FEDERAL REGISTER

VOLUME 17 NUMBER 105

Washington, Wednesday, May 28, 1952

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10354

AMENDMENT OF THE REGULATIONS RELATING TO COMMISSIONED OFFICERS AND EMPLOYEES OF THE PUBLIC HEALTH SERVICE

By virtue of the authority vested in me by section 209 (g) of the Public Health Service Act (58 Stat. 687; 42 U. S. C. 210 (g)), I hereby prescribe the following amendment of the regulations relating to commissioned officers and employees of the Public Health Service prescribed by Executive Order No. 9993 of August 31, 1948, as amended, as portions of Chapter I, Title 42, Code of Federal Regulations:

Section 22.1 of the said regulations is amended to read as follows:

"§ 22.1 *Duty requiring intimate contact with leprosy patients; additional pay for civil service officers or employees.* Except as provided in § 22.2, every civil service officer or employee of the Service assigned to full-time duty for a period of 30 days or more at a station of the Service devoted to the care of leprosy patients shall receive, while so assigned, in addition to the basic compensation provided by law for his position, a sum equal to 25 per centum of such compensation: *Provided*, that the rate of total basic and additional compensation received by any such civil service officer or employee on June 30, 1952, under laws and regulations then in effect shall not, so long as the officer or employee remains on continuous assignment to such duty, be reduced prior to July 1, 1957, by reason of the foregoing provisions of this section."

This order shall become effective on July 1, 1952.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 26, 1952.

[F. R. Doc. 52-5934; Filed, May 26, 1952; 4:25 p. m.]

EXECUTIVE ORDER 10355

DELEGATING TO THE SECRETARY OF THE INTERIOR THE AUTHORITY OF THE PRESIDENT TO WITHDRAW OR RESERVE LANDS OF THE UNITED STATES FOR PUBLIC PURPOSES

By virtue of the authority vested in me by section 301 of title 3 of the United States Code (section 10 of Public Law 248, 82d Congress), and as President of the United States, it is ordered as follows:

SECTION 1. (a) Subject to the provisions of subsections (b), (c), and (d) of this section, I hereby delegate to the Secretary of the Interior the authority vested in the President by section 1 of the act of June 25, 1910, ch. 421, 36 Stat. 847 (43 U. S. C. 141), and the authority otherwise vested in him to withdraw or reserve lands of the public domain and other lands owned or controlled by the United States in the continental United States or Alaska for public purposes, including the authority to modify or revoke withdrawals and reservations of such lands heretofore or hereafter made.

(b) All orders issued by the Secretary of the Interior under the authority of this order shall be designated as public land orders and shall be submitted to the Division of the Federal Register, General Services Administration, for filing and for publication in the FEDERAL REGISTER.

(c) No order affecting land under the administrative jurisdiction of any executive department or agency of the Government other than the Department of the Interior shall be issued by the Secretary of the Interior under the authority of this order without the prior approval or concurrence, so far as the order affects such land, of the head of the department or agency concerned, or of such officer of the department or agency concerned as the head thereof may designate for such

(Continued on p. 4833)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

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purpose: *Provided*, that such officer is required to be appointed by the President by and with the advice and consent of the Senate.

(d) Any disagreement between two or more executive departments or agencies with respect to any proposed withdrawal or reservation shall be referred to the Director of the Bureau of the Budget for consideration and adjustment. The Director may, in his discretion, submit the matter to the President for his determination.

SEC. 2. The Secretary of the Interior is authorized to issue such rules and regulations, and to prescribe such procedures, as he may from time to time deem necessary or desirable for the exercise of the authority delegated to him by this order.

SEC. 3. The Secretary of the Interior is authorized to redelegate the authority delegated to him by this order to one or more of the following-designated officers: the Under Secretary of the Interior and the Assistant Secretaries of the Interior.

SEC. 4. This order supersedes Executive Order No. 9337 of April 24, 1943, entitled "Authorizing the Secretary of the Interior To Withdraw and Reserve Lands of the Public Domain and Other Lands Owned or Controlled by the United States".

HARRY S. TRUMAN

THE WHITE HOUSE,
May 26, 1952.

[F. R. Doc. 52–5935; Filed, May 26, 1952; 4:25 p. m.]

RULES AND REGULATIONS

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter IV—Federal National Mortgage Association

PART 400—MORTGAGE PURCHASES, SERVICING AND SALES

MISCELLANEOUS AMENDMENTS

1. Section 400.102 is amended by striking all of said section and inserting a new section in lieu thereof to read as follows:

§ 400.102 *VA prior approval.* VA-guaranteed mortgages must have been processed through the VA prior approval procedure.

2. Section 400.103 is amended by striking all of said section and inserting a new section in lieu thereof to read as follows:

§ 400.103 *Extent of guaranty for single-family dwelling units.* If the improvements on the mortgaged premises comprise one single-family dwelling unit, the original principal amount of the mortgage will have been guaranteed: (a) In the case of a section 501 mortgage, to the extent of 60 percent; (b) in the case of a section 502 mortgage, to the extent of 50 percent or $4,000, whichever is less.

3. Section 400.104 (a) is amended by striking all of said paragraph (a) and inserting a new paragraph (a) in lieu thereof to read as follows:

§ 400.104 *Extent of guaranty for multiple-family dwelling units.* (a) If the improvements on the mortgaged premises comprise two or more single-family dwelling units, the original principal amount of the mortgage must not have exceeded the original amount of the guaranty, plus 50 percent of the purchase price or cost of the premises.

4. Section 400.109 is amended by striking all of said section and inserting a new section in lieu thereof to read as follows:

§ 400.109 *Closing costs.* The original principal amount of a guaranteed mortgage may not exceed the purchase price

or cost of the property computed without the inclusion of closing costs.

5. Section 400.173 is amended by striking all of said section and inserting a new section in lieu thereof to read as follows:

§ 400.173 *Period of eligibility.* The guaranty or insurance must have become fully effective not less than two (2) months nor more than twelve (12) months prior to the date of delivery of the mortgage to FNMA for purchase, except that a VA-guaranteed section 505 (a) mortgage is not subject to the two months' waiting period; and except that an FHA-insured section 803 mortgage is not eligible for purchase where the construction or erection of the improvements on the site covered by the mortgage commenced prior to March 21, 1950.

6. Section 400.174 is amended by striking all of said section and inserting a new section in lieu thereof to read as follows:

§ 400.174 *Location of premises.* The mortgaged premises must be located within a radius of 100 miles of the principal office of the seller, or of a branch office of seller which FNMA has determined is adequately equipped to service mortgages; or of an office of a bona fide agent of seller if both agent and office have been approved by FNMA.

(Sec. 301, 48 Stat. 1252, as amended; 12 U. S. C. 1716)

J. S. BAUGHMAN,
President,
Federal National Mortgage Association.

[F. R. Doc. 52-5863; Filed, May 27, 1952; 8:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 1 to Supp. 1, Barley]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP BARLEY LOAN AND PURCHASE AGREEMENT PROGRAM

WAREHOUSE CHARGES

The regulation issued by Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 3771, and containing the specific requirements for the 1952-crop barley price support program is hereby amended as follows:

Section 601.1559 *Warehouse charges* is amended by deleting paragraph (a) and inserting in lieu thereof the following:

§ 601.1559 *Warehouse charges.* (a) Warehouse receipts and the barley represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the grain is deposited in the warehouse for storage. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing barley stored in warehouses operating under the Uniform Grain Storage Agreement is on or before April 30, 1953, the storage charges per bushel shown in the following table shall be deducted in computing the amount of the loan or purchase price.

Date of deposit (all dates inclusive):	*Amount of deduction (cents per bushel)*
Prior to May 6, 1952	13
May 6–June 14, 1952	12
June 15–July 24, 1952	11
July 25–Sept. 2, 1952	10
Sept. 3–Oct. 12, 1952	9
Oct. 13–Nov. 21, 1952	8
Nov. 22–Dec. 11, 1952	7
Dec. 12–Dec. 31, 1952	6
Jan. 1–Jan. 20, 1953	5
Jan. 21–Feb. 9, 1953	4
Feb. 10–March 1, 1953	3
Mar. 2–Mar. 21, 1953	2
Mar. 22–Apr. 10, 1953	1
Apr. 11–Apr. 30, 1953	0

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup., 714, 7 U. S. C. Sup., 1447, 1421)

Issued this 23d day of May 1952.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5884; Filed, May 27, 1952; 8:53 a. m.]

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 1 to Supp. 1, Wheat]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

WAREHOUSE CHARGES

The regulation issued by Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 3693, and containing the specific requirements for the 1952-crop wheat price support program is hereby amended as follows:

Section 601.1709 *Warehouse charges* is amended by deleting paragraph (a) and inserting in lieu thereof the following:

§ 601.1709 *Warehouse charges.* (a) Warehouse receipts and the wheat represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges not to exceed the Uniform Grain Storage Agreement rates from the date the grain is deposited in the warehouse for storage. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing wheat stored in warehouses operating under the Uniform Grain Storage Agreement is on or before April 30, 1953, the storage charges shown in the following table shall be deducted in computing the amount of the loan or purchase price.

Amount of deduction (cents per bushel)	Area I [1] Date of deposit (all dates inclusive)	Area II [2] Date of deposit (all dates inclusive)	Area III [3] Date of deposit (all dates inclusive)	Area IV [4] Date of deposit (all dates inclusive)
15				Prior to May 11, 1952.
14	Prior to Apr. 21, 1952	Prior to May 11, 1952	Prior to May 26, 1952	May 11–June 9, 1952.
13	Apr. 21–May 20, 1952	May 11–June 9, 1952	May 26–June 24, 1952	June 10–July 9, 1952.
12	May 21–June 19, 1952	June 10–July 9, 1952	June 25–July 24, 1952	July 10–Aug. 8, 1952.
11	June 20–July 19, 1952	July 10–Aug. 8, 1952	July 25–Aug. 23, 1952	Aug. 9–Sept. 7, 1952.
10	July 20–Aug. 18, 1952	Aug. 9–Sept. 7, 1952	Aug. 24–Sept. 22, 1952	Sept. 8–Oct. 7, 1952.
9	Aug. 19–Sept. 17, 1952	Sept. 8–Oct. 7, 1952	Sept. 23–Oct. 22, 1952	Oct. 8–Nov. 1, 1952.
8	Sept. 18–Oct. 17, 1952	Oct. 8–Nov. 6, 1952	Oct. 23–Nov. 21, 1952	Nov. 2–Nov. 21, 1952.
7	Oct. 18–Nov. 16, 1952	Nov. 7–Dec. 6, 1952	Nov. 22–Dec. 11, 1952	Nov. 22–Dec. 11, 1952.
6	Nov. 17–Dec. 16, 1952	Dec. 7–Dec. 31, 1952	Dec. 12–Dec. 31, 1952	Dec. 12–Dec. 31, 1952.
5	Dec. 17–Jan. 15, 1953	Jan. 1–Jan. 20, 1953	Jan. 1–Jan. 20, 1953	Jan. 1–Jan. 20, 1953.
4	Jan. 16–Feb. 9, 1953	Jan. 21–Feb. 9, 1953	Jan. 21–Feb. 9, 1953	Jan. 21–Feb. 9, 1953.
3	Feb. 10–Mar. 1, 1953	Feb. 10–Mar. 1, 1953	Feb. 10–Mar. 1, 1953	Feb. 10–Mar. 1, 1953.
2	Mar. 2–Mar. 21, 1953	Mar. 2–Mar. 21, 1953	Mar. 2–Mar. 21, 1953	Mar. 2–Mar. 21, 1953.
1	Mar. 22–Apr. 10, 1953	Mar. 22–Apr. 10, 1953	Mar. 22–Apr. 10, 1953	Mar. 22–Apr. 10, 1953.
0	Apr. 11–Apr. 30, 1953	Apr. 11–Apr. 30, 1953	Apr. 11–Apr. 30, 1953	Apr. 11–Apr. 30, 1953.

[1] Area I includes: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.
[2] Area II includes: Minnesota, Montana, North Dakota, South Dakota, also Superior, Wisconsin.
[3] Area III includes: Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin, except Superior.
[4] Area IV includes All States not listed in Areas I, II, and III above.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup. 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 23d day of May, 1952.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5885; Filed, May 27, 1952; 8:53 a. m.]

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 1 to Supp. 1, Grain Sorghums]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP GRAIN SORGHUM LOAN AND PURCHASE AGREEMENT PROGRAM

WAREHOUSE CHARGES

The regulation issued by Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 3573, and containing the specific requirements for the 1952-crop grain sorghums price support program is hereby amended as follows:

Section 601.1759 *Warehouse charges* is amended by deleting paragraph (a) and inserting in lieu thereof the following:

§ 601.1759 *Warehouse charges.* (a) Warehouse receipts and the grain sorghums represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the grain is deposited in the warehouse for storage. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing grain sorghums stored in warehouses operating under the Uniform Grain Storage Agreement is on or before March 31, 1953, the storage charges per 100 pounds shown in accordance with the following table shall be deducted in computing the amount of the loan or purchase price.

Amount of deduction (cents per cwt.)	Area I [1] Date of deposit (all dates inclusive)	Area II [2] Date of deposit (all dates inclusive)	Area III [3] Date of deposit (all dates inclusive)	Area IV [4] Date of deposit (all dates inclusive
26				Prior to Apr. 19, 1952.
25			Prior to Apr. 24, 1952	Apr. 19–May 5, 1952.
24	Prior to Apr. 5, 1952	Prior to Apr. 17, 1952	Apr. 24–May 10, 1952	May 6–May 22, 1952.
23	Apr. 5–Apr. 21, 1952	Apr. 17–May 3, 1952	May 11–May 27, 1952	May 23–June 8, 1952.
22	Apr. 22–May 8, 1952	May 4–May 20, 1952	May 28–June 13, 1952	June 9–June 25, 1952.
21	May 9–May 25, 1952	May 21–June 6, 1952	June 14–June 30, 1952	June 26–July 12, 1952.
20	May 26–June 11, 1952	June 7–June 23, 1952	July 1–July 17, 1952	July 13–July 29, 1952.
19	June 12–June 28, 1952	June 24–July 10, 1952	July 18–Aug. 3, 1952	July 30–Aug. 15, 1952.
18	June 29–July 15, 1952	July 11–July 27, 1952	Aug. 4–Aug. 20, 1952	Aug. 16–Sept. 1, 1952.
17	July 16–Aug. 1, 1952	July 28–Aug. 13, 1952	Aug. 21–Sept. 6, 1952	Sept. 2–Sept. 18, 1952.
16	Aug. 2–Aug. 18, 1952	Aug. 14–Aug. 30, 1952	Sept. 7–Sept. 23, 1952	Sept. 19–Oct. 2, 1952.
15	Aug. 19–Sept. 4, 1952	Aug. 31–Sept. 16, 1952	Sept. 24–Oct. 10, 1952	Oct. 3–Oct. 13, 1952.
14	Sept. 5–Sept. 21, 1952	Sept. 17–Oct. 3, 1952	Oct. 11–Oct. 24, 1952	Oct. 14–Oct. 24, 1952.
13	Sept. 22–Oct. 8, 1952	Oct. 4–Oct. 20, 1952	Oct. 25–Nov. 4, 1952	Oct. 25–Nov. 4, 1952.
12	Oct. 9–Oct. 25, 1952	Oct. 21–Nov. 6, 1952	Nov. 5–Nov. 15, 1952	Nov. 5–Nov. 15, 1952.
11	Oct. 26–Nov. 11, 1952	Nov. 7–Nov. 23, 1952	Nov. 16–Nov. 26, 1952	Nov. 16–Nov. 26, 1952.
10	Nov. 12–Nov. 28, 1952	Nov. 24–Dec. 7, 1952	Nov. 27–Dec. 7, 1952	Nov. 27–Dec. 7, 1952.
9	Nov. 29–Dec. 15, 1952	Dec. 8–Dec. 18, 1952	Dec. 8–Dec. 18, 1952	Dec. 8–Dec. 18, 1952.
8	Dec. 16–Dec. 29, 1952	Dec. 19–Dec. 29, 1952	Dec. 19–Dec. 29, 1952	Dec. 19–Dec. 29, 1952.
7	Dec. 30–Jan. 9, 1953	Dec. 30–Jan. 9, 1953	Dec. 30–Jan. 9, 1953	Dec. 30–Jan. 9, 1953
6	Jan. 10–Jan. 20, 1953	Jan. 10–Jan. 20, 1953	Jan. 10–Jan. 20, 1953	Jan. 10–Jan. 20, 1953.
5	Jan. 21–Jan. 31, 1953	Jan. 21–Jan. 31, 1953	Jan. 21–Jan. 31, 1953	Jan. 21–Jan. 31, 1953.
4	Feb. 1–Feb. 11, 1953	Feb. 1–Feb. 11, 1953	Feb. 1–Feb. 11, 1953	Feb. 1–Feb. 11, 1953.
3	Feb. 12–Feb. 22, 1953	Feb. 12–Feb. 22, 1953	Feb. 12–Feb. 22, 1953	Feb. 12–Feb. 22, 1953.
2	Feb. 23–Mar. 5, 1953	Feb. 23–Mar. 5, 1953	Feb. 23–Mar. 5, 1953	Feb. 23–Mar. 5, 1953.
1	Mar. 6–Mar. 16, 1953	Mar. 6–Mar. 16, 1953	Mar. 6–Mar. 16, 1953	Mar. 6–Mar. 16, 1953.
0	Mar. 17–Mar. 31, 1953	Mar. 17–Mar. 31, 1953	Mar. 17–Mar. 31, 1953	Mar. 17–Mar. 31, 1953.

[1] Area I includes: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.
[2] Area II includes: Minnesota, Montana, North Dakota, South Dakota, also Superior, Wisconsin.
[3] Area III includes: Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin, except Superior.
[4] Area IV includes: All States not listed in Areas I, II, and III above.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup. 714c; 7 U. S. C. Sup. 1447, 1421)

Issued this 23d day of May 1952.

[SEAL]

ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5886; Filed, May 27, 1952; 8:54 a. m.]

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 1 to Supp. 1, Oats]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP OATS LOAN AND PURCHASE AGREEMENT PROGRAM

WAREHOUSE CHARGES

The regulation issued by Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 3526, and containing the specific requirements for the 1952-crop oats price support program is hereby amended as follows:

Section 601.1809 *Warehouse charges* is amended by deleting paragraph (a) and inserting in lieu thereof the following:

§ 601.1809 *Warehouse charges.* (a) Warehouse receipts and the oats represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the oats are deposited in the warehouse for storage. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing oats stored in warehouses operating under the Uniform Grain Storage Agreement is on or before April 30, 1953, the storage charges per bushel shown in the following table shall be deducted in computing the amount of the loan or purchase price.

Date of deposit (all dates inclusive):	*Amount of deduction (cents per bushel)*
Prior to Apr. 26, 1952	11
Apr. 26–June 4, 1952	10
June 5–July 14, 1952	9
July 15–Aug. 23, 1952	8
Aug. 24–Oct. 2, 1952	7
Oct. 3–Nov. 6, 1952	6
Nov. 7–Dec. 6, 1952	5
Dec. 7, 1952–Jan. 5, 1953	4
Jan. 6–Feb. 4, 1953	3
Feb. 5–Mar. 6, 1953	2
Mar. 7–Apr. 5, 1953	1
Apr. 6–Apr. 30, 1953	0

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup., 714c; 7 U. S. C. Sup., 1447, 1421)

Issued this 23d day of May 1952.

[SEAL]

ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5883; Filed, May 27, 1952; 8:53 a. m.]

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 1 to Supp. 1, Rye]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP RYE LOAN AND PURCHASE AGREEMENT PROGRAM

WAREHOUSE CHARGES

The regulation issued by Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 3777, and containing the specific requirements for the 1952-crop rye price support program is hereby amended as follows:

Section 601.1909 *Warehouse charges* is amended by deleting paragraph (a) and inserting in lieu thereof the following:

§ 601.1909 *Warehouse charges.* (a) Warehouse receipts and the rye represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges not to exceed the Uniform Grain Storage Agreement rates from the date the rye is deposited in the warehouse for storage. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing rye stored in warehouses operating under the Uniform Grain Storage Agreement is on or before April 30, 1953, the storage charges shown in the following table shall be deducted in computing the amount of the loan or purchase price.

Amount of deduction (cents per bushel)	Area I [1] Date of deposit (all dates inclusive)	Area II [2] Date of deposit (all dates inclusive)	Area III [3] Date of deposit (all dates inclusive)	Area IV [4] Date of deposit (all dates inclusive
15				Prior to May 11, 1952.
14	Prior to Apr. 21, 1952	Prior to May 11, 1952	Prior to May 26, 1952	May 11-June 9, 1952.
13	Apr. 21-May 20, 1952	May 11-June 9, 1952	May 26-June 24, 1952	June 10-July 9, 1952.
12	May 21-June 19, 1952	June 10-July 9, 1952	June 25-July 24, 1952	July 10-Aug. 8, 1952.
11	June 20-July 19, 1952	July 10-Aug. 8, 1952	July 25-Aug. 23, 1952	Aug. 9-Sept. 7, 1952.
10	July 20-Aug. 18, 1952	Aug. 9-Sept. 7, 1952	Aug. 24-Sept. 22, 1952	Sept. 8-Oct. 7, 1952.
9	Aug. 19-Sept. 17, 1952	Sept. 8-Oct. 7, 1952	Sept. 23-Oct. 22, 1952	Oct 8-Nov. 1, 1952.
8	Sept. 18-Oct. 17, 1952	Oct. 8-Nov. 6, 1952	Oct 23-Nov. 21, 1952	Nov. 2-Nov. 21, 1952.
7	Oct. 18-Nov. 16, 1952	Nov. 7-Dec. 6, 1952	Nov. 22-Dec. 11, 1952	Nov. 22-Dec. 11, 1952.
6	Nov. 17-Dec. 16, 1952	Dec. 7-Dec. 31, 1952	Dec. 12-Dec. 31, 1952	Dec. 12-Dec. 31, 1952.
5	Dec. 17-Jan. 15, 1953	Jan. 1-Jan. 20, 1953	Jan. 1-Jan. 20, 1953	Jan. 1-Jan. 20, 1953.
4	Jan. 16-Feb. 9, 1953	Jan. 21-Feb. 9, 1953	Jan. 21-Feb. 9, 1953	Jan. 21-Feb. 9, 1953.
3	Feb. 10-Mar. 1, 1953	Feb. 10-Mar. 1, 1953	Feb. 10-Mar. 1, 1953	Feb. 10-Mar. 1, 1953.
2	Mar. 2-Mar. 21, 1953	Mar. 2-Mar. 21, 1953	Mar. 2-Mar. 21, 1953	Mar. 2-Mar. 21, 1953.
1	Mar. 22-Apr. 10, 1953	Mar. 22-Apr. 10, 1953	Mar. 22-Apr. 10, 1953	Mar. 22-Apr. 10, 1953.
0	Apr. 11-Apr. 30, 1953	Apr. 11-Apr. 30, 1953	Apr. 11-Apr. 30, 1953	Apr. 11-Apr. 30, 1953.

[1] Area I includes: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.
[2] Area II includes: Minnesota, Montana, North Dakota, South Dakota, also Superior, Wisconsin.
[3] Area III includes: Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin, except Superior.
[4] Area IV includes: All States not listed in Areas I, II, and III above.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1447, 1421)

Issued the 23d day of May 1952.

[SEAL]

ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5879; Filed, May 27, 1952; 8:51 a. m.]

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 2 to Supp. 1, Flaxseed]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP FLAXSEED LOAN AND PURCHASE AGREEMENT PROGRAM

SUPPORT RATES

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 4517 and containing the specific requirements for the 1952-crop flaxseed price support program is hereby amended as follows:

Section 601.2108 (c) (1) is amended by deleting the following counties and rates in Texas since such counties and rates are designated under the 1952 Texas Flaxseed Purchase Program (17 F. R. 2959):

County:	*Rate per bushel*
Bell	$3.48
Dimmit	3.39
Milam	3.49
San Saba	3.44
Webb	3.43
Zapata	3.41

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1447, 1421)

Issued this 23d day of May 1952.

[SEAL]

ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5882; Filed, May 27, 1952; 8:53 a. m.]

[1952 C. C. C. Grain Price Support Bulletin 1, Amdt. 1 to Supp. 1, Flaxseed]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1952-CROP FLAXSEED LOAN AND PURCHASE AGREEMENT PROGRAM

WAREHOUSE CHARGES

The regulation issued by Commodity Credit Corporation and the Production and Marketing Administration published in 17 F. R. 4517, and containing the specific requirements for the 1952-crop flaxseed price support program is hereby amended as follows:

Section 601.2109 *Warehouse charges* is amended by deleting paragraph (a) and inserting in lieu thereof the following:

§ 601.2109 *Warehouse charges.* (a) Warehouse receipts and the flaxseed represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the grain is deposited in the warehouse for storage.

(1) *In Arizona, and California.* Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing flaxseed stored in warehouses operating under the Uniform Grain Storage Agreement is on or before January 31, 1953, the storage charges per bushel shown in accordance with the following table shall be deducted in computing the loan or purchase price.

Date of deposit (all dates inclusive):	*Amount of deduction (cents per bushel)*
Prior to Apr. 27, 1952	13
Apr. 27-May 26, 1952	12
May 27-June 25, 1952	11
June 26-July 15, 1952	10
July 16-Aug. 4, 1952	9
Aug. 5-Aug. 24, 1952	8
Aug. 25-Sept. 13, 1952	7
Sept. 14-Oct. 3, 1952	6
Oct. 4-Oct. 23, 1952	5
Oct. 24-Nov. 12, 1952	4
Nov. 13-Dec. 2, 1952	3
Dec. 3-Dec. 22, 1952	2
Dec. 23, 1952-Jan. 11, 1953	1
Jan. 12-Jan. 31, 1953	0

(2) *In all other States.* Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing flaxseed stored in warehouses operating under the Uniform Grain Storage Agreement is on or before April 30, 1953, the storage charges per bushel shown in accordance with the following table shall be deducted in computing the loan or purchase price.

Date of deposit (all dates inclusive):	*Amount of deduction (cents per bushel)*
Prior to May 26, 1952	15
May 26-June 24, 1952	14
June 25-July 24, 1952	13
July 25-Aug. 23, 1952	12
Aug. 24-Sept. 22, 1952	11
Sept. 23-Oct. 12, 1952	10
Oct. 13-Nov. 1, 1952	9
Nov. 2-Nov. 21, 1952	8
Nov. 22-Dec. 11, 1952	7
Dec. 12-Dec. 31, 1952	6
Jan. 1-Jan. 20, 1953	5
Jan. 21-Feb. 9, 1953	4
Feb. 10-Mar. 1, 1953	3
Mar. 2-Mar. 21, 1953	2
Mar. 22-Apr. 10, 1953	1
Apr. 11-Apr. 30, 1953	0

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup., 714c 7 U. S. C. Sup., 1447, 1421)

Issued this 23d day of May 1952.

[SEAL]

ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5880; Filed, May 27, 1952; 8:51 a. m.]

[1952 C. C. C. Cotton Bulletin 1]

PART 607—COTTON

SUBPART—1952 COTTON PRICE SUPPORT PROGRAM

1952 COTTON BULLETIN

This bulletin contains the regulations specifying the instructions and requirements with respect to the 1952 Cotton Price Support Program of Commodity Credit Corporation (hereinafter referred to as CCC) formulated by CCC and the Production and Marketing Administration (hereinafter referred to as PMA). Loans and purchase agreements will be made available on upland cotton pro-

duced in 1952, in accordance with this bulletin.

Sec.
607.325 Administration.
607.326 Availability of price support.
607.327 Approved lending agency.
607.328 Eligible producer.
607.329 Eligible cotton.
607.330 Forms.
607.331 Approved storage.
607.332 Weight and rate.
607.333 Preparation of documents.
607.334 Service charges.
607.335 Fees.
607.336 Liens.
607.337 Set-offs.
607.338 Classification of cotton.
607.339 Interest rate.
607.340 Transfer of producer's interest.
607.341 Maturity.
607.342 Safeguarding farm-storage cotton.
607.343 Warehouse receipts and insurance.
607.344 Insurance on farm-storage cotton.
607.345 Warehouse charges.
607.346 Loans on order bills of lading.
607.347 Advance loans.
607.348 Loans prior to August 1, 1952.
607.349 Repayment of loans and delivery under purchase agreements.
607.350 Purchase of notes.
607.351 Cotton Cooperative Marketing Association Loans.
607.352 PMA Commodity Offices.
607.353 Schedule of premiums and discounts for upland cotton (bases $^{15}/_{16}$ inch Middling).

