

THE NATIONAL ARCHIVES  
LITTEA SCRIPTA MANET  
**FEDERAL REGISTER**  
OF THE UNITED STATES  
1934

VOLUME 14                      NUMBER 199

Washington, Friday, October 14, 1949

**TITLE 3—THE PRESIDENT**  
**EXECUTIVE ORDER 10084**

**PRESCRIBING REGULATIONS FOR THE ADMINISTRATION OF CERTAIN PROVISIONS OF THE CAREER COMPENSATION ACT OF 1949**

By virtue of and pursuant to the authority vested in me by the Career Compensation Act of 1949, approved October 12, 1949, the existing regulations prescribed by Executive orders pursuant to the authority contained in the Pay Readjustment Act of 1942 of June 16, 1942, as amended, and existing departmental regulations and determinations prescribed or made pursuant to the authority contained in such act or in such Executive orders are hereby adopted and prescribed, so far as applicable and appropriate, as regulations required or authorized to be prescribed by the President under Titles II, III, and V of the said Career Compensation Act of 1949.

This order shall take effect on October 1, 1949, and shall cease to be effective on January 31, 1950.

HARRY S. TRUMAN

THE WHITE HOUSE,  
October 12, 1949.

[F. R. Doc. 49-8307; Filed, Oct. 12, 1949; 4:52 p. m.]

**TITLE 5—ADMINISTRATIVE PERSONNEL**

**Chapter I—Civil Service Commission**

**PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE**

**POST OFFICE DEPARTMENT**

Under authority of § 6.1 (a) of Executive Order 9830, and with the concurrence of the Post Office Department, the Commission has decided that the position of private secretary to the Fourth Assistant Postmaster General should be withdrawn from Schedule A. Effective upon publication in the FEDERAL REGISTER, § 6.109 (b) (1) is amended to read as follows:

§ 6.109 *Post Office Department.* \* \* \*

(b) *Office of the Postmaster General.*

(1) Two private secretaries or confidential assistants to the Postmaster General

and one to each Assistant Postmaster General except the Assistant Postmaster General identified as the Fourth Assistant Postmaster General immediately prior to approval of Reorganization Plan No. 3 of 1949.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] HARRY B. MITCHELL,  
*Chairman.*

[F. R. Doc. 49-8241; Filed, Oct. 13, 1949; 8:49 a. m.]

**TITLE 7—AGRICULTURE**

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

**PART 987—IRISH POTATOES IN MAINE**

**ORDER SUSPENDING INSPECTION OF MINIMUM QUANTITIES**

§ 987.303 *Suspension of inspection relative to minimum quantities—(a) Findings.* (1) Pursuant to Marketing Agreement No. 108 and Order No. 87 (7 CFR 987.1 et seq.), regulating the handling of Irish potatoes grown in the State of Maine, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the State of Maine Potato Committee, established under said marketing agreement and order, and other available information, it is hereby found that (i) the suspension of inspection requirements hereinafter set forth grants relief from the limitation of shipment regulations, § 987.302 (14 F. R. 5778), issued pursuant to § 987.4; (ii) the issuance of this relief is in accordance with § 987.6 (d), and (iii) the aforesaid limitation of shipments, § 987.302, with the relief granted by § 987.303 hereinafter set forth, will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public

(Continued on p. 6247)

**CONTENTS**

**THE PRESIDENT**

<b>Executive Order</b>	Page
Career Compensation Act; prescribing regulations for administration of certain provisions...	6245

**EXECUTIVE AGENCIES**

**Agriculture Department**  
*See Production and Marketing Administration.*

**Alien Property, Office of**

<b>Notices:</b>	
Vesting orders, etc.:	
Anschuetz, Richard.....	6272
Blass, Margarete, and Lucie Blass .....	6272
Bruggemann, Meta, and Greta Mahlstadt.....	6270
Calabi, Angela Pileri, et al....	6272
Fricke, Henry.....	6271
Le Ghait von Stein, Marguerite.....	6272
Mayer, Joe.....	6271
Meffert, Martin.....	6269
Nicastro, Lorenza, et al.....	6272
Puccini, Jenny.....	6272
Quilici, Guido.....	6271
Sproegel, Julius.....	6270
Teramoto, Yutaka.....	6269
Thilking et al.....	6270

**Air Force Department**

<b>Rules and regulations:</b>	
Claims on behalf of U. S.; miscellaneous amendments.....	6265
Personnel; Philippine service ribbons.....	6265

**Army Department**

<i>See also Panama Canal.</i>	
<b>Rules and regulations:</b>	
Claims on behalf of U. S.; miscellaneous amendments.....	6264
Personnel; Philippine service ribbons.....	6265

**Civil Aeronautics Administration**

<b>Rules and regulations:</b>	
Washington National Airport; revision .....	6247
Aeronautical rules; revocation.....	6252

**Civil Aeronautics Board**

<b>Notices:</b>	
Aerolineas Argentinas FAMA; foreign air carrier permit; hearing .....	6267





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

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

#### Now Available

### UNITED STATES GOVERNMENT ORGANIZATION MANUAL

1949 Edition

(Revised through July 1)

Published by the Division of the Federal Register, the National Archives

725 pages—\$1.00 a copy

Order from Superintendent of Documents, United States Government Printing Office, Washington 25, D. C.

#### CONTENTS—Continued

	Page
<b>Civil Service Commission</b>	
Rules and regulations:	
Competitive service exceptions;	
Post Office Department.....	6245
<b>Commerce Department</b>	
See Civil Aeronautics Administration; International Trade, Office of; Land Management, Bureau of.	
<b>Customs Bureau</b>	
Proposed rule making:	
Small vessels having mechanically refrigerated holds; measurement.....	6266
Rules and regulations:	
Importations free of duty during the war; gifts from members of U. S. armed forces.....	6253

#### RULES AND REGULATIONS

#### CONTENTS—Continued

<b>Defense Department</b>	Page
See Air Force Department; Army Department; Panama Canal.	
<b>Federal Power Commission</b>	
Notices:	
Hearings, etc.:	
Black Hills Power and Light Co.....	6267
Commonwealth Natural Gas Corp. et al.....	6267
<b>Federal Security Agency</b>	
See Food and Drug Administration.	
<b>Food and Drug Administration</b>	
Rules and regulations:	
Antibiotic and antibiotic-containing drugs:	
Certification of batches.....	6253
Tests and methods of assay..	6253
<b>Foreign and Domestic Commerce Bureau</b>	
See International Trade, Office of.	
<b>Housing Expediter, Office of</b>	
Rules and regulations:	
Rent, controlled; housing and rooms in rooming houses and other establishments in certain States.....	6254
<b>Interior Department</b>	
See Land Management, Bureau of.	
<b>International Trade, Office of</b>	
Rules and regulations:	
Export quotas:	
Individual and other validated licenses, provisions..	6252
Licensing policies and related special provisions.....	6252
<b>Interstate Commerce Commission</b>	
Rules and regulations:	
Explosives, transportation; miscellaneous amendments.....	6254
<b>Justice Department</b>	
See Alien Property, Office of.	
<b>Land Management, Bureau of</b>	
Notices:	
Alaska; notice for filing objections to order withdrawing public land for use of Bureau of Public Roads as administrative site.....	6267
Rules and regulations:	
Alaska; withdrawing public land for use of Bureau of Public Roads as administrative site.....	6266
<b>Panama Canal</b>	
Rules and regulations:	
Operation and navigation of Canal and adjacent waters; merchant ship anchorages....	6266
<b>Production and Marketing Administration</b>	
Proposed rule making:	
Milk handling in New York metropolitan area.....	6266
Rules and regulations:	
Grapes, raisin variety, in California.....	6247
Potatoes, Irish, in Maine.....	6245

#### CONTENTS—Continued

<b>Public Roads Bureau</b>	Page
Rules and regulations:	
Alaska; withdrawing public land for use as administrative site (see Land Management, Bureau of).	
<b>Securities and Exchange Commission</b>	
Notices:	
Hearings, etc.:	
American Gas and Electric Co.....	6268
Comsec Corp. Participating Collateral Trust Certificates.....	6269
Ohio Edison Co.....	6268
Standard Power and Light Corp. and Standard Gas and Electric Co.....	6268
<b>Treasury Department</b>	
See Customs Bureau.	
<b>CODIFICATION GUIDE</b>	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
	Page
<b>Title 3</b>	
Chapter II (Executive orders):	
9830 (see T. 5, Part 6).....	6245
10084.....	6245
<b>Title 5</b>	
Chapter I:	
Part 6.....	6245
<b>Title 7</b>	
Chapter IX:	
Part 927 (proposed).....	6266
Part 987.....	6245
Part 989.....	6247
<b>Title 14</b>	
Chapter II:	
Part 570.....	6247
Part 571.....	6252
<b>Title 15</b>	
Chapter III:	
Part 372.....	6252
Part 373.....	6252
<b>Title 19</b>	
Chapter I:	
Part 2 (proposed).....	6266
Part 54.....	6253
<b>Title 21</b>	
Chapter I:	
Part 141.....	6253
Part 146.....	6253
<b>Title 24</b>	
Chapter VIII:	
Part 825.....	6254
<b>Title 32</b>	
Chapter V:	
Part 537.....	6264
Part 578.....	6265
Chapter VII:	
Part 837.....	6265
Part 878.....	6265
<b>Title 35</b>	
Chapter I:	
Part 4.....	6266

**CODIFICATION GUIDE—Con.**

<b>Title 43</b>	<b>Page</b>
Chapter I:	
Appendix (Public land orders):	
609.....	6266
<b>Title 49</b>	
Chapter I:	
Part 71.....	6255
Part 72.....	6255
Part 73.....	6255
Part 73a.....	6261
Part 74.....	6263
Part 77.....	6264

interest to give preliminary notice and engage in public rule making procedure (5 U. S. C. 1001 et seq.), in that: (i) Shipments of potatoes from District No. 4 in the State of Maine, the portion of the production area affected by the aforesaid modification, have already begun; (ii) the time intervening between the date when information upon which order of modification is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; and (iii) this section relieves restrictions.

(b) *Order.* (1) For the period ending June 30, 1950, § 987.4 (d) of Marketing Agreement No. 108 and Order No. 87 (Inspection and Certification) is suspended with respect to each shipment of potatoes grown in District No. 4 of the production area which is not in excess of 1,500 pounds net weight.

(2) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 108 and Order No. 87.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 11th day of October 1949.

[SEAL] S. R. SMITH,  
*Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.*

[F. R. Doc. 49-8237; Filed, Oct. 13, 1949; 8:48 a. m.]

**PART 989—HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA**

**FREE, RESERVE, AND SURPLUS PERCENTAGES FOR 1949-50 CROP YEAR**

§ 989.200 *Raisin free tonnage, reserve tonnage, and surplus tonnage regulations for the 1949-50 crop year—(a) Findings.*

(1) Pursuant to the marketing agreement and order (14 F. R. 5136) regulating the handling of raisins produced from raisin variety grapes grown in California, effective under 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 upon the basis of the recommendation of the Raisin Administrative Committee established under the said marketing agreement and order, and upon other available informa-

tion, it is hereby found by me on behalf of the Secretary of Agriculture that to establish free tonnage percentages, reserve tonnage percentages, and surplus tonnage percentages, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of the establishment of the free tonnage percentages, reserve tonnage percentages, and surplus tonnage percentages, as hereinafter provided, for a longer period than three days after publication thereof in the FEDERAL REGISTER because the acquisition of raisins by handlers during the 1949-50 crop year has already begun and it is necessary to have these percentages in effect as promptly as practicable in order to regulate such acquisitions effectively. No preparation for this section is required which cannot be completed prior to such effective date. Therefore, good cause exists for not giving preliminary notice, engaging in public rule making procedure, and delaying the effective date of this section beyond three days after the publication of this section in the FEDERAL REGISTER (see section 4 (c) of the Administrative Procedure Act, 5 U. S. C. 1001 et seq.).

(b) *Order.* The percentages of each varietal type of raisins acquired by handlers during the crop year beginning August 18, 1949, and ending August 14, 1950, which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively, are designated as follows: (1) Natural (sun-dried) Thompson Seedless raisins: free tonnage percentage, 49 percent; reserve tonnage percentage, 20 percent; and surplus tonnage percentage, 31 percent; (2) natural (sun-dried) Muscat raisins: free tonnage percentage, 66 $\frac{2}{3}$  percent; reserve tonnage percentage, 33 $\frac{1}{3}$  percent; and surplus tonnage percentage, zero percent; (3) natural (sun-dried) Sultana raisins: free tonnage percentage, 49 percent; reserve tonnage percentage, 20 percent; and surplus tonnage percentage, 31 percent; (4) natural (sun-dried) Zante Currant raisins: free tonnage percentage, 100 percent; reserve tonnage percentage, zero percent; and surplus tonnage percentage, zero percent; (5) artificial dehydrated Sultana raisins: free tonnage percentage, 49 percent; reserve tonnage percentage, 20 percent; and surplus tonnage percentage, 31 percent; (6) artificial dehydrated Zante Currant raisins: free tonnage percentage, 100 percent; reserve tonnage percentage, zero percent; and surplus tonnage percentage, zero percent; (7) Layer Muscat raisins: free tonnage percentage, 66 $\frac{2}{3}$  percent; reserve tonnage percentage, 33 $\frac{1}{3}$  percent; and surplus tonnage percentage, zero percent; (8) Golden Bleached raisins: free tonnage percentage, 50 percent; reserve tonnage percentage, 50 percent; and surplus tonnage percentage, zero percent; (9) Sulphur Bleached raisins: free tonnage percentage, 50 percent; reserve tonnage percentage, 50 percent; and surplus tonnage percentage, zero percent; (10) Soda Dipped raisins:

free tonnage percentage, 50 percent; reserve tonnage percentage, 50 percent; and surplus tonnage percentage, zero percent; and (11) Valencia raisins: free tonnage percentage, 66 $\frac{2}{3}$  percent; reserve tonnage percentage, 33 $\frac{1}{3}$  percent; and surplus tonnage percentage, zero percent.

(48 Stat. 31 et seq.; 7 U. S. C. 601 et seq.; § 989.4, 14 F. R. 5136)

Issued at Washington, D. C. this 12th day of October 1949, to become effective at 12:01 a. m., P. s. t., October 17, 1949.

[SEAL] S. R. SMITH,  
*Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.*

[F. R. Doc. 49-8322; Filed, Oct. 13, 1949; 9:11 a. m.]

**TITLE 14—CIVIL AVIATION**

**Chapter II—Civil Aeronautics Administration, Department of Commerce**

**PART 570—WASHINGTON NATIONAL AIRPORT**

**REVISION OF REGULATIONS**

Under section 2 of an act to provide for the administration of Washington National Airport, the Administrator of Civil Aeronautics has control over, and responsibility for the care, operation, maintenance, and protection of, the Airport, together with the power to make and amend such rules and regulations as he may deem necessary for the proper exercise thereof.

The current rules for the Airport, consisting of Parts 570 and 571 of this chapter, are contained in 14 F. R. 4385-4389 and 14 CFR 570, 571. The Administrator's intention to supersede these parts with a revised Part 570 was promulgated in a notice of proposed rule making published in 14 F. R. 5541-5545. Interested persons were granted 15 days within which to submit comments and suggestions regarding the proposed revision. Consideration has been given to all relevant matter presented.

These revised rules must be enacted without delay in order to give the Administrator more complete and effective control over the Airport essential to its proper operation. Compliance with the effective date provision of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Acting pursuant to section 2 of an act to provide for the administration of Washington National Airport, and in accordance with sections 3 and 4 of the Administrative Procedure Act, I hereby adopt the following revised Part 570, which shall supersede existing Parts 570 and 571 of this chapter:

**PART 570—WASHINGTON NATIONAL AIRPORT**

**GENERAL RULES**

Sec.	
570.1	Definitions.
570.2	Airport Director.
570.3	Aeronautical activities.
570.4	Taxicabs.
570.5	Lost articles.

## MOTOR VEHICLE RULES

Sec.	
570.21	General.
570.22	Motorized equipment.
570.23	Operator's certificate.
570.24	Speed.
570.25	Operation rules.
570.26	Accident reports.
570.27	Parking.
570.28	Motor vehicle lights.
570.29	Repair of motor vehicles.
570.30	Busses.
570.31	Moving of vehicles.
570.32	Motor vehicle license tags.

## AIRCRAFT RULES

570.41	Radio contact.
570.42	Report of arrival.
570.43	Confinement of aircraft operations.
570.44	Parking of aircraft.
570.45	Payment.
570.46	Disabled aircraft.
570.47	Accident reports.
570.48	Refusal of clearance.
570.49	Private pilot's license.
570.50	Registering of aircraft.
570.51	Demonstrations.
570.52	Fueling or defueling of aircraft.
570.53	Aircraft equipment rules.
570.54	Taxying rules.
570.55	Landing and take-off rules.
570.56	Visual signal procedures.

## RULES OF CONDUCT

570.71	Disorderly conduct.
570.72	Gambling.
570.73	Sanitation.
570.74	Preservation of property.
570.75	Airport and equipment.
570.76	Weapons, explosives and inflammable material.
570.77	Turnstiles.
570.78	False statements.
570.79	Interfering or tampering with aircraft.
570.80	Repairing of aircraft.
570.81	Restricted areas.
570.82	Particular areas.
570.83	Observation terrace and balcony.
570.84	Conduct of business or commercial activity.
570.85	Soliciting, sales.
570.86	Advertisements.
570.87	Commercial photography.
570.88	Use of roads and walks.
570.89	Animals.
570.90	Loitering.
570.91	Use of Airport.

## FIRE HAZARDS

570.101	Cleaning of aircraft.
570.102	Open-flame operations.
570.103	Storage.
570.104	Smoking.
570.105	Cleaning fluids.
570.106	Floor care.
570.107	Doping.
570.108	Fueling operations.
570.109	Radio operation.
570.110	Motor vehicle operation in hangar.

## OBLIGATIONS OF TENANTS

570.121	Trash containers.
570.122	Signs and bulletin boards.
570.123	Workmen's compensation.
570.124	Storage of equipment.
570.125	Fire apparatus.
570.126	Discrimination or segregation.

