terms thereof the same as in Transaction No. 3. United proposes to use the net proceeds, together with funds available from current operations, to make needed additions to its utility plant during 1957, estimated to cost $1,905,000, and to purchase additional gas for underground storage.

Transaction No. 5. Pennsylvania proposes to issue and sell to National, from time to time during 1957, unsecured promissory notes in an aggregate principal amount not in excess of $3,000,000. Each note will be in the principal amount of $150,000 with the other terms thereof

the same as in Transaction No. 3. Pennsylvania proposes to use the net proceeds, together with funds available from current operations, to make needed additions to its utility plant during 1957, estimated to cost $2,414,000, and to purchase additional gas for underground storage.

The Public Service Commission of New York has approved Transaction No. 3 and the Pennsylvania Public Utility Commission has approved Transaction Nos. 4 and 5.

Due notice of the filing of the joint application-declaration having been given in the manner provided in Rule U-23 promulgated under the act (Holding Company Act Release No. 13448), 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 thereunder have been satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that the joint application-declaration, as amended, be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the joint application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith subject to the terms and provisions prescribed in Rules U-50 and U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-4247; Filed, May 24, 1957; 8:46 a. m.]

[File No. 24SF-1972]

UNIVERSAL PETROLEUM EXPLORATION AND DRILLING CO.

NOTICE OF AND ORDER FOR HEARING

MAY 21, 1957.

Universal Petroleum Exploration and Drilling Company, a Nevada corporation, with its principal place of business at 230 Fremont Street, Las Vegas, Nevada, hereinafter referred to as "Universal", filed with the Commission on October 4, 1954, a notification on Form 1-A and an offering circular, and subsequently filed amendments thereto, relating to a proposed offering of 300,000 shares of $1.00 par value common capital stock at $1.00 per share for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof, and Regulation A promulgated thereunder.

The Commission on April 17, 1957, issued an order pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, temporarily suspending the conditional exemption under Regulation A and affording to any person having an interest therein an opportunity to request a hearing pursuant to Rule 223. A written request for a hearing was received by the Commission from William M. Davis, Universal's President, on May 8, 1957.

The Commission deeming it necessary and appropriate to determine whether to vacate the temporary suspension order or to enter an order permanently suspending the exemption,

It is hereby ordered, That a hearing under the applicable provisions of the Securities Act of 1933, as amended, and the rules of the Commission, be held on June 6, 1957 at 10:00 a. m., Pacific Daylight Time, at the San Francisco Regional Office of the Commission, 821 Market Street, San Francisco 3, California, with respect to the following matters and questions without prejudice, however, to the specification of additional issues which may be presented in these proceedings:

A. Whether the notification, offering circular and amendments thereto contain untrue statements of material facts, and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, more particularly concerning, among other things:

1. The creation and promotion of Economy Exploration and Drilling Company, a California corporation, having the same principal promoter, officers and directors as Universal, for the purpose of constructing and exploiting the same or similar device as Universal;

2. The nature of Universal's interest as transferee of the "rights, plans, specifications and development services of William M. Davis" with respect to the "Driller Boy" drilling rig;

3. The undertaking of William M. Davis to devote his services to the Economy Exploration and Drilling Company;

4. The inability of Universal and its underwriter to market Universal's stock;

5. The withdrawal of the underwriter from the securities business; and

6. The cost of constructing the "Driller Boy" rig; and

B. Whether the use of the offering circular in connection with the offering of Universal stock would operate as a fraud and deceit upon offerees and purchasers; and

C. Whether the order dated April 17, 1957 suspending the exemption under Regulation A with respect to Universal should be vacated or made permanent.