AUTHORITY: §§ 607.325 to 607.353 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b.

§ 607.325 *Administration.* Under the general direction and supervision of the President, CCC, the Cotton Branch and other appropriate branches of PMA will carry out the provisions of this subpart. In the field, the program will be administered through PMA commodity offices, PMA State committees, and PMA county committees (hereinafter referred to as commodity offices, State committees and county committees). Forms will be distributed by the applicable county committees and will be available at the offices of such committees and at approved lending agencies, approved warehouses, and others designated to participate in the price support program. The State committee may authorize the county committees to designate certain employees of the county committee to approve documents on behalf of the county committee. The names of the employees delegated to approve documents in behalf of the county committee shall be submitted to the State committee for approval. State and county committees and commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements hereto.

§ 607.326 *Availability of price support*—(a) *Method of support.* Price support will be available to eligible producers on eligible cotton and will be made available through warehouse, farm storage, and bills of lading loans and through purchase agreements.

(b) *Area.* Warehouse and farm-storage loans and purchase agreements will be available wherever cotton is grown in the continental United States. Loans on cotton covered by bills of lading will be available in areas specified by the commodity office.

(c) *Time.* Loans and purchase agreements shall be available from the date rates are announced through April 30, 1953. Purchase agreements and notes and chattel mortgages covering farm-storage cotton must be signed by the producer and delivered to the county committee on or before April 30, 1953. Note and Loan Agreements covering warehouse-storage cotton must be signed by the producer and delivered to the lending agency or to the county committee on or before such date.

(d) *Source.* Loans will be available from approved lending agencies. Loans and purchase agreements will be made available from CCC through offices of county committees. Disbursements on loans will be made to producers by approved lending agencies under agreements with CCC, or by means of sight drafts drawn on CCC by county committees. Disbursement of loans will be made not later than May 15, 1953, except where specifically approved by the commodity office in each instance. The producer shall not present the loan documents for disbursement unless the cotton is in existence and in good condition. If the cotton is not in existence and in good condition at the time of disbursement, the producer shall promptly refund the proceeds.

§ 607.327 *Approved lending agency.* An approved lending agency shall be any bank, corporation, partnership, association, individual, or other legal entity which has entered into a Lending Agency Agreement—Cotton (CCC Cotton Form 17) with CCC covering loans on cotton. Banks and other agencies desiring to enter into Lending Agency Agreements should communicate with the local county committee.

§ 607.328 *Eligible producer.* An eligible producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision, producing eligible upland cotton in 1952 in the capacity of landowner, tenant or sharecropper. Where eligible cotton is produced by a landlord and his share tenant or sharecropper, a loan may be obtained, or the cotton delivered under a purchase agreement, only as follows:

(a) If the cotton is divided among the producers entitled to share in such cotton, each landlord, tenant and sharecropper may sell or obtain a loan on his separate share.

(b) If the cotton is not divided, (1) the landlord and one or more of the share tenants or sharecroppers may sell jointly or obtain a joint loan on their shares of such cotton, or (2) the landlord may sell or obtain a loan on cotton in which both he and one or more share tenants or sharecroppers have an interest if he has the legal right to do so, and in such cases the share tenants or sharecroppers must be paid their pro rata share of the loan or sales proceeds and in case of loans their pro rata share of any additional proceeds received from the cotton. In no case shall a share tenant or sharecropper sell or obtain a loan individually on cotton in which a landlord has an interest.

§ 607.329 *Eligible cotton.* Eligible cotton shall be upland cotton produced in the United States in 1952 which meets the following requirements:

(a) Such cotton must be of a grade and staple length specified in § 607.353.

(b) Such cotton must not be false-packed, water-packed, reginned or repacked, and must not have been classed as gin cut, oily, sandy, dusty or seedy, or reduced in grade because of extraneous matter (such as needle grass).

(c) Such cotton must not be compressed to high density.

(d) Such cotton must have been produced by the person tendering it for a loan or purchase agreement and such person must have the legal right to sell it or to pledge or mortgage it as a security for a loan.

(e) If the person tendering such cotton is a landlord or landowner, the cotton must not have been acquired by him directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if it was produced by him in the capacity of landlord, share tenant or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and one or more share tenants or sharecroppers have an interest.

(f) The person tendering such cotton must not have previously sold and repurchased such cotton.

(g) Each bale of such cotton must weigh at least 300 pounds, gross weight, and must be packaged in merchantable bales.

§ 607.330 *Forms*—(a) *Loans.* The following documents must be delivered by producers in connection with every loan except loans made pursuant to §§ 607.347 and 607.351:

(1) *Warehouse-storage loans.* (i) Cotton Producer's Note and Loan Agreement (CCC Cotton Form A, hereinafter referred to as "Form A").

(ii) Warehouse receipts complying with the provisions of § 607.343.

(2) *Farm-storage loans.* (i) Cotton Producer's Note (CCC Cotton Form E, hereinafter referred to as "Form E").

(ii) Cotton Chattel Mortgage (CCC Cotton Form F, hereinafter referred to as "Form F") and Cotton Mortgage Supplement (CCC Cotton Form FF, hereinafter referred to as "Form FF") covering the cotton tendered as security for a loan.

(3) *Cotton represented by order bills of lading.* (i) Form A executed within the area and during the period such loans are available.

(ii) Order bill of lading in a form acceptable to CCC and representing the cotton tendered as security for the loan.

(iii) If the Receiving Agency is not a warehouseman, Weight and Condition Certificates complying with the provisions of § 607.347 and a Receiving Agent's Certificate.

(b) *Purchase agreement documents.* (1) The purchase agreement documents shall consist of the Purchase Agreement and Purchase Agreement Settlement signed by the producer and approved by the county committee, negotiable ware-

house receipts in the form specified in § 607.343 and such other forms and documents as may be required by CCC.

(2) Loan and purchase agreement documents executed by an administrator, executor or trustee will be acceptable only where valid in law. State documentary revenue stamps shall be affixed to loan documents where required by law.

§ 607.331 *Approved storage.* Loans will be made only on cotton in approved storage. Purchase agreements will be accepted without any requirements for approved storage. However, warehouse receipts tendered covering cotton under purchase agreements will be purchased at time of delivery only on cotton in approved warehouse storage.

(a) *Warehouses.* Cotton in warehouses will be accepted as security for loans only if stored in warehouses approved by CCC. Warehousemen desiring approval of their facilities should communicate with the local county committee. The names of approved warehouses may be obtained from commodity offices or State or county committees.

(b) *Farm storage.* Cotton in farm storage will be accepted as security for loans only if stored in a structure approved by the county committee for the county in which the cotton is stored. Such structures may be on or off the farm and must afford safe storage and protection against weather damage, poultry and livestock, and reasonable protection against fire and theft. If the producer does not own the premises where the cotton is stored and his lease on such premises expires prior to September 30, 1953, the owner of such premises must execute the Consent for Storage on the Cotton Mortgage Supplement. Any other tenant who has a right or interest in the premises must also execute the Consent for Storage.

§ 607.332 *Weight and rate.* (a) Loans or purchases under purchase agreements will be made on the gross weight of the cotton. Notes covering cotton pledged on reweights will not be accepted if it is evident that such reweights reflect an increase in weight due to the absorption of additional moisture. An allowance of 7 pounds per bale will be made for bales covered with cotton bagging. Such bagging must have been manufactured specifically for covering cotton bales.

(b) The base loan rate or purchase rate applicable at each approved warehouse will be shown in the Schedule of Base Loan and Purchase Rates for Warehouse-Stored Cotton.[1] Base loan rate under the farm-storage program for each county will be shown is the Schedule of Base Loan Rates by Counties for Farm-Stored Cotton.[1] These schedules will be available at offices of county committees. The premium or discount applicable to each eligible grade and staple length is shown in § 607.353. After a loan is made CCC will not be obligated to make adjustments in the amount of the loan as a result of any subsequent redetermination of the weight or quality of the cotton.

§ 607.333 *Preparation of documents.* All blanks on the loan and purchase forms must be filled in with ink, indelible pencil, or typewriter in the manner indicated therein, and no documents containing additions, alterations, or erasures will be accepted by CCC. All copies must be clearly legible. The spaces provided on Forms A, E, and Purchase Agreement Settlement for the producer to request and direct payment of the proceeds must be completed in every instance. All disbursements made from the proceeds of a note by the lending agency or county committee, including clerks' fee when deducted, must be shown and the total must agree with the amount of the note. In the case of warehouse-storage cotton, care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No deduction may be made from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized clerk's fee in case an employee of the lending agency has executed the Clerk's Certificate on Form A. Lending agencies which are also eligible producers must obtain direct loans on cotton produced by them from the county committee or obtain loans from another approved lending agency.

(a) *Warehouse-storage cotton.* A producer desiring to obtain a loan on warehouse-stored cotton may obtain the necessary forms from county committees, approved lending agencies, approved warehouses, and approved clerks (persons approved by the county committees to assist producers in preparing and executing the loan forms). The Clerk's Certificate on each Form A tendered for a loan must be executed by an approved clerk, who will assist the producer in the preparation and execution of the Form A. The original of Form A must be signed by the producer and a copy marked producer's copy is to be retained by the producer. If the loan is made by the county committee, it will retain its copy of the form. If the loan is made by a lending agency, the county office copy will be forwarded to the committee by the lending agency. All of the cotton pledged as security for any loan must be stored in the same warehouse.

(b) *Farm-storage cotton.* A producer desiring to obtain a loan on farm-storage cotton should communicate with the county committee in the county in which the cotton is produced. The county committee will inspect the storage structure and approve it if it determines that it is of such construction as to afford adequate storage for the cotton. The county committee will furnish and prepare the necessary documents for a farm-storage loan.

(c) *Purchase agreements.* Purchase agreements will be prepared by county committees.

§ 607.334 *Service charges*—(a) *Warehouse-storage loans.* No service charges will be collected in connection with warehouse loans.

(b) *Farm-storage loans.* A service charge of $1 per bale with a minimum of $3.00 per loan will be collected by the county committee from the producer to cover services rendered under this program. State committees are authorized to require prepayment of $3.00 of the service charge. A deposit of $1.00 per bale will also be collected from the producer to guarantee delivery of the cotton if the loan is not repaid by the producer. Such deposit will be returned if the loan is repaid or the cotton is delivered in accordance with delivery instruction issued by the county committee. If the producer does not deliver the cotton upon demand by CCC, the county committee will arrange delivery and retain the deposit.

(c) *Purchase agreements.* A service charge of thirty cents per bale with a minimum of $1.50 per purchase agreement shall be collected from producers when purchase agreements are executed.

(d) *Refund.* No refund of service charges will be made.

§ 607.335 *Fees.* The clerk or county committee assisting the producer in the preparation of the loan documents may collect a fee from the producer not to exceed the fees shown in the following schedule:

Number of bales on note	*Maximum fee allowed*
1	25 cents.
2–6	25 cents plus 15 cents for each bale over 1.
7–18	$1.00 plus 10 cents for each bale over 6.
19 and over	$2.20 plus 5 cents for each bale over 18.

§ 607.336 *Liens.* Eligible cotton must be free and clear of all liens except in the case of loan cotton the warehouseman's lien for charges permitted under § 607.345 (a). The signatures of the holders of all existing liens on cotton tendered for sale or as security for a loan, such as landlords, laborers, or mortgagees (but not the warehouseman on loan cotton, if the cotton is stored in a warehouse), must be obtained on the Lienholder's Waiver on each Form A, Form FF and Purchase Agreement Settlement. If the producer tendering the cotton for loan or for sale is not the owner of the land on which the cotton was produced, all landowners and landlords must sign the Lienholder's Waiver whether or not they claim liens, unless they sign the note or purchase agreement jointly with the producer. A fraudulent representation, as to prior liens or otherwise, will render the producer personally liable under the terms of the applicable agreement and subject him to criminal prosecution under the provisions of the Commodity Credit Corporation Charter Act. The Lienholder's Waiver must be signed personally by all lienholders, by their agents (in which case duly executed powers of attorney must be attached), or, if a corporation,

[1] Schedule to be issued about August 15, 1952.

by the designated officer thereof customarily authorized to execute such instruments (in which case no authority need be attached).

§ 607.337 *Set-offs.* (a) (1) If the producer is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, the producer must designate CCC or such lending agency as the payee of the proceeds of the loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of service charges, clerks' fees, and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. County committees will furnish each approved clerk a list of the names and addresses of all persons listed on the county debt register. Lists will also be furnished to clerks in adjacent counties as is determined necessary by the county committee. These lists shall be kept up to date and revised and supplemented as determined necessary by the county committee.

(2) Before the clerk prepares loan documents, he shall determine that the producer's name is not shown on the list furnished by the county committee. If the person's name is shown on such list, he shall be informed that unless he can produce satisfactory evidence that the indebtedness has been satisfied, he must go to the office of the county committee in the county issuing the list containing his name and have his loan documents completed by a clerk in the county office. A clerk in the office of the county committee will assist the producer in the preparation of such loan documents and will show in the space provided in the notes the agency to which the checks should be issued and the amount to be collected from the note.

(b) Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 607.338 *Classification of cotton.* (a) All cotton tendered for loan or purchase must be classed by a Board of Cotton Examiners of the United States Department of Agriculture (hereinafter referred to as the "Board") and tendered on the basis of such classification. A Cotton Classification Memorandum Form 1 of the United States Department of Agriculture will be accepted, provided the sample is a representative cut sample drawn in accordance with instructions to organized cotton improvement groups for sampling cotton under the 1951 Smith-Doxey Program. If a sample has been drawn and submitted for a Form 1 classification, another sample may not be drawn and forwarded to a Board except for review. If the producer's cotton has not been sampled for a Form 1 classification, the warehousemen (for warehouse-storage cotton), receiving agencies (for cotton covered by bills of lading) and county committees (for farm-storage cotton), should sample such cotton and forward the samples to the Board serving the district in which the cotton is located. A Cotton Classification Memorandum Form A3 must be inserted in each such sample. A Tag List and Record Sheet (CCC Cotton Form L, hereinafter referred to as "Form L"), must be prepared by the warehouseman, receiving agency or county committee, listing each sample included in a shipment to the Board. A copy of such Form L shall be included with the samples and two copies must be mailed separately to the Board. The Board will enter the classification of each bale on the Form L and return a copy of such form to the warehouse, receiving agency or county committee. The Cotton Classification Memorandum Form A3 will be returned to the producer by the Board.

(b) A charge of 25 cents per bale shall be collected from the producer by the warehouseman, receiving agency, or county committee for all cotton for which samples are submitted to a Board for classification, except that no charge shall be collected for samples submitted for Form 1 classification. The Boards will submit billings for classing charges to the warehousemen, receiving agencies, and county committees at the end of each month. Checks or money orders covering these charges shall be made payable to "Commodity Credit Corporation" and shall be sent to the commodity office.

§ 607.339 *Interest rate.* Loans shall bear interest at the rate of 3½ percent per annum from the date of disbursement.

§ 607.340 *Transfer of producer's interest*—(a) *Loans.* If a producer desires to sell his equity in one or more bales of cotton covered by a particular note, he may obtain a Producer's Equity Transfer covering such bales from his county committee. The purchaser of the equity will have 7 days from the date of issuance of such Producer's Equity Transfer in which to redeem the cotton. The producer may transfer his right to redeem the cotton and his remaining interest in the cotton only by the use of such a Producer's Equity Transfer. An equity transfer on any other form or a Producer's Equity Transfer which is not presented for redemption of the cotton within seven days will be void and of no effect.

(b) *Purchase agreements.* A producer may not assign his interest in a purchase agreement.

§ 607.341 *Maturity.* (a) Loans mature July 31, 1953, or upon such earlier date as CCC may make demand for payment. If a producer does not repay his loan by maturity, CCC has the right to sell, purchase or pool the cotton securing the loan in accordance with the provisions of the loan agreements. If the cotton is pooled, the producer will no longer have a right to redeem the cotton but will share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat any pooled cotton as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of cotton, even though part or all of such pooled cotton is disposed of under such policies at less than the current domestic price for such cotton.

(b) Any sum due the producer as a result of the sale of the cotton or collections of insurance proceeds therefrom, or his ratable share from a pool, shall be payable only to the producer or his personal representative without right of assignment to or substitution of any other person.

(c) If the producer does not repay his farm storage loan on or before maturity, he is required to deliver the cotton in accordance with the provisions of Form FF, and if the cotton is not delivered by the producer, the holder of the note may enter on the premises where the cotton is stored and remove the cotton. Upon such delivery or removal, the holder may dispose of the cotton in accordance with the provisions of this section.

§ 607.342 *Safeguarding farm-storage cotton.* The producer obtaining a farm-storage loan is obligated to maintain the farm-storage structure in good repair and to keep the cotton in good condition. The producer will be responsible for any loss or damage occurring through the fault or negligence of the producer or any other person having control of the storage structure or as a result of any cause other than fire, flood lightning, explosion, windstorm, cyclone, or tornado, except that he will not be responsible for loss in weight of not to exceed 10 pounds per bale which is due to natural shrinkage. The maximum amount of cotton stored in any structure shall be limited to 200 bales. The conversion or unlawful disposition by the producer of any bale of the cotton will render him personally liable for the payment of the mortgage indebtedness.

§ 607.343 *Warehouse receipts and insurance.* (a) Only negotiable warehouse receipts issued by an approved warehouse, properly assigned by an endorsement in blank so as to vest title in the holder or issued to bearer will be acceptable. If the cotton is tendered for a loan, the warehouse receipts must show that the cotton is covered by fire insurance and must be dated on or prior to the date of the producer's notes. They must set out in their written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts issued prior to August 1, 1952, which by their terms will expire prior to August 1, 1953, must bear an endorsement of the warehouseman extending the terms of the warehouse receipts for a period

of one year from August 1, 1952. Block warehouse receipts will not be accepted.

(b) In addition to the insurance carried by the warehouseman, CCC will carry insurance on the loan cotton covering losses due to flood and errors and omissions in the warehouseman's insurance. The cost of such insurance will be a charge against the cotton.

§ 607.344 *Insurance on farm-storage cotton.* CCC will not require the producer to insure cotton under farm-storage loan; however, if the producer does insure the cotton, and if an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the cotton involved in the loss.

§ 607.345 *Warehouse charges*—(a) *Loan cotton.* (1) The Agreement of Warehouseman on each Form A must be executed by the warehouseman storing the cotton covered by the Form A not more than ten days preceding the date of the Producer's note on the Form A and must not be executed subsequent to the date of the note. In the case of loans made to a cotton cooperative marketing association as provided in § 607.351, the Warehouseman's Certificate and Agreement on the Certificate of Association and Agreement of Warehouseman (CCC Cotton Form G–1, hereinafter referred to as Form G–1) must be executed by the warehouseman storing cotton covered by such form. By executing the Agreement of Warehouseman on the Form A or the Warehouseman's Certificate and Agreement on the Form G–1, the warehouseman agrees that such cotton will be stored and handled in accordance with the Warehouseman's Certificate and Agreement on the reverse side of the Form A or the Warehouseman's Certificate and Agreement on the Form G–1 and makes the representations contained therein, and the warehouseman further agrees to store such cotton under conditions and at rates determined as follows:

(i) The cotton is insured against loss or damage by fire under a policy or policies providing coverage equivalent to that afforded under the standard fire policy of the State in which the cotton is stored for the full market value (if the cotton is compressed, its market value shall be the market value of flat cotton plus compression charges) at the time and place of loss and will be kept so insured so long as the warehouse receipts therefor are outstanding, unless the cotton comes under a storage agreement between the warehouseman and CCC allowing the warehouseman to cancel his insurance on the cotton. From the dates of the warehouse receipts representing such cotton (hereinafter called "the cotton") or from the date through which the producer has paid storage charges, whichever is later, through July 31, 1953, all charges on the cotton for storage and insurance (as required in § 607.343) shall be at the rate of 43 cents per bale per month or fraction thereof for cotton stored in warehouses operating compress facilities, and at the rate of 48 cents per bale per month or fraction thereof for cotton stored in warehouses not operating compress facilities, or the warehouseman's established tariff on cotton other than CCC loan cotton, whichever is less. Such charges, accrued through July 31 of any year in which these rates are in effect, shall be paid by CCC, as soon as possible after such date, on all of the cotton represented by warehouse receipts held by CCC at the time of payment: *Provided,* That on any cotton for which CCC makes payment of accrued charges through July 31 of any year, payment for the fractional part of a month prior to such date shall be at the proportionate part of the monthly rate. The warehouseman may make a charge for outhandling, including picking out by tag numbers and loading according to custom into cars or trucks, of not to exceed 15 cents, per bale if such charges are included in the warehouseman's tariff: *And provided further,* That no such outhandling charge may be made where collection for the service has been included in any other charge or otherwise collected. All other charges on cotton, including compression charges, and flat delivery charges on cotton moved from a warehouse operating compress facilities without payment of compression charges, will be at the rates provided in the warehouseman's established tariff in effect at the time the service is ordered performed: *Provided,* That no charge may be made with respect to the cotton that is not applicable to all cotton stored by the warehouseman, except that the warehouseman may make a charge of not to exceed 35 cents per bale for transmitting samples to the designated classing office, postage, verifying and guaranteeing the correctness of the information for which the warehouse is responsible, in the Schedule of Pledged Cotton on the Form A or Form G-1, and executing the Agreement of Warehouseman on the Form A or the Warehouseman's Certificate and Agreement on the Form G-1, if such charges are included in the warehouseman's tariff: *And provided further,* That in no event shall such charge, a service charge, or charges for receiving, tagging, weighing, sampling on arrival, or storage of samples be collected from CCC or a purchaser of the cotton. No charge of any kind whatsoever will be paid with respect to any of the cotton compressed to high density without the written authority of CCC. The warehouseman shall execute and submit to CCC with each voucher for amounts payable by CCC under this agreement, the following certificate: "I hereby certify that I have removed from the cotton covered by this voucher only that amount of cotton necessary to secure representative samples, to properly trim the sample holes, or to otherwise maintain the cotton in the interest of good housekeeping and fire prevention incidental to the handling, storage, or compressing said cotton, except for reconditioning of damaged cotton. I further certify that I have not reconditioned, picked or cleaned by blowing or brushing any of the cotton included in this voucher except as noted on report attached hereto." In the event that the cotton is purchased or pooled by CCC or the loan on such cotton is extended or carried in past due status by CCC after July 31, 1953, the rates quoted herein will remain in effect until terminated by CCC or the warehouseman at the end of any month by giving the other at least 30 days' notice, or until the cotton comes under another storage agreement between the warehouseman and CCC, whichever is earlier. If the cotton is redeemed from the loan or the cotton is sold by CCC, the charges provided in this section shall be applicable for services rendered up to and including the date of such redemption or sale, and the warehouseman shall not charge the holders of the warehouse receipts representing such cotton for such services an amount in excess of that computed in accordance with this agreement. In no event shall any charges for services provided for herein exceed the warehouseman's applicable maximum charges when the services are performed as computed by him in accordance with the regulations of the Office of Price Stabilization.

(b) *Purchase agreement cotton.* The producer shall pay all warehouse charges on cotton tendered under a purchase agreement through the date of transfer of the warehouse receipts covering the cotton to CCC.

§ 607.346 *Loans on order bills of lading.* (a) Loans on cotton represented by order bills of lading will be available only in areas specified by the commodity office where there is a shortage of storage space and where the necessary arrangements for handling the cotton may be made.

(b) Cotton represented by order bills of lading will be eligible for a loan only when it is shipped by an approved receiving agency as agent for the producer. Warehousemen, ginners, and other responsible parties in areas where such loans are available may be approved to act as receiving agencies by the commodity office. Receiving agencies will enter into Receiving Agency Agreements with CCC. When receiving agencies are approved, notifications will be given by letter or published lists.

(c) A producer who is unable to find storage space in his local area and who wishes to obtain such a loan should deliver his cotton to a receiving agency with the request that it ship the cotton as agent for the producer to a warehouse where storage space is available. The receiving agency will complete the Schedule of Pledged Cotton on a Form A and, if it is a warehouseman, will execute the Agreement of Warehouseman thereon. If the receiving agency is not a warehouseman, it will have the cotton weighed by a public or licensed weigher and will secure a Weight and Condition Certificate in the form prescribed by CCC and execute the Receiving Agent's Certificate. The receiving agency will ship the cotton, secure order bills of lading in a form acceptable to CCC, and deliver to the producer the bills of lading, together with Form A and Weight and Condition Certificates (if any). If the receiving agency is a warehouseman, it will be permitted to collect fees in accordance with § 607.345 and a fee of not to exceed 10 cents a bale to cover

the costs of preparation of shipping documents. If the receiving agency is not a warehouseman, it will be permitted to collect from producers a fee of not to exceed the fee set forth in the Receiving Agency Agreement executed by the receiving agency, and shall post, in a conspicuous place, a notice showing the fee to be charged producers. Loans will be made at the full loan rate at the point where the receiving agency receives the cotton. CCC will pay warehouse storage charges on cotton tendered by the producer for a loan under this section, if the receiving agency is a warehouseman.

§ 607.347 *Advance loans.* (a) If a producer desires to obtain a loan under this part on cotton stored or to be stored in a warehouse, prior to the announcement of the loan rates on such cotton (as determined on the basis of the August 1, 1952, parity price of cotton), prior to the receipt of the classification of such cotton by a Board of Cotton Examiners, or prior to the issuance of a warehouse receipt representing the cotton, and if the producer desires to obtain interim financing from a lending agency until such time as a CCC loan may be obtained, the lending agency may make the producer a private loan (hereinafter called "the advance loan") on such cotton on forms and in amounts agreed upon between the lending agency and the producer and may obtain from the producer a duly executed Producer's Power of Attorney (CCC Cotton Form J, hereinafter referred to as "Form J") in triplicate authorizing and directing the lending agency to prepare or cause to be prepared and execute on behalf of and in the name of the producer Form A covering all such cotton which is eligible for a loan under this part. The duplicate copy shall be delivered to the producer. On or before the date the advance loan is made, samples must have been drawn from the cotton and submitted to a Board of Cotton Examiners for classification or, if the cotton has not arrived at the warehouse, the warehouseman must have been instructed to sample the cotton and forward the samples for classification upon receipt of the cotton at the warehouse. On or before September 1, 1952, or within 15 days after the dates of the classification certificates, or within 15 days after the dates of the warehouse receipts, whichever is later, the lending agency shall (as provided in the Producer's Power of Attorney), unless the cotton is redeemed by the producer, prepare or cause to be prepared and execute on behalf of the producer Forms A covering all such cotton which is eligible for a loan and make a CCC loan or loans to the producer under this part. The lending agency shall promptly remit to the producer any difference between the amount due on the advance loan and the proceeds of the CCC loan, less any applicable charges under this part paid by the lending agency on behalf of the producer. The producer's copies of Forms A and the canceled note evidencing the advance loan shall be forwarded to the producer. The original of the Producer's Power of Attorney shall be transmitted with the notes when they are tendered to CCC.

(b) It shall be the joint responsibility of the lending agency named in the Form J to obtain the official classification from the producer or the warehouseman and of the producer to deliver the official classification to such lending agency, within 15 days from the date of the classification certificate, so that the Form A loans can be made within the specified time.

(c) It shall be the responsibility of the lending agency named in the Form J to obtain the execution of the Agreement of Warehouseman and the Clerk's Certificate on the Form A. Only bona fide employees of lending agencies making the advance loans who are approved as clerks by the county committee or approved clerks in the office of the county committee, will be permitted to execute the Clerk's Certificate on Forms A covering cotton on which advance loans have been made.

§ 607.348 *Loans prior to August 1, 1952.* Loans will be made available to eligible producers in the area where cotton is harvested prior to August 1, 1952. Base loan rates for warehouse locations in the early harvesting area will be announced by the commodity office prior to harvest. The premium or discount applicable to each eligible grade and staple length is shown in § 607.353. Other provisions for loans prior to August 1, 1952, will be the same as provided for loans after that date, except that in the event that the base loan rate based on August 1, 1952, parity is in excess of the base loan rate announced prior to such date, the difference will be paid to the producer upon his application to the county committee.