## ENFORCEMENT OF RULES

570.131	Penalties.
---------	------------

AUTHORITY: §§ 570.1 to 570.131 issued under sec. 2, 54 Stat. 688; 2 D. C. Code 1602.

## GENERAL RULES

§ 570.1 *Definitions.* (a) The word "Airport" as used in the regulations in this part means the Washington National Airport as described in 54 Stat. 688; 2 D. C. Code 1602.

(b) The word "Administrator" as used in the regulations in this part means the Administrator of Civil Aeronautics.

(c) The words "Airport Director" when used in the regulations in this part mean that person appointed by the Administrator of Civil Aeronautics to administer, govern, superintend, control and protect the Washington National Airport.

(d) The word "person" when used in the regulations in this part shall be construed to include within its meaning any individual, firm, copartnership, corporation, company, association, joint-stock association, or body political; and includes any trustee, receiver, assignee, or other similar representative thereof.

(e) The word "Board" when used in the regulations in this part means the Civil Aeronautics Board.

§ 570.2 *Airport Director.* All persons on any part of the property comprising the airport shall be governed by the regulations prescribed in this part and by orders and instructions of the Airport Director relative to the use or occupation of any part of the property comprising the airport.

§ 570.3 *Aeronautical activities.* All aeronautical activities at the Washington National Airport, and all flying of aircraft departing from or arriving at the Washington National Airport in the airspace above the Washington National Airport, shall be conducted in conformity with the current pertinent provisions of the Civil Air Regulations (Subchapter A of Chapter I of this title) and orders issued by the Airport Director or air-traffic control-tower operator, not in conflict with the said regulations.

§ 570.4 *Taxicabs.* (a) Except as otherwise expressly permitted by the Administrator, no person shall operate any taxicab or other vehicle carrying passengers for hire from the airport unless he is the holder of a permit issued by the Airport Director.

(b) Except as otherwise permitted by the Airport Director, no person shall park on the airport any taxicab or other vehicle used for the purpose of carrying passengers for hire, except for the purpose of discharging passengers, unless he is the holder of a permit issued by the Airport Director.

(c) No person shall within the boundary of the airport solicit or invite persons to ride in any taxicab or other vehicle used for the purpose of carrying passengers for hire, either by driving slowly past loading entrances to airport buildings or by the commission of other acts or the utterance of words which are calculated to induce persons to engage such taxicab or other vehicle, unless such activity is carried on with the express approval by the Airport Director and under such terms and conditions as he may prescribe.

(d) Any person desiring the approval of the Airport Director to operate on the airport a taxicab or other vehicle used for the purpose of carrying passengers for hire, must file a written application with the Airport Director for a permit. Such applications shall contain the following information:

(1) Applicant's name and address;

(2) Make, model and license number of the vehicle the applicant desires to operate on the airport;

(3) Description of all permits and licenses applicant holds governing operation of such vehicle, with the serial or other identification numbers of such permits;

(4) A list of all the public liability insurance policies carried by the applicant with their serial or other identification numbers, the names of the insurance companies who issued them, and their expiration dates.

Upon receipt of such an application, the Airport Director may issue a permit authorizing the holder thereof to operate a taxicab or other passenger-carrying vehicle for hire on the airport. Such permits shall be revocable at any time in the sole discretion of the Airport Director.

§ 570.5 *Lost articles.* Any person finding lost articles shall deposit them at the office of the Airport Police Branch. Articles unclaimed within 60 days may be turned over to the finders thereof. Articles not claimed or turned over to the finders thereof shall be disposed of by the Airport Director.

## MOTOR VEHICLE RULES

§ 570.21 *General.* No person shall operate any motor vehicle on the airport otherwise than in accordance with the general rules prescribed by the Airport Director or other applicable laws for the control of such vehicles, except when given special instructions by authorized employees of the airport.

§ 570.22 *Motorized equipment.* No person shall operate any motor vehicle on the landing area, levee road, the ramp, or the trucking concourse located in the Terminal Building unless such motor vehicle has been inspected and approved by the Airport Director or his authorized agent. No motor vehicle may be operated on the landing area, levee road, the ramp, or in the trucking concourse of the Terminal Building except by persons possessed of a valid operator's permit issued by the Airport Director. The Airport Director shall have the authority to grant motor vehicle operator permits to such competent operators as he may deem necessary for the safe and efficient operation of the airport, such permit to be revocable at the will of the Airport Director. No person shall operate a two-wheeled motor vehicle on the landing area, levee road, or ramp.

§ 570.23 *Operator's certificate.* No person shall operate motorized equipment of any kind on the roadways of the airport unless possessed of a valid operator's license issued by some legal political jurisdiction or Government agency. No person shall operate motorized equipment of the CAA other than aircraft on the airport unless possessed of a valid CAA Operator's Certificate.

§ 570.24 *Speed.* No person shall operate a motor vehicle of any kind on the airport in a reckless manner or in excess of the speed limits prescribed by the Airport Director and indicated by posted traffic signs. Motor vehicles shall be so

operated as to be under safe control at all times, weather and traffic conditions considered. No person shall operate a motor vehicle of any kind on the apron of the airport at a speed in excess of 25 miles per hour. No person shall operate a motor vehicle of any kind in the trucking concourse located in the Terminal Building at a speed of more than 6 miles per hour.

§ 570.25 *Operation rules.* (a) Any person operating a vehicle traveling slowly on any road in the airport, when overtaken by a faster moving vehicle, and upon suitable signal from such overtaking vehicle, shall move to the right to allow safe passage.

(b) Pedestrians within pedestrian lane markings shall have the right-of-way over vehicular traffic.

(c) No person shall operate a vehicle following another vehicle on the airport closer than 15 feet to the preceding vehicle.

(d) No person shall sound a motor vehicle horn except as a warning signal.

(e) The driver of a vehicle intending to turn at an intersection shall do so as follows, unless a different method of turning is directed by buttons, markers, or signs at the intersection, in which event turns shall be made in accordance with the directions of such buttons, markers, or signs:

(1) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(2) Approach for a left turn from a two-way street into a two-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

(3) Approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

(4) Where both streets or roadways are one-way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.

(5) No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.

(6) No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

(f) No person operating a motor vehicle on the airport shall fail to give proper hand signals. The following signals shall be given by extending the hand and arm from the left side in the following manner:

(1) *Left turn.* The hand and arm shall be extended horizontally.

(2) *Right turn.* The hand and arm shall be extended upward.

(3) *Stop or decrease speed.* The hand and arm shall be extended downward: *Provided, however,* That in lieu of such hand signals, signals may be given by a signal lamp or a signal device which conveys an intelligible warning to another driver approaching from the front or rear.

(g) No person shall operate a motor vehicle on the airport contrary to the directions of posted traffic signs.

(h) No person under the influence of liquor or narcotic drugs shall operate a motor vehicle or aircraft of any kind on the airport.

(i) No person shall operate any motor vehicle on the airport overloaded or carrying more passengers than that for which the vehicles were designed. No person shall ride on the running board, stand up in the body of moving vehicles, or ride on the outside of the body of a vehicle or with arms or legs protruding from the body of motor vehicles.

§ 570.26 *Accident reports.* All persons involved in any accident, other than one involving an aircraft, occurring on the airport, shall make a full report thereof to the nearest airport police officer as soon after the accident as possible, which shall include their names and addresses.

§ 570.27 *Parking.* No person shall park a motor vehicle on the airport other than in the areas specifically established for parking and in the manner prescribed by the Airport Director. No person shall abandon any motor vehicle on the airport nor shall any person park a motor vehicle on the airport for a period in excess of seventy-two hours unless express approval for such parking is obtained from the Airport Director. No person shall park a motor vehicle in any space marked off for the parking of vehicles in such manner as to occupy part of another marked space. No person shall park any motor vehicle in excess of the time limit prescribed by the Airport Director for the particular parking area, nor shall any person park any motor vehicle in any restricted or reserved areas unless authorized by the Airport Director to do so. No person shall park a motor vehicle in a metered parking space without depositing in the parking meter controlling such parking space the required sum of money for the length of time stated on such meter, nor shall any person park a motor vehicle in an area requiring payment for parking thereon without paying the required parking fee. If at any time during which any person's motor vehicle shall be parked in a space controlled by a parking meter such parking meter shall indicate that there has been a violation, the owner or operator of such motor vehicle shall be deemed to be guilty of a violation of this regulation unless such owner or operator can show that the parking meter was not operating properly.

§ 570.28 *Motor vehicle lights.* All motor vehicles, except motorcycles, shall be equipped with two headlights and one or

more red tail lights, the headlights to be of sufficient brilliance to assure safety in driving at night, and all lights shall be kept lighted after sunset when the vehicle is on any roadway of the airport, and at all times when passing through unlighted tunnels. Operators of vehicles shall dim or lower the beams of headlights or other lights on such vehicles when meeting an oncoming vehicle.

§ 570.29 *Repair of motor vehicles.* No person shall clean or make any repairs to motor vehicles on the roadways or in the parking areas of the airport, unless authorized by the Airport Director, except those minor repairs necessary to remove such motor vehicle from the airport; nor shall any person move, interfere, or tamper with any motor vehicle, or put in motion the engine, or take, or use any motor vehicle part, instrument, or tool thereof, without the permission of the owner or satisfactory evidence of the right to do so duly presented to the Airport Director.

§ 570.30 *Busses.* No carrier by motor bus for hire shall load or unload passengers at the airport at any place other than that designated by the Airport Director.

§ 570.31 *Moving of vehicles.* The Airport Director or his duly authorized agent shall have the authority to tow or otherwise move motor vehicles which are parked by their owners or operators on the airport in violation of the regulations of the airport whenever the Airport Director or his agents determine that such motor vehicles so parked create a nuisance or a hazard. The Airport Director shall have the authority to make a reasonable charge against the owner or operator of such vehicle for such towing or moving service and the motor vehicle so towed or moved shall be subject to lien for such charge.

§ 570.32 *Motor vehicle license tags.* No person shall operate a motor vehicle on any airport roadway when such vehicle does not possess valid license tags issued by appropriate authority or unless such operation is approved by the Airport Director.

#### AIRCRAFT RULES

§ 570.41 *Radio contact.* (a) Radio contacts between pilots of aircraft and air-traffic control-tower operators shall be conducted in accordance with the procedures and by means of the phraseologies prescribed by the Administrator of Civil Aeronautics whenever practicable.

(b) Pilots of out-bound aircraft equipped with functioning two-way radio shall not taxi or take off without a control-tower clearance.

(c) Pilots of aircraft not equipped with functioning two-way radio shall not land, taxi, or take off without a clearance by radio or light signal: *Provided, however,* That this shall not prohibit sufficient movement of an outbound aircraft not equipped with a functioning transmitter to attract the attention of the control-tower operator.

§ 570.42 *Report of arrival.* Unless impracticable because of weather conditions or unless Air Traffic Control in-

structions preclude such action, pilots of in-bound aircraft equipped with functioning two-way radio shall report at or near a contact reporting point and as they enter the airport control zone.

§ 570.43 *Confinement of aircraft operations.* Aircraft operations shall be confined to hard surfaced areas. Taxi strips shall not be used for take-offs or landings.

§ 570.44 *Parking of aircraft.* No person shall park aircraft in any area on the airport other than that prescribed by the Airport Director or his authorized representative. No employee of the Civil Aeronautics Administration shall have the authority to make the Government responsible for the care or protection of any aircraft parked on the airport other than Government-owned aircraft.

§ 570.45 *Payment.* Payment for use of airport facilities, storage, repairs, supplies, or other service rendered by the airport shall be made before flight clearance will be granted unless satisfactory credit arrangements have been made with the Airport Director.

§ 570.46 *Disabled aircraft.* All disabled aircraft and parts thereof on the airport shall be either promptly repaired or removed from the airport by the owners unless required or directed to delay such action pending an investigation of an accident.

§ 570.47 *Accident reports.* Persons involved in aircraft accidents occurring on the airport shall make a full report thereof to the Airport Director as soon after an accident as possible, which shall include their names and addresses. When a written report of an accident is required by Part 62 of the Civil Air Regulations a copy of such report may be submitted to the Airport Director in lieu of the report required above.

§ 570.48 *Refusal of clearance.* The Airport Director may delay or restrict any flight or other operations at the airport and may refuse take-off clearance to any aircraft for any reason he believes justifiable.

§ 570.49 *Private pilot's license.* No pilots other than those possessed of at least a private pilot rating or the equivalent shall operate aircraft on the airport.

§ 570.50 *Registering of aircraft.* The pilots of all itinerant or other aircraft whose owners or lessees do not have a contract with the Government permitting such aircraft to use the airport shall register at the Operations Office located on the airport immediately after landing and shall report to the Operations Office prior to taking off.

§ 570.51 *Demonstrations.* No flight or ground demonstrations shall be conducted on the airport without the express approval of the Airport Director.

§ 570.52 *Fueling or defueling of aircraft.* No aircraft shall be fueled or defueled while passengers are on board the aircraft unless a passenger loading ramp is in place at the cabin door of the aircraft, the aircraft door is in open position and a cabin attendant is pres-

ent at or near the cabin door. No other persons shall be permitted within 100 feet of such aircraft during any such operations.

§ 570.53 *Aircraft equipment rules.* No aircraft shall be operated on the Washington National Airport unless it is equipped with two-way radio, tail or nose wheel, and wheel brakes, except with the permission of the control tower operator. When any pilot of an aircraft that is not equipped with adequate brakes receives permission from the control tower operator to taxi such aircraft such pilot shall not taxi such aircraft near buildings or parked aircraft unless an attendant is at the wing of the aircraft to assist the pilot: *Provided*, That an aircraft with wings and tail higher than five feet from the ground that does not have adequate brakes shall not be taxied on the airport, with or without the airport control tower operator's permission, but shall be towed if it is necessary to move such an aircraft.

§ 570.54 *Taxying rules.* (a) No person shall taxi an aircraft until he has ascertained that there will be no danger of collision with any person or object in the immediate area by visual inspection of the area and, when available, through information furnished by airport attendants.

(b) No aircraft shall be operated in a careless or reckless manner or taxied except at a safe and reasonable speed.

(c) Pilots shall not taxi onto or across runway in use until specifically cleared to do so by radio or visual signal.

(d) Aircraft shall be taxied in accordance with the prescribed taxying patterns when any particular runway is in use.

(e) No person shall start or run any engine in aircraft, unless a competent person is in the aircraft attending the engine controls. Blocks shall always be placed in front of the wheels before starting the engine or engines, unless the aircraft is provided with adequate parking brakes.

(f) No person shall run the engine or engines of an aircraft parked in front of the Terminal Building or in front of any hangar or at any location on the airport in such manner as to cause damage to other aircraft or property or in such manner as to blow paper, dirt or other materials across taxiways or runways in such manner as to endanger the safety of operations on the airport.

§ 570.55 *Landing and take-off rules.* (a) Landings and take-offs shall be made on the runway assigned, and in the direction given, by the Control Tower.

(b) No landing or take-off shall be made except at a safe distance from buildings and aircraft.

(c) Aircraft landing or taking off shall conform to the air traffic pattern as published jointly in the Airman's Guide by the Anacostia Naval Air Station, Bolling Field and the Washington National Airport.

§ 570.56 *Visual signal procedures.* Operators of aircraft using the airport shall operate such aircraft in conformity with visual signal procedures prescribed by the Administrator of Civil Aeronautics

in §§ 26.26-63 and 60.18-5 of the Civil Air Regulations.

#### RULES OF CONDUCT

§ 570.71 *Disorderly conduct.* No person shall be or become intoxicated or drunk, commit any disorderly, obscene or indecent act, or commit any act of nuisance on the airport.

§ 570.72 *Gambling.* No person shall engage in or conduct gambling in any form or operate gambling devices anywhere on the airport.

§ 570.73 *Sanitation.* (a) No person shall dispose of garbage, papers, or refuse or other material on the airport except in the receptacles provided for that purpose.

(b) No person shall use a comfort station other than in a clean and sanitary manner.

(c) No person shall eat food or drink beverages on the mezzanine balcony.

(d) No person shall expectorate or spit on the floors, walls, or other surfaces of any airport buildings.

§ 570.74 *Preservation of property.* No person shall without the express permission of the Airport Director: (a) Destroy, injure, deface or disturb in any way any building, sign, equipment, marker, or other structure, tree, flower, lawn or other public property on the airport; (b) walk on the lawns and seeded areas on the airport; (c) alter, make additions to, or erect, any building or make any excavations on the airport; or (d) wilfully abandon any personal property on the airport.

§ 570.75 *Airport and equipment.* No person shall interfere with, tamper with, or injure any part of the airport or any of the equipment thereof.

§ 570.76 *Weapons, explosives and inflammable material.* (a) No persons except peace officers, duly authorized post office, airport, and air carrier employees or members of the armed forces of the United States on official duty shall carry any weapons, explosives, or inflammable material on the airport without the written permission of the Airport Director.

§ 570.77 *Turnstiles.* No person shall pass through, over, or under, a turnstile located on the airport that requires the deposit of a coin for such privilege without depositing such coin in such turnstile.

§ 570.78 *False statements.* No person shall knowingly or wilfully make any false statement or report to the Airport Director or any airport policeman.

§ 570.79 *Interfering or tampering with aircraft.* No person shall interfere or tamper with any aircraft or put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments or tools, without permission of the owner.

§ 570.80 *Repairing of aircraft.* No person shall repair an aircraft, aircraft engine, propeller, or apparatus in any area of the airport other than that specifically designated for such purpose by the Airport Director except that minor adjustments may be made while the aircraft is on a loading ramp preparatory

to take-off when such adjustment is necessary to prevent a delayed departure.

§ 570.81 *Restricted areas.* No person shall enter any restricted areas posted as being closed to the public, except as may be permitted by these regulations, without the written permission of the Airport Director.