It is further ordered, That James G. Ewell, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearing, and any officer or officers so designated to preside at any such hearing are hereby authorized to exercise all of the powers granted to the Commisison under sections 19 (b), 21 and 22 (c) of the Securities Act of 1933, as amended, and to hearing officers under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Universal Petroleum Exploration and Drilling Company, 230 Fremont Street, Las Vagas, Nevada, and William M. Davis, 3366 Fulton Avenue, Sacremento 21, California, that notice of the entering of this order shall be given to all other persons by general release of the Commission and by publication in the FEDERAL REGISTER. Any person who desires to be heard or otherwise wishes to participate in such hearing shall file with the Secretary of the Commission on or before June 4, 1957, a request relative thereto as provided in Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-4248; Filed, May 24, 1957; 8:46 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

GREATER BATON ROUGE PORT COMMISSION AND CARGILL, INC.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

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

(1) Agreement No. 8225 between Greater Baton Rouge Port Commission and Cargill, Incorporated, provides for the leasing of certain land and the grain elevator, and all machinery, equipment, and other buildings and structures appurtenant thereto and all other improvements located or to be located thereon to Cargill, Inc., for the storage and handling of grain. It further provides that Cargill, Inc., will give, to the extent feasible, preference to said grain elevator over grain elevators operated by it in the Gulf Area and will maintain and publish rates and charges for the handling and storage on a competitive basis to rates for similar services at New Orleans and other competitive Gulf ports.

(2) Agreement No. 8225-1 modifies Agreement No. 8225 (described above) to provide (1) that the integrated stevedoring service of Cargill, Inc., be used by vessels loading or unloading at the wharf which is part of the leased property, and (2) that the invalidity of any one or more phrases, sentences, clauses or paragraphs of said agreement shall not affect the remaining portions thereof.

Interested parties may inspect these agreements 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 either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 22, 1957.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN, *Assistant Secretary.*

[F. R. Doc. 57-4258; Filed, May 24, 1957; 8:48 a. m.]

UNITED STATES TARIFF COMMISSION

[Investigation 16]

CERTAIN ARTICLES CONTAINING BUTTERFAT

NOTICE OF INVESTIGATION AND HEARING

Institution of investigation. By direction of the President, in a letter dated May 21, 1957, the United States Tariff Commission, on the same date, instituted, and hereby gives notice of, an investigation under section 22 of the Agricultural Adjustment Act, as amended, and Executive Order 7233 of November 23, 1935, for the purpose of determining whether the articles described below are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the price-support program for milk and butterfat undertaken by the United States Department of Agriculture pursuant to section 201 of the Agricultural Act of 1949, as amended, or to reduce substantially the amount of products processed in the United States from domestic milk and butterfat with respect to which such program is being undertaken.

Description of products. The articles with respect to which this investigation relates are articles containing butterfat, the butterfat content of which is commercially extractable, or which are capable of being used for any edible purpose for which products containing butterfat are used, but not including the following:

(a) Articles the importation of which is restricted under quotas established pursuant to section 22 of the Agricultural Adjustment Act, as amended;

(b) Cheese the importation of which is not restricted by quotas established pursuant to the said section 22;

(c) Evaporated milk and condensed milk; and

(d) Products imported packaged for distribution in the retail trade and ready for use by the purchaser at retail for an edible purpose or in the preparation of an edible article.

Hearing. A public hearing in this investigation will be held in the Tariff Commission Hearing Room, Tariff Commission Building, 8th and E Streets NW., Washington, D. C., beginning at 10 a. m., e. d. s. t., on June 11, 1957. All parties interested will be given opportunity to be present, to produce evidence, and to be heard at such hearing.

Request to appear at hearing. Interested parties desiring to appear at the public hearing should notify the Secretary of the Tariff Commission, at its offices in Washington, D. C. at least three days in advance of the date set for the hearing.

Issued May 21, 1957.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc 57-4249; Filed, May 24, 1957; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 21, 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. 33729: *Paper—Espanola, Ont., to Kansas City, Mo.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on newsprint paper and ground wood papers, carloads, from Espanola, Ont., Canada to Kansas City, Mo.

Grounds for relief: Circuitous routes.

Tariff: Supplement 46 to Canadian Pacific Railway Company's tariff I. C. C. No. E-2597.

FSA No. 33730: *Cement—Fordwick, Va., to Durham, N. C.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on cement and related commodities, carloads from Fordwick, Va., to Durham, N. C.

Grounds for relief: Circuitous routes.

Tariff: Supplement 87 to Agent Spaninger's tariff I. C. C. 1447.