§ 607.349 *Repayment of loans and delivery under purchase agreements*—(a) *Loans.* Producers may repay loans at any time prior to maturity and secure the return of their collateral. The loan documents will be located at the lending agency which made the loan or at the offices of the county committee in the county in which the cotton was produced. Partial releases will be allowed.

(b) *Purchase agreements.* (1) The producer who signs a purchase agreement will not be obligated to sell any quantity of cotton to CCC. However, the quantity stated in the purchase agreement will be the maximum quantity he may sell to CCC. If the producer who signs a purchase agreement wishes to sell the cotton to CCC, he must notify the county committee during the period beginning July 1, and including July 31, 1953, of his intention to sell, unless an earlier period is prescribed by the President, CCC. The producer must deliver warehouse receipts in the form prescribed in § 607.343 and evidence of classification of the cotton by a Board of Cotton Examiners as provided in § 607.338 by August 3, 1953.

(2) The cotton delivered under a purchase agreement will be purchased at the applicable support rate for the warehouse where the cotton is delivered on the basis of the gross weight shown on the warehouse receipt and the classification assigned by a Board of Cotton Examiners. When delivery is completed, payment will be made by sight drafts drawn on CCC by the county committee on the basis of Purchase Agreement Settlement form. The producer shall direct on the form to whom payment of the purchase price shall be made. The warehouse receipts must be endorsed to show that all charges have been paid through the date of transfer of the receipts to CCC.

§ 607.350 *Purchase of notes.* CCC will purchase from approved lending agencies, notes evidencing loans which are secured by negotiable warehouse receipts, bills of lading and chattel mortgages. The purchase price to be paid by CCC will be the principal sums remaining due on such notes, plus an amount computed in accordance with the lending agency agreement to cover interest. Lending agencies are required to submit CCC Form 500 (Revised) or such other form as CCC may prescribe for all payments received on producers' notes and are required to remit to CCC its part of the interest collected, computed in accordance with the lending agency agreement. Lending agencies shall submit notes and reports to the county committee in the county in which the cotton was produced. County committees will purchase notes from lending agencies by drawing sight drafts on CCC. A lending agency which is a recognized banking institution or a Production Credit Association may (a) tender loan documents to CCC through the county committee at any time prior to maturity, (b) maintain its investment in the loan and retain custody of the loan documents, or (c) sell its investment in the loans but retain custody of the loan documents and service the loans in accordance with the provisions of the Lending Agency Agreement. Lending agencies which are not recognized banking institutions or Production Credit Associations must tender all loan documents to CCC through the county committee in the county in which the cotton was produced within 15 days from the date of disbursement of the loans. Loan documents in which such lending agencies have retained their investment until maturity must be tendered to CCC through the county committee in the county in which the cotton was produced within 15 days after the maturity date. Loan documents held pursuant to the servicing feature of the Lending Agency Agreement must also be delivered to the county committee in the county in which the cotton was produced within 15 days after maturity of the loans.

§ 607.351 *Cotton cooperative marketing association loans.* A special form of loan agreement will be made available to cotton cooperative marketing associations whereby members of such associations may act collectively in obtaining loans. The loan rates under this agreement will be the same as the loan rates to individual producers, and loans to such associations will otherwise be made

on substantially the same basis as loans to individual producers. Members desiring to obtain loans from their associations should contact their associations.

§ 607.352 *PMA Commodity Offices.* The PMA commodity offices and the cotton growing areas served by each are as follows:

Dallas 2, Tex., 1114 Commerce Street: New Mexico, Oklahoma, Texas.

New Orleans 16, La., Wirth Building, 120 Marais Street: Alabama, Arkansas, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Virginia.

San Francisco 2, Calif., 333 Fell Street: Arizona, California, Nevada.

§ 607.353 *Schedule of premiums and discounts for upland cotton (basis $^{15}/_{16}$ inch Middling).*

Grade	Staple length (inches)													
	$^{13}/_{16}$	$^{7}/_{8}$	$^{29}/_{32}$	$^{15}/_{16}$	$^{31}/_{32}$	1	$1\frac{1}{32}$	$1\frac{1}{16}$	$1\frac{3}{32}$	$1\frac{1}{8}$	$1\frac{5}{32}$	$1\frac{3}{16}$	$1\frac{7}{32}$	$1\frac{1}{4}$ and lower
White and Extra White														
Good Middling and Better	Points −50	Points −30	Points 15	Points 75	Points 105	Points 135	Points 165	Points 200	Points 295	Points 395	Points 620	Points 860	Points 1,180	Points 1,475
Strict Middling	−75	−50	−5	55	85	110	140	170	240	340	565	805	1,130	1,410
Middling	−140	−105	−60	Base	25	45	70	100	165	255	460	655	980	1,211
Strict Low Middling	−320	−285	−240	−185	−160	−135	−115	−90	−30	45	200	360	505	655
Low Middling	−600	−535	−490	−440	−425	−410	−400	−380	−340	−310	−295	−275	−260	−240
Strict Good Ordinary	−805	−730	−685	−640	−630	−620	−620	−600	−550	−525	−525	−525	−525	−525
Good Ordinary	−1,015	−925	−880	−835	−825	−820	−815	−800	−775	−760	−760	−760	−760	−760
Spotted														
Good Middling	−335	−280	−230	−175	−150	−130	−105	−85	−60	−20	20	65	150	240
Strict Middling	−360	−305	−255	−200	−175	−155	−130	−115	−100	−75	−45	−5	60	145
Middling	−630	−530	−485	−430	−415	−390	−385	−370	−325	−295	−270	−240	−270	−180
Strict Low Middling	−895	−760	−715	−665	−655	−645	−640	−610	−540	−505	−505	−505	−505	−505
Low Middling	−1,110	−955	−915	−870	−860	−850	−850	−820	−750	−705	−705	−705	−705	−705
Tinged														
Good Middling	−770	−660	−620	−570	−560	−550	−545	−535	−515	−500	−485	−475	−460	−450
Strict Middling	−795	−690	−645	−595	−585	−575	−570	−560	−545	−525	−510	−495	−485	−475
Middling	−1,135	−945	−895	−850	−840	−830	−825	−800	−700	−680	−680	−680	−680	−680
Strict Low Middling	−1,355	−1,145	−1,100	−1,055	−1,050	−1,040	−1,040	−1,000	−900	−830	−830	−830	−830	−830
Low Middling	−1,535	−1,320	−1,275	−1,225	−1,220	−1,215	−1,215	−1,150	−1,075	−999	−999	−999	−999	−999
Yellow-stained														
Good Middling	−1,145	−985	−945	−895	−890	−885	−885	−850	−790	−760	−760	−760	−760	−760
Strict Middling	−1,190	−1,035	−990	−940	−935	−930	−930	−900	−830	−800	−800	−800	−800	−800
Middling	−1,425	−1,225	−1,180	−1,130	−1,125	−1,120	−1,120	−1,075	−975	−940	−940	−940	−940	−940
Gray														
Good Middling	−320	−290	−245	−195	−180	−165	−150	−125	−65	15	95	155	220	305
Strict Middling	−375	−345	−300	−250	−235	−220	−205	−185	−145	−80	−5	70	160	240
Middling	−615	−530	−485	−440	−425	−415	−405	−390	−335	−295	−255	−205	−155	−105
Strict Low Middling	−815	−715	−670	−620	−605	−590	−585	−575	−505	−555	−555	−555	−535	−535

Issued this 23d day of May 1952.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5878; Filed, May 27, 1952; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 68—REGULATIONS AND STANDARDS FOR INSPECTION AND CERTIFICATION OF CERTAIN AGRICULTURAL COMMODITIES AND PRODUCTS THEREOF

SUBPART E—UNITED STATES STANDARDS FOR MILLED RICE

GRADES AND GRADE REQUIREMENTS

On April 5, 1952, a notice of rule making was published in the FEDERAL REGISTER (17 F. R. 2999) regarding the proposed amendment of § 68.303 (a) and (f) (1) (i) of the United States Standards for Milled Rice (7 CFR 68.301 et seq.). After due consideration of all relevant matters presented in connection with the aforesaid notice and pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the item for marketing services found in the Department of Agriculture Appropriation Act, 1952 (Pub. Law 135, 82d Cong.) said § 68.303 (a) and (f) (1) (i) are hereby amended to read:

§ 68.303 *Grades, grade requirements, and grade designations.* * * *

(a) *Grades and grade requirements for all classes of milled rice, except Second Head milled rice, Screenings milled rice, and Brewer's milled rice.* (See also par. (f) of this section.)

Grade [1]	Maximum limits of—						
	Seeds and heat-damaged kernels (singly or combined)		Red rice and damaged kernels (singly or combined)	Chalky kernels [2]	Broken kernels		Rice of contrasting classes [3]
	Total	Heat-damaged kernels and objectionable seeds (singly or combined)			Total	Through 964 sieve	
	No. in 500 grams	*No. in 500 grams*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
U. S. No. 1	2	1	0.5	1.0	4.0	0.1	1.0
U. S. No. 2	4	2	1.5	2.0	7.0	.2	2.0
U. S. No. 3	7	5	2.0	4.0	15.0	.5	3.0
U. S. No. 4	15	10	3.0	6.0	25.0	.7	5.0
U. S. No. 5	30	30	[4] 6.0	10.0	35.0	1.0	10.0
U. S. No. 6	75	75	[5] 15.0	15.0	50.0	2.0	10.0
U. S. Sample grade	U. S. Sample grade shall be milled rice of any of these classes which does not meet the requirements for any of the grades from U. S. No. 1 to U. S. No. 6, inclusive; or which contains more than 15.0 percent of moisture; or which is musty, or sour, or heating, or which has any commercially objectionable foreign odor; or which contains more than 0.1 percent of foreign material; or which contains live or dead weevils or other insects, insect webbing, or insect refuse; or which is otherwise of distinctly low quality.						

[1] Color and general appearance, minimum requirements: U. S. No. 1 shall be white or creamy, and shall be well milled. U. S. No. 2 may be slightly gray, and shall be well milled. U. S. No. 3 may be light gray, and shall be reasonably well milled. U. S. No. 4 may be gray or slightly rosy, and shall be reasonably well milled. U. S. No. 5 may be dark gray or rosy, and shall be reasonably well milled. U. S. No. 6 may be dark gray or rosy, and shall be reasonably well milled.

[2] The milled rice in grade U. S. No. 1 of the class Pearl milled rice may contain not more than 2.0 percent, in grade U. S. No. 2 not more than 4.0 percent, in grade U. S. No. 3 not more than 6.0 percent, and in grade U. S. No. 4 not more than 8.0 percent of chalky kernels.

[3] These limits do not apply to the class Mixed milled rice.

[4] The milled rice in grade U. S. No. 5 of the special grade Unpolished milled rice may contain not more than 10 percent of Red rice and damaged kernels, either singly or combined, but in any case not more than 6 percent of damaged kernels.

[5] The milled rice in grade U. S. No. 6 may contain not more than 6.0 percent of damaged kernels.

* * * * * * *

(f) *Special grades, special grade requirements, and special grade designations for milled rice*—(1) *Unpolished milled rice*—(i) *Requirements.* Unpolished milled rice (sometimes referred to as undermilled rice) shall be rice from which the hulls, a part of the germs, and the outer bran layers, but not the inner bran layers, have been removed. Unpolished milled rice in grades U. S. No. 1 and U. S. No. 2 may contain not more than 2.0 percent, in grades U. S. No. 3 and U. S. No. 4 not more than 5.0 percent, in grade U. S. No. 5 not more than 10.0 percent, and in grade U. S. No. 6 not more than 15.0 percent, of milled rice other than unpolished milled rice, and the factor "color and general appearance" shall be disregarded.

Since this amendment relieves restriction under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it may be made effective less than 30 days after its publication in the FEDERAL REGISTER. This amendment shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 205, 60 Stat. 1090, Pub. Law 135, 82d Cong., 7 U. S. C. 1624)

Done at Washington, D. C., this 22d day of May 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-5887; Filed, May 27, 1952; 8:54 a. m.]

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

PART 931—MILK IN CEDAR RAPIDS-IOWA CITY, IOWA, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS OF ORDER REGULATING HANDLING

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq., hereinafter referred to as the "act," and of the order (7 CFR Part 931) regulating the handling of milk in the Cedar Rapids-Iowa City marketing area, it is hereby found and determined that:

(a) The provisions of § 931.50 (b) (2) (ii) providing an alternative formula for pricing Class II milk based in part on market quotations for the cheese known as "Twins" no longer tend to effectuate the declared policy of the act since there have been no quotations in recent months for the cheese known as "Twins" at Chicago.

(b) Notice of proposed rule making, public procedure thereon, and 30 days prior notice of the effective date hereof are found to be impracticable, unnecessary, and contrary to the public interest in that (1) this suspension order relieves handlers from certain restrictions insofar as the alternative formula provided in § 931.50 (b) (2) might be the effective formula during future delivery periods; (2) it is necessary to issue and make effective not later than June 1, 1952, the suspension order to reflect current marketing conditions and to facilitate, promote, and maintain the orderly marketing of milk produced for the Cedar Rapids-Iowa City, Iowa, marketing area; (3) since December 1951, the United States Department of Agriculture has not published a wholesale price for the cheese known as "Twins" at Chicago and it appears unlikely that the publication of such price will be resumed in the immediate future; (4) this suspension order does not require of persons affected substantial or extensive preparation prior to the effective date; and (5) the time intervening between the date of this suspension order and its effective date affords persons affected a reasonable time to prepare for its effective date.

It is therefore ordered, That the provisions of § 931.50 (b) (2) (ii) of the order (7 CFR Part 931) regulating the handling of milk in the Cedar Rapids-Iowa City marketing area be and hereby are suspended effective at 12:01 a. m. c. s. t. June 1, 1952.

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

Done at Washington, D. C., this 23d day of May 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-5889; Filed, May 27, 1952; 8:54 a. m.]

PART 944—MILK IN QUAD CITIES MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS OF ORDER, AS AMENDED, REGULATING HANDLING

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended (7 CFR Part 944), regulating the handling of milk in the Quad Cities marketing area, it is hereby found and determined that:

(a) The provisions of § 944.50 (b) (2) providing an alternative formula for pricing Class II milk based in part on market quotations for the cheese known as "Twins" no longer tend to effectuate the declared policy of the act since there have been no quotations in recent months for the cheese known as "Twins" at Chicago.

(b) Notice of proposed rule making, public procedure thereon, and 30 days prior notice of the effective date hereof are found to be impracticable, unnecessary, and contrary to the public interest in that (1) this suspension order relieves handlers from certain restrictions insofar as the alternative formula provided in § 944.50 (b) (2) might be the effective formula during future delivery periods; (2) it is necessary to issue and make effective not later than June 1, 1952, the suspension order to reflect current marketing conditions and to facilitate, promote, and maintain the orderly marketing of milk produced for the Quad Cities marketing area; (3) since December 1951, the United States Department of Agriculture has not published a wholesale price for the cheese known as "Twins" at Chicago and it appears unlikely that the publication of such price will be resumed in the immediate future; (4) this suspension order does not require of persons affected substantial or extensive preparation prior to the effective date; and (5) the time intervening between the date of this suspension order and its effective date affords persons affected a reasonable time to prepare for its effective date.

It is therefore ordered, That the provisions of § 944.50 (b) (2) of the order as amended (7 CFR Part 944), regulating the handling of milk in the Quad Cities marketing area be and hereby are suspended effective at 12:01 a. m., c. s. t., June 1, 1952.

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

Done at Washington, D. C., this 23d day of May 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-5888; Filed, May 27, 1952; 8:54 a. m.]

PART 946—MILK IN LOUISVILLE, KY., MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 946.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect

market supply of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make this order, amending the order, as amended, effective not later than June 1, 1952. Any delay beyond that date in the effective date of this order would result in an unnecessary hardship to handlers affected. The provisions of the said order are well known to handlers, having been published in a recommended decision which appeared in the FEDERAL REGISTER April 29, 1952 (17 F. R. 3802) and in a final decision which appeared in the FEDERAL REGISTER May 16, 1952 (17 F. R. 4497). The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers or producers. It is hereby found therefore that good cause exists for making this order effective June 1, 1952. (Sec. 4 (c), Administrative Procedure Act, 5 U. S. C. 1001 et seq.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the Louisville, Kentucky, marketing area) of more than 50 per cent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (February 1952), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Louisville, Kentucky, marketing area, shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. Delete all of § 946.30 which precedes paragraph (a) thereof and substitute therefor the following:

§ 946.30 *Reports of receipts and utilization.* On or before the 5th day after the end of each month each handler, except a producer-handler, shall report to the market administrator for each of his pool plants in the detail and on the forms prescribed by the market administrator as follows:

2. Delete all of § 946.51 which precedes paragraph (b) thereof and substitute therefor the following:

. § 946.51 *Class prices.* Subject to the provisions of §§ 946.52 and 946.53, the minimum prices per hundredweight to be paid by each handler for milk received at his pool plant(s) from producers during the month shall be as follows:

(a) *Class I milk.* The price of Class I milk shall be the basic formula price plus $1.25 per hundredweight.

3. Delete § 946.51 (b) (1) and substitute therefor the following:

(1) From the average of the basic or field prices per hundredweight reported to the market administrator to have been paid or to be paid for ungraded milk of 4.0 percent butterfat content received from farmers during the month at plants at the following locations:

Operator and Location

Armour Creameries, Elizabethtown, Ky.
Armour Creameries, Springfield, Ky.
Kraft Foods Co., Lawrenceburg, Ky.
Kraft Foods Co., Paoli, Ind.
Salem Cheese and Milk Co., Salem, Ind.
Madison Milk Co., Madison, Ind.
Producers Dairy Marketing Association, Orleans, Ind.

subtract the amount computed by multiplying the Chicago butter price for the month by 0.12, and then by 2.

4. Add a new section to read as follows:

§ 946.53 *Transportation differential.* With respect to milk received from producers at a country plant, which is moved as milk from such plant directly to a plant in the marketing area or which is disposed of as milk for Class I use outside the marketing area, the class prices per hundredweight shall be reduced at the rates set forth in the following schedule based on the shortest distance via hard surfaced highway, as determined by the market administrator, from the plant where the milk is first received from producers to City Hall in Louisville:

Mileage zone:	*Rate (cents per cwt.)*
Not more than 25 miles	0
More than 25 but not more than 35 miles	13
More than 35 but not more than 45 miles	15
More than 45 but not more than 55 miles	17
For each additional 10 miles or fraction thereof an additional	1

5. In §§ 946.60 and 946.61 change the reference from "§§ 946.50 through 946.52" to read "§§ 946.50 through 946.53".

6. In § 946.71 renumber paragraphs (c), (d), (e), and (f) thereof to be paragraphs (d), (e), (f), and (g), respectively; and add a new paragraph (c) to read as follows:

(c) Add an amount computed by multiplying the hundredweight of milk received from producers at each country plant by the appropriate zone differential provided in § 946.53.

7. In § 946.80 delete the word "differential" and substitute therefor: "and location differentials,".

8. In § 946.83 delete the word "differential" and substitute therefor: "and location differentials."

9. In § 946.84 (b) change the reference from "§ 946.71 (c)" to read "§ 946.71 (d)".

10. Renumber §§ 946.82, 946.83, 946.84, 946.85, 946.86, 946.87, and 946.88 and all references to them wherever they appear in the order to read "§§ 946.83, 946.84, 946.85, 946.86, 946.87, 946.88, and 946.89," respectively; and add a new section, "§ 946.82", to read as follows:

§ 946.82 *Location differential.* In making payments to producers pursuant to § 946.80 a handler shall deduct from the uniform price, with respect to all milk received from producers at a country plant, not more than the appropriate zone differential provided in § 946.53.

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

Issued at Washington, D. C., this 23d day of May 1952, to be effective on and after June 1, 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-5890; Filed, May 27, 1952; 8:55 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter A—Meat Inspection Regulations

PART 7—FACILITIES FOR INSPECTION

PART 8—SANITATION

PART 9—ANTE-MORTEM INSPECTION

PART 14—TANKING AND DENATURING CONDEMNED CARCASSES AND PARTS

PART 16—MARKING, BRANDING, AND IDENTIFYING PARTS

PART 17—LABELING

PART 18—REINSPECTION AND PREPARATION OF PRODUCTS

PART 19—MARKET INSPECTION

PART 24—EXPORT STAMPS AND CERTIFICATES

MISCELLANEOUS AMENDMENTS

On March 26, 1952, there was published in the FEDERAL REGISTER (17 F. R. 2624) a notice of proposed amendments of the Regulations Governing the Meat Inspection of the United States Department of Agriculture (9 CFR Chapter I, Subchapter A, as amended). After due consideration of all relevant matters pre-

sented and pursuant to the authority conferred upon me by the Meat Inspection Act, as amended (21 U. S. C. 71–91), the so-called Horse Meat Act (21 U. S. C. 96), section 306 of the Tariff Act of 1930 (19 U. S. C. 1306), and the act of August 28, 1950 (5 U. S. C. Sup. 576), the aforesaid regulations are hereby amended as follows:

1. Section 7.4 is amended to read as follows:

§ 7.4 *Overtime work of meat inspection employees.* The management of an official establishment, an importer, or an exporter desiring to work under conditions which will require the services of an employee of the division on any Saturday, Sunday, or holiday, or for more than 8 hours on any day, shall, sufficiently in advance of the period of overtime, request the inspector in charge or his assistant to furnish inspection service during such overtime period, and shall pay the Secretary of Agriculture therefor $2.40 per man-hour for each hour of inspection service so furnished. It will be administratively determined from time to time which days constitute holidays.

2. Section 8.3 (a) is amended to read as follows:

(a) Official establishments and premises on or in which any product is prepared or handled by or for persons to whom certificates of exemption have been issued, shall be maintained in sanitary condition, and to this end the requirements of paragraphs (b) to (h), inclusive, of this section shall be complied with.

3. Section 8.15 is amended to read as follows:

§ 8.15 *Tagging insanitary equipment, utensils, rooms, or compartments.* When, in the opinion of a division employee, any equipment, utensil, room, or compartment at an official establishment is unclean or its use would be in violation of any of the regulations in this subchapter, he will attach a "U. S. Rejected" tag thereto. No equipment, utensil, room, or compartment so tagged shall again be used until made acceptable. Such tag so placed shall not be removed by anyone other than a division employee.

4. Section 9.4 is amended to read as follows:

§ 9.4 *Cripples and downers.* All seriously crippled animals and animals commonly termed "downers," if not marked "U. S. Condemned," as required elsewhere in this part, shall be marked and treated as suspects in accordance with § 9.2.

5. Section 14.5 (b) is amended to read as follows:

(b) Specimens of diseased, condemned, and inedible materials, including pig or lamb embryos and specimens of animal parasites, may be released for research and other purposes when authorized by the chief of division: *Provided,* That the applicant for such specimens shall have arranged with and received permission from the official establishment to obtain them. The application to the division for the release of such material for research purposes should include the following information: (1) The name of the organization or individual conducting the research, (2) the name of the official establishment from which the material is to be obtained, and (3) the kind and amount of material desired. In addition, the application should contain a statement that the material will be used for research purposes only and that the organization or individual conducting the research assumes full responsibility for the results of research involving this material.

6. Section 16.2 is amended to read as follows:

§ 16.2 *Preparation of marking devices bearing inspection legend without advance approval prohibited; exception.* Except for the purpose of submitting a sample or samples of the same to the chief of division for approval, no person shall procure, make, or prepare, or cause to be procured, made, or prepared, labels, brands, or other marking devices bearing the inspection legend or any abbreviations, copy or representation thereof, for use on any product without the written authority therefor of the chief of division. However, when any sample label, brand, or other marking device is approved by the chief of division, new supplies of such labels and new brands and other marking devices of a character exactly similar to such approved sample may be procured, made, or prepared, for use in accordance with the regulations in this subchapter, without further approval by the chief of division.

7. Section 16.13 (b) is amended by changing the period at the end thereof to a colon and adding the following: "*And provided further,* That imitation sausage packed in properly labeled containers having a capacity of 1 pound or less and of a kind usually sold at retail intact, need not bear the mark 'imitation' on each link or piece if no other marking or labeling is applied to the product."

8. Section 16.13 (g) is revoked and § 16.13 (h) is renumbered as § 16.13 (g).

9. Section 16.15 (b) is revoked, and § 16.15 (c) and 16.15 (d) are renumbered as § 16.15 (b) and 16.15 (c), respectively.

10. Section 17.2 (c) is amended to read as follows:

(c) Stencils, box dies, inserts, tags, and like devices shall not bear an inspection legend or any abbreviation or representation thereof: *Provided,* That with the approval of the chief of division, box dies including the inspection legend and establishment number may be used in marking wooden boxes of light material having a maximum capacity of five pounds, fiber board containers, and wood wire-bound boxes and crates with at least 90 percent of the total wood surfaces being veneer wood not over one-sixth of an inch thick and of such quality that matter imprinted on it is legible.

11. Section 17.8 (c) (27) is amended to read as follows:

(27) Product labeled "Chili Con Carne" shall contain not less than 40 percent of meat computed on the weight of the fresh meat. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredient under specific declaration on the label. The mixture may contain not more than 8 percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soya flour, dried milk or dried skim milk.

12. Section 17.8 (c) is amended by adding thereto the following subparagraphs:

(48) Products labeled "Pork With Barbecue Sauce" and "Beef With Barbecue Sauce" shall contain not less than 50 percent meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the uncooked weight of the meat. If uncooked meat is used in formulating the products, they shall contain at least 72 percent meat computed on the weight of the fresh uncooked meat. When cereal, vegetable flour, dried skim milk or similar substances are used in preparing the products, such fact shall be prominently stated as a part of the name of the product.

(49) The weight of smoked products such as hams, pork shoulders, pork shoulder picnics, pork shoulder butts, beef tongues, and the like, except hams, pork shoulder picnics, and similar products prepared for canning shall not exceed the weight of the fresh uncured article. Hams, pork shoulder picnics, and similar products prepared for canning shall be prepared to conform to the limitations provided in § 18.7 (n) of this subchapter in the case of ham for canning.

(50) The terms "Animal Fat" and "Meat Fat" may be used synonymously to identify rendered fats obtained from cattle, sheep, swine, or goats in the name of product and ingredient statement for such meat food products as shortening and uncolored oleomargarine. The terms "Animal Fat" or "Meat Fat" shall not be used to identify such well known single commodities as lard, rendered pork fat, oleo oil, oleo stearin, oleo stock and the like when prepared and packed as such.

(51) "Beef with Gravy" and "Gravy with Beef" shall not be made with beef which, in the aggregate for each lot contains more than 30 percent trimmable fat, that is, fat which can be removed by thorough practical trimming and sorting.

13. Section 18.6 (a) (6) is amended to read as follows:

(6) Beef rounds, beef bungs, beef middles, beef bladders, calf rounds, hog bungs, hog middles, and hog stomachs which are to be used as containers of meat food product shall be presented for inspection turned with the fat surface exposed.

14. Section 18.10 (b) is amended to read as follows:

(b) Products containing pork muscle tissue (including hearts, pork stomachs and pork livers) or the pork muscle tissue which forms an ingredient of such products, including, or of the character of, those named in this paragraph, are classed as articles which shall be effectively heated, refrigerated, or cured at a federally inspected establishment to destroy any possible live trichinae: Bologna; frankfurts; viennas; smoked sausage; knoblauch sausage; mortadella; all forms of summer or dried sausage, including mettwurst; cooked loaves; roasted, baked, boiled, or cooked ham, pork shoulder, or pork shoulder picnic; Italian-style ham; Westphalia-style ham; smoked boneless pork shoulder butts; cured meat rolls; capocollo (capicola, capacola); coppa; fresh or cured boneless pork shoulder butts, hams, loins, shoulders, picnics, and similar pork cuts, in casings or other containers in which ready-to-eat delicatessen articles are customarily enclosed; cured boneless pork loin; boneless back bacon (Canadian style bacon); pork cuts such as hams, shoulders and picnics, which are subjected to smoking at sufficiently high temperatures to impart a partially cooked appearance to the meat (ordinarily, such cuts fall in this class when heated to an internal temperature above 120° F.).

15. The seventh sentence of the last paragraph of § 18.10 (c) (2) is amended to read as follows: "A duplicate copy shall be retained in the station file."

16. Part 19 is revoked.

17. Section 24.1 (d) is amended to read as follows:

(d) A numbered meat inspection stamp shall be affixed to each tank car of inspected and passed lard or similar edible product, and to each door of each railroad car or other closed vehicle containing a full load of inspected and passed loose meat shipped direct to Canada, Cuba, or Mexico.