§ 570.82 *Particular areas.* No person shall enter upon the levee road, landing field, runways, taxi strips, ground floor of the Terminal Building, nor enter the Control Tower, mirador room, third floor offices of the Terminal Building, any hangar, or the apron of the airport except:

- (a) Persons assigned to duty therein;
- (b) Authorized representatives of the Administrator, or the Board;
- (c) Persons authorized by the Airport Director;
- (d) Passengers, under appropriate supervision, entering the apron for the purpose of embarkation and debarkation.

§ 570.83 *Observation terrace and balcony.* No person shall throw paper, cigars, cigarettes, bottles, or any other material from the Observation Terrace, Observation Balcony, or any other balcony in the Terminal Building.

§ 570.84 *Conduct of business or commercial activity.* No person shall engage in any business or commercial activity of any nature whatsoever on the airport except with the approval of the Administrator or Airport Director, and under such terms and conditions as may be prescribed.

§ 570.85 *Soliciting, sales.* (a) The soliciting of fares, alms, or funds for any purpose on the airport without the permission of the Airport Director is prohibited.

(b) No sale of any kind shall be made, nor admission fee charged, nor article exposed for sale on the airport by any person without permission from the Airport Director unless permitted by reason of contractual relations between such person and the United States Government.

§ 570.86 *Advertisements.* No person shall post, distribute, or display signs, advertisements, circulars, or any other printed or written matter at the airport except with the approval of the Airport Director and in such manner as he may prescribe unless permitted by reason of contractual relations between such person and the United States Government.

§ 570.87 *Commercial photography.* No person shall take still, motion, or sound pictures for commercial purposes on the airport without permission of the Administrator except that the following persons may take pictures for commercial purposes with permission of the Airport Director only:

- (a) Professional photographers and motion picture cameramen taking scenes of events in the airport as representatives of news concerns and bona fide news publications.
- (b) Professional photographers and motion picture cameramen taking scenes

of events in the airport, for nonprofit exhibits, for the purpose of stimulating general interest in air commerce or travel.

(c) Professional photographers and motion picture cameramen taking scenes of events in the airport for nonprofit educational purposes.

(d) Professional photographers taking scenes in the airport for general artistic purposes.

§ 570.88 *Use of roads and walks.* (a) No person shall travel on the airport other than on the roads, walks or places provided for the particular class of traffic.

(b) No person shall occupy the roads or walks in such manner as to hinder or obstruct their proper use.

(c) No person or persons shall walk in a picket line as a picket or take part in any labor or other public demonstration on any part of the airport except in those places which may be specifically assigned for use by such picket lines or other public demonstrations by the Airport Director.

(d) No person shall operate any type of vehicle for the disposal of garbage, ashes, or other waste material on the airport without the approval of the Airport Director.

§ 570.89 *Animals.* No person shall enter the Terminal Building or landing area of the airport with a dog or other animal except that seeing-eye dogs may be permitted in the Terminal Building for appropriate purposes, and where dogs are to be transported by air and are restrained by leash or properly confined. Dogs and other animals may be permitted in other areas of the airport if restrained by leash or confined in such manner as to be completely under control.

§ 570.90 *Loitering.* No person shall loiter or loaf on any part of the airport or in any building located on the airport.

§ 570.91 *Use of airport.* No person shall come upon or use the airport, except while traveling through as a passenger on an interstate bus or taxicab or while enplaning or deplaning as a passenger on an aircraft operating on the airport, after such person has been denied the use of the airport by the Airport Director or the Administrator.

#### FIRE HAZARDS

§ 570.101 *Cleaning of aircraft.* No person shall use inflammable volatile liquids having a flash point of less than 110 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, and appliances unless such cleaning operations are conducted in open air, or in a room specifically set aside for that purpose, which room must be properly fireproofed and equipped with adequate and readily accessible fire extinguishing apparatus.

§ 570.102 *Open-flame operations.* No person shall conduct any open-flame operations in any hangar, or on the airport grounds, or part thereof unless specifically authorized by the Airport Director.

§ 570.103 *Storage.* (a) No person shall store or stock material or equipment

on the airport in such manner as to constitute a fire hazard.

(b) No person shall keep or store any inflammable liquids, gases, signal flares or other similar material in the hangars or in any building on the airport: *Provided*, That such materials may be kept in an aircraft in the proper receptacles installed in the aircraft for such purpose, or in rooms or areas specifically approved for such storage by the Airport Director, or in Underwriter's approved safety cans.

(c) No person shall keep or store lubricating or waste oils in or about the hangars: *Provided*, That such material may be kept in rooms specifically designated for oil storage: *Provided, further*, That not more than a twelve-hour supply of lubricating oil may be kept in or about a hangar in containers or receptacles approved by insurance underwriters.

(d) Lessees of hangars shall provide suitable metal receptacles with self-closing covers for the storage of waste, rags, and other rubbish. All used waste and rags or other rubbish shall be removed by the lessees daily.

§ 570.104 *Smoking.* No person shall smoke on the airport apron, in any hangar or shop, or in any building, room, or place on the airport where smoking is specifically prohibited by the Airport Director.

§ 570.105 *Cleaning fluids.* No person shall use volatile inflammable substances having a flash point less than 110 degrees Fahrenheit for cleaning purposes in the hangars or in other buildings located on the airport.

§ 570.106 *Floor care.* All lessees on the airport shall keep the floors of the hangars and hangar and terminal apron pits and areas adjacent thereto, leased by them respectively, free and clear of oil, grease and other inflammable material.

§ 570.107 *Doping.* "Doping" processes shall be conducted only in properly designed, fireproofed and ventilated rooms or buildings in which all illumination, wiring, heating, ventilation equipment, switches, outlets, and fixtures shall be explosionproof, sparkproof, and vaporproof, and all windows and doors shall open easily. No person shall enter or work in a "dope" room while "doping" processes are being conducted unless such person wears sparkproof shoes.

§ 570.108 *Fueling operations.* The following rules govern the fueling and defueling of aircraft:

(a) No aircraft shall be fueled or defueled while the engine is running, or being warmed by applications of exterior heat, or while such aircraft is in a hangar or enclosed space.

(b) No person shall smoke within 100 feet of an aircraft being fueled or defueled.

(c) No person shall operate any radio transmitter or receiver, or switch electrical appliances off or on in an aircraft during fueling or defueling.

(d) During refueling the aircraft and the fueling dispensing apparatus shall both be grounded to a point or points of zero electrical potential.

(e) Persons engaged in the fueling and defueling of aircraft shall exercise care to prevent overflow of fuel.

(f) No person shall use any material during fueling or defueling of aircraft which is likely to cause a spark or be a source of ignition.

(g) Adequate fire extinguishers shall be within ready reach of all persons engaged in fueling or defueling operations.

(h) No person shall start the engine of any aircraft when there is any gasoline on the ground under such aircraft.

(i) Fueling hoses and defueling equipment shall be maintained in a safe, sound, and non-leaking condition.

(j) All hoses, funnels, and appurtenances used in fueling and defueling operations shall be equipped with a grounding device to prevent ignition of volatile liquids.

(k) All fueling and defueling of aircraft shall be conducted at least 50 feet from any hangar or other building.

§ 570.109 *Radio operation.* No person shall operate any radio equipment in any aircraft when such aircraft is in a hangar during the time any maintenance other than radio maintenance is being performed on the aircraft.

§ 570.110 *Motor vehicle operation in hangar.* No person shall operate a motor scooter, truck, or other motor vehicle, other than tractors with exhausts protected by screens or baffles to prevent the escape of sparks or the propagation of flame, in any hangar on the airport.

#### OBLIGATIONS OF TENANTS

§ 570.121 *Trash containers.* No tenant, lessee, concessionaire, or the agent or agents of any such person or persons, doing business on the airport, shall keep uncovered trash containers on sidewalks, roadways, or in public areas. All vehicles hauling trash shall be covered. No vehicle used for hauling trash, dirt or any other materials shall be operated on the airport unless such vehicle is constructed so as to prevent the contents thereof from dropping, sifting, leaking, or otherwise escaping therefrom. No person shall spill dirt or any other materials from vehicles operated on the airport.

§ 570.122 *Signs and bulletin boards.* The lessees of hangars shall maintain a bulletin board in a conspicuous place for the purpose of posting any and all notices issued by the Administrator and his representatives.

§ 570.123 *Workmen's compensation.* The lessees of hangars shall post on the bulletin board workmen's compensation notices, lists of competent physicians, and names of liability insurance carriers.

§ 570.124 *Storage of equipment.* No tenant or lessee of any hangar or shop facility on the airport shall store or stack material or equipment in such a manner as to constitute a hazard to personnel or property. No person shall park an aircraft in a hangar unless such aircraft is properly grounded.

§ 570.125 *Fire apparatus.* All tenants or lessees of hangars or shop facilities shall supply and maintain such adequate

and readily accessible fire extinguishers as are approved by fire underwriters for the particular hazard involved as may be deemed necessary by the Airport Director.

§ 570.126 *Discrimination or segregation.* In the operation of all facilities of the Washington National Airport, services shall be rendered without discrimination or segregation as to race, color, or creed.

#### ENFORCEMENT OF RULES

§ 570.131 *Penalties.* (a) Any person who knowingly and wilfully violates any rule or regulation prescribed in this part, or any order or instruction issued by the Airport Director authorized herein, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500, or imprisoned not more than six months, or both.

(b) In addition to the penalties prescribed in paragraph (a) of this section the Airport Director may remove or eject from the airport premises any person who knowingly and wilfully violates any rule or regulation prescribed in this part, or any order or instruction issued by the Airport Director authorized herein, and the Airport Director may deny the use of the airport and its facilities to any such person if he determines that such denial is necessary under the circumstances.

These rules shall become effective upon publication in the **FEDERAL REGISTER**.

DONALD W. NYROP,  
Acting Administrator  
of Civil Aeronautics.

[F. R. Doc. 49-8225; Filed, Oct. 13, 1949;  
8:46 a. m.]

#### PART 571—AERONAUTICAL RULES FOR WASHINGTON NATIONAL AIRPORT

##### REVOCATION

Part 571 is hereby revoked. It is superseded by revised Part 570 of this chapter, published herewith (*supra*).

(Sec. 2, 54 Stat. 688; 2 D. C. Code 1602)

DONALD W. NYROP,  
Acting Administrator  
of Civil Aeronautics.

[F. R. Doc. 49-8226; Filed, Oct. 13, 1949;  
8:46 a. m.]

### TITLE 15—COMMERCE AND FOREIGN TRADE

#### Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

##### Subchapter C—Office of International Trade

[4th Gen. Rev. of Export Regs., Amdt. 48]

#### PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

#### PART 373—LICENSING POLICIES AND RE- LATED SPECIAL PROVISIONS

##### EXPORT QUOTAS

1. Section 372.9 *Commodity quotas and time for submission of license applications* is amended to read as follows:

#### § 372.9 *Commodity quotas and time for submission of license applications—*

(a) *Types of export quotas.* Export quotas for all commodities on the Positive List of Commodities are established for particular periods, usually calendar quarters or fiscal years. Export quotas are of two general types: quantitative and nonquantitative.

(1) *Quantitative quotas.* A quantitative quota is a quota which establishes the maximum quantity of a particular commodity for which export licenses may be granted by the Department of Commerce during a specific period (usually a calendar quarter or a fiscal year).

NOTE: Where a quantitative quota is insufficient to meet the requirements of the importing countries and special projects abroad of vital interest to the United States, the quota may be divided so as to allocate a specific quantity to each of these requirements. When the amount available for commercial export is heavily oversubscribed, a further break-down of this quantity may be made by establishing quotas for the various importing countries. Those allocations by country are called country quotas.

(2) *Nonquantitative quotas.* Nonquantitative quotas are quotas for which no specific quantitative ceilings have been established. Licenses to export commodities subject to nonquantitative quotas will be granted in accordance with the national interest of the United States, the requirements of the importing countries, and applicable export regulations. The question of supply will not ordinarily be a major factor in consideration of applications for licenses to export such commodities, unless quantities specified on individual applications are excessive.

(b) *Announcement of export quotas.* With the exception of export quotas for food and agricultural products, which are announced by the U. S. Department of Agriculture upon approval of the Department of Commerce, all quantitative export quotas for particular periods are announced in Current Export Bulletins.

(c) *Shipment against quarterly export quotas.* Licenses issued against quantitative export quotas generally authorize export of the commodities described only after the beginning of the calendar quarter or other period to which the export quotas apply.

(d) *Time for submission of license applications.* Specific filing dates are established for applications covering certain Positive List commodities licensed against quantitative quotas which are oversubscribed. Applications covering such commodities, specified in the following table, shall be submitted at such times or during such periods as therein provided.

Applications for licenses to export commodities not listed in the table may be submitted at any time.



TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR THE EXPORTATION OF CERTAIN COMMODITIES, FOURTH QUARTER, 1949

Schedule B No.	Commodity	Fourth quarter, 1949
<i>Hides and skins, raw, except furs</i>		
020602	Calf skins, dry.....	Licensed on monthly basis, applications to be submitted during the first 10 days of the current month. <sup>1</sup>
020604	Calf skins, wet.....	
020702	Kip skins, dry.....	
020704	Kip skins, wet.....	
<i>Steel mill products</i>		
603350-603490	Galvanized iron and steel sheets, except reject <sup>1</sup> .....	Aug. 15 to Aug. 31. <sup>2</sup>
<i>Nonferrous ores, metals, and alloys</i>		
666507	Tin metal in ingots, pigs, bars, blocks, slabs, and other forms.....	Sept. 1 to Sept. 20.
664915	Cadmium metals (include metallic shapes).....	

<sup>1</sup> Applications covering calf and kip skins, dry, imported, filed in accordance with the provisions of §373.10 (a) (2) of this chapter, may be submitted at any time.  
<sup>2</sup> Applications must show the total weight of sheets proposed for export under each Schedule B classification in (1) 17 gauge and heavier and (2) 18 gauge and lighter. (See §373.25 of this chapter.)  
<sup>3</sup> Applications covering reject grades, filed in accordance with the provisions of §373.25 of this chapter, may be submitted at any time

2. Section 373.10 *Special provisions for calf and kip skins* is amended in the following particulars:

In paragraph (a) *Export quotas*, subparagraph (2) is amended by changing the headnote *Open-end (nonquantitative) quotas* to read *Nonquantitative quotas*.

(63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

This amendment shall become effective September 30, 1949.

LORING K. MACY,  
 Assistant Director,  
 Office of International Trade.

[F. R. Doc. 49-8240; Filed, Oct. 13, 1949; 8:48 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52322]

PART 54—CERTAIN IMPORTATIONS FREE OF DUTY DURING THE WAR

GIFTS FROM MEMBERS OF U. S. ARMED FORCES ON DUTY ABROAD

Public Law 241, approved August 17, 1949, amending Public Law 790, approved December 5, 1942, as amended by Public Law 384, approved August 8, 1947, relating to the free entry of bona fide gifts from a member of the armed forces of the United States on duty outside the continental limits of the United States.

Public Law 241, 81st Congress, approved August 17, 1949, extending for 2 years the existing privilege of free importation of gifts from members of the armed forces of the United States on duty abroad, is published for your information and guidance:

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That section 2 of the Act of December 5, 1942, entitled "An Act to accord free entry to bona fide gifts from members of the armed forces of the United States on duty abroad," as amended (U. S. C., 1946 edition, Supp. I, title 50, App., sec. 847), is hereby amended by striking out "July 1,

1949" and inserting in lieu thereof "July 1, 1951."

As Public Law 241, 81st Congress, extends Public Law 790, 77th Congress, as amended by Public Law 384, 80th Congress, until the close of business June 30, 1951, the regulations promulgated in 19 CFR 54.3 (T. Ds. 50785, 50869, 51737, and 51870) are hereby revived and extended until that time, and 19 CFR 54.3 is amended by adding "as amended" after "56 Stat. 1041" in paragraph (a) and by substituting "July 1, 1951" for "July 1, 1949" in paragraph (f).

(Secs. 498, 624, 46 Stat. 728, 759, 56 Stat. 1041, as amended; 19 U. S. C. 1498, 1624, 50 U. S. C. App. Sup. 846, 847)

[SEAL] FRANK DOW,  
 Commissioner of Customs.

Approved: October 6, 1949.

JOHN S. GRAHAM,  
 Acting Secretary of the Treasury.

[F. R. Doc. 49-8242; Filed, Oct. 13, 1949; 8:49 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, and Pub. Law 164, 81st Cong.; 21 U. S. C. 357) the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (12 F. R. 2215; 14 F. R. 5006) and certification of antibiotic and antibiotic-containing drugs (12 F. R. 2231; 13 F. R. 5566; 14 F. R. 5006) are amended as indicated below:

1. Part 141 is amended by adding the following new section:

§ 141.36 *Penicillin-streptomycin bougies, penicillin-dihydrostreptomycin bougies*—(a) *Potency*—(1) *Penicillin content*. Proceed as directed in § 141.9 (a), except the last sentence of that paragraph. Its content of penicillin is satisfactory if it contains not less than 85 percent of the number of units that it is represented to contain.

(2) *Streptomycin content*. Using twelve bougies, proceed as directed in § 141.101, except paragraph (k) of that section, and in addition to the directions for the preparation of the sample in paragraph (e) of § 141.101, add sufficient penicillinase to the solution under test to completely inactivate the penicillin present. Its content of streptomycin is satisfactory if it contains not less than 85 percent of the number of milligrams that it is represented to contain.

(3) *Dihydrostreptomycin content*. Using the dihydrostreptomycin working standard as a standard of comparison and using twelve bougies, proceed as directed in § 141.101 (j), except that in addition to the directions for the preparation of the sample in subparagraph (3) of that paragraph add sufficient penicillinase to the solution under test to completely inactivate the penicillin present. Its content of dihydrostreptomycin is satisfactory if it contains not less than 85 percent of the number of milligrams it is represented to contain.

(b) *Moisture*. Proceed as directed in § 141.22 (b).

(c) *Microorganism count*. Proceed as directed in § 141.109 (c). In the case of penicillin-dihydrostreptomycin bougies, this method will demonstrate only those organisms not susceptible to dihydrostreptomycin.