FSA No. 33731: *Cement—Phoenixville, Ala., to Alabama points.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on cement and related articles, carloads from Phoenixville, Ala. to Eufaula, Ozark and Union Springs, Ala., and other points in Alabama on the Central of Georgia Railway grouped with named points.

Grounds for relief: Circuitous routes.

Tariff: Supplement 87 to Agent Spaninger's tariff I. C. C. 1447.

FSA No. 33732: *Sugar—South Atlantic ports to Cincinnati, Ohio.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on sugar, carloads from Charleston, S. C., Jacksonville, Fla., and Wilmington, N. C., to Cincinnati, Ohio.

Grounds for relief: Circuitous routes.

Tariff: Supplement 352 to Alternate Agent J. H. Marque's tariff I. C. C. 380.

FSA No. 33733: *Newsprint paper—Mobile, Ala., to Kansas City, Mo.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on newsprint paper, carloads from Mobile, Ala., to Kansas City, Mo.

Grounds for relief: Market competition and circuitous routes.

Tariff: Supplement 81 to Agent Spaninger's tariff I. C. C. 1466.

FSA No. 33734: *Newsprint paper—Mobile, Ala., to St. Louis, Mo. group.* Filed by O. W. South Jr., Agent, for interested rail carriers. Rates on newsprint paper, carloads from Mobile, Ala., to St. Louis, Mo., and East St. Louis, Ill.

Grounds for relief: Circuitous routes.

Tariff: Supplement 81 to Agent Spaninger's tariff I. C. C. 1466.

FSA No. 33735: *Newsprint paper—Mobile, Ala., to Atlanta, Ga.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on newsprint paper, carloads; also newsprint paper winding cores, old or used, carloads, in reverse direction, from Mobile, Ala., to Atlanta, Ga.

Grounds for relief: Circuitous routes.

Tariff: Supplement 81 to Agent Spaninger's tariff I. C. C. 1466.

FSA No. 33736: *Perlite rock—Socorro, N. M., to Tracktowne, Pa.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on perlite rock, carloads from Socorro, N. M., to Tracktowne, Pa.

Grounds for relief: Short-line distance formula, and circuitous routes.

Tariff: Supplement 331 to Agent Kratzmeir's tariff I. C. C. 4139.

FSA No. 33737: *Latex—Naugatuck, Conn., to Baton Rouge and New Orleans, La.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on latex (liquid crude rubber), natural or synthetic, in barrels, or in containers in boxes, carloads, also tank-car loads from Naugatuck, Conn., to Baton Rouge and New Orleans, La.

Grounds for relief: Circuitous routes (in part west of the Mississippi River).

Tariff: Supplement 91 to Agent O. E. Swenson's tariff I. C. C. 610.

FSA No. 33738: *Potatoes—Main and New Brunswick to Luzerne, Pa.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on white potatoes, carloads from Caribou, Me., and from other specified points in Maine and in New Brunswick, Canada to Luzerne, Pa.

Grounds for relief: Circuitous routes.

Tariff: Supplement 43 to Agent Swenson's tariff I. C. C. 611.

FSA No. 33739: *Aluminum billets—Texas points to New Orleans, La.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on aluminum billets, blooms, ingots, pigs, or slabs, straight or mixed carloads from Gregory, Point Comfort, and Sandow, Tex., to New Orleans, La.

Grounds for relief: Short-line distance formula, market competition, and circuitous routes.

Tariff: Supplement 20 to Agent Kratzmeir's tariff I. C. C. 4225.

FSA No. 33740: *All commodities—Chicago, Ill., and group to New Orleans, La.* Filed by R. G. Raasch, Agent, for interested rail carriers. Rates on merchandise, in mixed carloads from Chicago, Ill., and grouped origins to New Orleans, La.

Grounds for relief: Circuitous routes.

Tariff: Supplement 36 to Agent Raasch's tariff I. C. C. 79.