18. Section 24.2 (c) is amended to read as follows:

(c) Only one certificate shall be issued for each consignment, except that for sufficient reasons new certificates may be issued by inspectors in charge. A certificate issued in lieu of another should show in the left hand margin the notation "Issued in lieu ____". A certificate that is cancelled when another is issued in lieu thereof, shall show in the left hand margin the number of the certificate which was issued in lieu, as follows: "No. ____ in lieu."

19. Section 24.2 (f) is amended to read as follows:

(f) The triplicate of the certificate shall be retained in the station file.

20. Section 24.2 (i) is revoked.

21. Section 24.2 (j) is renumbered § 24.2 (i) and § 24.2 (k) is renumbered § 24.2 (j).

22. Section 24.2 (i) as renumbered is amended to read as follows:

(i) No erasures or alterations shall be made on a certificate. All certificates rendered useless through clerical error or otherwise and all certificates cancelled for whatever cause shall be destroyed.

23. Section 24.3 (f) is amended to read as follows:

(f) *Colombia.* Form MI 412–7, which is printed in English on the obverse side and in Spanish on the reverse side, shall be issued in quintuplicate for lard destined to Colombia, South America. The certificate shall be fully executed and signed on both sides. The fifth copy shall be retained in the station file.

24. Section 24.5 (a) is amended to read as follows:

(a) A regular blue animal-casings certificate may be issued for animal casings destined to countries other than Australia, Austria, Canada, France, Great Britain, Netherlands, New Zealand, Poland, and Union of South Africa, upon request of exporters.

25. Section 24.5 (b) is amended to read as follows:

(b) Form MI 415–5 shall be issued in duplicate for animal casings destined to Australia, Austria, Canada, and Poland. Upon the request of the exporter, Form MI 415–5 may be issued to cover animal casings destined to any foreign country if the factual knowledge available justifies such certification.

26. Section 24.5 (e) is amended to read as follows:

(e) *France.* Form MI 412–8 shall be issued in duplicate for each consignment of animal casings destined to France. Such casings must be derived only from animals which have been U. S. inspected and passed. When necessary, inspectors will require affidavits from exporters covering the origin of animal casings. The duplicate copy of the certificate issued for animal casings shall be retained in the station file.

27. The last two sentences of § 24.5 (h) are amended to read as follows: "Furthermore, all such casings intended for exportation to New Zealand shall first be examined by Division inspectors and only those found fit for use as sausage containers in official establishments shall be certified. A copy of each certificate shall be placed in the station file."

The purpose of the foregoing amendments is to bring into the regulations orders and instructions that have been given to the field operating force of the Meat Inspection Division and inspected establishments during the past year, and to incorporate new material controlling the composition of certain meat food products along lines which have been thoroughly investigated by that Division.

The foregoing amendments shall become effective June 27 1952.

(Ch. 2907, 34 Stat. 1264, sec. 306, 46 Stat. 689; 19 U. S. C. 1306, 21 U. S. C. 89)

Done at Washington, D. C., this 22d day of May 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52–5846; Filed, May 27, 1952; 8:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 2]

PART 406—CERTIFICATION PROCEDURES

ALTERATION, AMENDMENT, MODIFICATION, SUSPENSION, AND REVOCATION OF CERTIFICATES

This amendment enumerates those certificates which may be altered, amended, or modified in proceedings initiated by the Administrator of Civil Aeronautics or his authorized representative. The amendment further states the conditions under which aircraft registration certificates and dealers' aircraft registration certificates may be suspended or revoked without notice and hearing by the Administrator or his authorized representative.

1. Section 406.41 is revised to read:

§ 406.41 *Initiation of proceedings.* A proceeding to alter, amend, or modify a type certificate, production certificate, airworthiness certificate, airman certificate, air carrier operating certificate, air navigation facility certificate, or air agency certificate may be initiated by the Administrator or his authorized representative by the issuance of an order addressed to the certificate holder or other party in interest directing him to show cause why the certificate should not be altered, amended, or modified as specified in the order.

2. Sections 406.61 and 406.62 are revised to read:

§ 406.61 *Emergency suspensions.* A type certificate, production certificate, airworthiness certificate, airman certificate, air carrier operating certificate, air navigation facility certificate, or air agency certificate may be suspended by the Administrator in an emergency as provided in § 408.25 of this chapter.

§ 406.62 *Suspensions and revocations.* A type certificate, production certificate, airworthiness certificate, airman certificate, air carrier operating certificate, air navigation facility certificate, or air agency certificate may be suspended or revoked by the Board as provided in § 408.26 of this chapter. An aircraft registration certificate or a dealers' aircraft registration certificate may be suspended or revoked by the Administrator or his authorized representative without notice or hearing for any cause which renders the aircraft ineligible for registration. (See Parts 501 and 502 of this chapter.)

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 501, 609, 52 Stat. 1005, 1011, as amended; 49 U. S. C. 521, 559)

This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52–5834; Filed, May 27, 1952; 8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter F—Reserve Forces

PART 864—ENLISTED RESERVE

VOLUNTARY ENTRY ON ACTIVE DUTY (24 MONTHS)

The regulations contained in §§ 864.51 to 864.63 inclusive (16 F. R. 3648) are revised as follows:

Sec.
864.51 Purpose and scope.
864.52 Policy.
864.53 Eligibility.
864.54 Ineligibility.
864.55 Physical qualifications.
864.56 Applications.
864.57 Channels of communication.
864.58 Grade.
864.59 Orders.
864.60 Premature departure.
864.61 Pay.
864.62 Promotion.
864.63 Discharge or release from active duty.
864.64 Enlistment in the Regular Air Force.

AUTHORITY: §§ 864.51 to 864.64 issued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply sec. 2, 64 Stat. 319, as amended by Pub. Law 51, 82d Cong.; 50 U. S. C. App., 471.

DERIVATION: AFR 39-48.

§ 864.51 *Purpose and scope.* Sections 864.51 to 864.64 establish the criteria and procedures whereby enlisted members of the Air Force Reserve and the Air National Guard may voluntarily be ordered into active military service with the Air Force for a period of 24 months unless sooner released for the convenience of the Government: *Provided,* That such members are otherwise qualified. Sections 864.51 to 864.64 do not apply to airmen retired under the provisions of the Army Forces Voluntary Recruitment Act of 1945, as amended (sec. 4, 59 Stat. 539, as amended; 10 U. S. C. 948).

NOTE: The provisions of §§ 864.51 to 864.64 are not to be confused with the separate provisions of §§ 864.16 to 864.25 (32 CFR 1950 Supp., 864.16–864.25; 14 F. R. 5525) which pertain to the Air Force Reserve Training Center program.

§ 864.52 *Policy.* Only those airmen whose skills meet an Air Force requirement and whose services may be effectively used will be ordered to active military service.

§ 864.53 *Eligibility.* To be eligible for active duty under the provisions of §§ 864.51 to 864.64, an applicant must:

(a) Be an enlisted member of the Air Force Reserve or Air National Guard of the United States.

(b) Have a minimum of 24 months remaining in his current Reserve enlistment. Enlisted Reservists having less than 24 months remaining in current Reserve enlistment may be discharged for the convenience of the Government prior to the expiration of term of enlistment and be reenlisted in the Air Force Reserve or Air National Guard of the United States for three years in order to permit the applicant to qualify for the 24 month active duty tour.

§ 864.54 *Ineligibility.* The following listed Reservists are not eligible for entry into active military service under the provisions of §§ 864.51 to 864.64.

(a) Those persons in grade E–1, E–2, E–3, or E–4 who have two or more dependents.

(b) All females who have dependents under 18 years of age. Women who have surrendered all rights to custody and control of natural children through formal adoption may be ordered into active military service. However, women who have stepchildren or foster children under 18 years of age or who otherwise stand in relationship of a parent to such a child or children and the child is within the household of the woman for a period of more than 30 days a year, may not be ordered into active military service. Waivers will not be granted.

§ 864.55 *Physical qualifications*—(a) *Examination.* Unless evidence of an acceptable physical examination within the preceding 90 days is presented, enlisted Reservists will complete Standard Form 89, "Report of Medical History," and undergo a physical examination in accordance with prescribed standards.

(b) *Place of examination.* Determination of physical fitness will be made at an Air Force base nearest the Reservist's home.

§ 864.56 *Applications*—(a) *Letter of request.* Applicants will submit a letter of request containing:

(1) Full name, Reserve grade, and service number.

(2) Home address and mailing address.

(3) Air Force Specialty.

(4) General classification test score.

(5) Educational level.

(6) Number of months of oversea duty.

(7) Age.

(8) Marital status and number, age, and relationship of dependents.

(9) Sex.

(b) *Approval.* The approval of an application of a mobilization designee and a member of the Organized Air Reserve does not insure that the applicant will be ordered to active duty as selections are based on the world-wide needs of the Air Force.

(c) *Change of status.* The applicant will report any change of status which might affect his entry on duty to the activity to which he submitted his application.

(d) *Withdrawal.* Application will be withdrawn provided that the Reservist submits a written statement that he no longer desires to volunteer for active military service and provided that submission of request is prior to issuance of active military service orders.

§ 864.57 *Channels of communications.* A letter of request from an enlisted mobilization assignee and designee will be submitted to the commanding officer of the Reserve activity to which assigned.

(1) A letter will be forwarded to the appropriate numbered air force of the Continental Air Command for inclusion in master personnel records after the Reservist is ordered into active military service or is released for world-wide assignment, except that a Reservist who permanently resides in an area outside the United States will forward a letter of request to the headquarters of the Continental Air Command.

(2) Letters which are disapproved will be returned to the Reservist.

(b) An enlisted Reservist who is not a mobilization assignee or designee and who permanently resides in an area outside the United States where an Air Force Reserve activity exists will submit his letter of request to the Continental Air Command through the Reserve activity overseas.

(c) An enlisted Reservist who permanently resides in an area outside the United States where an Air Force Reserve activity does not exist will submit his letter of request to the Continental Air Command.

(d) All other enlisted Reservists will submit letters of request to the numbered air force of the Continental Air Command in whose area they reside.

(e) A letter of request from an enlisted Air National Guardsman will be forwarded through the State Adjutant General to the Continental Air Command for assignment consistent with Air Force requirements. The forwarding indorsement from the State Adjutant General to the Continental Air Command will include a statement that the Air National Guardsman meets the qualifications set forth in §§ 864.51 to 864.64 and, in addition, will include sufficient data to permit issuance of proper orders. Letters which are disapproved by the State Adjutant General will be returned to the Air National Guardsman without further action.

(f) Upon receipt of a letter of application from mobilization assignees who are released for world-wide assignment and those Reservists indicated in § 864.58 (b) and (c), the commanding general of the Continental Air Command or of the appropriate numbered air force will:

(1) Screen the application, field file, and master personnel records to insure that the Reservist meets the qualifications set forth in §§ 864.51 to 864.64.

(2) Insure that the Reservist is cleared for entry on active military service.

(3) Furnish the Reservist an appropriate letter of instruction requesting him to report to an Air Force base near his home for physical examination.

(4) Review or cause to be reviewed the results of physical examination.

(5) Issue active military service clearance or orders.

(g) Upon completion of a physical examination, the Reservist normally will return to his home to await orders effecting his entry into active military service.

§ 864.58 *Grade.* Reservists accepted for active duty under the provisions of §§ 864.51 to 854.64 will be ordered into active military service in the grade which they hold in the Air Force Reserve or Air National Guard of the United States. The date of rank will be computed in accordance with existing instructions.

§ 864.59 *Orders*—(a) *By whom issued.* Orders effecting the entry into active military service of enlisted Reservists

and Air National Guard of the United States personnel may be issued by:

(1) The Commanding General, Continental Air Command.

(2) Numbered air forces under the command of the Continental Air Command.

(3) Air Force training centers for personnel assigned to Reserve units of their respective Air Force Reserve wings.

(4) The major air command of Reserve assignment or duly authorized subordinate unit thereof.

(5) The processing base for Reservists who have previously been processed during short periods of active duty.

(b) *When issued.* Orders will be issued as far in advance of the effective date of duty as possible. (The effective date of duty is the date the enlisted Reservist is to depart from his home in compliance with orders.) A minimum period of 30 days must elapse between the date the Reservist receives orders and the date on which he must report for extended active duty. Persons may waive all or any part of the 30-day notification period but waiver must be submitted in writing and signed by the person concerned.

(c) *Travel by private automobile.* Travel by private automobile at the rate of 300 miles a day may be authorized.

§ 864.60 *Premature departure.* Enlisted Reservists departing from their homes in advance of the effective date of duty do so at their own risk in the event of injury or cancellation of orders.

§ 864.61 *Pay.* Pay begins to accrue on the date that the enlisted Reservist physically departs from his home in compliance with orders provided that departure is not prior to the effective date of duty.

§ 864.62 *Promotion.* Promotion of enlisted Reservists on active duty with the Air Force will be controlled by current Air Force policies governing promotion of airmen. Promotion of Air National Guard of the United States personnel will not act to effect automatically promotion of the airman in his State Air National Guard status.

§ 864.63 *Discharge or release from active duty.* (a) The discharge of Reserve Forces airmen prior to completion of their 24-month tour will be in accordance with current directives governing the discharge of Regular Air Force personnel. Reserve Forces airmen completing their tour of active military service will be released from active duty or discharged as provided in current directives. Air National Guard of the United States airmen whose State Air National Guard enlistment has expired will not be released from active military service but will be discharged under the provisions of current directives because of expiration of enlistment.

(b) Reserve and Air National Guard airmen who have less than 14 months' retainability either by reason of expiration of term of service and/or completion of involuntary tour of duty and who desire to remain on active duty in a voluntary Reserve status will be offered:

(1) Immediate discharge from current status for purpose of enlisting, or

(2) Reenlistment in their Reserve component and concurrent voluntary entry into active military service for a period of 24 months.

§ 864.64 *Enlistment in the Regular Air Force.* Reservists accepted for active military service under the provisions of §§ 864.51 to 864.64 may be enlisted in the Regular Air Force under the provisions of Part 883 of this chapter (16 F. R. 641). Separation for the purpose of immediate enlistment will be effected under the provisions of current directives.

[SEAL] K. E. THIEBAUD,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 52-5833; Filed, May 27, 1952; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 113, Amdt. 10 to Revision 1]

CPR 113—WHITE FLESH POTATOES

PACKAGING ALLOWANCES AND MISCELLANEOUS CHANGES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 10 to Ceiling Price Regulation 113, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Revision 1 of Ceiling Price Regulation 113 adjusts packaging allowances for early crop potatoes and makes several other changes and clarifications.

The adjustments contained in Table III of section 2 (c) provide packaging allowances for certain consumer size bag packs of new crop potatoes. These allowances are in general higher as compared to the existing allowances for storage potatoes because, in order to insure legal net weight at the retail level, the packer is compelled to additionally overweigh the prepacks containing early crop potatoes, which have a very high moisture content, by about double the amount used when prepackaging storage potatoes. A cost equaling the cost of the overage plus the higher cost of packaging at the terminal market, where new crop potatoes are ordinarily prepackaged is, therefore, allowed. This amendment also allows an appropriate cost differential for the packaging of potatoes in wooden containers which are used in some potato producing areas. The allowed differentials are based on cost data for the containers and labor involved in packing them.

Prior to this amendment the difference between the country shipper's ceiling price for sales of potatoes delivered to retailers' warehouses and commercial or institutional users and the ceiling price for like sales to intermediate sellers placed the latter at a disadvantage in purchasing from country shippers. Furthermore, the rule that country shippers and shipping point distributors are entitled to the same markup on delivered sales to retailers' warehouses and to commercial or industrial users failed to recognize the additional costs incurred by shipping point distributors in their overall operations. By virtue of the provisions of the new section 2 (e) the shipping point distributor will be entitled to a 10 cents higher markup than the country shipper on the type of sales covered in this revised section.

OPS has received reports that country shippers are increasingly engaged in making delivered sales to retail stores at great distances from the country shipping points in order to obtain the full 86 cents markup. This practice diverts potatoes from normal channels and is at variance with customary methods of doing business. To ameliorate the resulting hardships on intermediate sellers without altering the country shipper's usual manner of operating, section 2 (e) (2) has been so amended that a country shipper who transports potatoes to nearby selling points and there peddles them, may continue to do so and get the full markup. On the other hand, a country shipper making sales of potatoes at the country shipping point and thereafter delivering them at one or more of the purchaser's retail stores or warehouse or to the premises of a commercial or institutional user is regarded, by virtue of the definition of carlots, trucklots, pool-cars and trucks, as making a carlot sale which entitles him only to his delivered ceiling price under section 2 (d) or 2 (e) (1). If he qualifies as a shipping point distributor, he may add 10 cents to this amount.

Section 2 (f) is revised for the purpose of preventing country shippers from obtaining higher than their delivered ceiling prices by selling through commission merchants.

Section 3 (c) is re-written in order to specify in greater detail the operations of the primary receiver and the markups allowed therefor. The definition of "primary receiver" contained in section 10 (o) is also refined.

The amendment to section 3 (g) with reference to "long distance delivered sales" is necessitated by the fact that carlot dealers located at distant points from the terminal markets are selling in less-than-carlots or less-than-trucklots at terminal markets, adding to their markups the additional long distance delivery charges allowed by section 3 (g). This was not intended by the regulation. In order to prevent such practices, the amendment makes it clear that these additional long distance delivery costs may be charged only by dealers in less-than-carlot or less-than-trucklot quantities when delivery is made from the seller's warehouse to the premises of his purchaser, and that both the seller's warehouse and the purchaser's premises must be located within a geographical area generally recognized as a single wholesale distribution area.

Section 6 is amended only for the purpose of clarifying the present rule that ceiling prices of imported potatoes may not be higher than the lowest ceiling price for the most closely similar domestic potatoes being sold at the same place and at the same level of distribution as the imported potatoes.

To aid enforcement of the regulation, section 7 is amended so as to make the issuance of sales invoices mandatory and to require buyers (except ultimate consumers) and sellers to preserve these documents. Furthermore, section 9 (a) is amended to make it a violation to offer to buy or sell at prices higher than ceiling prices.

Finally, "intermediate sellers" are redefined, and the definition of "shipping point distributor" altered to allow dealers who in 1951 customarily engaged in operations specified by section 10 (y) to continue to do so during the present season.

It is not anticipated that these changes will substantially affect the retail price of potatoes.

Before issuing this amendment the Director of Price Stabilization consulted extensively with the White Flesh Potato Industry Advisory Committee, representatives of the industry affected, as well as trade association representatives, and has given consideration to their recommendations. It is the judgment of the Director that the provisions of this amendment are generally fair and equitable, comply with all applicable provisions of the Defense Production Act of 1950, as amended, and that they are necessary to effectuate the purposes of that act.

Every effort has been made to conform this regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director to be necessary to prevent circumvention or evasion of this regulation.

AMENDATORY PROVISIONS

Revision 1 to CPR 113 is amended in the following respects:

1. Section 2 is amended in the following respects:

a. Table III in section 2 (c) is amended to read as follows:

TABLE III—PACKAGING ADJUSTMENTS

Type of pack	Amount to be applied per hundredweight	
	Storage potatoes	New crop potatoes harvested between Jan. 1 and June 30
a. Bulk or in containers furnished by purchaser	Subtract 30 cents	Subtract 30 cents.
b. Paper bags:		
50 pounds	Subtract 10 cents	None.
15 pounds	Add 20 cents	Add 45 cents.
10 pounds	Add 30 cents	Add 55 cents.
5 pounds	Add 70 cents	Add $1.00.
c. Paper bags (window type):		
15 pounds	Add 30 cents	Add 55 cents.
10 pounds	Add 40 cents	Add 65 cents.
5 pounds	Add 90 cents	Add $1.20.
d. Cotton, mesh, burlap or transparent film bags:		
50 pounds	Add 15 cents	Add 25 cents.
25 pounds	Add 30 cents	Add 45 cents.
15 pounds	Add 50 cents	Add 75 cents.
10 pounds	Add 70 cents	Add 95 cents.
5 pounds	Add $1.40	Add $1.70.
e. Packed in master containers	Add 20 cents	Add 20 cents.
f. Packed in 24-J crates (for sales to the Armed Forces only)	Add 85 cents	Add 85 cents.
	Amount to be applied per pound net of potatoes	
g. Packed in wooden boxes, baskets or crates other than 24-J crates.	Add ½ cent	Add ½ cent.

b. Paragraph (e), subparagraph (1) of section 2 is amended to read as follows:

(e) *Sales to retailers or commercial users*—(1) *Retailers and commercial users—carlot and trucklot sales.* If you are a country shipper, your ceiling price for sales in carlots or trucklots to a retailer of potatoes delivered to such retailer's store or warehouse or delivered to a commercial user at such commercial user's premises or delivered to an institution shall be your f. o. b. country shipping point ceiling price for the potatoes plus the cost of rail transportation from the country shipping point to the wholesale receiving point plus 6 cents per hundredweight. For the definition of "carlot and trucklot sales," see section 10 (c).

c. Paragraph (c), subparagraph (2) of section 2 is amended to read as follows:

(2) *Retailer's retail store, commercial or institutional user—less-than-carlot, less-than-trucklot sales.* If you are a country shipper, your ceiling price for sales in less-than-carlots or less-than-trucklots to a retailer of potatoes delivered to such retailer's retail store or to the premises of a commercial or institutional user shall be the same as for an intermediate seller under section 3 (f) of this regulation. For the definition of "carlot or trucklot sales," see section 10 (c).

Example 1. Assume you are a country shipper. Assume that you load a quantity of potatoes on your truck and drive to a town or city. Assume further that the potatoes on your truck have not been sold or contracted for sale to anyone before you arrive in the town or city. Assume further that you go from potential customer to potential customer and peddle the potatoes to such retail, commercial or institutional customers, and that you peddle less than 75 percent of such potatoes to any one customer. You have then made sales in less-than-carlots or less-than-trucklots, and your ceiling price is the same as for an intermediate seller under section 3 (f) of this regulation.

Example 2. Assume you are a country shipper and you sell and deliver on your customer's order any quantity of potatoes. Irrespective of whether you deliver these potatoes to a retailer's retail store or to a commercial or institutional user, you are not entitled to the full intermediate seller's markup, because you have in this case made a carlot or trucklot or pool car or truck sale.

d. Paragraph (f) of section 2 is amended to read as follows:

(f) *Sales through commission merchants.* If you are a country shipper and you makes sales through a commission merchant in less-than-carlots or less-than-trucklots, your ceiling price shall be (1) your delivered ceiling price as calculated under section 2 (d) of this regulation, plus such commission merchant's charge (not in excess of that permitted under the provisions of Ceiling Price Regulation 34), or (2) your delivered ceiling price as calculated under section 2 (d) of this regulation, plus the applicable markups for sales by a primary receiver as established under section 3 (c) of this regulation, whichever is the lower.

2. Section 3 is amended in the following respects:

a. By amending paragraph (c), subparagraph (1) of section 3 to read as follows:

(c) *Sales by primary receivers*—(1) *Sales ex-car or ex-truck.* If you are a primary receiver and make sales of potatoes ex-car or ex-truck, or make delivered sales of potatoes to the physical premises of a buyer other than a retailer's retail store or other than the premises of a commercial or institutional user, directly from the original conveyance in which they were transported from the country shipping point, your ceiling price shall be your primary price plus 25 cents per hundredweight.

b. By amending paragraph (c), subparagraph (2) of section 3 to read as follows:

(2) *Sales ex-store or ex-warehouse.* If you are a primary receiver and make sales of potatoes ex-store or ex-warehouse to a person other than a commercial or institutional user or a retailer, your ceiling price shall be you primary price plus 45 cents per hundredweight. If you are a primary receiver and make sales of potatoes ex-store or ex-warehouse to a commercial or institutional user or to a retailer, your ceiling price shall be your primary price plus 60 cents per hundredweight.

c. By amending paragraph (c), subparagraph (3) of section 3 to read as follows:

(3) *Delivered sales.* If you are a primary receiver and make delivered sales of potatoes from your store or warehouse to the physical premises of a

buyer other than the premises of a commercial or institutional user or other than a retailer's retail store, by a conveyance other than the one in which they were transported from the country shipping point, your ceiling price shall be your primary price plus 45 cents per hundredweight. If you are a primary receiver and make delivered sales of potatoes from your store or warehouse to the physical premises of a commercial or institutional user or a retailer's retail store, by a conveyance other than the one in which they were transported from the country shipping point, your ceiling price shall be your primary price plus 80 cents per hundredweight.

d. By amending paragraph (f) of section 3 to read as follows:

(f) *Delivered sales by intermediate sellers to retailers, commercial or institutional users.* If you are an intermediate seller (other than a shipping point distributor or a carlot distributor) and make delivered sales of potatoes from your store or warehouse to the physical premises of a commercial or institutional user or a retailer's retail store, by a conveyance other than the one in which they were transported from the country shipping point, your ceiling price shall be your primary price plus 80 cents per hundredweight.

e. By deleting the example at the end of paragraph (g) of section 3 and by amending the text of that paragraph to read as follows:

(g) *Long distance delivered sales.* If you are an intermediate seller (other than a shipping point distributor or a carlot distributor) and make sales of potatoes from your warehouse or store delivered to a retailer's retail store or warehouse (including a chain store warehouse), to a commercial user's establishment, or to an institutional user's institution and (1) the point of delivery of such potatoes is beyond a radius of 15 miles from your warehouse or store; and (2) both your warehouse or store and the point of delivery are within a geographical area generally recognized as a single wholesale distribution area, you may add to your ceiling price otherwise determined under this regulation an amount for transportation not in excess of 5 cents for each 25 miles beyond this 15-mile radius. In any event, the total amount charged for such transportation may not exceed 30 cents per hundredweight.

3. Section 6 is amended to read as follows:

SEC. 6. *Imports and exports of potatoes.* The ceiling price for white flesh potatoes imported from any country shall be the lowest ceiling price established under this regulation for the sale of the most similar domestic potatoes at the same geographical point and at the same level of distribution where such imported potatoes are being offered for sale.

Sales of potatoes for export are covered by the provisions of Ceiling Price Regulation 61.

Example: Assume you are a carlot distributor of potatoes and are selling in Boston during the month of May unwashed imported potatoes which are most similar to U. S. No. 1 unwashed potatoes produced in Maine and Massachusetts. Assume also that unwashed potatoes of the same grade produced in Maine and Massachusetts are for sale by carlot distributors in Boston. Assume further that the ceiling price for carlot distributors for one hundredweight of Maine-produced potatoes of the above grade is $4.56 (base price of $3.80, plus assumed cost of rail transportation to Boston of 60 cents, plus risk in transit allowance of 6 cents, plus carlot distributor's markup of 10 cents) and that the ceiling price for the Massachusetts-produced potatoes is $4.61 (base price of $4.05, plus assumed cost of transportation to Boston of 40 cents, plus allowance for risk in transit of 6 cents, plus carlot distributor's markup of 10 cents). Your ceiling price for the imported potatoes is equal to the ceiling price for the potatoes produced in Maine, *i. e.* $4.56.

4. Section 7 is amended to read as follows:

SEC. 7. *Sales slips and receipts.* You shall, regardless of previous custom, give the purchaser an invoice or other document of sale, showing the date of the sale, your name and address, the purchaser's name and address, the state in which the potatoes were grown, the grade and quantity thereof, the price received for them and your applicable ceiling price for the particular sale. You and the purchaser (except an ultimate consumer) shall each keep a copy of the invoice or document of sale for inspection by the Director of Price Stabilization for a period of two years.

5. Section 9, paragraph (a) is amended to read as follows:

SEC. 9. *Compliance with this regulation.*—(a) *No selling or buying above ceiling prices.* Regardless of any contract or obligation, no person shall sell or deliver, or in the course of business or trade, by or receive, potatoes at prices higher than the applicable ceiling prices established by this regulation, and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

6. Section 10 is amended in the following respects:

a. Paragraph (m) is amended to read as follows:

(m) "Intermediate seller" means a shipping point distributor, carlot distributor, primary receiver, secondary jobber, or purveyor as defined in this section.

b. Paragraph (o) is amended to read as follows:

(o) "Primary receiver" means a person who for his own account and profit buys potatoes for resale in less-than-carlots or less-than-trucklots. However, a person who sells a pool car or truck is a shipping point distributor or carlot distributor and is not entitled to any of the markups allowed by this regulation to other intermediate sellers.

c. Paragraph (y) is amended to read as follows:

(y) "Shipping point distributor" means a person who, with respect to a lot of potatoes, performs all the functions of a country shipper and, in addition, made at least 50 percent of the dollar value of his potato sales during the calendar year 1951 to purchasers located at wholesale receiving points who did not buy through brokers or agents located at the country shipping point. If 25 percent or more of the dollar value of a seller's sales of potatoes for the calendar year 1951 was made to a single purchaser, such seller is not a shipping point distributor. Furthermore, a person who makes sales of potatoes to country shippers or shipping point distributors is not himself a shipping point distributor.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective May 27, 1952.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

MAY 27, 1952.