2. Section 141.301 *Chloramphenicol* is amended by deleting paragraph (f) and by renumbering paragraphs (g), (h), (i), (j), and (k) as "(f)," "(g)," "(h)," "(i)," and "(j)," respectively.

3. Section 141.302 *Chloramphenicol capsules* is amended by deleting paragraph (b).

4. In § 146.35 *Penicillin sulfonamide powder*, subparagraph (1) of paragraph (e) *Fees* is amended by changing "\$2.00" to "\$1.00."

5. In § 146.40 *Penicillin bougies*, subparagraph (1) of paragraph (e) *Fees* is amended by changing "\$2.00" to "\$1.00."

6. Part 146 is amended by adding the following new section:

§ 146.55 *Penicillin-streptomycin bougies, penicillin-dihydrostreptomycin bougies*. (a) Penicillin-streptomycin bougies and penicillin-dihydrostreptomycin bougies conform to all requirements prescribed by § 146.40 for penicillin bougies and are subject to all procedures prescribed by § 146.40 for penicillin bougies, except that:

(1) Each bougie contains not less than 25 mg. of streptomycin or dihydrostreptomycin.

(2) In lieu of the directions prescribed for penicillin bougies by § 146.40 (c) (1) (ii), each package shall bear on the outside wrapper or container and the immediate container the number of units of penicillin and the number of milligrams of streptomycin or dihydrostreptomycin in each bougie.

## RULES AND REGULATIONS

## TITLE 24—HOUSING AND HOUSING CREDIT

## Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 178]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., 176]

## PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

## CERTAIN STATES

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. Schedule A, Item 90, is amended to describe the counties in the Defense-Rental Area as follows:

In Adams County, the Townships of Ellington, Melrose and Riverside.

This decontrols the entire Quincy, Illinois, Defense-Rental Area, except the Townships of Ellington, Melrose and Riverside, in Adams County, Illinois.

2. In Schedule A, all of Item 109, which relates to Parke County, Indiana, is deleted.

This decontrols Parke County, Indiana, a portion of the Terre Haute, Indiana, Defense-Rental Area, and leaves under control Vigo County, Indiana, as the Terre Haute, Indiana, Defense-Rental Area.

3. Schedule A, Item 112, is amended to describe the counties in the Defense-Rental Area as follows:

In the County of Des Moines, the City of Burlington and the Townships of Burlington, Concordia, Flint River and Danville; and in the County of Lee, the Townships of Denmark, Green Bay, Madison and Washington.

County of Lee other than the Townships of Denmark, Green Bay, Madison and Washington.

This decontrols all Des Moines County, Iowa, except the City of Burlington, and the Townships of Burlington, Concordia, Flint River, and Danville, portions of the Burlington, Iowa, Defense-Rental Area.

4. Schedule A, Item 114a, is amended to describe the counties in the Defense-Rental Area as follows:

In Wapello County, the City of Ottumwa.

This decontrols the entire Ottumwa, Iowa, Defense-Rental Area, except the City of Ottumwa, Iowa.

5. Schedule A, Item 231a, is amended to describe the counties in the Defense-Rental Area as follows:

In Fairfield County, the City of Lancaster.

This decontrols the entire Lancaster, Ohio, Defense-Rental Area, except the City of Lancaster, Ohio.

6. Schedule A, Item 238, is amended to describe the counties in the Defense-Rental Area as follows:

Erie and Ottawa Counties, except those islands in Lake Erie which are part of Erie and Ottawa Counties.

This decontrols Sandusky County, Ohio, a portion of the Sandusky-Port Clinton, Ohio, Defense-Rental Area.

7. Schedule A, Item 239, is amended to describe the counties in the Defense-Rental Area as follows:

In Shelby County, Clinton Township.

This decontrols the entire Sidney, Ohio, Defense-Rental Area, except Clinton Township, in Shelby County, Ohio.

8. Schedule A, Item 337c, is amended to describe the counties in the Defense-Rental Area as follows:

Washington.

This decontrols Caledonia County, Vermont, a portion of the Montpelier, Vermont, Defense-Rental Area.

9. Schedule A, Item 356, is amended to describe the counties in the Defense-Rental Area as follows:

Cabell and Wayne.

In Lawrence County, the Townships of Upper, Perry, Fayette, Union and Hamilton. Boyd and Greenup.

This decontrols all Lawrence County, Ohio, except the Townships of Upper, Perry, Fayette, Union and Hamilton, portions of the Huntington, West Virginia, Defense-Rental Area.

10. Schedule A, Item 357a, is amended to describe the counties in the Defense-Rental Area as follows:

In Wood County, the District of Parkersburg.

In Washington County, the Townships of Belpre, Marletta and Muskingum.

This decontrols all Wood County, West Virginia, except the District of Parkersburg, a portion of the Parkersburg, West Virginia, Defense-Rental Area.

11. Schedule A, Item 358, is amended to describe the counties in the Defense-Rental Area as follows:

Jackson.

In the County of Gallia, the Townships of Addison, Gallipolis and Green.

This decontrols Meigs County, Ohio, a portion of the Point Pleasant-Gallipolis, West Virginia, Defense-Rental Area.

All decontrols effected by this amendment are on the Housing Expediter's own initiative, in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended, 62 Stat. 37, 94, Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d))

This amendment shall become effective October 12, 1949.

Issued this 11th day of October 1949.

J. WALTER WHITE,  
Acting Housing Expediter.

[F. R. Doc. 49-8244; Filed, Oct. 13, 1949; 8:49 a. m.]

## TITLE 49—TRANSPORTATION

## Chapter I—Interstate Commerce Commission

[Docket No. 3666]

## PARTS 71-77—TRANSPORTATION OF EXPLOSIVES

## MISCELLANEOUS AMENDMENTS

In the matter of regulations for transportation of explosives and other dangerous articles.

At a session of the Interstate Commerce Commission, Division 3, held at

(3) In addition to complying with the requirements of § 146.40 (d), a person who requests certification of a batch of penicillin-streptomycin bougies or penicillin-dihydrostreptomycin bougies shall submit with his request a statement showing the batch mark and (unless it was previously submitted) the results and the date of the latest tests and assays of the streptomycin or dihydrostreptomycin used in making the batch for potency, toxicity, moisture, pH, and its streptomycin content if it is dihydrostreptomycin; the number of units of penicillin and the number of milligrams of streptomycin or dihydrostreptomycin in each bougie of the batch. He shall also submit in connection with his request a sample consisting of not less than thirty bougies and (unless it was previously submitted) a sample consisting of five packages containing approximately equal portions of not less than 0.5 gm. each of the streptomycin or dihydrostreptomycin used in making the batch, packaged in accordance with the requirements of § 146.101 (b).

(b) The fee for the services rendered with respect to each immediate container in the sample of streptomycin or dihydrostreptomycin submitted in accordance with the requirements prescribed by this section shall be \$4.00.

7. In § 146.301 *Chloramphenicol*, paragraph (a) *Standards of identity, etc.*, is amended by deleting subparagraph (6) and by renumbering subparagraphs (7), (8), (9), and (10) as "(6)," "(7)," "(8)," and "(9)," respectively.

8. In § 146.302 *Chloramphenicol capsules*, paragraph (a) *Standards of identity, etc.*, is amended by deleting the third sentence.

This order, which provides tests and methods of assay and for certification of penicillin-streptomycin bougies and penicillin-dihydrostreptomycin bougies; for deleting the moisture requirements for chloramphenicol and chloramphenicol capsules; for decreasing the fees for certification of penicillin-sulfonamide powder and penicillin bougies, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industries will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and would be contrary to public interest, and I so find, since it was drawn in collaboration with interested members of the affected industries and since it would be against public interest to delay the marketing of penicillin-streptomycin bougies and penicillin-dihydrostreptomycin bougies; not to delete the moisture requirements for chloramphenicol and chloramphenicol capsules; and not to decrease the fees for certification of penicillin-sulfonamide powder and penicillin bougies.

(Sec. 701 (a), 52 Stat. 1055; 21 U. S. C. 371 (a). Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. and Sup., 357)

Dated: October 10, 1949.

[SEAL] JOHN L. THURSTON,  
Acting Administrator.

[F. R. Doc. 49-8236; Filed, Oct. 13, 1949; 8:48 a. m.]

its office in Washington, D. C., on the 21st day of September A. D. 1949.

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

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

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

**PART 71—GENERAL INFORMATION AND REGULATIONS**

In § 71.8 *Definitions* (formerly sec. H. *Definitions*, order August 16, 1940), is amended by adding paragraph (g) as follows:

(g) The term "portable tank" means any tank designed primarily to be temporarily attached to a motor vehicle, other vehicle, railroad car other than a

tank car, or vessel, and equipped with skids, mountings or accessories to facilitate handling of the tank by mechanical means.

**PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71-77**

The following amendments are made to § 72.5 (formerly part of sec. 4, List of Explosives and Other Dangerous Articles, orders August 16, 1940, January 25, 1945, August 18, 1946, and July 22, 1948).

§ 72.5 *List of explosives and other dangerous articles.* \* \* \*

Article	Classed as—	Exemptions and packing (section references are to Part 73 (formerly Part 3))	Label required if not exempt	Maximum quantity in one outside container by rail express
<i>Additions</i>				
Anisoyl chloride.....	Cor. L.....	244,279.....	White.....	1 quart.
Bromine pentafluoride.....	Cor. L.....	No exemptions 252C.....	do.....	1 pound.
<i>Smoke signals, See Fireworks</i>				
Sulfur hexafluoride.....	Noninf. G.....	302,303.....	Green.....	300 pounds.
<i>Changes</i>				
Case oil, <i>See Gasoline, *Naphtha.</i>				
*Chlorobenzene, <i>See *Chlorobenzol.</i>				
*Chlorobenzol, <i>See *Chlorobenzol.</i>				
*Chlorobenzene, <i>See *Chlorobenzol.</i>				
Copper acetoarsenite, solid ( <i>emerald green, imperial green, Kings green, moss green, meadow green, mitis green, parrot green, Vienna green.</i> )	Pois. B.....	352,354.....	Poison.....	200 pounds.
Copper arsenite, solid ( <i>Scheele's green, cupric green, copper arthoarsenite, mineral green, Swedish green.</i> )	do.....	352,361.....	do.....	Do.
*Driers, paint, varnish, enamel, etc., <i>See *Paint driers, liquid.</i>				
Film, <i>motion-picture and toy pieces of, See Motion-picture film, toy and motion-picture film scrap.</i>				
Initiating explosive.....	Expl. A.....	No exemption 62.....		Not accepted.
Diazodinitrophenol.....		No exemption 62 (g).....		
Fulminate of mercury.....		No exemption 62 (h).....		
Guanyl nitrosamino guanylidene hydrazine.....		No exemption 62 (i).....		
Lead azide, <i>dextrinated type only</i> .....		No exemption 62 (j).....		
Lead styphnate ( <i>lead trinitroresorcinate</i> ).....		No exemption 62 (k).....		
Nitro mannite.....		No exemption 62 (l).....		
Nitrosoguanidine.....		No exemption 62 (m).....		
Pentaerythrite tetranitrate.....		No exemption 62 (n).....		
Tetrazene ( <i>guanyl nitrosamino guanyl tetrazene</i> ).....		No exemption 62 (o).....		
*Lacquer base, or lacquer chips, dry.....	Inf. S.....	153,175.....	Yellow.....	100 pounds.
Lacquer base or lacquer chips, plastic (wet with alcohol or solvent).....	Inf. L.....	103,112.....	Red.....	25 pounds.
*Lead azide, <i>dextrinated type only, See Initiating explosive.</i>				
Liquids other than those classified as inflammable, corrosive, or poisonous charged with nitrogen, carbon dioxide, or air.....	Noninf. G.....	302, 303.....	Green.....	30 pounds.
Liquefied noninflammable gases charged with nitrogen, carbon dioxide, or air.....	do.....	302, 303.....	do.....	Do.
Mine rescue equipment.....	See sec. 302 (e) and 703 (d).			
Mixtures or solutions of liquefied noninflammable gases and liquids other than those classified as inflammable, corrosive, or poisonous charged with nitrogen, carbon dioxide or air.....	Noninf. G.....	302, 303.....	do.....	Do.
Paint driers, liquid.....	Inf. L.....	103, 113.....	Red.....	55 gallons.
*Paint, enamel, lacquer stain, shellac, varnish, aluminum, bronze, gold, wood filler, liquid, and lacquer base liquid.....	do.....	103, 113.....	do.....	Do.
Paris green, solid.....	Pois. B.....	352, 354.....	Poison.....	200 pounds.
Phosphorus oxychloride.....	Cor. L.....	No exemption 271.....	White.....	1 quart.
Phosphorus trichloride.....	do.....	do.....	do.....	Do.
Plerate of ammonia. <i>See High explosives.</i>				
Rough ammoniate tankages.....	Inf. S.....	No exemption 154 (11).....	Yellow.....	Not accepted.
*Rubber shoddy, regenerated rubber, or reclaimed rubber.....	do.....	153, 203.....	do.....	10 pounds.
Smokeless powder for small arms in quantity exceeding 50 pounds, net weight.....	Expl. A.....	No exemption 61 (k), 65.....		Not accepted.
Thiophosphoryl chloride.....	Cor. L.....	No exemption 271.....	White.....	1 quart.
*Varnish driers. <i>See *Paint driers, liquid.</i>				
<i>Cancel</i>				
Carbon dioxide syphon bulbs.....	Noninf. G.....	302.....		No limit.

**PART 73—REGULATIONS APPLYING TO SHIPPERS**

1. Section 73.16 (formerly sec. 16, order August 16, 1940), is amended to read as follows:

§ 73.16 *U. S. Government shipments.* Shipments of explosives or other dangerous articles offered by or consigned to the Departments of the Army, Navy, and Air Force of the United States Government must be packed, including limitations of weight, in accordance with these regulations or as required by their regulations.

2. In § 73.16 note (formerly sec. 16, note, order June 29, 1945), is canceled.

**SUBPART B—EXPLOSIVES, PACKING AND MARKING**

3. In § 73.61 paragraph (b) (4) (formerly sec. 61, par. (b) (4), order April 13, 1943), is amended to read as follows:

(4) Before cartridges or bags of explosives are packed in boxes, lined in accordance with subparagraph (3) of this paragraph, dry fine wood pulp or sawdust at least 1/4 inch in depth must be spread over the bottom of boxes to be used for all gelatin explosives. Dry fine wood pulp or sawdust must also be used in similar manner for packing all nongelatinous types of explosives containing 30

percent or more liquid explosive ingredient.

4. In § 73.61 paragraph (c) (1) (iii) formerly sec. 61, par. (c) (1) (c), order March 26, 1945), is amended to read as follows:

(iii) Cartridges not exceeding 12 inches in diameter or 50 pounds in weight, with length not to exceed 36 inches. Gross weight of wooden boxes not to exceed 75 pounds. Gross weight of fiberboard boxes not to exceed 65 pounds.

5. In § 73.61 paragraph (c) (4) (iii) (formerly sec. 61, par. (c) (4) (c), order

September 7, 1944) is amended to read as follows:

(iii) Cartridges not exceeding 12 inches in diameter or 50 pounds in weight, with length not to exceed 36 inches. Bags not exceeding 12½ pounds each packed with filling holes up. Gross weight of wooden boxes not to exceed 75 pounds. Gross weight of fiberboard boxes not to exceed 65 pounds.

6. In § 73.61 (formerly sec. 61, order August 16, 1940), is amended by adding paragraph (k) as follows:

(k) Smokeless powder for small arms in quantity exceeding 50 pounds, net weight, must be packed and marked as required by § 73.65.

7. In § 73.62 paragraph (j) (2) (formerly sec. 62 par. (j) (2), order August 16, 1940), is amended to read as follows:

(2) *Packing and weight.* Lead azide, of the dextrinated type only, must be packed with not less than 20 percent by weight of water. The packing and weight must be the same as that described in paragraph (h) (3) to (5) of this section for fulminate of mercury.

8. In § 73.72 note to paragraph (b) (2) (formerly sec. 72, note to par. (b) (2), order December 30, 1942), is canceled.

SUBPART C—INFLAMMABLE (FLAMMABLE)  
LIQUIDS

9. Section 73.103 (formerly sec. 103, order July 22, 1948), is amended to read as follows:

§ 73.103 (a) Inflammable liquids, except those enumerated in paragraph (c) of this section, in inside glass or earthenware containers having a capacity not over 1 pint or 16 ounces by weight each, or inside metal containers not over 1 quart capacity each, packed in strong outside containers, except as otherwise provided, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(b) Inflammable liquids, except those enumerated in paragraph (c) of this section, in inside containers having a capacity not over 1 pint or 16 ounces by weight each, packed in strong outside containers, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(c) The following articles in any quantity are not exempt from any of the provisions of the regulations in Parts 71-77:

- (1) Carbon bisulfide (disulfide).
- (2) Ethyl chloride.
- (3) Ethylene oxide.
- (4) Lithium aluminum hydride (ethereal).

(5) Inflammable liquids which are also corrosive liquids or oxidizing materials under these regulations.

- (6) Nickel carbonyl.
- (7) Ethyl trichlorosilane.
- (8) Trichlorosilane.
- (9) Spirits of nitroglycerin in excess of one percent by weight.
- (10) Zinc ethyl.

10. In § 73.110 paragraph (b) (7) (formerly sec. 110, par. (b) (7), order March 31, 1941), is amended to read as follows:

(7) *Spec. 12E.* Fiberboard box with 1 or 2 rectangular metal inside containers of not over 5 gallons capacity each.

11. Section 73.110A (formerly sec. 110A, order April 19, 1948), is amended to read as follows:

§ 73.110A *Lithium aluminum hydride, ethereal.* (a) Lithium aluminum hydride, ethereal, must be packed in specification containers as follows:

(1) *Spec. 15A:* Wooden boxes with inside glass or earthenware containers not over 1 quart each enclosed in air tight metal cans and cushioned with sufficient incombustible cushioning material to completely absorb contents in event of breakage.