FSA No. 33741: *Grit, sandblasting—New Jersey points to southern points.* Filed by O. E. Schultz, Agent for interested rail carriers. Rates on grit, sand blasting (product of coal ashes or cinders), carloads from Carteret and Dundee, N. J., to Charleston, S. C., Jacksonville, South Jacksonville and Tampa, Fla., Savannah and Port Wentworth, Ga., New Orleans, La., and Mobile, Ala.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 44 to Agent Boin's tariff I. C. C. A-1079.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 57-4219; Filed, May 23, 1957; 8:46 a. m.]

[Rev. S. O. 562, Taylor's I. C. C. Order 86]

FORT WORTH AND DENVER RAILWAY CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Charles W. Taylor, Agent, the Fort Worth and Denver Railway Company, due to washout on the Childress-Pampa Line, is unable to transport traffic routed between these points: *It is ordered*, That:

(a) Rerouting traffic: The Fort Worth and Denver Railway Company is hereby authorized to reroute or divert traffic moving over its Childress-Pampa Line, due to washout, over any available route to expedite the movement.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to such traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 5:00 p. m., May 16, 1957.

(g) Expiration date: This order shall expire at 11:59 p. m., May 31, 1957, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued as Washington, D. C., May 16, 1957.

INTERSTATE COMMERCE COMMISSION,
[SEAL] CHARLES W. TAYLOR,
Agent.

[F. R. Doc. 57-4231; Filed, May 23, 1957; 8:48 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 22, 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. 33742: *Cement from Phoenixville, Ala., to Georgia.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on cement and related articles, carloads from Phoenixville, Ala., to Nashville and Valdosta, Ga., and other points on the Georgia and Florida Railroad.

Grounds for relief: Circuity.

Tariff: Supplement 87 to Agent Spaninger's tariff I. C. C. 1447.

FSA No. 33743: *All freight from central territory to the South.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on all commodities, mixed carloads from Buffalo, N. Y., Fort Wayne, Ind., Jackson and Manchester, Mich., to Memphis, Tenn., Hapeville, Ga., and Atlanta, Ga., and points grouped therewith.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Agent H. R. Hinsch's tariff I. C. C. No. 4781.

FSA No. 33744: *Rock salt from Ojibway, Ont., to trunk line territory.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on rock salt (sodium chloride), carloads from Ojibway, Ont., Canada to Points in trunk line territory.

Grounds for relief: Rail carrier competition and circuity.

Tariff: Supplement 9 to R. H. Watson's tariff I. C. C. 197.

FSA No. 33745: *Substituted service, motor-rail-motor, M-K-T R. R.* Filed by the Middlewest Motor Freight Bureau, Agent, for interested rail and motor carriers. Rates on freight loaded in highway trailers, and empty highway trailers, transported on railroad flat cars between St. Louis, Mo., and Dallas, Tex.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 50 to Middlewest Motor Freight Bureau, Agent's Substituted Freight Service Tariff MF–I. C. C. 223.

FSA No. 33746: *Aluminum from Arkansas and Texas to the South.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on aluminum billets, blooms, pigs or slabs, carloads from points in Arkansas and Texas to Foodco and Sebring, Fla., Jackson and North Chattanooga, Tenn.

Grounds for relief: Short-line distance formula, market competition, and circuity.

Tariff: Supplement 20 to Agent Kratzmeir's tariff I. C. C. 4225.

FSA No. 33747: *Sand, gravel, and related articles in Alabama.* Filed by O. E. South, Jr., Agent, for interested rail carriers. Rates on sand, gravel, and related articles, carloads from Ensley, Ala., to Barrett, Dothan, and Taylor, Ala.

Grounds for relief: Circuity.

Tariff: Supplement 106 to Agent Spaninger's tariff I. C. C. 1469.

FSA No. 33748: *Crushed stone from Dan, Ga., to points in Georgia.* Filed by O. E. South, Jr., Agent, for interested rail carriers. Rates on crushed stone, carloads from Dan, Ga., to Scotchville and St. Marys, Ga.

Grounds for relief: Intrastate rail carrier competition.

Tariff: Supplement 106 to Agent Spaninger's tariff I. C. C. 1469.