[F. R. Doc. 52-5956; Filed, May 27, 1952; 10:45 a. m.]

[Ceiling Price Regulation 113, Revision 1, Amdt. 11]

CPR 113—WHITE FLESH POTATOES

CHANGES IN BASE PRICES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 11 to Ceiling Price Regulation 113, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Revision 1 of Ceiling Price Regulation 113 raises the base prices for the month of June for Arizona and Oklahoma to $3.85 per cwt. from $3.35 and $3.55 per cwt., respectively.

This increase constitutes a recognition of an average historical price difference between new crop potatoes produced in Arizona and Oklahoma and those produced in other areas. The increase in the base price provided for these two states by this amendment is supported by data furnished by the United States Department of Agriculture. The total quantity of potatoes affected by this increase is not large enough to have any marked effect on the retail price of potatoes throughout the nation.

In view of the nature of this amendment and the necessity for speedy action, the Director of Price Stabilization deemed it impracticable to consult with members of the industry affected, including trade association representatives. However, he consulted with experts in other governmental agencies. It is the judgment of the Director that the provisions of this amendment are generally fair and equitable, comply with all applicable provisions of the Defense Production Act of 1950, as amended, and that they are necessary to effectuate the purposes of that act.

AMENDATORY PROVISIONS

Revision 1 to Ceiling Price Regulation 113 is amended by amending the entry for Arizona and Oklahoma in Table I in section 2 (a) to read as follows:

TABLE I—BASE PRICES FOR WHITE FLESH POTATOES

Producing States:	*Dollars per hundredweight* *June*
Arizona	$3.85
Oklahoma	3.85

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective May 26, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

MAY 26, 1952.

[F. R. Doc. 52-5936; Filed, May 26, 1952; 4:29 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-53—Revocation]

M-53—COTTON DUCK

REVOCATION

NPA Order M-53 (16 F. R. 9518) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-53 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective May 26, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-5923; Filed, May 26, 1952; 3:03 p. m.]

[NPA Order M-28, Revocation]

M-28—LEATHER

REVOCATION

NPA Order M-28 (16 F. R. 549) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-28, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective May 27, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-5959; Filed, May 27, 1952; 11:43 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 10 to Schedule B]

RR 1—HOUSING

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

VIRGINIA AND FLORIDA

Effective May 28, 1952, Rent Regulation 1 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 23d day of May 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

1. Item 50 of Schedule B is amended to read as follows:

50. *Provisions relating to the independent City of Norfolk, Virginia, a portion of the Norfolk-Portsmouth, Virginia Defense-Rental Area (Item 342 of Schedule A):*

(a) The application of the provisions of section 41 of this regulation, as herein modified, is reinstated.

(b) Wherever the words "June 1 to September 30" appear in section 41 the words "May 1 to September 30" are substituted.

(c) All provisions of this regulation insofar as they are applicable to the independent City of Norfolk, Virginia, are hereby amended to the extent necessary to carry these provisions of item 50 into effect.

2. A new item 54 is added to Schedule B, reading as follows:

54. *Provisions relating to the Pensacola, Florida, Defense-Rental Area (Item 63 of Schedule A):*

In section 41 of this regulation wherever the words "June 1 to September 30" appear, the words "May 1 to September 30" are substituted.

All provisions of this regulation insofar as they are applicable to the Pensacola, Florida Defense-Rental Area are amended to the extent necessary to carry into effect the provisions of this item 54 of Schedule B.

[F. R. Doc. 52-5866; Filed, May 27, 1952; 8:49 a. m.]

[Rent Regulation 2, Amdt. 9 to Schedule B]

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

VIRGINIA AND FLORIDA

Effective May 28, 1952, Rent Regulation 2 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 23d day of May 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

1. Item 54 of Schedule B is amended to read as follows:

54. *Provisions relating to the independent City of Norfolk, Virginia, a portion of the Norfolk - Portsmouth, Virginia, Defense-Rental Area (Item 342 of Schedule A):*

(a) The application of the provisions of section 42 of this regulation, as herein modified, is reinstated.

(b) Wherever the words "June 1 to September 30" appear in sections 42 and 99, the words "May 1 to September 30" are substituted and whenever the words "October 1 to May 31" appear in section 99, the words "October 1 to April 30" are substituted.

(c) All provisions of this regulation insofar as they are applicable to the independent City of Norfolk, Virginia, are hereby amended to the extent necessary to carry the provisions of this item 54 into effect.

2. A new item 59 is added to Schedule B, reading as follows:

59. *Provisions relating to the Pensacola, Florida, Defense-Rental Area (Item 63 of Schedule A):*

Wherever the words "June 1 to September 30" appear in sections 42 and 99, the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in Section 99, the words "October 1 to April 30" are substituted.

All provisions of this regulation insofar as they are applicable to the Pensacola, Florida, Defense-Rental Area, are hereby amended to the extent necessary to carry the provisions of this item 59 into effect.

[F. R. Doc. 52-5867; Filed, May 27, 1952; 8:49 a. m.]

[Rent Regulation 3, Amdt. 8 to Schedule B]

RR 3—HOTELS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

VIRGINIA, FLORIDA, AND WISCONSIN

Effective May 28, 1952, Rent Regulation 3 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 23d day of May 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

1. Item 6 of Schedule B is amended to read as follows:

6. *Provisions relating to the independent City of Norfolk, Virginia, a portion of the Norfolk-Portsmouth, Virginia, Defense-Rental (Item 342 of Schedule A):*

(a) The application of the provisions of section 27 of this regulation, as herein modified, is reinstated.

(b) Wherever the words "June 1 to September 30" appear in sections 27 and 53 the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in section 53 the words "October 1 to April 30" are substituted.

(c) All provisions of this regulation insofar as they are applicable to the independent City of Norfolk, Virginia, are hereby amended to the extent necessary to carry these provisions of item 6 into effect.

2. The following new items are added to Schedule B:

11. *Provisions relating to the Pensacola, Florida, Defense-Rental Area (Item 63 of Schedule A):*

Wherever the words "June 1 to September 30" appear in sections 27 and 53, the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in section 53, the words "October 1 to April 30" are substituted.

All provisions of this regulation insofar as they are applicable to the Pensacola, Florida, Defense-Rental Area, are hereby amended to the extent necessary to carry the provisions of this item 11 into effect.

12. *Provisions relating to the Sparta, Wisconsin, Defense-Rental Area (Item 366 of Schedule A)*:

The application of this regulation is terminated with respect to all non-housekeeping rooms, except those which (a) were rented on the basis of a weekly or monthly term of occupancy on February 28, 1952, or (b) if vacant on that date, were rented on the basis of a weekly or monthly term of occupancy when last rented prior to said date.

[F. R. Doc. 52-5868; Filed, May 27, 1952; 8:50 a. m.]

[Rent Regulation 4, Amdt. 1 to Schedule B]

RR 4—MOTOR COURTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREAS OR PORTIONS THEREOF

VIRGINIA, FLORIDA, AND SOUTH CAROLINA

Effective May 28, 1952, Rent Regulation 4 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 23d day of May 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

1. Item 6 of Schedule B is amended to read as follows:

6. *Provisions relating to the independent City of Norfolk, Virginia, a portion of the Norfolk-Portsmouth, Virginia, Defense-Rental Area (Item 342 of Schedule A)*:

(a) The provisions of section 26 of this regulation, as herein modified, are hereby made to apply.

(b) Wherever the words "June 1 to September 30" appear in sections 26 and 55, the words "May 1 to September 30" are substituted and wherever the words "October 1 to May 31" appear in section 55, the words "October 1 to April 30" are substituted.

(c) All provisions of this regulation insofar as they are applicable to the independent City of Norfolk, Virginia, are hereby amended to the extent necessary to carry these provisions of item 6 into effect.

2. The following new items are added to Schedule B:

11. *Provisions relating to the Pensacola, Florida, Defense-Rental Area (Item 63 of Schedule A)*:

Wherever the words "June 1 to September 30" appear in sections 26 and 55, the words "May 1 to September 30" are substituted, and wherever the words "October 1 to May 31" appear in section 55, the words "October 1 to April 30" are substituted.

All provisions of this regulation insofar as they are applicable to the Pensacola, Florida, Defense-Rental Area, are hereby amended to the extent necessary to carry the provisions of this item 11 into effect.

12. *Provisions relating to Allendale County, South Carolina, a portion of the Aiken, South Carolina, Defense-Rental Area (Item 276a of Schedule A)*:

Maximum daily rates established by this regulation shall not be applicable to rooms which on February 26, 1952, were rented on the basis of a daily term of occupancy, or if vacant on that date, were rented on the basis of a daily term of occupancy when last rented prior to said date.

All provisions of this regulation insofar as they are applicable to Allendale County, South Carolina, are hereby amended to the extent necessary to carry the provisions of this item 12 into effect.

[F. R. Doc. 52-5869; Filed, May 27, 1952; 8:50 a. m.]

Chapter XXIII—Defense Materials Procurement Agency

[Mineral Order 7, as Amended]

MO-7—SERIALIZATION OF MINES, SMELTERS, AND MINERAL PROCESSING PLANTS

This order, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Section 7 and 8 of this order constitute new material; sections 1–6 and 9–12 are amended.

As amended, the order reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Applicability of order.
4. Serialization of domestic producers.
5. Application by small producers.
6. Application by foreign producers.
7. Serial numbers.
8. Validation of actions of Defense Minerals Administration.
9. Records and reports.
10. Adjustments and exceptions.
11. Communications.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799; 50 U. S. C. App. Sup. 2071. Sec. 2, E. O. 10,200, Jan. 3, 1951, 16 F. R. 61, 3 CFR 1951 Supp.

SECTION 1. *What this order does.* The purpose of this order is to provide, by serialization of mines (other than petroleum, solid fuels and natural gas), smelters, and mineral processing plants, the requisite information to enable the Defense Materials Procurement Agency adequately to provide priority and allocation assistance under its programs relating to the maintenance and acquisition of facilities, machinery, equipment, and operating supplies by the mining industry.

SEC. 2. *Definitions.* For the purposes of this order:

(a) "Person" means any individual, partnership, corporation, association, or other organized group, and includes any Government agency or institution.

(b) "Producer" means any person actually engaged in operations for which claimant responsibility has been delegated to DMPA by NPA Delegation 5, as amended. Those operations include (1) the extraction, by surface, open-pit, quarry, dredging, or underground methods or in the beneficiation, concentration, or preparation for shipment, of the products of mining activities; (2) the production of nonferrous metals by smelting and refining; or (3) the operation of any prospecting enterprise for the discovery, exploration, or development of new or additional mining projects. This definition does not include operations relating to solid fuels, petroleum or natural gas.

(c) "Domestic producer" means any person operating as a "producer" within the United States, its territories and possessions.

(d) "Foreign producer" means any person operating as a "producer" outside the United States, its territories and possessions, and Canada.

(e) "DMPA" means the Defense Materials Procurement Agency.

(f) "DMA" means the former Defense Minerals Administration.

SEC. 3. *Applicability of order.* This order shall apply to domestic and foreign producers who require priority or allocation assistance on purchases within the United States, its territories and possessions.

SEC. 4. *Serialization of domestic producers.* Domestic producers shall apply for a serial number on Form MF-100 to the Defense Materials Procurement Agency.

SEC. 5. *Application by small producers.* Any domestic producer who produces or processes fifty (50) tons or less of crude ore or mineral per week, in applying for a serial number need furnish only the information required by questions 1, 3, 4, 10 and 16 of Form MF-100 and execute the certification provided therein, or in lieu of using Form MF-100 such producer may submit in a letter the following information:

(a) Kind of material produced or processed, and byproducts, if any;

(b) Location of operations: Give county, State, township, section, range, mining district, and distance to nearest town and shipping point;

(c) Is property now in operation? If so, by owner, lessee, or contractor?

(d) Number and types of labor employed;

(e) Quantity (in tons) and kind of product mined and/or processed and sold during 1949, 1950, 1951, and present monthly average.

(f) Signature of producer.

SEC. 6. *Application by foreign producers.* Any foreign producer requesting serialization under this order must register with DMPA the name and address of his duly authorized United States agent, subject to the jurisdiction of the United States and responsible for full compliance of the foreign producer with the regulations of the defense agencies. All applications shall be filed on Form MF-100 with DMPA.

SEC. 7. *Serial numbers.* Priorities and allocations assistance under the programs of the Defense Materials Procurement Agency as set forth in section 1 of this order will be given only to producers

who have been granted serial numbers as provided in this order. DMPA will assign serial numbers on all approved applications for serialization from domestic and foreign producers. These shall be used by domestic producers on all correspondence with DMPA, and by foreign producers on all purchase orders or correspondence requiring action in the United States.

SEC. 8. *Validation of actions of Defense Minerals Administration.* All serial numbers issued to producers by the former Defense Minerals Administration shall remain valid as issued unless and until revoked or changed by DMPA. It is not necessary for producers holding such serial numbers to re-file under this revised order.

SEC. 9. *Records and reports.* Any producer granted serialization under the provisions of this order shall keep such records and submit such reports as the Defense Materials Procurement Agency shall require, subject to the terms of the Federal Reports Act (5 U. S. C. 139–139F).

SEC. 10. *Adjustments and exceptions.* Any producer affected by any provision of this order or by any action taken thereunder may file a request for adjustment or exception upon the ground that such provision or action works an undue or exceptional hardship upon him not suffered generally by others in the same industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order or by any action taken thereunder, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, in duplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor. It shall be addressed to DMPA.

SEC. 11. *Communications.* All communications concerning this order shall be addressed to Defense Materials Procurement Agency, Mining Requirements Division, General Services Building, Washington 25, D. C.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

This order, as amended, shall take effect upon publication in the FEDERAL REGISTER.

JESS LARSON,
Defense Materials Procurement Administrator.

MAY 23, 1952.

[F. R. Doc. 52-5955; Filed, May 27, 1952; 10:01 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

CHESAPEAKE BAY 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) and Chapter XIX of the Army Appropriations Act of July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), § 204.32 governing the use and navigation of waters of Chesapeake Bay, comprising a firing range at the Naval Research Laboratory, Chesapeake Bay Annex, near Chesapeake Beach, Maryland, is amended, as follows:

§ 204.32 *Chesapeake Bay, in the vicinity of Chesapeake Beach, Md.; firing range, Naval Research Laboratory*—(a) *The danger zone*—(1) *Area "A".* A roughly rectangular area bounded on the north by latitude 38°39′55″; on the south by latitude 38°39′09″; on the east by longitude 76°31′03″; and on the west by the shore of Chesapeake Bay.

(2) *Area "B".* The sector of a circle bounded by radii of 9,600 yards bearing 31° (to Bloody Bar Light) and 137° 30′ (to Buoy N "16 FF"), respectively, from the center at the southeast corner of building No. 3; excluding Area A.

(3) *Area "C".* * * *

(4) *Area "D".* A roughly rectangular area bounded on the north by an east-west line through Buoy C "1" at the entrance channel to Fishing Creek; on the south by an east-west line through Buoy C "23" northeast from Breezy Point; on the east by the established fishing structure limit line; and on the west by the shore of Chesapeake Bay.

NOTE: All bearings referred to true meridian.

(b) *The regulations.* * * *

(3) No fishing structures, other than those presently in established locations, which may be maintained, will be permitted to be established in Area D without specific permission from the Director, Naval Research Laboratory.

(4) The areas will be in use throughout the year, and no further notice is contemplated that firing is continuing.

(5) Prior to the conduct of each firing practice a patrol vessel will patrol the range to warn navigation. "Baker" will be flown from a conspicuous point on the patrol vessel and from a prominent position on shore.

(6) The regulations in this section shall be enforced by the Commandant, Fifth Naval District, and such agencies as he may designate.

(40 Stat. 266, 892; 33 U. S. C. 1, 3) [Regs., May 5, 1952, 800.2121-ENGWO]

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-5832; Filed, May 27, 1952; 8:45 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 20—SPECIAL REGULATIONS

KATMAI NATIONAL MONUMENT; FISHING

Paragraph (a), entitled *Fishing*, of § 20.46, entitled *Katmai National Monument*, is amended to read as follows:

(a) *Fishing.* Fishing is permitted only with artificial lures. Each such artificial lure may consist of not more than two flies or not more than one plug, spoon, or spinner, to which may be attached not more than two single hooks; except that in Brooks River and in all waters within 100 yards of its inlet and outlet the lures shall be restricted to not more than two flies. Fishing is prohibted within 100 yards above and within 100 yards below the weir in Brooks River and within 100 yards above the fish ladder over Brooks Falls. Fishing from the fish ladder over Brooks Falls is also prohibited.

(1) The limit of catch per person per day shall be 10 fish but not to exceed 10 pounds and one fish, except that the limit of catch of red salmon per person per day shall be two fish, including those hooked and released. Possession of more than one day's limit of catch by any person at any one time is prohibited.

(2) Notwithstanding the above restrictions, native Aleuts and Eskimos residing in the region may take fish for personal use as food from August 20 to the end of each year.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 21st day of May 1952.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-5836; Filed, May 27, 1952; 8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

GERMANY AND PANAMA

1. In § 127.264 *Germany* (16 F. R. 660) amend subdivision (ii) (*a*) of paragraph (b) (4) to read as follows:

(*a*) Addressees of gift parcels may receive duty free each month up to 33 pounds of foodstuffs, which may include 1 pound 1½ ounces of coffee, 2 pounds 3 ounces of powdered cocoa, and 2 pounds 3 ounces of chocolate. However, no parcel is admitted duty free if it contains

only coffee, powdered cocoa or chocolate, or any combination thereof, or if the value of such articles exceeds two-thirds of the total value of the contents. Furthermore, the weight of coffee may be only a small proportion of the total weight of the parcel.

2. In § 127.324 *Panama* amend paragraph (b) (7) by deleting subdivision (i) and redesignating subdivision (ii) as (i).

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 52-5837; Filed, May 27, 1952; 8:46 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 22—PERSONNEL OTHER THAN COMMISSIONED OFFICERS

DUTY REQUIRING INTIMATE CONTACT WITH LEPROSY PATIENTS. ADDITIONAL PAY FOR CIVIL SERVICE OFFICERS OR EMPLOYEES

CROSS REFERENCE: For regulations affecting § 22.1, see Title 3, Executive Order 10354, *supra*.

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 193—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

SUBPART B—LIGHTING DEVICES, REFLECTORS, AND ELECTRICAL EQUIPMENT

Correction

In F. R. Doc. 52-5382, appearing at page 4423 of the issue for Thursday, May 15, 1952, the section designation and headnote "§ 139.29 *Grounds*" should read "§ 193.29 *Grounds*."

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 534]

MARKET AGENCIES AT NEW ORLEANS STOCK YARDS

NOTICE OF PETITION FOR MODIFICATION OF RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued on January 31, 1952 (11 A. D. 26) authorizing respondents to continue assessing to and including March 15, 1953, the schedule of rates and charges established by an order dated March 9, 1951 (10 A. D. 335), as modified by an order dated August 23, 1951 (10 A. D. 1072).

On May 19, 1952, respondents filed a petition requesting authority to put into effect a proposed Amendment No. III to Tariff No. 8, the current schedule of rates and charges. The proposed amendment would change Article II of the current schedule as follows:

ARTICLE II; SELLING CHARGES

ALL MODES OF ARRIVAL

Animals of the Bovine Species:

	Per head	
	From	To
To change Item 1		
Light weight bovines:		
Consignments of 1 head and 1 head only	$0.75	$1.00
Consignments of more than 1 head:		
First 15 head in each consignment	.65	.85
Each head over 15 in each consignment	.55	.75
To change Item 2		
Medium weight bovines:		
Consignments of 1 head and 1 head only	1.20	1.50
Consignments of more than 1 head:		
First 15 head in each consignment	1.05	1.35
Each head over 15 in each consignment	.95	1.25
To change Item 3		
Heavy weight bovines:		
Consignments of 1 head and 1 head only	1.35	1.75
Consignments of more than 1 head:		
First 15 head in each consignment	1.20	1.50
Each head over 15 in each consignment	1.05	1.35
To change Item 4		
Bulls: 600 pounds and over	2.50	3.00
To change Item 5		
Dairy cattle:		
Milkers or springers (cows with calves at feet being considered 1)	5.00	5.00
To change Item 6		
Swine:		
Consignments of 1 head and 1 head only	.70	1.00
Consignments of more than 1 head:		
First 40 in each consignment	.60	.65
Each head over 40 in each consignment	.50	.50
To change Item 7		
Sheep and goats: All weights	.35	.35

If authorized, the proposed amendment will produce additional revenue for the respondent market agencies and increase the cost of marketing livestock. Accordingly, it appears that this public notice should be given of the petition and its contents in order that all interested persons may have an opportunity to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 23d day of May 1952.

[SEAL] AGNES B. CLARKE,
Hearing Clerk.

[F. R. Doc. 52-5891; Filed, May 27, 1952; 8:55 a. m.]

[7 CFR Part 912]

[Docket No. AO-29-A8]

HANDLING OF MILK IN DUBUQUE, IOWA, MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Dubuque, Iowa, on November 28, 1951, pursuant to notice thereof which was issued on November 16, 1951 (16 F. R. 11873).

Upon the basis of the evidence introduced at the hearing and the record thereof the Assistant Administrator, Production and Marketing Administration, on April 11, 1952, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision and opportunity to file written exceptions thereto which was published in the FEDERAL REGISTER on April 17, 1952 (17 F. R. 3414).

The material issues of record related to (1) revising the level of Class I prices, (2) revising the list of plants used in determining Class II prices, and (3) revising the Class III price and the Class III butterfat differential.

No exceptions to the recommended decision were filed.

Findings and conclusions on the record. The findings (including general findings), conclusions and rulings of the recommended decision set forth in the FEDERAL REGISTER (17 F. R. 3414; Doc. 52-4356) are approved and adopted as the findings, conclusions and rulings of this decision as if set forth in full herein.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Dubuque, Iowa, Marketing Area", and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Dubuque, Iowa, Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 23d day of May 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary.

Order[1] *Amending the Order, As Amended, Regulating the Handling of Milk in the Dubuque, Iowa, Marketing Area*

§ 912.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order; and all previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR Supps., 900.1 et seq.), a public hearing was held at Dubuque, Iowa, on November 28, 1951, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The said order, as hereby amended, and all of the terms and conditions of said order as hereby amended, will tend to effectuate the declared policy of the act.

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk and the minimum prices specified in the order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Dubuque, Iowa, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Delete § 912.5 (a) (1) and substitute therefor the following:

(1) *Class I milk.* The price established per hundredweight of Class I milk under Order No. 44, as amended, regulating the handling of milk in the Quad Cities marketing area, minus 10 cents.

2. Revise the list of plants contained in § 912.5 (a) (2) (i) to read as follows:

Present Operator of Plant and Location

Amboy Milk Products Co., Amboy, Ill.
Borden Co., Dixon, Ill.
Borden Co., Sterling, Ill.
Carnation Co., Morrison, Ill.
Carnation Co., Oregon, Ill.
Carnation Co., Waverly, Iowa.
United Milk Products Co., Argo Fay, Ill.

ORDER DIRECTING THAT REFERENDUM BE CONDUCTED AMONG PRODUCERS; DETERMINATION OF REPRESENTATIVE PERIOD; AND DESIGNATION OF AGENT TO CONDUCT SUCH REFERENDUM

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among producers (as defined in the order, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area) who, during the month of March 1952 were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

The month of March 1952 is hereby determined to be a representative period for the conduct of such referendum. E. H. McGuire is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177).

Done at Washington, D. C., this 23d day of May 1952.

[F. R. Doc. 52-5892; Filed, May 27, 1952; 8:56 a. m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and orders have been met.

[7 CFR Part 951]

[Docket No. AO 135-A3]

TOKAY GRAPES GROWN IN CALIFORNIA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO THE AMENDED MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to proposed amendments to Marketing Agreement No. 93, as amended (hereinafter referred to as the "marketing agreement"), and Order No. 51, as amended (7 CFR Part 951), hereinafter referred to as the "order," regulating the handling of Tokay grapes grown in the State of California, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), hereinafter referred to as the "act." Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington 25, D. C., not later than the close of business on the 10th day after publication hereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The public hearing, on the record of which the proposed amendments to the marketing agreement and order are formulated, was initiated by the Production and Marketing Administration as a result of proposed amendments received from the Industry Committee, established pursuant to the marketing agreement and order as the agency to administer the terms and provisions thereof. In accordance with the applicable provisions of the aforesaid rules of practice and procedure, a notice that a public hearing would be held at Lodi, California, beginning on March 13, 1952, to consider the proposed amendments, was published in the FEDERAL REGISTER (17 F. R. 1506) on February 16, 1952. Subsequently, notice was published in the FEDERAL REGISTER of March 12 (17 F. R. 2133) that the hearing had been postponed to March 31, 1952.

Material issues. The material issues presented on the record of the hearing were concerned with amending the marketing agreement and order to provide:

(a) That the area of production of Tokay grapes be limited to San Joaquin and Sacramento Counties, instead of the entire State of California, and identified as the "production area";

(b) That all handling or shipments of Tokay grapes (other than the sale of such grapes on the vine) from the production area conform to the same regulations, whether by grade or size, or by minimum standards of quality and maturity, that may be in effect at time of shipment; and that the scope of the term "handle" (as defined in § 951.7) be amended accordingly;

(c) That, in connection with representation on the Industry Committee, the boundaries of the school districts in the six election districts comprising the Lodi District to be fixed as those in effect on October 1, 1947;

(d) That three members of the Shippers' Advisory Committee be elected by, and from among, the five largest handlers (determined on the basis of the quantity of grapes shipped by the respective handler during the preceding season); also that three alternate members for such members be elected by such handlers;

(e) New criteria for use in determining the percentage of an eligible grower's crop of Tokay grapes which may be shipped under an exemption certificate;

(f) That the scope of the term "handle" as used in §§ 951.60 through 951.68 with respect to the regulation of daily shipments be restricted by making inapplicable the words "or so as directly to

burden, obstruct, or affect such commerce"; and

(g) That (1) there be added to the grapes excepted from regulation grapes (i) for conversion into wine, juice, or other products, and (ii) for distribution for relief purposes; and (2) the Industry Committee be authorized to except, subject to the approval of the Secretary, shipments of grapes not exceeding designated quantities, or grapes in designated types of shipments.

Findings and conclusions. The findings and conclusions relating to the material issues are based upon the evidence introduced at the hearing and the record thereof, and are as follows:

(a) Practically all of the Tokay grapes grown in the United States are produced in the State of California and most of this fruit is grown in San Joaquin and Sacramento Counties. The total acreage of Tokay grapes grown in California in 1950 was 27,561 acres of which only 1,400 acres or 5.8 percent were located in counties other than San Joaquin and Sacramento. In 1950, only 2.3 percent of the total production of Tokay grapes in the State of California was grown in counties other than San Joaquin and Sacramento; and such grapes were generally of good quality. However, since such grapes were often lighter in color than those produced in San Joaquin and Sacramento Counties it became necessary in some instances, in order to permit their shipment in interstate commerce, to grant exemptions from the color requirements of effective regulations. Records maintained by the Industry Committee show that during the 1949, 1950, and 1951 marketing seasons approximately 99 percent of the Tokay grapes marketed in fresh form were grown in the Counties of San Joaquin and Sacramento. The small volume of Tokay grapes grown outside these two counties is generally marketed in the fresh fruit market before volume shipments are made from San Joaquin and Sacramento Counties and very few of such shipments are made after shipments from the latter counties become substantial. Such shipments, therefore, do not adversely affect those from San Joaquin and Sacramento Counties as much as was originally indicated when this regulatory program became effective in 1940.

Planting trends for Tokay grapes in California counties other than San Joaquin and Sacramento are downward and testimony shows that soil and climatic conditions in these other counties are not conducive to a reversal of such trends. However, if such planting trends are reversed in counties excluded from the production area it may become necessary to revaluate the situation.