(2) *Spec. 6A, 6B, 6C, or 17H (single-trip):* Metal barrels or drums with not more than one inside glass container not exceeding 2 gallons capacity. The inside container must be completely cushioned in sufficient incombustible cushioning material to completely absorb the contents in event of breakage.

(3) Specification cylinders as prescribed for any compressed gas except acetylene. Valves or fittings must be protected from injury by a cap or equally efficient device.

SUBPART D—INFLAMMABLE SOLIDS AND  
OXIDIZING MATERIALS

12. In § 73.182 paragraphs (b), (c), (d) (formerly sec. 182, pars. (b), (c), (d), orders August 16, 1940, August 21, 1947), is amended to read as follows:

(b) (1) In bulk or in bags in clean closed cars which shall be free of loose boards, cracks, holes, or exposed decayed spots. Interior of cars must be swept clean and free of any projections capable of injuring bags. Doors of cars must have tight closure. Journals and boxes must be in good condition. Ammonium nitrate, ammonium nitrate fertilizer, or guanidine nitrate must not be shipped in all metal cars.

(2) In bags in closed or open type motor vehicles which must be swept clean and free of any projections capable of injuring bags. Ammonium nitrate, ammonium nitrate fertilizer, or guanidine nitrate must not be shipped in all metal motor vehicles of the closed type. Nitrates, including ammonium nitrate, ammonium nitrate fertilizer, or guanidine nitrate when transported in open type motor vehicles shall be suitably covered.

(c) In bulk or in bags on freight vessels subject to the Regulations for Explosives or Other Dangerous Articles on Board Vessels prescribed by the Commandant United States Coast Guard.

(d) In containers as prescribed in § 73.183.

NOTE: Nitrates of soda in bulk (not in containers) in cars, and in bags may be shipped in the same car.

13. Section 73.183 (formerly sec. 183, order October 27, 1947), is amended to read as follows:

§ 73.183 *Exemptions for nitrates.* (a) Nitrate of aluminum, nitrate of barium, nitrate of lead, nitrate of potash, nitrate of soda, nitrate of strontia, nitro carbon nitrate, nitrate of ammonia, nitrate of ammonia fertilizer, calcium nitrate and guanidine nitrate are exempt from specification packaging and labeling requirements for transportation by rail freight, rail express, highway and by carrier by water when packed as follows:

(1) In metal cans, glass bottles, or other inside containers in outside fiberboard or wooden boxes; in kegs or barrels; in metal cans; in metal drums or fiber drums; calcium nitrate or nitrate of soda in bags not exceeding 200 pounds net weight, moisture proof, made tight against sifting and of strength not less than bags made of 8-ounce burlap.

(b) Ammonium nitrate, ammonium nitrate fertilizer, and guanidine nitrate in bags not exceeding 200 pounds net weight, moisture proof, made tight against sifting and of strength not less than bags made of 8-ounce burlap are exempt from specification packaging requirements for transportation by rail freight, rail express, highway and by carrier by water.

SUBPART E—ACIDS AND OTHER CORROSIVE  
LIQUIDS

14. In § 73.241 paragraph (g) (formerly sec. 241, par. (g), order October 14, 1943), is amended to read as follows:

(g) No cargo tank or portable tank or compartment thereof used for the transportation of any corrosive liquid shall be completely filled; sufficient space, not to exceed 2 percent, shall be left vacant in every case.

15. In § 73.247 paragraph (j) (formerly sec. 247, par. (j), order February 13, 1946), is amended to read as follows:

(j) *Spec. 5K.* Nickel drums, authorized for acetyl chloride, benzyl chloride, benzoyl chloride, pyro sulfur chloride and thionyl chloride only. When shipped in unstabilized condition, the lading must be anhydrous and must be free from impurities such as iron.

16. Section 73.247 (formerly sec. 247, order August 16, 1940), is amended by adding paragraph (l), as follows:

(l) *Spec. 60: Portable tanks.* Benzyl chloride must be stabilized when loaded in unlined tanks.

17. Section 73.248 (formerly sec. 248, order August 16, 1940), is amended by adding paragraph (g), as follows:

(g) *Spec. 60.* Portable tanks.

18. Section 73.249 (formerly sec. 249, order August 16, 1940), is amended by adding paragraphs (e) (2), (e) (3), (k), and (l), as follows:

(2) Inside containers of not more than 8 fluid ounces capacity each, resistant

to lading, packed in strong outside containers, and cushioned with absorbent material in sufficient quantity to completely absorb liquid contents in the event of breakage, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(3) *Spec. 60.* Portable tanks, marked "For Caustic Soda, Liquid, Only", or "For Caustic Potash, Liquid, Only."

(k) *Spec. 12B.* Fiberboard boxes with inside containers of polyethylene, or other material resistant to lading, capacity not over 16 ounces each, adequately cushioned against breakage.

(1) Inside containers of not more than 8 fluid ounces capacity each, resistant to lading, packed in strong outside containers, and cushioned with absorbent material in sufficient quantity to completely absorb liquid contents in the event of breakage, are exempt from specification packaging, marking, and labeling requirements, for transportation by rail express.

19. Add § 73.252C (order August 16, 1940) as follows:

§ 73.252C *Bromine pentafluoride.* (a) Bromine pentafluoride, when offered for transportation by carriers by rail freight, highway, or water, must be packed in specification containers as follows:

(1) *Spec. 3E1800 or 4B240.* Cylinders not over 120 pounds water capacity (nominal), filled to not over 210 percent of water capacity. Cylinders must be plugged and fitted with valve protection caps. *Spec. 3E1800* cylinders must be packed in strong outside wooden boxes and contain not more than one pound of bromine pentafluoride.

(b) Bromine pentafluoride, when offered for transportation by rail express must be packed in specification containers as follows:

(1) *Spec. 3E1800 or 4B240.* Cylinders containing not more than one pound of bromine pentafluoride. Cylinders must be plugged and fitted with valve protection caps and must be packed in strong outside wooden boxes.

20. Section 73.257 (formerly sec. 257, order August 16, 1940), is amended by adding paragraph (f) as follows:

(f) *Spec. 60.* Portable tanks, except that unlined tanks must not be used.

21. Section 73.261A (formerly sec. 261A, order August 16, 1940), is amended by adding paragraph (i) as follows:

(i) *Spec. 60.* Portable tanks, marked "For Formic Acid, Only."

22. Section 73.263 (formerly sec. 263, order August 16, 1940), is amended by adding paragraphs (a) (11), and (b) (3), as follows:

(11) *Spec. 60.* Portable tanks, rubber lined.

(b) \* \* \*

(3) Inside containers of not more than 8-fluid ounces capacity each, resistant to lading, packed in strong outside containers, and cushioned with absorbent material in sufficient quantity to completely absorb liquid contents in the event of breakage, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

23. In § 73.264 paragraph (c) (formerly sec. 264, par. (c), order January 25, 1945), is designated as paragraph (c) (1); and paragraph (c) (2), (order August 16, 1940), is added as follows:

(2) *Spec. 12B.* Fiberboard boxes with inside containers of India rubber, lead, polyethylene, or other hydrofluoric acid resistant plastic not over one pound capacity each. These containers are authorized only for strength of acid for which they are adequate, but in no case shall the strength of acid exceed 65 percent.

24. Section 73.267 (formerly sec. 267, order August 16, 1940), is amended by adding paragraph (a) (8), as follows:

(8) *Spec. 60.* Portable tanks. (See subparagraph (5) of this section.

25. Section 73.268 (formerly sec. 268, orders August 16, 1940, November 8, 1941, July 14, 1942, March 29, 1944, April 19, 1946, and July 28, 1947), is amended to read as follows:

§ 73.268 *Nitric acid.* (a) Nitric acid in any quantity must not be packed with any other article.

(b) Nitric acid in any concentration which does not contain significant quantities of sulfuric acid or hydrochloric acid as impurities, when offered for transportation by carriers by rail freight, highway, or water it must be packed in specification containers as follows:

(1) *Spec. 103C.* Tank cars.

(2) The use of special aluminum alloy tank cars for test service is also provided for by I. C. C. authority in docket 3666 dated November 14, 1939, June 7, 1940, and August 19, 1941, for the shipment of 95 percent or greater nitric acid.

(3) *Spec. MC310.* Tank motor vehicles.

(4) *Spec. 5C.* Metal barrels or drums. Authorized for concentrations of nitric acid as limited by paragraph (3) (b) of *Spec. 5C.* Containers weighing less than 85 percent of their original marked weight are not authorized. *Spec. 5* drums already in service for transportation of this material, manufactured prior to October 1, 1949, may be continued in service within the above limitations until further order of the Commission.

(c) Nitric acid of 80 percent or greater concentration which does not contain significant quantities of sulfuric acid or hydrochloric acid as impurities, when offered for transportation by carriers by

rail freight, highway, or water it must be packed in specification containers as follows:

(1) *Spec. 42B or 5X;* also 42, if made and marked prior to October 1, 1930. Aluminum drums, or aluminum-lined steel drums.

(d) Nitric acid of 90 percent or greater concentration, when offered for transportation by carriers by rail freight, highway, or water it must be packed in specification containers as follows:

(1) *Spec. 15A, 15B, 15C, 16A, 19A, 11A, or 11B.* Wooden boxes, barrels and kegs with inside containers which must be glass bottles not over 5 pints capacity each, individually inclosed in tightly closed metal cans and cushioned therein with sufficient incombustible mineral material. (See paragraphs (g) and (h) of this section.)

(c) Nitric acid of concentration of less than 90 percent, when offered for transportation by rail freight, highway, or water it must be packed in specification containers as follows:

(1) *Spec. 15A, 15B, 15C, 16A, 19A, 11A, or 11B.* Wooden boxes, barrels and kegs with inside containers which must be glass bottles not over 5 pints capacity each. (See paragraphs (g) and (h) of this section.)

(f) Nitric acid of concentration of 72 percent or less, when offered for transportation by rail freight, highway, or water it must be packed specification containers as follows:

(1) *Spec. 1A or 1C.* Straight sided carboys in boxes or kegs.

(2) *Spec. 1X.* Boxed carboys of 5 to 6 gallon capacity; single-trip for export only. For shipment by common carriers by water to noncontiguous territories or possessions of the United States and foreign countries; shipments from inland points in the United States which are consigned to such destinations are authorized to be transported to ship side by rail freight in carload lots only and by motor vehicle in truckload lots only.

(3) *Spec. 1D.* Boxed glass carboys of not over 6.5 gallons nominal capacity. Means shall be provided so that accumulated pressure in bottle shall not exceed 10 pounds per square inch gage at 130° F., or shall vent at a pressure not to exceed 10 pounds per square inch gage.

(4) Cushioning for carboys must be incombustible mineral material, elastic wood strips, natural cork blocks or rubber blocks. Other materials may be used if approved by the Bureau of Explosives. The use of hay, excelsior, loose ground cork, or similar materials, whether treated or untreated, is prohibited.

(g) *Closures for bottles.* Glass stoppers ground to fit and held in place by plaster of paris covered by a strong cloth securely tied;

(1) Or, threaded-type acid-resistant caps with gasket or lining impervious to the acid and sufficiently resilient, or cushioned, to give an acidproof closure; at least 1 complete continuous thread is required to be engaged when bottle is closed for shipment.

(h) *Cushioning inside containers.* Inside containers must be well cushioned.

All material for cushioning must be incombustible mineral material, such as whiting, mineral wool, infusorial earth, asbestos, sifted ashes, etc. The use of hay, excelsior, ground cork, or similar material, whether treated or untreated, is prohibited. Where the cushioning material is very fine or powdery, separate partitions for the individual inside containers shall be provided to prevent the bottles from shifting and coming into contact with each other, and the box must be tight to prevent sifting of cushioning material.

(1) Cushioning of inside containers in outside specification wooden boxes by means of elastic packings, such as wooden strips or large corks fastened securely in position, is authorized if the completed package will pass the swing test prescribed for boxed carboys, in spec. 1A.

(i) Nitric acid of any concentration, when offered for transportation by rail express, must be packed in specification containers as follows (also authorized for transportation by carriers by rail freight, highway, or water):

(1) *Spec. 15A, 15B, 15C, 16A, or 19A.* Wooden boxes with inside glass bottles with glass stoppers ground to fit, and these stoppers must be held in place by plaster of Paris covered by strong cloth securely tied. Glass bottles having necks with molded screw threads, must be closed by threaded type acid-resistant plastic caps. Caps must be equipped with an elastic composition cushion and with glass porcelain or similar liner which must be impervious to the acid. Such caps, when secured in place by at least one complete continuous thread, must be capable of preventing any leakage of the acid.

(2) Or glass bottles having necks with molded screw threads must be closed by thread-type acid-resistant caps. Caps must be lined with a resilient liner which must be impervious to the acid. Such caps, when secured in place by at least one complete continuous thread, must be capable of preventing any leakage of the acid.

(3) Each bottle must be placed in a tightly closed metal container, and well cushioned therein on all sides with incombustible mineral packing material, such as whiting, mineral wool, infusorial earth (kieselguhr), asbestos, sifted ashes, or powdered china clay, etc. The metal container must be packed in outside containers, and well cushioned by incombustible mineral packing material as herein described.

(4) Not more than 5 pints of nitric acid shall be shipped in one outside package.

26. Section 73.270 (formerly sec. 270, orders August 16, 1940, July 22, 1948), is amended to read as follows:

§ 73.270 *Phosphorus tribromide.* (a) Phosphorus tribromide must be packed in specification containers as follows:

(1) *Spec. 5H.* Lead-lined metal barrels or drums.

(2) *Spec. 11A or 11B.* Wooden barrels or kegs with glass or earthenware inside

containers not over 2 gallons each; the glass or earthenware containers must be cushioned in the outside containers by means of incombustible elastic packing material of such nature that a mixture of the liquid and the packing material will not cause fires or heating.

(3) *Spec. 15A, 15B, 15C, 16A, or 19A.* Wooden boxes with glass or earthenware inside containers not over 1 gallon each, except that inside containers up to 3 gallons each are authorized when only one is packed in an outside container.

(4) *Spec. 28.* Metal-jacketed lead carboys.

27. Section 73.271 (formerly sec. 271, orders August 16, 1940, November 8, 1941, April 18, 1947, July 22, 1948), is amended to read as follows:

§ 73.271 *Phosphorus oxychloride, phosphorus trichloride, and thiophosphoryl chloride.* (a) Phosphorus oxychloride, phosphorus trichloride and thiophosphoryl chloride must be packed in specification containers as follows:

(1) *Spec. 5H.* Lead-lined metal barrels or drums.

(2) *Spec. 5K.* Nickel drums.

(3) *Spec. 11A or 11B.* Wooden barrels or kegs with glass or earthenware inside containers not over 2 gallons each; the glass or earthenware containers must be cushioned in the outside containers by means of incombustible elastic packing material of such nature that a mixture of the liquid and the packing material will not cause fires or heating.

(4) *Spec. 15A, 15B, 15C, 16A, or 19A.* Wooden boxes with glass or earthenware inside containers not over 1 gallon each, except that inside containers up to 3 gallons each are authorized when only one is packed in an outside container.

(5) *Spec. 28.* Metal-jacketed lead carboys.

(6) *Spec. 60.* Portable tanks when tanks are lead-lined.

(7) *Spec. 103A or 103A-W.* Tank cars, when the tanks of these cars are lead-lined or the tanks are made of solid nickel at least 99 percent pure and all cast metal parts of the tank in contact with the lading have a minimum nickel content of approximately 96.7 percent.

(8) *Spec. MC310.* Tank motor vehicles when tanks are lead-lined.

(b) Phosphorus trichloride may also be shipped in metal barrels or drums, spec. 5A.

28. Section 73.272 (formerly sec. 272, order August 16, 1940), is amended by adding paragraphs (o) and (p), as follows:

(o) Sulfuric acid solutions not over 25 percent concentration in inside containers of not more than 8-fluid ounces capacity each, resistant to lading, packed in strong outside containers, and cushioned with absorbent material in sufficient quantity to completely absorb liquid contents in the event of breakage, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transport-

tation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(p) *Spec. 60.* Portable tanks. For acid of 1.5591 specific gravity (52° Bé.) or greater strength. Also, authorized for acid of not over 1.4 specific gravity (42° Bé.).

29. Section 73.273 (formerly sec. 273, order August 16, 1940), is amended by adding paragraph (d), as follows:

(d) *ICC 103A or 103A-W tank cars.* Authorized only for stabilized sulfur trioxide. Cars equipped with interior heater coils not permitted.

30. Amending order August 16, 1940, by adding § 73.279 (sec. 279) as follows:

§ 73.279 *Anisoyl chloride.* (a) Anisoyl chloride must be packed in specification containers as follows:

(1) *Spec. 5C.* Metal barrels or drums.

(2) *Spec. 5G.* Metal barrels or drums with flanges for closures welded in place.

(3) Inside containers of not more than 8-fluid ounces capacity each, resistant to lading, packed in strong outside containers, and cushioned with absorbent material in sufficient quantity to completely absorb liquid contents in the event of breakage, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

#### SUBPART F—COMPRESSED GASES

31. In § 73.303 paragraph (k) table (formerly sec. 303, par. (k) table, order August 16, 1940), is amended by adding an item as indicated below:

Kind of gas	Maximum permitted filling density (see sec. 303 (h))	Cylinders* marked as shown in this column must be used except as provided in Note 1 and sec. 303 (p) (2) to 303 (p) (6)
<i>Add</i> Sulfur hexafluoride..	<i>Percent</i> 110	ICC-3A1S00; ICC-3.

32. In § 73.303 paragraph (p) (13) (iv) (formerly sec. 303, par. (p) (13) (d), order July 22, 1948), is amended to read as follows:

(iv) A cylinder must be condemned when it leaks, or when internal or external corrosion, denting, bulging, or evidence of rough usage exists to the extent that the cylinder is likely to be weakened appreciably or when the permanent expansion exceeds 10 percent of the total expansion. A cylinder condemned for excessive permanent expansion may be reheat-treated. (See subparagraph (12) of this paragraph.) ICC-4 series cylinders, condemned for other than excessive permanent expansion may be repaired or rebuilt as prescribed in subparagraphs (16) and (17) of this paragraph.