FSA No. 33749: *Plywood from Savannah and Port Wentworth, Ga.* Filed by O. E. South, Jr., Agent, for interested rail carriers. Rates on cativo plywood, carloads from Savannah and Port Wentworth, Ga., to points in southern territory.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 72 to Agent Spaninger's tariff I. C. C. 1356.

FSA No. 33750: *Trailer-on-flat-car service from and to the southwest.* Filed by F. C. Kratzmeir, Agent, for interested rail carrier. Rates on various commodities, moving on class and commodity rates, loaded in highway trailers and transported on railroad flat cars between points in Louisiana, New Mexico, and Texas and points in Illinois, Minnesota, and Wisconsin.

Grounds for relief: Motor truck competition.

Tariff: Supplement 53 to Agent Kratzmeir's tariff I. C. C. 4181.

FSA No. 33751: *Zinc slabs from Montana to East St. Louis, Ill.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on zinc slabs, carloads from Anaconda and Black Eagle, Mont., to East St. Louis, Ill.

Grounds for relief: Circuity.

Tariff: Supplement 23 to Agent Prueter's tariff I. C. C. 1582.

FSA No. 33752: *Liquefied chlorine gas from Memphis, Tenn.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on liquefied chlorine gas, compressed, carloads from Memphis, Tenn., to Belle, Charleston, and Nitro, W. Va.

Grounds for relief: Rail carrier competition and circuity.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 57-4239; Filed, May 24, 1957; 8:45 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

JOURNAL DE PHYSIQUE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement

thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Journal de Physique, 12, Place Henri Bergson (ex Place de Laborde), Paris 8, France, Claim No. 43842, all right, title, interest and claim of whatsoever kind or nature in and to every copyright, claim of copyright and right to copyright, license, agreement, privilege, power and right of whatsoever nature, including but not limited to all monies and amounts by way of royalties, share of profits or other emolument, and all causes of action accrued or to accrue, relating to the periodical entitled Journal de Physique et le Radium, as listed in Exhibits A to Vesting Orders Nos. 472 (11 F. R. 1232, February 1, 1946); 500A–13 (11 F. R. 1235, February 1, 1946); 500A–27 (11 F. R. 961, January 25, 1946); and 500A–42 (11 F. R. 1235, February 1, 1946), respectively, to the extent owned by Journal de Physique immediately prior to the vesting thereof by the aforementioned vesting orders.

Executed at Washington, D. C., on May 20, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57–4255; Filed, May 24, 1957; 8:48 a. m.]

REVUE GENERALE DE L'ELECTRICITE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Revue Generale de l'Electricite, 12, Place Henri Bergson (ex Place de Laborde), Paris, 8, France, Claim No. 43843, all right, title, interest and claim of whatsoever kind or nature in and to every copyright, claim of copyright and right to copyright, license, agreement, privilege, power and right of whatsoever nature, including but not limited to all monies and amounts by way of royalties, share of profits or other emolument, and all causes of action accrued or to accrue, relating to the periodical entitled Revue Generale de l'Electricite, as listed in Exhibits A to Vesting Orders Nos. 472 (11 F. R. 1232, February 1, 1946); 500A–13 (11 F. R. 1235, February 1, 1946); 500A–27 (11 F. R. 961, January 25, 1946); and 500A–42 (11 F. R. 1235, February 1, 1946), respectively, to the extent owned by Revue Generale de l'Electricite immediately prior to the vesting thereof by the aforementioned vesting orders.

Executed at Washington, D. C., on May 20, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57–4256; Filed, May 24, 1957; 8:48 a. m.]

E. MERKLY

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

E. Merkly, Geneva, Switzerland, Claim No. 61644, Vesting Order No. 17829, $72.50 in the Treasury of the United States, and 10 shares of Baltimore & Ohio Railroad Company, Maryland, $100 par value common capital stock. Certificate(s) evidencing the above described shares, registered in the name of the Attorney General of the United States, are presently in the custody of the Safekeeping Department of the Federal Reserve Bank of New York, Account No. 63–80094.

Executed at Washington, D. C., on May 20, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57–4257; Filed, May 24, 1957; 8:48 a. m.]