Shipments of Tokay grapes in fresh form from Sacramento County generally exceed the aggregate shipments of such grapes from the remainder of the State of California exclusive of San Joaquin County. The acreage of Tokays grown in Sacramento County is substantial. The marketing season for such grapes is concurrent with that for Tokay grapes grown in the County of San Joaquin, and the two counties adjoin. Therefore, Sacramento County should be included in the production area with San Joaquin County. Under present conditions, limiting the production area to the two Counties of San Joaquin and Sacramento will tend to facilitate the administration and enforcement of the marketing agreement and order. Fair and equitable representation on the Industry Committee will be provided by continuing the existing provisions for six representatives from San Joaquin County (comprising the "Lodi District") and one representative from Sacramento County (comprising the "Florin District" which under the existing wording includes the remainder of the State of California).

The marketing agreement and order should be amended, therefore, to confine the production area to the Counties of San Joaquin and Sacramento which constitute the smallest regional production area found practicable consistently with carrying out the declared policy of the act.

(b) A large percentage of the Tokay grapes produced for the fresh fruit market is packed in the field, although a few are shed-packed. Prior to harvest, it is generally not known whether the Tokay grapes will be harvested for marketing in fresh fruit channels in intrastate markets, interstate markets, or foreign markets. At the time these grapes are packed, it is generally not known whether these grapes will be sold in intrastate, interstate or foreign commerce. At the time grapes are inspected the destination of such grapes is often unknown. Furthermore, when grapes are pre-cooled and loaded, the market to which they will be sent is sometimes unknown. Grapes destined to markets within the State of California or outside the State of California are so inextricably intermingled in growing, harvesting, inspecting, pre-cooling and loading that it is difficult to regulate interstate and foreign commerce by grade, size, or minimum standards of quality and maturity without extending such regulations to grapes shipped to intrastate markets.

Shipments of grapes which were not subject to the regulatory program were made in the past to intrastate markets. Some of such shipments failed to meet the grade and size regulations established under the marketing agreement and order. Such inferior quality grapes were purchased in the intrastate markets by some consumers. The testimony indicated that grapes of inferior quality do not give consumer satisfaction and often result in lessening the demand in such markets for all qualities of Tokay grapes due to the hesitancy of consumers to make repeat purchases. It was shown also that inferior quality grapes were often sold in intrastate markets at prices which resulted in very low returns to growers, and that such sales depressed the market for the better quality grapes, such as those which met the established grade and size regulations. Such disorderly marketing conditions resulted in returns to growers from such good quality grapes lower than those received from regulated shipments of grapes of the same quality made to interstate markets.

About 7 percent of the population of the United States is in the State of California. Approximately 15 percent of the Tokay grapes marketed in fresh form are consumed in that State. It is indicated that the population in California has been increasing and that the percentage of Tokay grapes marketed in fresh form within the State will continue to increase accordingly. The market within the State of California is an important segment of the total market for Tokay grapes. To the extent that low prices are received by growers for Tokays marketed in intrastate markets they must receive greater returns for fruit marketed in interstate and foreign markets to establish the level of prices declared in the act of the policy of Congress. This directly burdens, obstructs, or affects interstate or foreign commerce in Tokay grapes. The regulation of shipments in intrastate markets would provide greated consumer satisfaction and thus result in an increased demand for Tokay grapes in such markets, with consequent higher returns to growers.

The Los Angeles market is the largest single market in the State of California and is second only in importance to the New York market. The record indicates that shipments of Tokay grapes to the Los Angeles market are heavy and that a large volume of such grapes is, in turn, reshipped or transshipped to many markets outside of the State of California. Such transshipments are particularly important in the case of States such as Arizona, Colorado, Texas, New Mexico, Washington, and Nevada. Some transshipments are made from Los Angeles to States as distant as Louisiana, Florida, and Maryland. Likewise, transshipments from Los Angeles have been made to Canada. The record also shows the transshipment of grapes in interstate commerce from San Francisco, and from Alameda County, California. Grapes meeting the grade and size regulations, established under the marketing agreement and order, have been offered for transshipment from intrastate markets, such as Los Angeles, at prices lower than such grapes were offered for shipment from the production area. As a result many shippers are unable to sell grapes in some interstate markets, such as many of those in the Southwest, at prices comparable with those obtained in other interstate markets. If shipments to intrastate markets are regulated, such regulation would result in better returns to growers for grapes shipped to intrastate markets and should also improve the returns from interstate markets.

A definite relationship exists between the prices received for grapes marketed within the State of California and those marketed in the interstate market. Average daily wholesale prices received during the 1951 season in the interstate markets of Denver, Kansas City, Portland, Seattle, Boston, Minneapolis, New Orleans, and St. Louis were shown generally to parallel average daily wholesale prices received during the same season in the Los Angeles market and the average daily f. o. b. Lodi, California, market. Any sale of Tokay grapes affects the price and supply of all other available Tokay grapes. Fluctuations in prices

for such fruit occur in both intrastate and interstate markets and handlers ship grapes to the market from which they anticipate receiving the highest return.

The act permits regulation of such handling of Tokay grapes, grown in the aforesaid production area, as in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce, on the basis of grade, size, or minimum standards of quality and maturity regulations. The act prohibits the application of such regulations to a retailer of Tokay grapes in his capacity as such retailer or to a producer of such fruit in his capacity as a producer. Sales of grapes on the vine and the transportation of grapes from a vineyard to a packing shed within the production area or from a packing shed to another packing shed within the area should not be subject to regulation because it is administratively desirable and most effective to subject such fruit to regulation at the time it is placed in the current of intrastate, interstate or foreign commerce for shipment outside of the production area. However, the delivery of grapes for storage purposes to any refrigerated storage warehouse located within the aforesaid production area should be subject to regulation inasmuch as practically all of these grapes are later shipped to markets outside the production area. Although the handling of Tokay grapes within the production area directly burdens, obstructs, or affects interstate and foreign commerce, as hereinbefore shown only a very small percentage of the total quantity of Tokay grapes are marketed within this area. Because of the very small volume of fresh Tokay grapes marketed in this area, and the difficulty of enforcing regulations for grapes so marketed, such grapes should not be regulated. As all handling of the aforesaid Tokay grapes, except as indicated above and except for the handling of grapes specifically exempted from regulation by the provisions of the act or the marketing agreement and order, is in interstate or foreign commerce or directly burdens, obstructs, or affects such commerce as hereinbefore found, it is concluded that the handling of all such Tokay grapes, with the exceptions hereinbefore noted, should be subject to such regulations, and the marketing agreement and order should be appropriately amended to so provide. Under such amendment, the assessment and inspection provisions of the marketing agreement and order should be extended to regulated shipments of grapes shipped to intrastate markets, and it is so found and concluded.

(c) The Lodi District (San Joaquin County) was originally divided into six election districts described in terms of school districts, under the marketing agreement and order. To provide fair and equitable grower representation on the Industry Committee, the growers in each election district are entitled to a member and an alternate for such member on the committee. These election districts are, delineated under the existing provisions of the marketing agreement and order in terms of the same school districts. Since October 1, 1947, however, some school districts were consolidated and the boundaries of other school districts changed. Furthermore, a survey is now under way to determine what further changes, if any, should be made in these school districts. For the purposes of identifying the aforesaid election districts under the marketing agreement and order, however, these school districts have been considered as maintaining their boundaries which were in effect on October 1, 1947. These boundaries are generally well known to growers; and to change the boundaries of the election districts solely because of shifts in the boundaries of the school districts might result in unfair and inequitable grower representation on the Industry Committee. The election districts, as originally established in terms of the school districts, should, therefore, so continue. The marketing agreement and order should be amended, therefore, to state explicitly that the boundaries of the school districts should remain those in effect prior to the aforesaid consolidations and changes.

(d) A Shippers' Advisory Committee is established under the marketing agreement and order. This committee consists of 7 members, 6 of whom are elected by handlers at a general meeting, and the seventh member elected jointly by the members of the Industry Committee and the 6 elected members. Three of such members and their alternates are elected by handlers who, during the preceding season, individually shipped 250,000 or more standard packages, or the equivalent thereof, of grapes. Under this method the representation of such large handlers constitutes 43 percent of the committee membership. However, the seasonal tonnages handled by large handlers during the past 12 years have varied widely because of climatic conditions and other factors. In several seasons during that period, the aggregate quantity of grapes shipped by handlers who individually shipped at least 250,000 packages represented less than 43 percent of the total shipments during the respective season. For example, the approximate percentages of the total quantity of grapes handled by such large shippers were: in 1942, 37 percent; in 1944, 39 percent; in 1945, 30 percent; in 1946, 37 percent; and in 1948, 21 percent.

During two of the aforesaid seasons only 2 handlers individually shipped 250,000 or more packages and were eligible to elect 3 members and 3 alternate members of the Shippers' Advisory Committee for the respective ensuing seasons. In one such instance only one of these handlers attended the meeting so that it became incumbent upon him to elect the 3 members and 3 alternate members of the committee. Little difficulty has arisen under the operation of this method due to the high spirit of cooperation and fairness which exists among Tokay grape shippers. However, this method now appears inequitable and should be changed.

During the 12 years of operation under the program, an average of 42 percent of the total quantity of Tokay grapes shipped by all handlers was handled by the 5 largest handlers (determined on the basis of the quantity of grapes shipped by the respective handler during the preceding season). Inasmuch as the 5 largest handlers shipped 42 percent of the grapes handled, and 3 members on the committee represent 43 percent of the committee membership, it would be fair and equitable to provide that 3 members be elected by, and from among, such largest handlers. Such members should be individuals who are elected from among the 5 largest handlers or their officers, employees or agents. Alternates for such 3 members, however, should be individuals who are elected by the 5 largest handlers from among these handlers, other handlers, or other qualified individuals. According to the marketing agreement and order, neither members nor alternate members of the Industry Committee are eligible for membership on the Shippers' Advisory Committee; and this provision is not changed.

The marketing agreement and order prescribe August 1 of each year as the latest date by which meetings are to be called and conducted by the Industry Committee for the election of members to serve on the Shippers' Advisory Committee. According to the record, it would be advantageous for the membership of the latter committee to be selected and functioning as far in advance of the shipping season as practical. This situation would enable the same membership to consider all of the marketing problems relating to the handling of Tokay grapes during the season in which the members serve. Therefore, the deadline of August 1 should be replaced by an express requirement that the meetings be held each season as early as practical.

In order not to interfere with the continuity of operation of the committee, as constituted at present, this amendment should first become operative with respect to meetings for the election of successors to the incumbent members.

Therefore, the provisions of the marketing agreement and order relating to the Shippers' Advisory Committee should be amended as hereinafter set forth.

(e) The marketing agreement and order provide that the Industry Committee shall issue an exception certificate to any grower who furnishes proof, satisfactory to such committee, that by reason of conditions beyond his control he will be prevented, because of a regulation issued, from shipping or having shipped a percentage of his crop of grapes equal to the percentage which the quantity of grapes produced in his district and permitted to be shipped under such regulation is of the quantity of grapes produced in such district which would be shipped in the absence of such regulation. Each such certificate permitted the grower to ship, or have shipped, the requisite percentage of his crop of Tokay grapes. Generally, less than one-half of the entire Tokay grape crop is marketed in the fresh fruit market. Under such circumstances, it was necessary to base the aforesaid shippable quantities of Tokay grapes on judgment rather than on definite and precise data.

Some growers produce Tokay grapes primarily for the fresh market and others produce such grapes primarily for crushing. Different cultural practices are followed in producing grapes for the fresh market from those which are followed in producing grapes for crushing. These cultural practices with respect to grapes produced for the fresh market require more severe pruning of the vines, more thinning of the fruit, more sulphuring and, in general, more care in growing the grapes. Lower yields are generally obtained of grapes grown for the fresh market than of those grown for crushing. A producer growing grapes for the fresh market is often able to produce and market a large percentage of such grapes under the established regulations if he follows the proper cultural practices. If any producer, for reasons beyond his control, is unable, because of a grade or size regulation then in effect, to ship or have shipped from any of his vineyards a quantity of grapes equal, at least, to (1) the average quantity that was shipped from his district during the three preceding seasons or (2) the average quantity that was shipped from such vineyard during the three preceding seasons, such producer should be entitled to an exemption certificate for grapes grown in such vineyard. According to the record, it would be fair and equitable to relate the computation of the exempted quantity of grapes to the past history of production in and shipments from the district or such vineyard, whichever computation results in a greater quantity. But grapes shipped during previous seasons under exemption certificates should not be included in such computation. It appears that the average shipments of the 3 seasons immediately preceding the one in which application is made for the exemption would reflect the average of shipments from the district or vineyard during subsequent seasons.

In support of the amendment it was pointed out that in the event a producer, who had marketed during the 3 preceding seasons none or a low percentage of his grapes in the fresh market, becomes eligible for the exemption of a portion of his grapes, it would be fair and equitable to issue to such grower an exemption certificate on the basis of the district percentage. Such grower would benefit to the extent, if any, of the excess of the district percentage over the vineyard percentage. Conversely, if a producer regularly produces Tokay grapes, for the fresh market and the vineyard percentage exceeds the district percentage he should be permitted to avail himself of the computation that is based on his own performance with respect to the particular vineyard during the 3 preceding seasons.

There will be available for the 3 preceding seasons with respect to the production of Tokay grapes in San Joaquin and Sacramento Counties and their shipment from those counties: (1) The total production of San Joaquin and Sacramento Counties and (2) the total fresh shipments, compiled by the Industry Committee. There should be available from the applicant's own records, the production of his vineyards and the utilization, that is, the quantities shipped to fresh markets and those diverted to processing outlets.

No other change should be made in connection with the issuance of certificates. Such certificates may continue to be issued only for conditions beyond the control of the grower and only for exemptions from grade and size regulations. The Industry Committee should continue to adopt, subject to the approval of the Secretary, such procedural rules as are necessary in connection with the issuance of exemption certificates.

The marketing agreement and order should be amended, therefore, as hereinafter set forth.

(f) The marketing agreement and order provide for the regulation of daily shipments of Tokay grapes when, among other things, the handling includes transportation by railroad "in the current of commerce between the State of California and any point outside thereof on the continent of North America or so as directly to burden, obstruct, or affect such commerce." Since the shipment of Tokay grapes to destinations within the State of California is almost entirely by truck, the limitation of daily shipments by railroad to such markets would be of little aid in improving prices to growers as the volume of such rail shipments is insignificant.

The wording of the definition of "handle" (§ 951.60 (j)) as used in the regulation of daily shipments should be revised, therefore, to make it applicable only to the transportation of Tokay grapes in the current of commerce between any point within the State of California and any point outside thereof but within the continental limits of North America. If shipments by rail to destinations within the State of California later become significant it may be necessary to revaluate the situation. Any shipment of grapes grown within the newly defined production area, that is destined to an intrastate market but later diverted, reconsigned, or reshipped by rail to a point outside the State, should be regulated.

The marketing agreement and order should be amended, therefore, as hereinafter set forth.

(g) Existing provisions of the marketing agreement and order exempt from regulation shipments of grapes for consumption by charitable institutions or for distribution by relief agencies and these exemptions should be continued. There should be included also grapes for distribution for relief purposes since such grapes are in the same category as the latter.

A substantial volume of Tokay grapes is utilized for conversion into by-products, including wine and juice. Most of these grapes are crushed within the State of California. In view of the recommended extension of the regulatory provisions to shipments from the production area to points outside thereof but within the State, the marketing agreement and order should also be amended to provide that grapes for commercial crushing into wine or juice, or canning or freezing are not regulated. Such grapes have not been regulated in the past and it is the intent of the Tokay industry to regulate only grapes marketed in fresh form. Moreover grapes for canning or freezing are excepted from the provisions of the act. Only those grapes which are to be converted into by-products in commercial quantities by commercial plants should be exempt from regulation. Grapes for conversion into by-products other than in commercial quantities by commercial plants outside the production area should, however, be regulated. If such grapes are not regulated, established regulations might be evaded by shipping poor quality grapes, ostensibly for such conversion, and thereafter diverting them to fresh fruit channels.

In view of the extension of regulation to shipments within the State, and to facilitate operations thereunder, certain exemptions should be authorized with respect to minimum quantities or types of shipments, or both. Exemptions of minimum quantities should be limited to individual shipments of such small quantities of grapes as would have an inconsequential effect on the market price for Tokay grapes. It may be desirable at times to exempt certain types of shipments, such as gift packages, from regulation. Gift packages generally contain grapes of fine quality and such grapes would not have an adverse effect on the market price for Tokay grapes. All of the problems which may arise in connection with the aforesaid extension of regulation cannot now be foreseen and for this reason flexibility should be provided by authorizing the Industry Committee to establish, subject to the approval of the Secretary, minimum quantities and types of shipments of grapes which will not be subject to regulation. In order to prevent grapes which are not subject to regulation from entering commercial fresh fruit channels of trade, contrary to the provisions of the marketing agreement and order, the Industry Committee should be authorized to prescribe, with the approval of the Secretary, adequate safeguards.

Shippers should not be required to pay assessments on grapes not regulated since these unregulated shipments will generally be handled outside of commercial fresh fruit channels. Similarly the inspection requirements should not be made applicable to such shipments.

The marketing agreement and order should be amended, therefore, as hereinafter set forth.

Rulings on proposed findings and conclusions. No brief or proposed finding or conclusion was filed; and, therefore, no ruling is necessary.

General findings. (a) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, regulate the handling of Tokay grapes grown in San Joaquin and Sacramento Counties in the State of California in the same manner as, and are applicable to persons in the respective classes of industrial and commercial activity speci-

fied, in the marketing agreement upon which hearings have been held;

(c) There are no differences in the production and marketing of Tokay grapes in the production area covered by said marketing agreement, as hereby proposed to be amended, and said order, as hereby proposed to be amended, that make necessary different terms and provisions applicable to different parts of such area;

(d) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, are limited in their application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to any subdivision of the production area would not effectively carry out the declared policy of the act; and

(e) All handling of Tokay grapes which are grown in the production area is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

Recommended amendments to the marketing agreement and order. The following amendments to the marketing agreement and order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out:

1. Delete § 951.4 *Grapes*, and insert, in lieu thereof, the following:

§ 951.4 *Grapes.* "Grapes" means all strains of Tokay grapes grown in the production area.

2. Delete § 951.7 *Handle*, and insert, in lieu thereof, the following:

§ 951.7 *Handle.* "Handle" is synonymous with "ship" and means to sell, load in a conveyance for transportation, offer for transportation, transport, or in any other way to place grapes in the current of commerce between any point within the production area and any point outside thereof. The term "handle" also means to deliver grapes to a refrigerated storage warehouse for storage purposes, either within the production area or outside thereof. The term "handle" shall not include the sale of grapes on the vine or the transportation of grapes from a vineyard, or a packing shed within the production area, to a packing shed within the production area.

3. Delete § 951.11 *District* and insert, in lieu thereof, the following:

§ 951.11 *District.* "District" means the applicable one of the following described subdivisions of the production area:

(a) "Lodi District" means the County of San Joaquin in the State of California, and shall be divided into the following Election Districts:

(1) "Acampo Election District" means the school district of Houston;

(2) "Woodbridge Election District" means the school district of Woods, and that portion of the Galt Joint Union School District situated in San Joaquin County;

(3) "Lafayette Election District" means the school districts of Lafayette, Henderson, Turner, Ray, Terminous and New Hope;

(4) "Victor Election District" means the school districts of Bruella, Victor, Lockeford, Oak View and Clements;

(5) "Alpine Election District" means the school districts of Alpine and Lodi;

(6) "Live Oak Election District" means all of the school districts in the Lodi District, other than those included in the Acampo, Woodbridge, Lafayette, Victor, and Alpine Election Districts.

The boundaries of the foregoing school districts shall be those in effect on October 1, 1947.

(b) "Florin District" means the County of Sacramento in the State of California.

4. Add after § 951.11 a new definition as follows:

§ 951.12 *Production area.* "Production area" means the Counties of San Joaquin and Sacramento in the State of California.

5. Delete the words "State of California" appearing in § 951.32 (l) and insert, in lieu thereof, the words "production area."

6. Delete paragraphs (a), (b), (c), and (d) of § 951.40 *Shippers' Advisory Committee*, and insert, in lieu thereof, the following:

§ 951.40 *Shippers' Advisory Committee.* (a) A Shippers' Advisory Committee, consisting of seven members who are individual persons selected by the handlers in accordance with the provisions of this subpart, is hereby established. There shall be an alternate for each member of such committee. An alternate member shall, in the event of such member's absence from a meeting of the committee, act in the place and stead of such member, and, in the event of a vacancy in the office of such member, shall act in the place and stead of such member until a successor for the unexpired term of such member has been selected.

(b) Six members and six alternate members of the Shippers' Advisory Committee shall be elected by handlers at a general meeting of all handlers, at which each handler shall have one vote for each member position and each alternate member position for which he is eligible to vote. Three of such members shall be elected by, and from among, the five largest handlers (determined on the basis of the quantity of grapes shipped by the respective handler during the preceding season), or the employees or representatives of such handlers. Three alternate members for such members shall also be elected by such handlers. Three members and their alternates shall be elected by all other handlers. The seventh member of such committee and his alternate shall be elected jointly by the members of the Industry Committee and the other six members of the Shippers' Advisory Committee. The provisions of this paragraph shall first become effective for the election of members of the Shippers' Advisory Committee who are to serve during the season beginning April 1, 1953.

(c) Any individual person, other than a member or an alternate member of the Industry Committee, shall be eligible for membership on the Shippers' Advisory Committee.

(d) The initial meeting of handlers, at which members of the Shippers' Advisory Committee are to be elected, shall be called and conducted by the Secretary or his agent as soon as possible after the selection of initial members of the Industry Committee. Each handler who desires to vote at the said meeting for the election of members of such committee shall file with the Secretary or his agent an affidavit stating his shipments of grapes during the preceding season. Election meetings held subsequent to the initial meeting shall be called and conducted each season by the Industry Committee as much in advance of the shipping season as is practical; and each handler who desires to vote thereat shall file, with the Industry Committee, a statement of his shipments of grapes during the season immediately preceding the season during which such meeting is held.

7. Delete § 951.52 *Exemptions*, and insert, in lieu thereof, the following:

§ 951.52 *Exemptions.* (a) The Industry Committee shall, subject to the approval of the Secretary, adopt such procedural rules as are necessary to govern the issuance of exemption certificates under paragraph (b) of this section.

(b) In the event the Secretary issues a regulation pursuant to § 951.51, the Industry Committee shall issue an exemption certificate to any grower who furnishes proof, satisfactory to such committee, that by reason of conditions beyond his control he will be prevented, because of the regulation issued, from shipping or having shipped in fresh fruit channels from a particular vineyard a percentage of his crop of grapes equal to (1) the average percentage of grapes produced in and so shipped from his district during the preceding three seasons or (2) the average percentage of grapes produced in and so shipped from such vineyard during the preceding three seasons, whichever percentage is the greater. The certificate shall permit such grower to ship, or have shipped, in fresh fruit channels a percentage of his crop of grapes from such vineyard equal to such greater percentage. In computing the aforesaid quantities that were shipped during the preceding three seasons, there shall be omitted the aggregate quantities of grapes shipped under exemption certificates.

(c) If any grower is dissatisfied with the action of the Industry Committee taken with respect to his application for an exemption certificate, such grower may appeal to the Secretary: *Provided*, That such appeal shall be made promptly. The Secretary may, upon an appeal made as aforesaid, modify or reverse the action of the committee. The authority of the Secretary to supervise and control the issuance of exemption certificates is unlimited and plenary; and any determination by the Secretary

with respect to an exemption certificate shall be final and conclusive.

(d) The Industry Committee shall, from time to time, submit to the Secretary reports stating in detail the number of exemption certificates issued, the quantity of grapes thus exempted, and such additional information with respect thereto as the Secretary may request.

8. Delete paragraph (j) of § 951.60 *Definitions*, and insert, in lieu thereof, the following:

§ 951.60 *Definition* * * *

(j) "Handle" is synonymous with "ship" and means to transport by railroad, or to prepare for transportation by railroad (which shall include, but not be limited to, packaging and precooling), or to load in a conveyance for delivery to assembly points or to transport to assembly points, for transportation by railroad, in the current of commerce between any point within the State of California and any point outside thereof within the continental limits of North America.

9. Delete § 951.87 *Grapes for charitable purposes*, and insert, in lieu thereof, the following:

§ 951.87 *Grapes not subject to regulation.* (a) Except as otherwise provided in this section, nothing contained in this subpart shall be construed to authorize any limitation of the right of any person to ship:

(1) Grapes in any quantity for consumption by a charitable institution;

(2) Grapes in any quantity for distribution for relief purposes;

(3) Grapes in any quantity for distribution by a relief agency;

(4) Grapes in commercial quantities for commercial conversion into by-products, including wine and juice;

(5) Grapes not in excess of such quantity as may be established by the Industry Committee, with the approval of the Secretary, as the minimum quantity below which shipments may be made without limitation; or

(6) Grapes in such types of shipments as may be established by the Industry Committee, with the approval of the Secretary, as the types of shipments which may be made without limitation.

(b) No assessment shall be levied on any grapes not subject to regulation under paragraph (a) of this section. The Industry Committee may, with the approval of the Secretary, prescribe such rules and regulations as it may deem necessary to prevent grapes so shipped from entering commercial fresh fruit channels of trade contrary to, or in violation of, this subpart.

Filed at Washington, D. C., this 22d day of May 1952.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-5894; Filed, May 27, 1952; 8:56 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 40, 60, 61]

SPECIAL CIVIL AIR REGULATION; LONG-DISTANCE DOMESTIC SCHEDULED AIR CARRIER OPERATIONS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board an extension of the authority granted by Special Regulation SR-363 as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, communications must be received by June 13, 1952. Copies of such communications will be available after June 17, 1952, for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

Special Civil Air Regulation SR-363 which terminates June 30, 1952, provides special operating rules for scheduled air carrier aircraft operating in long-distance domestic operations at altitudes in excess of 12,500 feet above sea level east of longitude 100° W and at altitudes in excess of 14,500 feet above sea level west of longitude 100° W. At the time SR-363 was adopted it was anticipated that the revision of Parts 40 and 61, which will incorporate similar provisions, would be completed prior to June 30, 1952. Although the Bureau of Safety Regulation has been actively engaged in such revision, it has not yet been completed. It is therefore deemed desirable to extend the rules provided in SR-363 for long-distance domestic scheduled air carrier operations until June 30, 1953 or until such time as the proposed revision of Parts 40 and 61 may be completed.

Accordingly, it is proposed to extend the authorization granted by SR-363 to June 30, 1953 as follows:

Flights of scheduled air carriers while at altitudes in excess of 12,500 feet above sea level east of longitude 100° W and 14,500 feet above sea level west of longitude 100° W shall comply with the applicable provisions of the Civil Air Regulations except as follows:

(a) Such flights need not comply with the requirements of §§ 60.45, 61.252, or any sections of Parts 40 and 61 concerning civil airways.

(b) Such flights need not comply with the requirements of §§ 60.21, 60.43, 60.47, and 61.171 (c), except to the extent which the Administrator may prescribe.

(c) Each pilot in command engaged in those operations shall be qualified for the route, if he is qualified for operations over any regular authorized route for the air carrier involved between the regular terminals for such operations.

(d) Each dispatcher who dispatches aircraft on flights authorized by this regulation shall be qualified under § 61.154 of the Civil Air Regulations for operation over an authorized route for the air carrier involved between the regular terminals of such operations: *Provided*, That when he is qualified only on a portion of such route he may dispatch aircraft only after coordinating the dispatch with dispatchers who are qualified for the other portions of the route between the points to be served.

This regulation supersedes Special Civil Air Regulation SR-363 and shall terminate June 30, 1953, unless sooner superseded or rescinded.

This regulation is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601-610, 52 Stat. 1007-1012; 49 U. S. C. 551-560; 62 Stat. 1216)

Dated: May 22, 1952, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 52-5895; Filed, May 27, 1952; 8:57 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 53005]

IMPORTATION OF VICUNAS FROM ARGENTINA

CONSULAR CERTIFICATES

MAY 22, 1952.

Pursuant to the provisions of section 527 of the Tariff Act of 1930, consular certificates shall be required in connection with the importation of vicunas from Argentina.