33. In § 73.303 paragraph (p) (18) (formerly sec. 303, par. (p) (18), order

March 7, 1949), is amended to read as follows:

(18) A cylinder must be condemned when it leaks, or when internal or external corrosion, denting, bulging, or evidence of rough usage exists to the extent that the cylinder is likely to be weakened appreciably. Condemned cylinders, ICC-4 series, and ICC-8, may be repaired and rebuilt as prescribed in subparagraphs (16) and (17) of this paragraph.

34. In § 73.303 paragraph (q) (1) table, (formerly sec. 303, par. (q) (1) part of the table, order February 3, 1948), is amended to read as follows:

Name of gas	Maximum permitted filling density, Note 1	Required type of tank car, Note 2, or motor vehicle
Change Monochlorodifluoromethane.....	Percent 105 110	ICC-106A500, Note 12. ICC-105A300.

35. In § 73.331A paragraph (a) (3) (formerly sec. 331A, par. (a) (3), order July 22, 1948), is amended to read as follows:

(3) Cylinders must be packed in strong wooden boxes with valves or other closing devices protected from injury, with not more than twelve cylinders in one outside wooden box. A single-trip outside fiberboard box may be used when not more than four such cylinders are to be shipped in one outside container. Valves must be adequately protected. Box and valve protection must be of strength sufficient to protect all parts of inside containers and valves from deformation or breakage resulting from a drop of at least six feet onto a concrete floor, impacting at the weakest point.

36. In § 73.346 paragraph (c) (formerly sec. 346, par. (c), order April 13, 1943) is amended to read as follows:

(c) *Spec. 15A, 15B, 15C, 16A, 19A, or 12B.* Wooden, wire-bound wooden, or fiberboard boxes, with inside metal cans containing not over 1 pound each; outage required so cans shall not become liquid-full at 130° F. Cans must be made with body of at least 90-pound tin plate, with concave ends at least 107-pound tin plate, with all seams soldered or lined to prevent leakage, and with strength to withstand at least 130 pounds interior pressure without leakage.

37. In § 73.361 paragraph (g) (formerly sec. 361, par. (g), order July 22, 1948), is designated as paragraph (g) (1); and paragraph (g) (2), (Order August 16, 1940) is added as follows:

(2) *Spec. 12B.* Fiberboard boxes with securely closed inside fiberboard or chipboard boxes not over 6 pounds net weight

each. Interior containers must be at least 0.028 inch thick for those not over 2½ pounds net weight each and at least 0.034 inch thick for others. Outside packages must contain not over .36 pounds net weight of material each.

TEST. The individual interior containers as well as the completed package prepared as for shipping must be capable of standing a drop of 4 feet to solid concrete without breakage of the container or any sifting of contents.

SUBPART H—MARKING AND LABELING EXPLOSIVES AND OTHER DANGEROUS ARTICLES

38. In § 73.402 paragraph (d) (formerly sec. 402, par. (d), order August 16, 1940), is amended to read as follows:

(d) "White label" as described in § 73.404 paragraph (g) on containers of acids, alkaline caustic liquids or corrosive liquids, except when exempted from regulations by § 73.244.

39. In § 73.403 paragraph (b) (formerly sec. 403, par. (b), order August 16, 1940), is amended to read as follows:

(b) Use white acid, (alkaline caustic liquid or corrosive liquid) label only when white acid, (alkaline caustic liquid or corrosive liquid) and yellow or poison labels are prescribed.

40. In § 73.404 paragraph (f) note (formerly sec. 404, par. (f) note order November 4, 1946), is canceled.

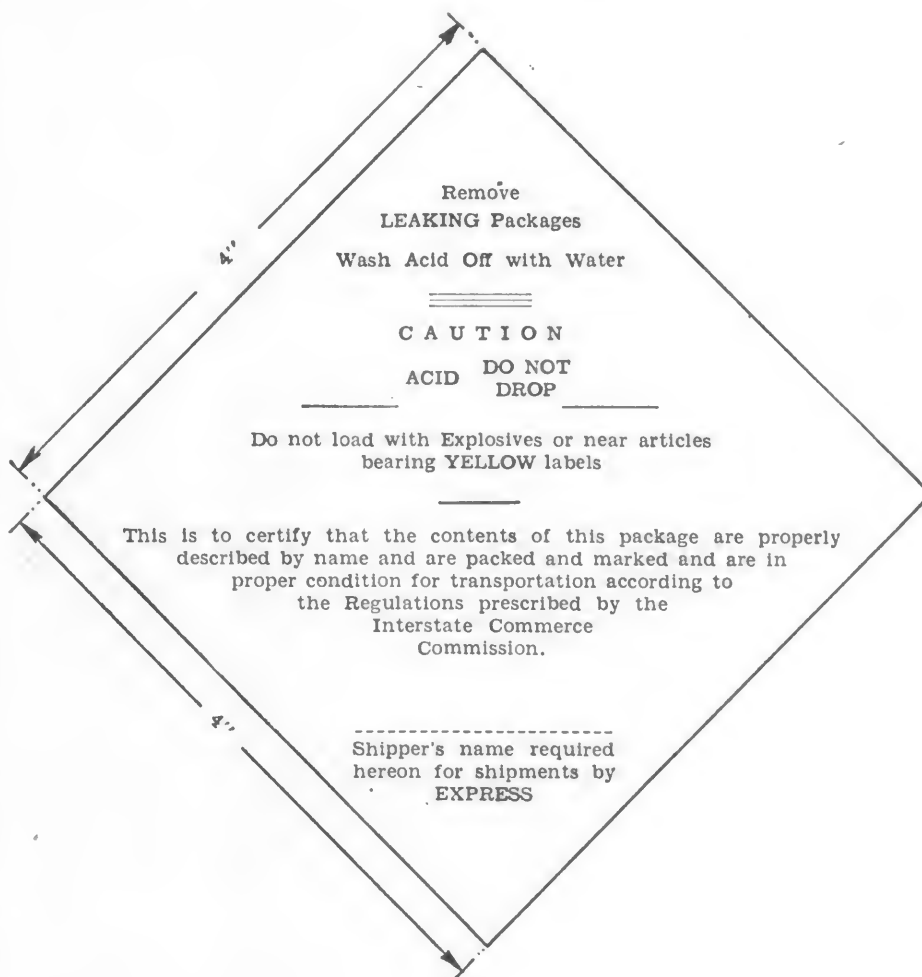
41. In § 73.404 paragraph (g), (formerly sec. 404, par. (g), orders August 16, 1940, and November 4, 1946), is amended to read as follows:

(g) Labels for corrosive liquids, acids and alkaline caustic liquids must be of diamond shape, white in color, and with each side 4 inches long. Printing must be in black letters inside of a black-line border measuring 3½ inches on each side and as shown below.

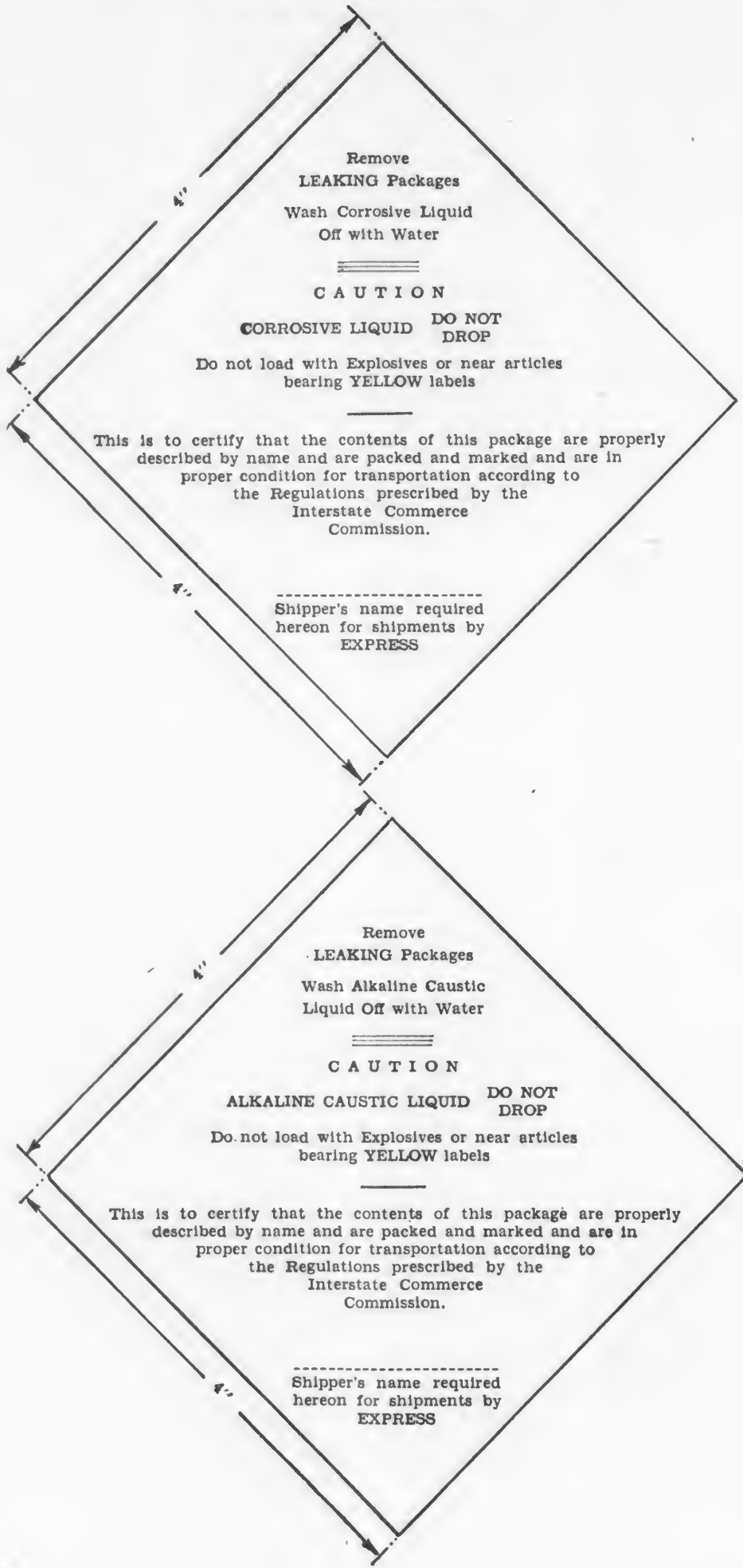
WHITE LABEL FOR ACIDS, ALKALINE CAUSTIC LIQUIDS AND CORROSIVE LIQUIDS

(Reduced size)

(Black printing on white)



**RULES AND REGULATIONS**





**PART 73a—(FORMERLY PART OF PART 3)  
SHIPPING CONTAINER SPECIFICATIONS**

1. Section 73a.1A-10 (formerly par. 10 of Spec. 1A, order August 16, 1940), is amended to read as follows:

§ 73a.1A-10 Boxes of veneer, plywood, laminated wood, or any combination thereof, which comply with this speci-

fication except §§ 73a.1A-7 (a), (c), and (d) are approved provided:

2. Section 73a.3A-23 paragraph (b) (formerly par. 23 (2) of Spec. 3A, order February 13, 1946), is amended to read as follows:

(b) Paragraph 8A. Neckrings must be attached by peening. Footrings must be shrunk on, not welded to cylinders, provided that footrings may be welded to

cylinders when the carbon content of the steel in each is 0.25 percent or less.

3. Paragraph 73a.4BA-19 (formerly par. 19 of Spec. 4BA, order March 7, 1949), is amended to read as follows:

§ 73a.4BA-19 Authorized steel. Open hearth or electric steel of uniform quality. The following chemical analyses are authorized (see Note 1):

TABLE I—AUTHORIZED MATERIALS

[Chemical analysis—limits in percent]

Designation	1315 (See Notes 2 and 4)	IIS (See Notes 2 and 4)	MAY (See Notes 2 and 4)	NAX (See Notes 2 and 4)	COR (See Notes 2 and 4)	SCX (See Notes 2 and 4)	4017 (See Notes 2 and 4)	OTY (See Notes 2, 4, and 5)	RDT (See Notes 2, 4, 5, and 6)
Carbon	0.10/0.20	0.12 max	0.12 max	0.20 max	0.12 max	0.20 max	0.13/0.20	0.15 max	0.12 max
Manganese	1.10/1.65	0.50/3.00	0.50/1.00	0.45/0.75	0.20/1.50	0.60/1.00	0.75/1.10	0.90/1.40	0.50/1.00
Phosphorus	0.045 max	0.05/0.12	0.05/0.12	0.045 max	0.07/0.15	0.045 max	0.04 max	0.09/0.135	0.010 max
Sulphur	0.05 max	0.05 max	0.05 max	0.05 max	0.05 max	0.045 max	0.04 max	0.04 max	0.050 max
Silicon	0.15/0.35	0.15 max	0.10/0.50	0.50/0.90	0.25/1.75	0.15/0.30	0.25/0.35	0.10 max	-----
Chromium	-----	-----	0.40/1.00	0.15/0.70	0.50/1.25	0.15/0.50	-----	-----	-----
Molybdenum	-----	0.08/0.18	-----	-----	-----	0.15/0.35	0.25/0.35	-----	0.10/0.30
Zirconium	-----	-----	-----	0.05/0.25	-----	-----	-----	-----	-----
Nickel	-----	0.45/0.75	0.25/0.75	-----	0.65 max	-----	-----	-----	0.50/1.20
Copper	0.40 max	0.95/1.30	0.50/0.70	-----	0.25/0.55	0.20/0.50	-----	0.30/0.70	0.50/1.00
Aluminum	-----	0.12/0.27	-----	-----	-----	-----	-----	-----	-----
Heat treatment authorized	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3
Maximum stress	35000	35000	35000	35000	35000	35000	35000	35000	35000

NOTE 1: A heat of steel made under any of the above specifications, chemical analysis of which is slightly out of the specific range, is acceptable, if satisfactory in all other respects the standard permissible variations from specified chemical ranges and limits published in the American Iron and Steel Institute Products Manual, Section 10, dated June 1945, are not exceeded or are approved by the Bureau of Explosives.

NOTE 2: This designation shall not be restrictive and the commercial steel is limited in analysis as shown in the table.

NOTE 3: Any suitable heat treat in excess of 1100° F., except that liquid quenching is not permitted.

NOTE 4: Addition of other elements to obtain alloying effect is not authorized.

NOTE 5: Grain size 6 or finer according to A. S. T. M. Spec. E 19-46.

NOTE 6: Only fully killed steel authorized.

4. Section 73a.5C-3 paragraphs (a) and (b) (formerly pars. 3 (a) and 3 (b) of Spec. 5C, order August 16, 1940), are amended to read as follows:

(a) All sheet metal, welding rod, closing devices, and samples taken from the welded portion of the finished container must be of Type 304, 18 chrome 8 nickel alloy with 0.08 percent carbon maximum, 18-20 percent chromium, 8-11 percent nickel, or other types of stainless steel of equivalent corrosion resistance and physical properties.

(b) Type 304 or other grades of equivalent corrosion resistant containers in the as-welded condition are permissible for nitric acid concentrations up to and including 78 percent. Type 304 containers in the heat treated condition (quenched from 1900 deg. F.); or stabilized Type 347 in the as-welded condition, stress-relieved condition (1550-1650 deg.

F.) heat treated condition (quenched from 1900 deg. F.); or other grades of equivalent corrosion resistance are permissible for all concentrations of nitric acid.

5. Amending order August 16, 1940, by adding § 73a.5C-3 paragraph (c) (3) as follows:

(3) All parts of any completed container exposed to lading must comply with the standard 65 percent boiling nitric acid test in that the limit of inches per month penetration in accordance with corrosion test as used in American Society of Testing Materials Committee A-10 1933 collaboration testing program, shall be 0.0015 inch, this figure to be an average of five 48-hour tests.

6. Section 73a.5C-7 (formerly par. 7 of Spec. 5C, order August 16, 1940), to read as follows:

§ 73a.5C-7 Parts and dimensions. Parts and dimensions as follows:

Marked capacity not over (gallons)	Type of container	Minimum thickness in the blank (gage U. S. Standard)		Rolling hoops		
		Body sheet	Head sheet	Type	Minimum	
					Size (gage or inch)	Weight (pounds per foot)
15	St. side	20	20	None	-----	-----
30	do	18	18	I-bar	3/4 x 1 1/4	1.25
55	do	16	16	do	1 x 1 1/2	1.60
110	do	14	14	do	1 x 1 1/2	1.60
15	Bilge	16	16	None	-----	-----
30	do	14	16	do	-----	-----
55	do	13	14	do	-----	-----

7. Amending order August 16, 1940, by adding § 73a.5C-9 paragraphs (i) (3) and (5) as follows:

(3) For closures with threaded plug or cap, the seat (flange, etc.) for plug, or cap, must have 5 or more complete

threads; two drainage holes of not over 5/16 inch diameter are allowed. Plug, or cap, must have sufficient length of thread to engage 5 threads when screwed home with gasket in place. Except that for containers not over 15 gallons marked capacity the seat (flanges, etc.) for plug or cap may have at least 3 complete threads and plug or cap sufficient length of thread to engage 3 threads when screwed home with gasket in place.

(5) Openings over 2.3 inch diameter not permitted. For containers over 15 gallons marked capacity, threads for plug or cap must be 8 or less inch when over 3/4 inch standard pipe size; thread diameters and thread form must conform to those shown by drawing in specification 5A; other details on drawings are recommended.

8. Section 73a.5C-11 paragraph (a) (formerly par. 11 (a) of Spec. 5C, order August 16, 1940), is amended to read as follows:

(a) ICC-5C, the type of steel used in body and head sheets as identified by American Iron and Steel Institute type number, and, in addition, the letters HT following steel designation on containers subjected to stress relieving or heat treatment during manufacture (for example, ICC-5C-304 or ICC-5C-304HT as applicable). These marks shall be understood to certify that the container complies with all specification requirements.