Under a present decree, the Government of Argentina prohibits the killing of vicuna and restricts the sale and exportation of vicuna hides and wool.

In view of the foregoing, collectors of customs shall require, pursuant to the provisions of section 527, Tariff Act of 1930 (19 U. S. C. 1527), consular certificates before permitting the entry of vicunas, or parts, or products thereof, imported directly or indirectly from Argentina.

The number of this decision shall be added as a marginal reference to § 12.28, Customs Regulations of 1943.

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 52-5870; Filed, May 27, 1952; 8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 61624]

IDAHO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM MOUNTAIN HOME PROJECT

MAY 22, 1952.

An order of the Bureau of Reclamation dated April 19, 1951, concurred in by the Acting Director, Bureau of Land Management, May 16, 1951, revoked the Departmental orders of March 22, 1919 and October 10, 1947, so far as they withdrew under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described land in connection with the Mountain Home Project, Idaho, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

BOISE MERIDIAN

T. 1 N., R. 1 E.,
Sec. 1, lots 1 and 2;
Sec. 2, S½SE¼;
Sec. 3, lots 1, 2 and SW¼NE¼;
Sec. 5, lot 1, SW¼NE¼, S½NW¼;
Sec. 11, S½NE¼;
Sec. 12, N½.
T. 2 N., R. 1 E.,
Sec. 14, S½NE¼, SE¼NW¼, NW¼SE¼, E½SE¼;
Sec. 23, SW¼NE¼, SE¼NW¼, NW¼SE¼, E½SE¼;
Sec. 24, NW¼NE¼, E½NE¼;
Sec. 26, NE¼, N½SE¼, SE¼SE¼;
Sec. 35, NE¼NE¼, NW¼.
T. 2 N., R. 2 E.,
Sec. 7, SE¼SW¼, S½SE¼;
Sec. 8, S½SW¼.
T. 3 N., R. 2 E.,
Sec. 32, NW¼SE¼.
T. 1 N., R. 1 W.,
Sec. 19, SW¼SE¼.
T. 1 S., R. 1 W.,
Sec. 5, lots 3, 4, SE¼NW¼, E½SW¼;
Sec. 6, lot 1, SE¼NE¼;
Sec. 7, E½SE¼;
Sec. 18, NE¼NE¼, S½NE¼, SE¼SE¼;
Sec. 19, NE¼NE¼;
Sec. 20, NW¼NW¼, E½NW¼, SE¼;
Sec. 29, NE¼NE¼, S½NE¼, NE¼SW¼, S½SW¼;
Sec. 30, SE¼SE¼;
Sec. 31, lots 4, 5, 6, E½NE¼, SW¼SE¼, N½SE¼.
T. 2 S., R. 1 W.,
Secs. 1 and 12.
T. 1 S., R. 4 E.,
Sec. 28, N½.
T. 2 S., R. 4 E.,
Sec. 2, S½;
Sec. 3, lots 2, 3, 4, SW¼NE¼, S½NW¼, E½SW¼.
T. 5 S., R. 8 E.,
Sec. 15, E½NE¼, NW¼NE¼, NE¼NW¼, W½SW¼, E½SE¼;
Sec. 22, NE¼, W½;
Sec. 25, N½SE¼, SE¼SE¼;
Sec. 26, N½SW¼;
Sec. 27, SE¼NE¼, N½NW¼, NE¼SE¼;
Sec. 28, E½.

The above areas aggregate 7,032.16 acres.

The lands are chiefly valuable for grazing.

The lands have been found suitable for retention in public ownership. While any application that is filed will be considered on its merits, it is unlikely that any substantial part of the restored (or opened) lands will be classified for any use other than as shown.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

WILLIAM PINCUS,
Assistant Director.

[F. R. Doc. 52-5835; Filed, May 27, 1952; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Public Notice PN-5]

CENTRAL AND FIELD ORGANIZATION

Recent changes in the organization of the Civil Aeronautics Board require that:

1. Public Notice PN-1, together with Amendment 1 thereto, be revoked.

2. The following statement of the Board's central and field organization be promulgated as Public Notice PN-5.

GENERAL STATEMENT

Sec.
1.1 Creation and authority.
1.2 Purpose and mission.
1.3 Functions.
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OFFICES OF MEMBERS

2.1 Functions of the Board.
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4.2 Accounting and Statistics Division.
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BUREAU OF SAFETY INVESTIGATION

6.1 Director.
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6.5 Analysis Division.

OFFICE OF THE GENERAL COUNSEL

7.1 General Counsel.
7.2 International and Rules Division.
7.3 Litigation and Research Division.
7.4 Opinion-Writing Division.

OFFICE OF ENFORCEMENT

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OFFICE OF PUBLIC INFORMATION

OFFICE OF ADMINISTRATION

FIELD ORGANIZATION

GENERAL STATEMENT

SECTION 1.1 *Creation and authority.* The Civil Aeronautics Board, as distinguished from the Civil Aeronautics Administration, is an independent agency composed of five Members, appointed by the President with the confirmation of the Senate. The President annually designates one of the Members a Chairman and another as Vice-Chairman. The Board, established effective June 30, 1940, pursuant to Reorganization Plans III and IV, exercises the functions of rule making (including the prescription of rules, regulations, and standards), adjudication, and investigation as prescribed in the Civil Aeronautics Act of 1938, as amended.

SEC. 1.2 *Purpose and mission.* (a) In expressing the purpose of the Congress to protect the public by providing for economic stability in the air transport industry, and in order that the public might have the continuing enjoyment of adequate and sufficient air transportation services and, at the same time, be assured of the maintenance of high standards of safety, the Civil Aeronautics Act of 1938 sets forth the basic principles which guide the Board and prescribed the authority pursuant to which it discharges its responsibilities.

(b) The mission of the Board is to foster and encourage the development of an air transportation system which will be adequate for the present and future needs of the foreign and domestic commerce of the United States, the postal service and the national defense; to preserve the inherent advantages of air transportation, and to regard as in the public interest competition to the extent necessary to assure the sound development of an air transportation system adjusted to the national needs; and to regulate air commerce in such manner as to best promote its development and safety.

SEC. 1.3 *Functions.* In general, the Board performs four chief functions: (1) Regulation of the economic aspects of United States air carrier operation, both domestic and international; (2) promulgation of safety standards in the form of Civil Air Regulations; (3) investigation and analysis of aircraft accidents; (4) co-operation and assistance in the establishment and development of international and domestic air transportation. These functions are briefly described in the following paragraphs:

(a) *Economic regulation.* The Board grants or denies "certificates of public convenience and necessity" to American flag carriers for both domestic and international operation and "permits" to foreign carriers; prescribes or approves rates and rate practices of air carriers and determines mail rate compensation; fosters the safe and expeditious transportation of mail and seeks to ensure that reasonable and adequate service to the public is rendered by air carriers, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices; approves or disapproves business relationships between air carriers, including contracts, agreements, interlocking relationships, consolidations, mergers, and acquisitions of control and issues appropriate regulations for the purpose of carrying out these functions. The Board investigates upon complaint or upon its own initiative anything done or omitted to be done by any person or group in contravention of the provisions of the Civil Aeronautics Act; and takes appropriate action to enforce the act.

(b) *Safety regulation.* The Board prescribes safety rules and regulations, including standards for the issuance of airman certificates, aircraft type, production and airworthiness certificates, and air carrier operating certificates; and has the power to suspend or revoke such certificates.

(c) *Accident investigation and analysis.* The Board prescribes rules of notification and report of accidents involving civil aircraft; reviews reports of all accidents and determines, after investigation to the extent required, the probable cause of all accidents. Formal reports by the Board are made public when deemed to be in the public interest. The Board conducts special studies and research, establishing basic causative and statistical factors and prepares air safety bulletins for the purpose of reducing aircraft accidents and preventing their recurrence.

(d) *Development of international civil aviation.* The Board consults with and assists the State Department in the negotiation of agreements with foreign governments for the establishment or development of air transportation, air navigation, air routes and services; keeps informed with respect to operations of foreign air lines and foreign aviation policies. The Board provides information for an co-ordinates with the International Civil Aviation Organization in the development of all international safety and operational standards. The Board contributes to the expense and personnel requirements of the Air Co-ordinating Committee, the Chairman of the Board serving at present as Chairman of the Committee; provides information and advice in the Committee's examination of aviation problems and in its recommendations establishing the United States viewpoint on international and domestic aviation.

SEC. 1.4 *Offices.* The central office of the Board is located in the Department of Commerce Building, Fourteenth Street between Constitution Avenue and E Street, NW., Washington 25, D. C. All meetings of the Board, unless otherwise directed by the Board, are held at the above address. The Board's field offices are located in Alaska and principal cities of the country. The location of these offices is set forth in sections 11.1, 11.2 and 11.3 of this notice.

OFFICES OF MEMBERS

SEC. 2.1 *Functions of the Board.* The five Members of the Board, appointed by the President, by and with the advice and consent of the Senate for six-year terms, are charged with carrying out the duties and responsibilities devolving upon the Board under the law. Action initiated pursuant to the Board's own initiative or by any document authorized or required to be filed with the Board originates in or is referred to the appropriate organizational unit for study and recommendation to the Board in accordance with the description of functions outlined hereinafter. In cases other than those in which action is taken pursuant to a final delegation of authority, or in which the responsibility is that of the Chairman (see section 2.2 below), final action is taken by the Board. (See Public Notice PN–4 for statements of final delegations of authority.) The staff of the Board is organized into the following major organizational units:

(a) Bureau of Hearing Examiners.
(b) Bureau of Air Operations.
(c) Bureau of Safety Regulation.
(d) Bureau of Safety Investigation.
(e) Office of the General Counsel.
(f) Office of Enforcement.
(g) Office of Public Information.
(h) Office of Administration.

SEC. 2.2 *Functions of the Chairman.* (a) In addition to his duties as a Member of the Board, the Chairman serves as presiding officer at meetings of the Board, determines the order in which day-to-day matters will receive attention of the Board, and by virtue of his role as Chairman, is called upon to act as spokesman for the Board before committees of Congress. In the absence or disability of the Chairman, the foregoing duties are exercised by the Vice-Chairman.

(b) Pursuant to Reorganization Plan 13 of 1950, the Chairman is responsible for the executive and administrative functions of the Board, including functions with respect to the appointment and supervision of personnel, the distribution of business among such persons and among administrative units of the Board, and the use and expenditure of funds.

SEC. 2.3 *Functions of the Executive Director.* The Executive Director, acting for, and under general delegation of authority from, the Chairman, serves as General Manager of the Board with responsibility for planning, supervising and co-ordinating the activities of the staff.

BUREAU OF HEARING EXAMINERS

SEC. 3.1 *Chief Examiner.* The Chief Examiner, as director of the Bureau of Hearing Examiners, is responsible for the conduct and disposition of all formal proceedings before the Board arising under Title IV, VI, and X, and section 1002 of the act. The Bureau of Hearing Examiners is divided into the following organizational units:

(a) Economic Proceedings Division.

(b) Safety Enforcement Proceedings Division.

(c) Docket Section.

SEC. 3.2 *Economic Proceedings Division.* The Economic Proceedings Division co-ordinates all formal proceedings before the Board arising under Title IV of the act; schedules the time and place of such hearings; supervises prehearing conferences; and prepares recommendations (except in those economic proceedings for the determination of passenger, cargo, and mail rates) to the Chief Examiner or the Board respecting the disposition of such matters as require action by the Chief Examiner or the Board.

SEC. 3.3 *Safety Enforcement Proceedings Division.* The Safety Enforcement Proceedings Division conducts and disposes of all formal proceedings under sections 602 through 609 of the act, regarding the issuance, amendment, suspension, and revocation of the various types of airman certificates, airworthiness certificates, air carrier operating certificates, production certificates, air navigation facility certificates and air agency certificates; prepares recommendations to the Chief Examiner or the Board respecting the dispositions of such matters as require action by the Chief Examiner or the Board; and prepares final decisions pursuant to instructions from the Board.

SEC. 3.4 *Docket Section.* The Docket Section receives, dockets, and maintains all documents in formal proceedings before the Board; makes official service of notices, orders, rules, reports, and decisions upon all interested persons; examines all filings for compliance with Procedural Regulations, advises and assists the public in preparing documents in accordance with the Procedural Regulations; and issues periodic statements and reports respecting the status of all formal proceedings.

BUREAU OF AIR OPERATIONS

SEC. 4.1 *Director.* The Director, Bureau of Air Operations, is responsible for interpretation of economic data and advice involving policy, and for advice regarding procedure to be followed in the economic regulation of domestic, overseas, and international air transportation. In the Bureau of Air Operations there are the following organizational units:

(a) Accounting and Statistics Division.

(b) Foreign Air Division.

(c) Routes and Carrier Relations Division.

(d) Rates Division.

(e) Alaska Office.

SEC. 4.2 *Accounting and Statistics Division.* The Accounting and Statistics Division initiates and administers an operational financial and accounting reporting program. This includes the receipt and analysis of periodic reports of financial and operating statistics and the preparation of regular and special reports based upon such data; the administration of, and recommendation of changes in, the uniform system of accounts and the uniform system of periodic reports of financial and operating statistics; the issuance of letters of interpretation of such systems; and the auditing of accounts of certificated air carriers. The Accounting and Statistics Division also prepares analysis of economic problems in air transportation currently requiring Board action; prepares exhibits for use in formal proceedings before the Board and provides expert testimony concerning such exhibits; analyzes exhibits prepared by parties to formal proceedings; and prepares, as directed, comprehensive surveys and studies relating to the development and regulation of air transportation.

SEC. 4.3 *Foreign Air Division.* The Foreign Air Division advises the Director, Bureau of Air Operations, on the formulation of positions to be taken by the United States on international civil aviation matters involving economic foreign policy; serves as liaison between the Board and the Department of State; provides representation, when so designated, in connection with international conferences and bilateral or multilateral relations with foreign countries. In the discharge of these duties the Foreign Air Division analyzes economic data bearing on the problems to be dealt with.

SEC. 4.4 *Routes and Carrier Relations Division.* The Routes and Carrier Relations Division is concerned with the legal and economic aspects of matters arising under sections 401, 402, 404, 416, and 1002 of the Civil Aeronautics Act of 1938, as amended, relating to the authorization of routes and other services required to meet the objectives of the act, whether by issuance of certificate of public convenience and necessity, foreign air permit or exemption order, and relating to the route patterns and services required to provide such services, and relating to all carrier relationships matters arising under sections 401 (i), 402 (h), 407 (a), 407 (b), 407 (c), 408, 409, 411, 412, 1002 (i), and 1107 (g) of the act. The Routes and Carrier Relations Division develops for consideration by the Board statements of policy and program objectives, and recommends or takes action, where authority has been delegated, with respect to specific matters pending before the Board.

SEC. 4.5 *Rates Division.* The Rates Division is responsible for all economic and legal aspects of matters relating to regulation of mail rates and subsidy payments pursuant to section 406 of the act, regulation of commercial rates pursuant to sections 403, 404, and 1002 of the act and the commercial rate aspects of IATA resolutions. With respect to these matters, the Rates Division prepares for consideration of, and adoption by, the Board statements of policy and of program objectives and recommends or takes action where authority has been delegated with respect to specific cases pending before the Board.

SEC. 4.6 *Alaska Office.* The Director, Alaska Office, is responsible for the investigation of all matters pertaining to the economic regulation of air transportation in Alaska, except those matters requiring enforcement action; conduct of proceedings incident thereto; audit, inspection and analysis of records, memoranda, accounts and property of Alaskan Air Carriers; preparation of recommendations and reports to the Board respecting the regulation of Alaskan Air Carriers except recommendations for the institution of enforcement proceedings; and otherwise serving as the Board's representative in Alaska, as needed.

SEC. 4.7 *Bureau Counsel.* An attorney from the Bureau of Air Operations is designated as Bureau Counsel to present the Bureau's position in most formal proceedings before the Board arising under the Civil Aeronautics Act, as amended.

BUREAU OF SAFETY REGULATION

SEC. 5.1 *Director.* The Director, Bureau of Safety Regulation, is responsible for analyzing the need for and developing technical findings and recommendations governing the formulation of safety rules in the form of Civil Air Regulations designed to promote safety in civil aeronautics, and for co-ordinating the International Standards adopted by the International Civil Aviation Organization with the Civil Air Regulations. The Bureau of Safety Regulation is composed of the following organizational units:

(a) Air Carrier Division.

(b) Airworthiness Division.

(c) General Rules Division.

(d) International Standards Division.

SEC. 5.2 *Air Carrier Division.* The Air Carrier Division analyzes the need for and develops technical findings and recommendations governing the preparation of new regulations and amendments to existing regulations prescribing the minimum safety standards with respect to air carrier operations; conducts technical research into transport-type aircraft, equipment and operations; studies current technological developments and aviation practices as a basis for formulating air carrier safety standards; participates in the development of international standards relating to air carriers prescribed by the International Civil Aviation Organization and the modification of U. S. standards and practices to conform them to the international standards; and furnishes advice and assistance to the Board and other organizational units of the Board on matters involving safety regulation of air carrier operations.

SEC. 5.3 *Airworthiness Division.* The Airworthiness Division analyzes the need for and develops technical findings and recommendations governing the preparation of new regulations and amendments to existing regulations prescribing the minimum design and performance safety standards for airworthiness certification of aircraft, engines, propellers, and appliances; conducts technical research into airworthiness aspects of aircraft, equipment and appliances; studies current technological developments and aviation practices as a basis for formulating airworthiness safety standards; participates in the development of international standards relating to airworthiness as prescribed by the International Civil Aviation Organization and the mod-

ification of U. S. standards and practices to conform them to the International standards; and advises the Board and other organizational units of the Board on problems of an engineering nature.

SEC. 5.4 *General Rules Division.* The General Rules Division analyzes the need for and develops technical findings and recommendations governing the preparation of new regulations and amendments to existing regulations prescribing minimum safety standards which have general application to all phases of civil aviation; conducts technical research into nontransport type aircraft, equipment, and operations and aviation practices as a basis for formulating safety standards; participates in the development of related international standards as prescribed by the International Civil Aviation Organization and the modification of U. S. standards and practices as may be necessary to conform them to the international standards; and advises the Board and other organizational units of the Board on matters relating to the general safety problems of operation, utilization of equipment, certification of airmen and air agencies, and air traffic rules.

SEC. 5.5 *International Standards Division.* The International Standards Division works within the framework of the Air Co-ordinating Committee to prepare the United States position on technical matters in which the Board has a primary interest and participates with other divisions of the Air Co-ordinating Committee in the preparation of the United States position on matters in which the Board has a secondary or indirect interest; represents the United States at meetings of the Technical Divisions of Air Navigation Committee of the International Civil Aviation Organization at Montreal, Canada, and at regional and other meetings on subjects coming within the field of interest of the Board; and analyzes the results of these meetings and has primary responsibility for coordinating the international standards adopted by the International Civil Aviation Organization with the Civil Air Regulations.

BUREAU OF SAFETY INVESTIGATION

SEC. 6.1 *Director.* The Director, Bureau of Safety Investigation, is responsible for activities relating to investigation and analysis of aircraft accidents. The following organizational units are included in the Bureau of Safety Investigation:

(a) Investigation Division.
(b) Hearing and Reports Division.
(c) Technical Division.
(d) Analysis Division.

SEC. 6.2 *Investigation Division.* The Investigation Division directs and assists in the investigation of aircraft accidents to determine their probable cause, and develops current techniques for such investigations. It determines the need for and conducts public or private inquiries; makes recommendations to prevent recurring accidents; develops educational material in various specialized phases of air safety; and conducts research and special studies relating to hazards potentially capable of resulting in serious accidents.

SEC. 6.21 *Investigation Field Service.* The field service of the Investigation Division investigates civil aircraft accidents and their probable causes for aircraft of United States registry, and foreign aircraft within the United States; reports facts and derives conclusions with respect to probable causes of such accidents; co-ordinates research with other interested governmental agencies and industry representatives regarding such accidents; and participates in the conferences thereon and as members of the Board of Inquiry at subsequent public inquiries.

SEC. 6.3 *Hearing and Reports Division.* The Hearing and Reports Division arranges for and conducts public and private accident inquiries in order to ascertain the facts, conditions, circumstances, and probable cause of accidents involving aircraft; prepares all evidence, takes depositions, administers oaths and issues subpenas for witnesses and documents incident to such inquiries; prepares and presents to the Board for adoption preliminary statements of fact and formal accident investigation reports; and arranges for the reproduction of exhibits and factual documents of accident investigation for parties of interest.

SEC. 6.4 *Technical Division.* The Technical Division directs the investigation of the technical aspects of aircraft accidents, including necessary tests, involving the engineering problems of aerodynamics, aircraft structure, applicable meteorological factors, powerplants, propellers, electrical, radio and electronic instruments and related equipment; assists in conduct of public hearings and in the preparation of the technical portion of reports of accidents, assembles technical data relating to aircraft accidents and aeronautical hazards, prepares technical analysis of aircraft accidents; makes recommendations on technical problems to eliminate aeronautical hazards; and represents the Board at conferences held to obtain action on technical aviation matters.

SEC. 6.5 *Analysis Division.* The Analysis Division classifies and analyzes all reports of accidents involving aircraft in order to establish their basic casual and statistical factors; makes statistical analysis of civil aircraft accidents to isolate elements requiring corrective action and to determine accident trends; compiles statistical and analytical reports for the information of the Board and the public; and edits and issues safety bulletins and accident reports.

OFFICE OF THE GENERAL COUNSEL

SEC. 7.1 *General Counsel.* The immediate office of the General Counsel is responsible for advising the Board and the Staff heads in connection with all legal phases of economic and safety regulatory activities; providing general direction to the staff of the Office of the General Counsel through the division chiefs; personally representing the Board in litigation, negotiations, and conferences (including international) involving legal considerations where the proceedings present complex, novel or significant matters; serving on governmental (e. g., ACC) and international (e. g., ICAO) committees and testifying before Congressional committees; the internal management of the Office of the General Counsel, including selection, placement and utilization of legal and clerical personnel, preparation and justification of budget estimates, control of expenditures of funds allotted to the Office of the General Counsel and the distribution of functions within the office. The following organizational units are included in the Office of the General Counsel:

(a) International and Rules Division.
(b) Litigation and Research Division.
(c) Opinion-Writing Division.

SEC. 7.2 *International and Rules Division.* The International and Rules Division participates in the drafting, negotiation, modification and interpretation of international agreements relating to civil aviation and renders legal advisory service in connection therewith; maintains liaison with other units of the Board, other Federal agencies and state aviation authorities on legal aspects of the Board's program; provides representation on various committees, such as ICAO Legal Committee and the Legal Division of the Air Co-ordinating Committee; co-ordinates formulation of the Board's legislative program; drafts testimony and statements for use by the Board Members or staff members for hearings before Congressional committees; presents testimony at hearings upon proposed legislation; examines legislative proposals of interest to the Board and prepares legislative reports thereon to the Congress and the Board; drafts proposed legislation and reports to the Board on the status of legislative activity; prepares, reviews, interprets economic, safety and procedural regulations and amendments thereto, and insures that the proper procedural steps are followed in the promulgation thereof; and provides legal advice and assistance on administrative matters and on matters relating to defense mobilization.

SEC. 7.3 *Litigation and Research Division.* The Litigation and Research Division represents the Board, in collaboration with the Department of Justice, in court actions to which the Board is a party, or is interested, in order to sustain action previously taken by the Board, including preparation of the record, drafting of all necessary briefs, motions and other documents and argument of the case before the court; and performs legal research for and renders legal opinions based thereon on matters of general interest or applicability.

SEC. 7.4 *Opinion-Writing Division.* The Opinion-Writing Division drafts opinions, orders, certificates and permits in all cases other than safety proceedings where the issues, substantive or procedural, warrant formal expression by the Board, in accordance with instructions of the Board; and recommends to the Board appropriate action on petitions for reconsideration of a previously prepared order and with respect to other

motions or petitions filed at any time after the Examiner's Report is filed.

OFFICE OF ENFORCEMENT

SEC. 8.1 *Office of Enforcement.* The Office of Enforcement is responsible for the development and execution of a program to enforce the observance of the economic regulatory provisions of the act, and all orders, rules, regulations, and other requirements promulgated or issued by the Board thereunder. It initiates, plans, and conducts investigations of alleged violations of the act and the Board's Economic Regulations; accomplishes economic enforcement by informal action, whenever appropriate, affording offenders an opportunity to voluntarily achieve and demonstrate compliance, and takes such action, and effects such arrangements and understandings as may be appropriate and necessary to effect compliance in such cases; negotiates, executes, and accepts, subject to Board approval, formal stipulations and other consent agreements in appropriate cases (a) to cease and desist from violations, or (b) for the entry of appropriate compliance orders by the Board; prepares and presents before the Board and its examiners the government's case in formal economic enforcement proceedings; institutes and prosecutes, in the proper courts as agent of the Board, all civil and criminal actions and proceedings for economic enforcement, and handles all appeals in such cases, when assigned responsibility therefor, represents the Board in connection with its participation in other court actions, proceedings and appeals; co-operates with all other organizational units of the Board in connection with informal action seeking to encourage and obtain voluntary compliance in cases of economic enforcement where action by the Office of Enforcement is not reasonably required in the first instance; and conducts necessary and appropriate liaison with other governmental agencies in connection with economic enforcement.

OFFICE OF PUBLIC INFORMATION

SEC. 9.1 *Office of Public Information.* The Office of Public Information is responsible for press and public relations, including preparation and initial distribution of news releases, periodic reports and general information relating to the Board's activities, and serves as the primary channel through which general inquiries from the public or press are handled.

OFFICE OF ADMINISTRATION

SEC. 10.1 *Organization.* The following organizational units are included in the Office of Administration:

(a) Minutes Section.
(b) Budget and Fiscal Section.
(c) Management Section.
(d) Personnel Section.
(e) General Services Section.
(f) Publications Section.
(g) Library.

SEC. 10.2 *Secretary.* The Secretary of the Board is responsible to the Board for certifying all documents evidencing action by the Board and for authenticating Board records for any official purpose. He supervises the Minutes Section which records, indexes, prepares for publication, and distributes notices of Board actions, and has legal custody of all public records and documents. As Director, Office of Administration, the Secretary is responsible to the Chairman, through the Executive Director, for providing management and office services to the Board and the staff. In such capacity, he appraises and makes recommendations concerning the organizational structure, distribution of functions, operating procedures, and management techniques, such as the system of delegation, standard forms, recording and reporting systems; evaluates estimates and justifications of budgetary requirements, recommends the amount to be submitted to the Bureau of the Budget, participates in budget hearings before the Bureau of the Budget and Congressional committees, makes allotments of appropriations and administratively reviews proposed expenditures for conformance to the fiscal plan; appraises and makes recommendations concerning the formulation and administration of personnel policies and programs, where authority has been delegated takes final action on individual personnel matters; negotiates with the appropriate bodies to obtain adequate space, equipment and supplies, personnel funds and other resources and facilities; performs related duties, such as serving as Security Officer; and determines administrative policy for the guidance of the heads of the several sections and, through the several sections, implements approved administrative programs.

FIELD ORGANIZATION

SEC. 11.1 *Accounting and Statistics Division.* A field office of the Accounting and Statistics Division is maintained at 2 Park Avenue, New York 16, New York.

SEC. 11.2 *Alaska Office.* The Alaska Office of the Board is located at Anchorage, Alaska, P. O. Box 2219.

SEC. 11.3 *Investigation Field Offices.* (a) Regional offices of the Investigation Division of the Bureau of Safety Investigation are maintained at the following addresses:

Region, regional office address, and territory

1. Federal Building, New York International Airport, Jamaica, N. Y.: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, West Virginia, Rhode Island, Vermont, Virginia.
2. P. O. Box 720, Municipal Airport, Atlanta, Ga.: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee.
3. 6200 South Cicero Avenue, Chicago 38, Ill.: Illinois, Indiana, Kentucky, Michigan, Minnesota, North Dakota, Ohio, Wisconsin.
4. P. O. Box 1689, Fort Worth 1, Tex.: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.
5. City Hall Building, Kansas City, Mo.: Colorado, Iowa, Kansas, Missouri, Nebraska, South Dakota, Wyoming.
6. 506 Santa Monica Boulevard, Santa Monica, Calif.: Arizona, California, Nevada, Utah.
7. Room 202, Administration Building, King County Airport, Seattle 8, Wash.: Idaho, Montana, Oregon, Washington.
8. P. O. Box 2219, Anchorage, Alaska: Alaska.