9. Section 73a.5M-7 (formerly par. 7 of Spec. 5M, order March 7, 1949), is amended to read as follows:

§ 73a.5M-7 *Parts and dimensions.* Parts and dimensions as follows:

Marked capacity not over (gallons)	Type of container	Minimum thickness in the blank (gage U. S. Standard)		Rolling hoops		
		Body sheet	Head sheet	Type	Minimum	
					Size (gage or inch)	Weight (pounds per foot)
10 55	St. side..... .....do.....	14 14	14 14	None..... 1-bar.....	..... 1 x 1 1/4	..... 1.60

10. Section 73a.12B-19 paragraph (b) (formerly par. 19 (b) of Spec. 12B, order August 16, 1940), is amended to read as follows:

(b) If to be closed by adhesive, each inner flap must cover at least  $\frac{1}{3}$  of face; inner flaps must butt or have full overlap, or fill-in pieces must be used; except that fill-in pieces are not required when outer flaps have full overlap. Outer flaps must butt or have full overlap.

11. Section 73a.42B-7 paragraph (b) (formerly par. 7 (b) of Spec. 42B, order August 16, 1940), is amended to read as follows:

(b) Threaded plugs, or caps, and flanges must be close fitting with gasket surfaces which bear squarely on each other when without gasket; they must have not over 8 threads per inch, with 5 complete threads engaged when gasket is in place, or not over 4 threads per inch, with 2 complete threads similarly engaged; two  $\frac{1}{16}$  inch drainage holes are authorized in flange. Thread form must conform to that shown by drawing in Specification 5A or be of a form that shall provide an equally efficient closure.

12. Section 73a.50-7 paragraph (g) (formerly par. 7 (g) of Spec. 50, order February 3, 1948), is amended to read as follows:

(g) Filling connections shall be provided with a suitable back pressure check valve to prevent back flow in case filling connection is broken.

13. Add Specification 51 (order August 16, 1940), as follows:

*Specification 51—Unlagged steel portable tanks.* 1. *Requirements for design and construction.* (a) Tanks shall be of seamless or welded steel construction or combination of both and shall have in excess of 1,000 pounds water capacity. Fusion-welded tanks shall be fully radiographed and stress-relieved. Tanks shall be designed and constructed in accordance with and fulfill the requirements of Par. U-68 or U-200 of Section VIII of the Code for Unfired Pressure Vessels of the American Society of Mechanical Engineers, 1946 Edition; or the A. P. I.-A. S. M. E. Code for Unfired Pressure Vessels for Petroleum Liquids and Gases, 1943 Edition (either or both hereinafter referred to as "the Code" except that hydrostatic tests required by Par. 525 shall be made at 2 times instead of at  $1\frac{1}{2}$  times the design working pressure and hammer tests where required by Par. 525 shall be made at  $1\frac{1}{2}$  times instead of at  $1\frac{1}{4}$  times the design working pressure of the tank. Compliance with the following shall not be required:

Par. U-2 to U-10 inclusive and U-19 of the aforesaid A. S. M. E. Code; Par. 601 to 606 inclusive and Section I and appendix to Section I of the aforesaid A. P. I.-A. S. M. E. Code.

(b) Except as noted below, all openings in the tank shall be grouped in one location, either at the top of the tank or at one end of the tank. Exceptions: (1) The openings for liquid level gauging devices, or for safety devices, may be installed separately at the other location or in the side of the shell; (2) one plugged opening of 2 inch National Pipe Thread or less provided for maintenance purposes may be located elsewhere.

2. *Material.* (a) All material used for the construction of the tank and appurtenances shall be suitable for use with the commodity to be transported therein.

(b) Material of thickness less than  $\frac{3}{16}$  inch shall not be used for the shells, heads, and protective housings specified in Par. 5.

3. *Design working pressure.* The design working pressure of a tank authorized under this specification shall be not less than the vapor pressure of the commodity contained therein at 115° F., or as prescribed for a particular commodity by these regulations, except that in no case shall the design working pressure of any container be less than 100 p. s. i. g. When corrosion factor is prescribed by these regulations, the wall thickness of the tank calculated in accordance with the "Code" shall be increased by 20 percent or 0.10 inch, whichever is less.

NOTE: The term "design working pressure" as used in this specification is identical to the term "maximum allowable working pressure" as used in the "Code."

4. *Tank mountings.* (a) Tanks shall be designed and fabricated with mountings to provide a secure base in transit. "Skids" or similar devices shall be deemed to comply with this requirement.

(b) All tank mountings such as skids, fastenings, brackets, cradles, lifting lugs, etc., intended to carry loadings shall be permanently secured to tanks in accordance with the requirements under which the tanks are fabricated, and shall be designed with a factor of safety of four, and built to withstand loadings in any direction equal to two times the weight of the tanks and attachments when filled with water.

(c) Lifting lugs or hold-down lugs may be attached to either the tank or tank mountings. If lifting lugs and hold-down lugs are attached directly to the tank, they shall be attached to doubling plates welded to the tank and located at points of support, except that lifting lugs or hold-down lugs with integral bases serving as doubling plates may be welded

directly to the tank. Each lifting lug and hold-down lug shall be designed with a factor of safety not less than four to withstand loadings in any direction equal to two times the weight of the tank and attachments when filled with water.

(d) All tank mountings shall be designed so as to prevent the concentration of excessive loads on the tank shell.

5. *Protection of valves and accessories.* (a) All valves, fittings, accessories, safety devices, gauging devices, and the like shall be adequately protected against mechanical damage by a housing closed with a cover plate.

(b) Protective housing shall comply with the requirements under which the tanks are fabricated with respect to design and construction, and shall be designed with a minimum factor of safety of four to withstand loadings in any direction equal to two times the weight of the tank and attachments when filled with water.

6. *Name plate.* (a) In addition to the markings required by the "Code" under which tanks were constructed, they shall have permanently affixed, on one of the heads of the tank, a metal plate. This plate shall be permanently affixed by means of soldering, brazing, or welding around its complete perimeter. Neither the plate itself nor the means of attachment to the tank shall be subject to destructive attack by the contents of tank. Upon such plate shall be plainly marked by stamping, embossing, or other means of forming letters into or onto the metal of the plate itself the following information in characters at least  $\frac{3}{8}$  inch high:

MANUFACTURER'S NAME .....  
SERIAL NO. ....  
OWNER'S SERIAL NUMBER .....  
I. C. C. SPECIFICATION NUMBER .....  
WATER CAPACITY (POUNDS) .....  
TARE WEIGHT (POUNDS) .....  
DESIGN WORKING PRESSURE (psig) .....  
ORIGINAL TEST DATE .....  
TANK RETESTED AT ..... (psig) ON .....

(b) All tank outlets and inlets, except safety relief valves, shall be marked to designate whether they communicate with vapor or liquid when the tank is filled to the maximum permitted filling density.

7. *Report.* A copy of the manufacturer's data report required by the "Code" under which the tank is fabricated shall be furnished for each new tank to the owner and the Bureau of Explosives. In addition, the manufacturer or owner shall register each tank with the Bureau of Explosives in the following form:

Place .....  
Date .....  
Portable tank manufactured for .....  
..... Company  
Location .....  
Manufactured by ..... Company  
Location .....  
Consigned to ..... Company  
Location .....  
Size ..... feet outside diameter  
by ..... long.

Marks on tank as prescribed by Par. 6 of this specification are as follows:

Manufacturer's name .....  
Serial number .....  
Owner's serial number .....  
I. C. C. specification ..... Code symbol.....  
Date of manufacture .....

Water capacity (pounds) -----  
 Tare weight (pounds) -----  
 Design working pressure (psig) -----

It is hereby certified that this tank is in complete compliance with the requirements of ICC Specification No. 51.

(Signed) -----  
 Manufacturer or owner

14. Add Specification 60 (order August 16, 1940), as follows:

*Specification 60—Steel portable tanks.*  
 1. *General requirements.* (a) Tanks shall be constructed in accordance with all requirements of Section VIII of the Code for Unfired Pressure Vessels of the American Society of Mechanical Engineers, 1946 Edition, for U-201 fusion-welded unfired pressure vessels.

(b) Tanks shall be of fusion-welded construction, cylindrical in shape, with seamless heads concave to the pressure. Tank shells may be of seamless construction.

(c) Tanks, including all permanent attachments, must be stress relieved as a unit.

2. *Material.* (a) Material used in the tanks shall be steel of good weldable quality in conformity with requirements of Par. U-71 of the A. S. M. E. Code, 1946 Edition.

(b) The minimum thickness of metal, exclusive of lining material, for shell and heads of tanks shall be as follows:

	<i>Minimum thickness (inches)</i>
Tank capacity:	
Not more than 1,200 gallons.....	1/4
Over 1,200 to 1,800 gallons.....	5/16
Over 1,800 gallons.....	3/8

3. *Expansion domes.* Expansion domes, if applied, must have a minimum capacity of one percent of the combined capacity of the tank and dome.

4. *Closures for manholes and domes.* The manhole cover shall be designed to provide a secure closure of the manhole. All covers, not hinged to the tanks, shall be attached to the outside of the dome by at least 1/8 inch chain or its equivalent. Closures shall be made tight against leakage of vapor and liquid by use of gaskets of suitable material.

5. *Bottom discharge outlets.* (a) Bottom discharge outlets prohibited, except on tanks used for shipments of sludge acid and alkaline corrosive liquids.

(b) If installed, bottom outlets or bottom washout chambers shall be of metal not subject to rapid deterioration by the lading, and each shall be provided with a valve or plug at its upper end and liquid-tight closure at its lower end. Every such valve or plug shall be designed to insure against unseating due to stresses or shocks incident to transportation. Bottom outlets shall be adequately protected against handling damage and outlet equipment must not extend to within less than one inch of the bottom bearing surface of the skids or tank mounting.

6. *Loading and unloading accessories.* (a) When installed, gauging, loading and air inlet devices, including their valves, shall be provided with adequate means for their secure closure; and means shall also be provided for the closing of pipe connections of valves.

(b) Interior heater coils, if installed, must be of extra heavy pipe and so con-

structed that breaking off of exterior connections will not cause leakage of tanks.

7. *Protection of valves and accessories.* (a) All valves, fittings, accessories, safety devices, gauging devices, and the like shall be adequately protected against mechanical damage by a housing closed with a cover plate.

(b) Protective housing shall comply with the requirements under which the tanks are fabricated with respect to design and construction, and shall be designed with a minimum factor of safety of four to withstand loadings in any direction equal to two times the weight of the tank and attachments when filled with water.

8. *Safety devices.* Safety devices are to be as required, subject to approval of the Bureau of Explosives, by shipping regulations.

9. *Compartments.* When the interior of the tank is divided into compartments, each compartment shall be designed, constructed and tested as a separate tank. Thickness of shell and compartment heads shall be determined on the basis of total tank capacity.

10. *Lining.* If a lining is required, the material used for lining the tank shall be homogeneous, nonporous, imperforate when applied, not less elastic than the metal of the tank proper. It shall be of substantially uniform thickness, not less than 1/32 inch thick if metallic, and not less than 1/16 inch thick if nonmetallic, and shall be directly bonded or attached by other equally satisfactory means. Rubber lining shall be not less than 3/16 inch thick. Joints and seams in the lining shall be made by fusing the material together or by other equally satisfactory means. The interior of the tank shall be free from scale, oxidation, moisture and all foreign matter during the lining operation.

11. *Tank mountings.* (a) Tanks shall be designed and fabricated with mountings to provide a secure base in transit. "Skids" or similar devices shall be deemed to comply with this requirement.

(b) All tank mountings such as skids, fastenings, brackets, cradles, lifting lugs, etc., intended to carry loadings shall be permanently secured to tanks in accordance with the requirements under which the tanks are fabricated, and shall be designed with a factor of safety of four, and built to withstand loadings in any direction equal to two times the weight of the tanks and attachments when filled to the maximum permissible loaded weight.

(c) Lifting lugs or side hold-down lugs shall be provided on the tank mountings in a manner suitable for attaching lifting gear and hold-down devices. Lifting lugs and hold-down lugs welded directly to the tank shall be of the padeye type. Doubling plates welded to the tank and located at the points of support shall be deemed to comply with this requirement.

(d) All tank mountings shall be so designed as to prevent the concentration of excessive loads on the tank shell.

12. *Pressure test.* Each completed portable tank prior to application of lining shall be tested before being put into transportation service by completely filling the tank with water or other liquid

having a similar viscosity, the temperature of which shall not exceed 100° F. during the test, and applying a pressure of 60 pounds per square inch gage. The tank shall be capable of holding the prescribed pressure for at least 10 minutes without leakage, evidence of impending failure, or failure. All closures shall be in place while the test is made and the pressure shall be gaged at the top of the tank. Safety devices and/or vents shall be plugged during this test.

13. *Repair of tanks.* Tanks failing to meet the test may be repaired and retested, provided that repairs are made in complete compliance with the requirements of this specification.

14. *Marking.* In addition to marking required by the American Society of Mechanical Engineers Code, every tank shall bear permanent marks at least 3/8 inch high stamped into the metal near the center of one of the tank heads or stamped into a plate permanently attached to the tank by means of brazing or welding or other suitable means as follows:

Manufacturer's name ----- Serial No. ---  
 ICC specification -----  
 Nominal capacity ----- (gallons)  
 Tare weight ----- (pounds)  
 Date of manufacture -----

15. *Report.* A copy of the manufacturer's data report required by the "Code" under which the tank is fabricated shall be furnished for each new tank to the owner and the Bureau of Explosives. In addition, the manufacturer or owner shall register each tank with the Bureau of Explosives in the following form:

Place -----  
 Date -----  
 Portable tank manufactured for --- company  
 Location -----  
 Manufactured by ----- Company  
 Location -----  
 Consigned to ----- Company  
 Location -----  
 Size --- feet outside diameter by --- long.

Marks on tank as prescribed by Par. 14 of this specification are as follows:  
 Manufacturer's name ----- Serial No. ---  
 Owner's serial number -----  
 ICC specification -----  
 ASME Code Symbol (par. U-201) -----  
 Date of manufacture -----  
 Nominal capacity ----- gallons.

It is hereby certified that this tank is in complete compliance with the requirements of ICC Specification No. 60.

(Signed) -----  
 Manufacturer or owner

**PART 74—(FORMERLY PART 4) REGULATIONS APPLYING PARTICULARLY TO CARRIERS BY RAIL FREIGHT**

**SUBPART A—LOADING PACKAGES OF EXPLOSIVES IN CARS, SELECTION, PREPARATION OF CAR, AND CERTIFICATE**

1. Section 74.526 paragraph (a) (formerly sec. 526, par. (a), order October 14, 1943), is amended to read as follows:

§ 74.526 *Loading in car.* (a) Except as provided herein, boxes of dangerous explosives, class A, named in §§ 73.52 to 73.62, not including ammunition for cannon with projectiles, explosive projectiles, explosive mines and explosive bombs, when loaded in the car, must rest on their bottoms. They may be loaded crosswise or lengthwise of the car, but

not so that the ends of wooden boxes will bear against the sides of fiberboard boxes, or so that the end of any box will cause a high pressure on a small area of another box.

2. Section 74.532 paragraph (c) (formerly sec. 532, par. (c) order August 16, 1940), is amended to read as follows:

(c) Packages protected by labels or carload lots exempted from labels (see § 73.402 (p)) must be so loaded that they cannot fall to the car floor and in such manner that other freight cannot fall onto or slide against them. Packages bearing marking "This Side Up" must be so loaded. Dangerous articles for which red, yellow, green, or white (acid, alkaline caustic liquid, or corrosive liquid) labels are prescribed herein, must not be loaded in the same car with explosives named in §§ 73.52 to 73.62. (See loading and storage chart, § 74.533.) Packages protected by yellow labels must not be loaded in the same end of a car with packages protected by "Acid", "Alkaline Caustic Liquid", or "Corrosive Liquid" labels.

**SUBPART B—LOADING AND STORAGE CHART OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES**

3. In § 74.533 *Chart*, headline and side-line description "e", "5", and "8" (formerly sec. 533, orders April 18, 1947, October 27, 1947, November 8, 1941), is amended to read as follows:

"e" Ammunition for Cannon with Explosive Projectiles, Gas Projectiles, Smoke Projectiles, Incendiary Projectiles, Illuminating Projectiles or Shell, Ammunition for Small Arms with explosive bullets, or Ammunition for Small Arms with Explosive Projectiles, or Rocket Ammunition with Explosive Projectiles, Gas Projectiles, Smoke Projectiles, Incendiary Projectiles, or Illuminating Projectiles.<sup>4</sup>

"5" Primers for Cannon or Small Arms, Empty Cartridge Bags-Black Powder Igniters, Empty Cartridge Cases, primed, Empty Grenades, primed, Combination Primers or Percussion Caps, Toy Caps, Explosive Cable Cutters, Explosive rivets.

"8" Cordeau detonant fuse, Safety squibs, Fuse lighters, Fuse Igniters, Delay Electric Igniters, Electric squibs or Instantaneous fuses.

4. Change footnote d at end of chart to read as follows:

<sup>4</sup> Dangerous explosives, class A and less dangerous explosives, class B, must not be loaded or stored with chemical ammunition containing incendiary charges either with or without bursting charges. Chemical ammunition of the same classification containing incendiary charges may be loaded and stored together.

**SUBPART C—PLACARDING ON CARS**

5. Section 74.541A (formerly sec. 541A, order October 24, 1947), is amended to read as follows:

§ 74.541A *Dangerous—Class D poison placards*. Dangerous—Class D poison placards as prescribed in § 74.552, must be applied to cars containing shipments of Class D poisons as provided in § 73.366 and § 73.367.