(b) Branch offices of the Investigation Division of the Bureau of Safety Investigation are maintained at the following addresses:

Region and branch office address

2. P. O. Box 477, Miami Springs, Fla. (Building 152, Twentieth Street Side, International Airport, Miami Springs, Fla.).
6. Administration Building, Oakland Municipal Airport, Oakland 14, Calif.

Effective date: April 15, 1952.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 52-5864; Filed, May 27, 1952; 8:49 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region X, Redelegation of Authority No. 34]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 135—BAKERS, WHOLESALE AND RETAIL DISTRIBUTORS OF FROZEN AND PERISHABLE BAKERY ITEMS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 60 (17 F. R. 3220), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization:

(a) To fix ceiling prices upon application under sections 2.4 and 3.3 of Ceiling Price Regulation 135.

(b) To adjust ceiling prices under section 2.12 of Ceiling Price Regulation 135.

(c) To request, under section 4.3, further information concerning any ceiling price reported pursuant to the provisions of Ceiling Price Regulation 135, or concerning any application for a ceiling price made pursuant to the provisions of Ceiling Price Regulation 135.

(d) To disapprove or reduce at any time, under section 4.3, ceiling prices determined, reported or proposed under Ceiling Price Regulation 135.

This redelegation of authority shall take effect on May 26, 1952.

ALFRED L. SEELYE,
Director of Regional Office No. X.

MAY 23, 1952.

[F. R. Doc. 52-5872; Filed, May 23, 1952; 4:40 p. m.]

[Region XI, Redelegation of Authority No. 43]

DIRECTORS OF DISTRICT OFFICES, REGION XI

REDELEGATION OF AUTHORITY TO ACT UNDER SECTION 6 OF CPR 31

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority 66 (17 F. R. 4193), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the Directors of the District Offices of the Office of Price Stabilization in Region XI to receive and examine reports filed under the provisions of section 6 of Ceiling Price Regulation 31; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 31; and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of section 6 of Ceiling Price Regulation 31.

This redelegation of authority shall take effect as of May 15, 1952.

GEORGE F. ROCK,
Regional Director, Region XI.

MAY 23, 1952.

[F. R. Doc. 52-5873; Filed, May 23, 1952; 4:41 p. m.]

[Region XII, Redelgation of Authority No. 19, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED PRICE-DETERMINING METHODS UNDER SECTION 5, AS AMENDED, AND TO ACT UNDER SECTION 17 (b) OF CPR 100

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 37, Revision 1 (17 F. R. 3563), Redelegation of Authority No. 19 heretofore issued by me on January 7, 1952 (17 F. R. 621), is amended to read as follows:

1. *Authority to act under section 5, as amended, of CPR 100.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to approve, pursuant to section 5, as amended, of CPR 100, a price-determining method for sales of new complete farm equipment, or new farm equipment repair parts proposed by a seller under CPR 100, disapprove such a proposed price-determining method, establish a different price-determining method, or request further information concerning such a price-determining method.

2. *Authority to act under section 17 (b) of CPR 100.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to issue orders, pursuant to section 17 (b) of CPR 100, fixing ceiling prices for any person subject to this Regulation who fails to keep the records, file the reports and establish ceiling prices as required therein, or who fails to apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so.

This amendment shall take effect as of May 17, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No. XII.

MAY 23, 1952.

[F. R. Doc. 52-5875; Filed, May 23, 1952; 4:41 p. m.]

[Region XII, Redelegation of Authority No. 14, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 14, Revision 1 (17 F. R. 3471) Redelegation of Authority No. 14 heretofore issued by me on December 12, 1951 (17 F. R. 172) is amended to read as follows:

1. *Authority to act under sections 1–5 inclusive of GCPR, SR 45, Revision 1.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to act on all applications for adjustment under the provisions of sections 1–5 inclusive of GCPR, SR 45, Revision 1, as amended.

This amendment shall take effect as of May 7, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No. XII.

MAY 23, 1952.

[F. R. Doc. 52-5874; Filed, May 23, 1952; 4:41 p. m.]

[Region XII, Redelegation of Authority No. 38, Amdt. 2]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO TAKE CERTAIN ACTIONS UNDER DR 1, REVISION 1

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 11, Revision 1 (17 F. R. 2145), Redelegation of Authority No. 38, as amended, heretofore issued by me on March 24, 1952 (17 F. R. 2947, 4132), is amended to read as follows:

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII:

(a) To request further information or to take other appropriate action with respect to statements, reports, notices or forms filed by Class 2 or Class 2A slaughterers under section 9 (a), 12 (f) or 17 (b), or with respect to certificates filed under section 12 (e), of Distribution Regulation 1, Revision 1.

(b) To deny, request further information, or take such other action as the National Office may direct with respect to applications made under section 15, 16, or 19 of Distribution Regulation 1, Revision 1, by persons who are, wish to be, or desire an adjustment as Class 2 or Class 2A slaughterers.

(c) To grant, deny, request further information or take such other action as the National Office may direct with respect to applications made by Class 2 or Class 2A slaughterers under section 9, 13 or 14 of Distribution Regulation 1, Revision 1.

(d) To grant, deny, request further information or take other appropriate action with respect to applications made under section 12 (c) of Distribution Regulation 1, Revision 1.

(e) To grant relief, pursuant to section 19 of Distribution Regulation 1, Revision 1, in the form of registration as a Class 2 slaughterer, to a person who, prior to December 16, 1951, filed an application under section 4 of the old Distribution Regulation 1, issued February 9, 1951, and who meets the criteria for registration specified in that section.

(f) To take appropriate action with respect to Class 2 or Class 2A slaughterers under sections 8 (b), 9 (b), and 20 (d) of Distribution Regulation 1, Revision 1.

This amendment shall take effect as of May 7, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No XII.

MAY 23, 1952.

[F. R. Doc. 52-5876; Filed, May 23, 1952; 4:41 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

REGIONS V AND XII

The following orders under General Overriding Regulation 24, were filed with the Division of the Federal Register on May 21, 1952.

REGION V

Jacksonville Order G1–9, establishing retail prices for certain grocery items sold in the Jacksonville Area, filed 2:05 p. m.

Jacksonville Order G2–9, establishing retail prices for certain grocery items sold in the Jacksonville Area, filed 2:06 p. m.

Jacksonville Order G3–9, establishing retail prices for certain grocery items sold in the Jacksonville Area, filed 2:05 p. m.

Jacksonville Order G3A–9, establishing retail prices for certain grocery items sold in the Jacksonville Area, filed 2:06 p. m.

Jacksonville Order G4–9, establishing retail prices for certain grocery items sold in the Jacksonville Area, filed 2:07 p. m.

Jacksonville Order G4A–9, establishing retail prices for certain grocery items sold in the Jacksonville Area, filed 2:07 p. m.

REGION XII

Fresno Order G1–9, covering retail prices for certain dry grocery items sold in the Fresno Area, filed 2:08 p. m.

Fresno Order G2–9, covering retail prices for certain dry grocery items sold in the Fresno Area, filed 2:09 p. m.

Fresno Order G4–9, covering retail prices for certain dry grocery items sold in the Fresno Area, filed 2:09 p. m.

Fresno Order G4A–9, covering retail prices for certain dry grocery items sold in the Fresno Area, filed 2:10 p. m.

Copies of any of these orders may be obtained from the OPS Office in the designated city.

JOSEPH L. DWYER,
Recording Secretary.

[F. R. Doc. 52-5877; Filed, May 23, 1952; 4:41 p. m.]

OFFICE OF DEFENSE MOBILIZATION

[CDHA 52]

FINDING AND DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS UNDER THE DEFENSE HOUSING AND COMMUNITY FACILITIES AND SERVICES ACT OF 1951

MAY 26, 1952.

Upon a review of the construction of new defense plants and installations, and the reactivation or expansion of operations of existing defense plants and installations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations, and the availability of housing and community facilities and services for such defense workers and military personnel in each of the areas set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st Sess.) exist.

Accordingly, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine that each of said areas is a critical defense housing area.

Poughkeepsie, New York, Area. (The area consists of the City of Poughkeepsie and the Towns of Poughkeepsie, Hyde Park, Pleasant Valley, LaGrange, Wappinger, and East Fishkill, all in Dutchess County, New York.)

JOHN R. STEELMAN,
Acting Director of Defense Mobilization.

[F. R. Doc. 52-5930; Filed, May 26, 1952; 4:09 p. m.]

[CDHA 53]

FINDING AND DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS UNDER THE DEFENSE HOUSING AND COMMUNITY FACILITIES AND SERVICES ACT OF 1951

MAY 26, 1952.

Upon a review of the construction of new defense plants and installations, and the reactivation or expansion of operations of existing defense plants and installations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations, and the availability of housing and community facilities and services for such defense workers and military personnel in each of the areas set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st Sess.) exist.

Accordingly, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine that each of said areas is a critical defense housing area.

Wright-Patterson Air Force Base, Dayton, Ohio. (The area consists of all of Greene and Montgomery Counties; the Townships of Pike, German, Moorefield, Springfield, Greene, Mad River, Bethel, and the City of Springfield, in Clark County, Ohio.)

This supersedes certification under Docket No. 8-A dated November 19, 1951.

JOHN R. STEELMAN,
Acting Director of Defense Mobilization.

[F. R. Doc. 52-5931; Filed, May 26, 1952; 4:10 p. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

MAY DOMESTIC AND EXPORT PRICE LIST

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 1583), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

MAY 1952 DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Dried whole eggs, 1950 pack (packed in barrels and drums), in carload lots only, 1,000,000 pounds.	$1.03 per pound "in store" at location of stock in Illinois, Indiana, Iowa, Michigan, Ohio, Oklahoma, Kansas, Missouri, and Minnesota. ("In store" means in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer.)
Nonfat dry milk solids, in carload lots only, 1951 production, 10,000,000 pounds; 1952 production, 2,000,000 pounds.	Spray process, U. S. Extra Grade: 1951 production, 17 cents per pound; 1952 production, 18 cents per pound. Prices apply "in store" at location of stock in any state. ("In store" means at the processor's plant or in storage at warehouse, but with any prepaid storage and outhandling charges for the benefit of the buyer.)
Linseed oil, raw, 198,000,000 pounds.	Market price on date of sale. (See note on Ceiling Price Certification at the end of this price list.)
Cottonseed oil, bleachable prime summer yellow, 60,000,000 pounds.	Market price or 17¾ cents per pound, whichever is higher, f. o. b. tank cars at points of storage locations.
Dry edible beans	On all beans, for areas other than those shown below, adjust prices upward or downward by an amount equal to the price support program differential between areas. Where no price support differential occurs, the price listed will apply. For other grades of all beans, adjust by market differentials. Prices listed below, on all beans, are at point of production. Amount of paid-in freight to be added, as applicable.
Pinto, bagged, 780,000 hundredweight.	No. 1 grade, 1949 crop: $8.10 per 100 pounds, basis f. o. b. Denver rate area; $7.70 per 100 pounds, basis f. o. b. Idaho area.
Great Northern bagged, 700,000 hundredweight.	No. 1 grade, 1948,[1] 1949 and 1950 crops: $8.11 per 100 pounds, basis f. o. b. Twin Falls, Idaho area; $8.48 per 100 pounds, basis f. o. b. Morrill, Nebr., area.
Baby lima, bagged, 490,000 hundredweight.	No. 1 grade, 1949 [1] crop: $7.29 per 100 pounds, basis f. o. b. California area.
Cranberry beans, bagged, 21,000 hundredweight.	No. 1 grade, 1949 crop: $9.54 per 100 pounds, basis f. o. b. Michigan area.
Austrian winter pea, seed, bagged, 2,208,000 hundredweight.	$4.50 per 100 pounds, basis f. o. b. point of production, plus paid in freight, as applicable.
Austrian winter peas, bagged (not certified for purity or germination), 1,743,000 hundredweight.[1]	In Portland, Oreg., and San Francisco areas only. The domestic market price for feed but not less than $3.50 per 100 pounds, f. o. b. point of storage, plus paid-in freight, as applicable. Purchaser must certify that commodity will be used for feed purposes only.
Blue Lupine Seed, bagged, 1,129,000 hundredweight.	$5 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Common and Willamette vetch seed, bagged, 130,000 hundredweight.	$7 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Red clover seed (uncertified), bagged, 27,400 hundredweight.	$38.65 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Ladino clover seed, bagged, certified, 140 hundredweight.	$135.25 per 100 pounds, basis f. o. b. point of production, plus paid-in freight, as applicable.
Wheat bulk, 25,000,000 bushels.[1]	Basis in store, the market price but in no event less than the applicable 1951 loan rate for the class, grade, quality, and location, plus: (1) 35 cents per bushel if received by truck or; (2) 30 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Kansas City, No. 1 HW, ex rail or barge, $2.75; Minneapolis, No. 1 DNS, ex rail or barge, $2.77; Chicago, No. 1 RW, ex rail or barge, $2.80. NOTE: No wheat will be for sale in the Portland, Oreg. area until further notice.
Oats, bulk, 4,500,000 bushels.[1]	At points of production, basis in store, the market price but not less than the applicable 1951 county loan rate plus: (1) 17 cents per bushel, if received by truck, or (2) 16 cents per bushel, if received by rail or barge. At other points, the foregoing plus average paid-in freight. Examples of minimum prices, per bushel: Chicago, No. 3 or better, ex rail or barge, $1.00; Minneapolis, No. 3 or better, ex rail or barge, 96 cents.
Barley, bulk, 8,000,000 bushels [1]	Basis in store, the market price but in no event less than the applicable 1951 loan rate for the class, grade, quality and location, plus: (1) 24 cents per bushel if received by truck, or (2) 21 cents per bushel if received by rail or barge. Examples of minimum prices per bushel: Minneapolis, No. 1 Barley, ex rail or barge, $1.53; San Francisco, No. 1 Western Barley, ex rail or barge, $1.58.
Corn, bulk, 50,000,000 bushels	At points of production, basis in store, the market price but not less than the applicable 1951 county loan rate for No. 3 yellow plus: (1) 24 cents per bushel, if received by truck, or (2) 21 cents per bushel, if received by rail or barge. At other locations, the foregoing plus average paid-in freight. Examples of minimum prices per bushel: Chicago, No. 3 yellow, $1.96; St. Louis, No. 3 yellow, $1.98; Minneapolis, No. 3 yellow, $1.87; Omaha, No. 3 yellow, $1.89; Kansas City, No. 3 yellow, $1.94. For other classes, grades, and quality, market differentials will apply.
Flaxseed, bulk 145,000 bushels	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.

[1] These same lots also are available at export sales prices announced today.

Ceiling Price Certification. Any purchaser from CCC of raw linseed oil, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

MAY 1952 EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export price list
Cotton seed oil, bleachable prime summer yellow, 60,000,000 pounds.[1]	Market price f. o. b. tank cars at points of storage locations.
Dry edible beans	No. 1 grade delivered on track present location, on basis costs and freight paid to f. a. s. vessel at locations shown below.
Pea, bagged, 1950 crop, 13,000 hundredweight.[2]	For export to Western Hemisphere countries—$6.50 per 100 pounds East Coast ports; for export to other than Western Hemisphere countries—$5.50 per 100 pounds, East Coast ports.
Great Northern, bagged, 1948 crop, 293,000 hundredweight.[1 2]	$6.50 per 100 pounds, Portland, Oreg. (9,000 hundredweight only stored at The Dalles, Oreg.); $6.60 per 100 pounds, U. S. Gulf Ports. (See note below.)
Baby lima, bagged, 1949 crop, 490,000 hundredweight.[1]	$4 per 100 pounds, San Francisco Bay area.
	NOTE: "U. S. Gulf ports" means ports with freight rates not greater than to New Orleans. Any excess freight will be for account of the buyer.
	Discounts for grades on all beans: No. 2, 25 cents less than No. 1; No. 3, 50 cents less than No. 1; appropriate discounts will also be given for "off-color" beans.
	At CCC's option, 1949 crop beans may be furnished in place of 1948 beans in instances where stocks of 1948 beans of the type and grade desired are exhausted.
Austrian winter peas, bagged, not certified for purity or germination, 1,743,000 hundredweight.[1]	In Portland, Oreg., and San Francisco areas only. The domestic market price for feed but not less than $3.50 per 100 pounds, f. o. b. point of storage plus paid-in freight, as applicable.
Wheat, bulk, 25,000,000 bushels [1]	Market price on date of sale at point of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.
Oats, bulk, 4,700,000 bushels [1]	Market price on date of sale at point of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.
Barley, bulk, 8,000,000 bushels [1]	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.

[1] These same lots are available at domestic sales prices announced today.

[2] *Ceiling Price Certification.* Any purchaser from CCC of Great Northern beans for export, or of Pea beans for export, to Western Hemisphere countries, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

(Pub. Law 439, 81st Cong.)

Issued this 23d day of May 1952.

[SEAL] HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-5881; Filed, May 27, 1952; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6398]

UNION ELECTRIC POWER CO. AND UNION ELECTRIC CO. OF MISSOURI

NOTICE OF ORDER PERMITTING WITHDRAWAL OF RATE SCHEDULES AND TERMINATING PROCEEDINGS

MAY 22, 1952.

Notice is hereby given that on May 21, 1952, the Federal Power Commission issued its order entered May 20, 1952, permitting withdrawal of supplemental rate schedules and terminating proceedings in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-5851; Filed, May 27, 1952; 8:48 a. m.]

[Docket No. G-1756]

CHICAGO DISTRICT PIPELINE CO.

NOTICE OF FINDINGS AND ORDER

MAY 22, 1952.

Notice is hereby given that on May 21, 1952, the Federal Power Commission issued its order entered May 20, 1952, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-5852; Filed, May 27, 1952; 8:48 a. m.]

[Docket No. G-1956]

CAROLINA NATURAL GAS CORP.

NOTICE OF APPLICATION

MAY 22, 1952.

Take notice that on May 14, 1952, Carolina Natural Gas Corporation (Applicant), a Delaware corporation with its principal place of business in Charlotte, North Carolina, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission pipeline facilities hereinafter described.

Applicant seeks authorization to construct and operate the following facilities:

An 8-inch transmission line from a tap on the Transcontinental pipeline southeast 12.4 miles to the proposed Clover Tap.

A 6-inch transmission line from the Clover Tap southeast 3.4 miles to the proposed York Tap.

A 6-inch transmission line from the York Tap southeast 11.3 miles to the proposed Rock Hill Tap.

A 4-inch transmission line from the Rock Hill Tap northeast 2.96 miles to serve the Celanese Corporation of America and continuing 2.97 miles northeast to serve Fort Mill, South Carolina.

A 4-inch transmission line from the Rock Hill Tap south 1.26 miles to serve Rock Hill, South Carolina.

A 3-inch transmission line from the York Tap southwest 1.9 miles to serve York, South Carolina.

A 2-inch transmission line from the Clover Tap northeast 4.1 miles to serve Clover, South Carolina.

The proposed facilities also include town-border and regulator stations and other necessary appurtenant equipment including distribution facilities within the communities to be served. Applicant estimates that its peak-day market requirements for the first year are approximately 2,220 Mcf increasing in the 5th year to 6,141 Mcf.

The estimated cost of the facilities including transmission pipe lines and distribution systems is $3,150,000.

The proposed facilities will be financed through the sales of securities as follows:

First mortgage bonds, 4½ percent	$1,600,000
Debentures, 15-year, 5 percent	750,000
Common stock	800,000
Total	3,150,000

Applicant requests that its application be heard under the shortened procedure pursuant to § 1.32 (b) of the Commission's rules of practice and procedure.

The application is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 11th day of June 1952.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-5850; Filed, May 27, 1952; 8:47 a. m.]

[Project No. 2017]

SOUTHERN CALIFORNIA EDISON CO.

NOTICE OF ORDER AMENDING LICENSE (MAJOR)

MAY 22, 1952.

Notice is hereby given that on March 28, 1952, the Federal Power Commission issued its order entered March 26, 1952, further amending license (Major) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-5853; Filed, May 27, 1952; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27079]

MIXED FEED FROM SAVANNAH AND PORT WENTWORTH, GA., TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

MAY 23, 1952.

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

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1308.

Commodities involved: Feed, animal or poultry, carloads.

From: Savannah and Port Wentworth, Ga. (on traffic mixed in transit at specified points).

To: Points in southern territory.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1308.

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

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-5849; Filed, May 27, 1952; 8:47 a. m.]

[4th Sec. Application 27080]

MINE RUN SALT FROM WINNFIELD, LA., TO REDSTONE ARSENAL, ALA.

APPLICATION FOR RELIEF

MAY 23, 1952.

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

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3903.

Commodities involved: Salt, mine run, carloads.

From: Winnfield, La.

To: Redstone Arsenal, Ala.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3903, Supp. 21.

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

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-5848; Filed, May 27, 1952; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-54, 59-50, 70-559]

NORTHERN STATES POWER CO. (DELAWARE) ET AL.

ORDER MODIFYING MEMORANDUM FINDINGS AND OPINION AND ORDER REGARDING APPLICATIONS FOR FEES AND DISBURSEMENTS

MAY 15, 1952.

In the Matter of Northern States Power Company (Delaware) File No. 54-54; Northern States Power Company (Minnesota), File No. 70-559; Northern States Power Company (Delaware) and each of its subsidiaries, File No. 59-50.

The Commission having on April 8, 1952, issued a memorandum findings and opinion (Holding Company Act Release No. 11145) in the above entitled proceedings approving the allowance of compensation to various applicants, including an allowance to the firm of Sullivan & Worcester in a total amount of $15,000, and an order directing Northern States Power Company (Delaware), or its successor in interest, Northern States Power Company (Minnesota), to pay Sullivan & Worcester a balance of $6,300, in addition to the amount permitted to be paid to that firm by the interim order of this Commission dated December 21, 1950 (Holding Company Act Release No. 10305);

Northern States Power Company (Delaware) having made an interim payment of $12,500 to Sullivan & Worcester, subject to a condition contained in said interim order that Sullivan & Worcester repay to its client the sum of $3,800 theretofore paid to it by him; and

It appearing that in computing the balance to be paid to Sullivan & Worcester by Northern States Power Company (Delaware) or its successor such sum of $3,800 was inadvertently subtracted from the amount of the interim payment, so that the amount of such balance was overstated by $3,800;

It is ordered, That the next to the last sentence of the section of the aforesaid memorandum findings and opinion of this Commission relating to the application of Sulivan & Worcester be and it hereby is deleted and that the following sentence be and it hereby is modified to read "Therefore, our order will approve and authorize an additional payment of $2,500."; and

It is further ordered, That the aforesaid Order of this Commission be and hereby is modified by changing the amount directed to be paid to Sullivan & Worcester from $6,300 to $2,500.

By the Commission.

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

[F. R. Doc. 52-5840; Filed, May 27, 1952; 8:46 a. m.]

[File No. 70-2833]

POTOMAC EDISON CO ET AL.

ORDER PERMITTING CERTAIN INTERCOMPANY TRANSACTIONS INCLUDING TRANFERS OF ASSETS, ISSUANCES AND ACQUISITIONS OF SECURITIES AND MERGER OF TWO WHOLLY-OWNED SUBSIDIARIES

MAY 22, 1952.

In the matter of the Potomac Edison Company, Potomac Light and Power Company, Northern Virginia Power Company, South Penn Power Company, Franklin Transmission Company; File No. 70-2833.

The Potomac Edison Company ("Potomac"), a public utility company which is a registered holding company and a subsidiary of the West Penn Electric Company, also a registered holding company, and Potomac's wholly-owned subsidiaries Potomac Light and Power Company ("PL&P"), Northern Virginia Power Company ("Northern Virginia"), South Penn Power Company ("South Penn"), and Franklin Transmission Company ("Franklin") have filed a joint application-declaration with amendments thereto, pursuant to sections 6, 7, 9, 10, 12 (c), 12 (d) and 12 (f) of the act and Rules U-42, U-43, and U-44, promulgated thereunder, with respect to the proposed transactions, which are summarized as follows:

Northern Virginia is an electric utility supplying service in Virginia. It owns certain electric properties located in West Virginia which have been operated for its account since 1934 by PL&P, an electric utility operating in West Virginia. Pursuant to an agreement entered into between Potomac, Northern Virginia and PL&P, Northern Virginia proposes to convey to PL&P all of its West Virginia properties and facilities which, at October 31, 1951, had a depreciated original cost, after deduction of contributions in aid of construction, of $2,860,146.64. PL&P will record these properties at the amounts recorded on the books of Northern Virginia as of the closing date of the agreement. PL&P thereupon will issue 28,601 additional shares of its common stock, par value $100 per share to Potomac which, in turn, will surrender to Northern Virginia 1,500 shares of Northern Virginia's preferred stock, par value $100 per share, which is all of such stock outstanding, and 27,101 shares of Northern Virginia's common stock, par value $100 per share, of which there is a total of 170,000 shares outstanding. The shares surrendered to Northern Virginia will be retired. The number of shares of PL&P's common stock to be issued to Potomac and the number of shares of Northern Virginia's

common stock surrendered by Potomac will be adjusted, to the nearest $100 of par value, to equal the depreciated book value of the properties being conveyed, after the deduction of contributions in aid of construction, as of the closing date of the agreement.

Franklin owns and operates a transmission line within the area served by South Penn, and which is connected with the transmission systems of South Penn and Potomac. Under another agreement entered into between Potomac, South Penn and Franklin, Franklin will declare and pay a cash dividend on its capital stock, payable to Potomac as its sole stockholder, in an amount equal to its earned surplus at the close of the calendar month preceding the closing date of the agreement. South Penn proposes to issue to Potomac 54,200 additional shares of its common stock, without par value, representing an aggregate stated capital of $271,000, in exchange for 10,840 shares of the capital stock, par value $25 per share, of Franklin, being all of the outstanding shares thereof. Franklin then will merge into South Penn by transferring all of its assets to South Penn in exchange for all of Franklin's capital stock, which will be cancelled. South Penn, which is to assume all of Franklin's liabilities, will record Franklin's assets at their recorded book values, including the electric properties which are stated at original cost.

The filing states that the proposed transactions will result in economies due to the elimination of various tax returns, reports and accounting statements.

The estimated expenses in connection with the Potomac, Northern Virginia and PL&P transactions consist of counsel fees, $5,450, Federal stock issuance taxes, $3,146, and miscellaneous, $154, and in connection with the Potomac, South Penn and Franklin transactions, counsel fees, $3,000, Federal stock issuance taxes, $569, and miscellaneous, $280.

Certain aspects of the proposed transactions are subject to the jurisdiction of the Public Service Commission of Maryland, the State Corporation Commission of Virginia, the Public Service Commission of West Virginia and the Public Utility Commission of Pennsylvania. The necessary approvals from such commissions have been obtained.

Said joint application-declaration, with amendments thereto, having been filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for hearing with respect to said joint application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to all the transactions proposed in said joint application - declaration, as amended, including the proposed dispositions of utility assets and facilities by Northern Virginia and Franklin and the proposed acquisitions of utility assets and facilities by PL&P and South Penn, that the requirements of the applicable provisions of the Act and Rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the 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 joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-5839; Filed, May 27, 1952; 8:46 a. m.]

[File No. 70-2878]

AMERICAN GAS AND ELECTRIC CO.

NOTICE OF PROPOSED ISSUE AND SALE OF A PRINCIPAL AMOUNT OF SINKING FUND DEBENTURES DUE 1977 AND CERTAIN SHARES OF COMMON STOCK

MAY 22, 1952.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by American Gas and Electric Company ("American"), a registered holding company. Declarant has designated sections 6 and 7 of the act and Rule U-50 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

American will issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $20,000,000 principal amount of ------ percent Sinking Fund Debentures, due 1977, and 170,000 shares of $10 par value common stock.

An aggregate of $5,000,000 of the proceeds of the issue and sale of the securities will be applied to the payment, without premium, of a like principal amount of notes payable to banks heretofore issued. The balance of the proceeds will be added to declarant's treasury funds and, it is expected that, within 12 months after the completion of the sales of the securities, American will use the remaining proceeds to acquire additional equity securities of some of its operating subsidiary companies. Declarant states that the issue and sale by American of its Sinking Fund Debentures and common stock are not subject to the jurisdiction of any Commission other than this Commission.

Notice is further given that any interested person may, not later than June 6, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason for such request and the issues of fact or law, if any, proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. At any time after said date, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-5838; Filed, May 27, 1952; 8:46 a. m.]