6. Section 74.545 note to paragraph (e) formerly sec. 545 note to par. (e), order August 16, 1940), is canceled.

7. Section 74.552 (formerly sec. 552, order October 24, 1947), is amended to read as follows:

§ 74.552 *The "Dangerous—Class D Poison" placard for Class D poisons*. The "Dangerous—Class D Poison" placard for Class D poisons must be of diamond shape measuring 10¾ inches on each side, and must bear the wording in red letters as shown in the following cut:

(No change in placard)

**SUBPART E—HANDLING BY CARRIERS BY RAIL FREIGHT**

8. Section 74.589 paragraph (a) (1) (formerly sec. 589, par. (a) (1), order July 28, 1947), is amended to read as follows:

(a) (1) A car requiring car certificates and "Explosives", or "Dangerous", "Dangerous—Class D Poison", or "Poison Gas" placards under the provisions of these regulations shall not be transported unless such freight car is at all times placarded and certificated as required by the regulations in Parts 71-77. Placards and car certificates lost in transit shall be replaced at next inspection point and those not required must be removed.

**PART 77—REGULATIONS APPLYING TO SHIPMENTS MADE BY WAY OF COMMON, CONTRACT OR PRIVATE CARRIERS BY PUBLIC HIGHWAY**

1. In § 77.824 paragraph (e) (8) (formerly sec. 824, par. (e) (8), order October 27, 1947), is amended to read as follows:

(8) Ammonium nitrate, ammonium nitrate fertilizer, or guanidine nitrate in bags in closed or open type motor vehicles which must be swept clean and free of any projections capable of injuring bags. All metal vehicles of the closed type must not be used. When transported in open type motor vehicles the lading shall be suitably covered.

2. In § 77.825 *Chart*, headline and side-line description "e", "5", and "8" (formerly sec. 825, orders April 18, 1947, October 27, 1947, and November 8, 1941), is amended to read as follows:

"e" Ammunition for Cannon with Explosive Projectiles, Gas Projectiles, Smoke Projectiles, Incendiary Projectiles, Illuminating Projectiles or Shell, Ammunition for Small Arms with explosive bullets, or Ammunition for Small Arms with Explosive Projectiles, or Rocket Ammunition with Explosive Projectiles, Gas Projectiles, Smoke Projectiles, Incendiary Projectiles or Illuminating Projectiles.<sup>4</sup>

"5" Primers for Cannon or Small Arms, Empty Cartridge Bags-Black Powder Igniters, Empty Cartridge Cases, primed, Empty Grenades, primed, Combination Primers or Percussion Caps, Toy Caps, Explosive Cable Cutters, Explosive rivets.

"8" Cordeau detonant fuse, Safety squibs, Fuse lighters, Fuse Igniters, Delay Electric Igniters, Electric squibs or Instantaneous fuse.

3. Change footnote d at end of chart to read as follows:

<sup>4</sup> Dangerous explosives, class A and less dangerous explosives, class B, must not be loaded or stored with chemical ammunition containing incendiary charges, either with or without bursting charges. Chemical ammunition of the same classification containing

incendiary charges may be loaded and stored together.

*It is further ordered*, That the foregoing amendments to the aforesaid regulations shall have full force and effect on December 20, 1949, and that such regulations as herein amended shall thereafter be observed until further order of the Commission.

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

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

(62 Stat. 738, 18 U. S. C. 831-835, 49 Stat. 546, 52 Stat. 1237, 54 Stat. 921, 49 U. S. C. 304)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 49-8291; Filed, Oct. 13, 1949; 8:52 a. m.]

**TITLE 32—NATIONAL DEFENSE**

**Chapter V—Department of the Army**

**Subchapter B—Claims and Accounts**

**PART 537—CLAIMS ON BEHALF OF THE UNITED STATES**

**MISCELLANEOUS AMENDMENTS**

Paragraph (b) of § 537.3, the first sentence of § 537.4, and § 537.5 are amended to read as follows:

§ 537.3 *Definitions*. \* \* \*

(b) *Defendant*. Any individual, partnership, association, corporation, or governmental body, other than an instrumentality of the United States, without regard to the degree of negligence involved: *Provided, however*, That members of the Armed Forces of the United States and civilian employees of the United States acting within the scope of their employment shall be deemed defendants only when gross negligence is involved.

§ 537.4 *Scope*. Included within the provisions of §§ 537.3 to 537.5 are claims in excess of \$50 and claims in lesser amounts when the assertion thereof is deemed in the interest of the Government, for:

§ 537.5 *Action by reviewing authorities*. (a) Upon receipt for review by the judge advocate of the army, the Military District of Washington, or by the theater or command judge advocate, each report by a claims officer will, unless the report is accompanied by a statement that payment in full has been made, be examined, and, after any corrective action deemed necessary with relation thereto, appropriate administrative action will be taken. Such action, unless the report is accompanied by a statement that payment in full has been made or by a com-

promise offer of which such reviewing authority deems it advisable to recommend acceptance, will include a determination whether the defendant is legally liable to the United States, and, if so, the amount of such liability.

(b) Upon a determination that the defendant is liable and of the amount of such liability, the judge advocate of the army or the Military District of Washington, or the theater or command judge advocate, will, unless a demand in the same amount has already been made, cause a written demand to be made upon the defendant for the payment of the claim. If such demand is complied with, the check or money order made payable to the Treasurer of the United States will be accepted and transmitted to the nearest disbursing officer. If the defendant fails to comply with the demand within a reasonable time or if the defendant has already made, or on such demand makes, a compromise offer accompanied by a check or money order made payable to the Treasurer of the United States, the judge advocate of the army or the Military District of Washington, or the theater or command judge advocate (who will first, however, in cases involving the transmission of foreign funds, convert the tendered check or money order into a United States Treasury check or place the funds in special deposit with the nearest disbursing officer pending a decision on the offer in compromise settlement), will forward the original and one copy of the file, including any compromise offer and check or money order payable to the Treasurer of the United States, or evidence of deposit with a disbursing officer, with his recommendation as to the advisability of acceptance of such compromise offer, if any, or if none, as to the advisability of instituting suit, to the Judge Advocate General, Department of the Army, Washington 25, D. C., for appropriate action.

[AR 25-220 and SR 25-220-1, Sept. 28, 1949] (R. S. 161; 5 U. S. C. 22)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 49-8238; Filed, Oct. 13, 1949; 8:48 a. m.]

Subchapter F—Personnel

PART 578—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

PHILIPPINE SERVICE RIBBONS

A new § 578.49a is added, and § 578.55 is amended by changing paragraph (a) (4) and by adding paragraph (c) (4), as follows:

§ 578.49a *Philippine service ribbons*—(a) *Philippine Defense Ribbon*. Established by General Orders 8, Army Headquarters, Commonwealth of the Philippines, 1944.

(1) *Description*. A silk moire ribbon 1 3/8 inches in width composed of a red stripe (7/32 inch), a white stripe (3/16 inch), red band (9/16 inch), a white stripe (3/16 inch), and a red strip (7/32 inch); in the center of the red band, three white stars

1/4-inch circumscribed diameter, centers placed on extremities of an imaginary equilateral triangle 1/4-inch on each side with one point of each star outward and centered in radiated center lines.

(2) *Requirements*. Service in the defense of the Philippines from December 8, 1941, to June 15, 1942, under either of the following conditions:

(i) Participated in any engagement against the enemy in Philippine territory, in Philippine waters, or in the air over the Philippines or over Philippine waters. An individual will be considered as having participated in an engagement if he:

(a) Was a member of the defense garrison of the Bataan Peninsula or of the fortified islands at the entrance to Manila Bay; or

(b) Was a member of and present with a unit actually under enemy fire or air attack; or

(c) Served on a ship which was under enemy fire or air attack; or

(d) Was a crew member or passenger in an airplane which was under enemy aerial or ground fire.

(ii) Assigned or stationed in Philippine territory or in Philippine waters for not less than 30 days during the period.

(3) *Bronze service star*—(i) *Description*. Same as § 578.44 (d) (1).

(ii) *Requirements*. Individuals who meet both of the conditions set forth in subparagraph (2) of this paragraph, are authorized to wear a bronze service star on the ribbon.

(b) *Philippine Liberation Ribbon*. Established by General Orders 8, Army headquarters, Commonwealth of the Philippines, 1944.

(1) *Description*. A silk moire ribbon 1 3/8 inches in width composed of a red band (9/16 inch), blue stripe (1/8 inch), white stripe (1/8 inch), and a red band (9/16 inch).

(2) *Requirements*. Service in the liberation of the Philippines from October 17, 1944, to September 3, 1945, under any of the following conditions:

(i) Participated in the initial landing operations on Leyte or adjoining islands from October 17, 1944, to October 20, 1944. An individual will be considered as having participated in such operations if he landed on Leyte or adjoining islands, was on a ship in Philippine waters, or was a crew member of an airplane which flew over Philippine territory during the period.

(ii) Participated in any engagement against the enemy during the campaign on Leyte and adjoining islands. An individual will be considered as having participated in combat if he meets any of the conditions set forth in paragraph (a) (2) (i) (b), (c), and (d) of this section.

(iii) Participated in any engagement against the enemy on islands other than those included in subdivision (i) of this subparagraph. An individual will be considered as having participated in combat if he meets any of the conditions set forth in paragraph (a) (2) (i) (b), (c), and (d) of this section.

(iv) Served in the Philippine Islands or on ships in Philippine waters for not less than 30 days during the period.

(3) *Bronze service star*—(i) *Description*. Same as § 578.44 (d) (1).

(ii) *Requirements*. Individuals who meet more than one of the conditions set forth above are authorized to wear a bronze service star on the ribbon for each additional condition under which they qualify other than that under which they are eligible for the initial award of the ribbon.

(c) *Philippine Independence Ribbon*. Established by General Orders 383, Army Headquarters, Commonwealth of the Philippines, 1946.

(1) *Description*. A silk moire ribbon 1 3/8 inches in width composed of a yellow stripe (1/8 inch), blue stripe (3/8 inch), red stripe (3/32 inch), white stripe (3/16 inch), red stripe (3/32 inch), blue stripe (3/8 inch), and yellow stripe (1/8 inch).

(2) *Requirements*. Service in Philippine territory, including its territorial waters, on July 4, 1946. An individual will be considered as having met the requirement only if he was on active duty and was assigned and physically present for duty on that day.

§ 578.55 *Supply of appurtenances*.

(a) Only the following appurtenances will be supplied by the Department of the Army or Department of the Air Force:

\* \* \* \* \*  
(4) *Service Ribbons*. (Except Philippine service ribbons).

\* \* \* \* \*  
(c) The following appurtenances for service medals will not be sold by the Department of the Army or Department of the Air Force:

\* \* \* \* \*  
(4) Philippine service ribbons.

[C3, AR 600-55, Sept. 28, 1949] (R. S. 161; 5 U. S. C. 22)

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 49-8239; Filed, Oct. 13, 1949; 8:48 a. m.]

Chapter VII—Department of the Air Force

PART 837—CLAIMS ON BEHALF OF THE UNITED STATES

MISCELLANEOUS AMENDMENTS

CROSS REFERENCE: For amendment of regulations with respect to claims on behalf of the United States, see Part 537 of Chapter V, *supra*, which was made applicable to the Department of the Air Force at 13 F. R. 8751.

PART 878—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

PHILIPPINE SERVICE RIBBONS

CROSS REFERENCE: For amendment of regulations with respect to decorations, medals, ribbons, and similar devices, see Part 578 of Chapter V, *supra*, which was made applicable to the Department of the Air Force at 13 F. R. 8751.

## TITLE 43—PUBLIC LANDS: INTERIOR

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

#### Appendix—Public Land Orders

[Public Land Order 609]

#### ALASKA

#### WITHDRAWING PUBLIC LAND FOR USE OF BUREAU OF PUBLIC ROADS AS ADMINISTRATIVE SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described town site lots in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Bureau of Public Roads, Department of Commerce, as an administrative site in connection with the construction and maintenance of roads in Alaska:

#### GIRDWOOD TOWN SITE

(U. S. Survey 1177)

Lots 7, 8, 9, and 10, Block 2.

These lots shall be subject to any present or future applicable municipal ordinances which may be passed with respect to sanitation and safety.

It is intended that the public land described herein shall be restored to the administration of the Department of the

Interior when it is no longer needed for the purpose for which it is reserved.

J. A. KRUG,  
*Secretary of the Interior.*

OCTOBER 10, 1949.

[F. R. Doc. 49-8227; Filed, Oct. 13, 1949;  
8:46 a. m.]

## TITLE 35—PANAMA CANAL

### Chapter I—Canal Zone Regulations

#### PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

##### MERCHANT SHIP ANCHORAGES

Regulation 11.1, codified herein as § 4.18, as amended (35 CFR, 1947 Supp., 4.18), is amended to read as follows:

§ 4.18 *Merchant ship anchorages.* The following areas are designated as merchant ship anchorages:

(a) *Atlantic entrance.* An area to the west of the Canal channel bounded as follows: Starting at a point "A", located in position 9°21'25" N., 79°55'31" W., and marked by gas buoy No. 2, thence 900 yards 270° true to a point "B" located in position 9°21'25" N., 79°55'58" W., thence to lighted buoy "I", thence to lighted buoy "H", thence due north to a point "C" located in position 9°22'07" N., 79°56'41" W., thence 2,800 yards 59° true to a point "D" located in position 9°22'50" N., 79°55'29" W., and thence to the starting point. The line extending due west from the Cristobal Mole through lighted beacon No. 1 and lighted buoy No. 2 (9°21'25" North) marks the southern limit of the anchorage area. No vessel shall pass this line without having been passed by Quarantine offi-

cials and without having a Canal pilot on board.

(b) *Gatun Lake anchorage basin.* An area immediately east of the Canal channel line, bounded by a line extending southeasterly from the east wing wall at the south end of Gatun Locks to spar buoy "A", thence to spar buoy No. 1, thence to spar buoy No. 3, and thence southwesterly to the Canal channel line at gas buoy No. 9; the channel line being the westerly boundary line of the area.

(c) *Pacific entrance.* An area bounded on the south by a line drawn due east from a gas and whistle anchorage buoy hereinafter described, in position 8°51'50" N., 79°30'00" W., to longitude 79°28'00" W.; bounded on the southwest by a line drawn between the aforesaid anchorage buoy and Canal entrance buoy No. 4 in position 8°53'50" N., 79°31'45" W.; bounded on the northwest by a line drawn between Canal entrance buoy No. 4 and Flamenco Island Light; bounded on the north by a line drawn due east from Flamenco Island Light to longitude 79°28'00" W.; and bounded on the east by longitude 79°28'00" W. The southwest corner of this anchorage, in position 8°51'50" N., 79°30'00" W., is marked by a gas and whistle buoy which is painted black with white horizontal stripes and which shows occulting white light every two seconds; one second light, one second eclipse.

(Rules 9 and 11 of E. O. 4314, Sept. 25, 1925; 35 CFR 4.11, 4.17)

HERBERT D. VOGEL,  
*Acting Governor.*

SEPTEMBER 30, 1949.

[F. R. Doc. 49-8231; Filed, Oct. 13, 1949;  
8:47 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF THE TREASURY

#### Bureau of Customs

[ 19 CFR, Part 2 ]

#### MEASUREMENT OF SMALL VESSELS HAVING MECHANICALLY REFRIGERATED HOLDS

##### NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that, pursuant to sections 161 and 4153 of the Revised Statutes, section 3 of the act of July 5, 1884, and section 4 of the act of March 2, 1885, as modified by section 102 of Reorganization Plan No. 3 of 1946 (5 U. S. C. 22; 46 U. S. C. 3, 77, 79; 3 CFR, 1946 Supp., ch. IV), it is proposed to amend § 2.48 (c) of the Customs Regulations of 1943, as amended by T. D. 52036 (19 CFR, 2.48 (c)), by deleting the period at the end and by adding the following: "unless it has a mechanically refrigerated hold or holds."

This notice is published pursuant to section 4 of the Administrative Procedures Act (5 U. S. C. 1003). Prior to the issuance of the proposed amendment, consideration will be given to any relevant data, views or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs,

Washington 25, D. C., and received not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

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

Approved: October 6, 1949.

JOHN S. GRAHAM,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 49-8217; Filed, Oct. 13, 1949;  
8:45 a. m.]

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

[Docket No. AO 71-A-19]

[ 7 CFR, Part 927 ]

#### NOTICE OF HEARING ON HANDLING OF MILK IN NEW YORK METROPOLITAN MARKET- ING AREA

#### PROPOSED AMENDMENTS TO TENTATIVE MAR- KETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Market-  
ing Agreement Act of 1937, as amended

(7 U. S. C., 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Supps., 900.1 et seq., 13 F. R. 8585) notice is hereby given of a public hearing to be held at the Ten Eyck Hotel, Albany, New York, beginning at 10:00 a. m., e. s. t., October 19, 1949, for the purpose of receiving evidence with respect to proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area.

Evidence will be received at this hearing with respect to the economic or marketing conditions which relate to the establishment of minimum Class I-A prices for a limited period of time beginning November 1, 1949. The following proposed minimum Class I-A prices have been submitted for consideration at this hearing:

1. Proposed by Metropolitan Cooperative Milk Producers Bargaining Agency, Inc.: \$5.68 per hundredweight for November and December.
2. Proposed by Eastern Milk Producers Cooperative Association; Mutual Co-

operative of Independent Producers; and United Dairy Farmers, District 50, United Mine Workers: \$6.32 per hundredweight for November and December.

These proposed amendments have not received the approval of the Secretary of Agriculture.

Copies of this notice of hearing, the said order, as amended, and the said tentative marketing agreement may be procured from the Market Administrator, 205 East 42d Street, New York, New York, or from the Hearing Clerk, Room 1353, South Building, United States Depart-

ment of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: October 11, 1949.

[SEAL] JOHN I. THOMPSON,  
Assistant Administrator.

[F. R. Doc. 49-8262; Filed, Oct. 13, 1949; 8:52 a. m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

##### ALASKA

#### NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LAND FOR USE OF BUREAU OF PUBLIC ROADS AS ADMINISTRATIVE SITE<sup>1</sup>

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

J. A. KRUG,  
Secretary of the Interior.

OCTOBER 10, 1949.

[F. R. Doc. 49-8228; Filed, Oct. 13, 1949; 8:46 a. m.]

### CIVIL AERONAUTICS BOARD

[Docket No. 4104]

#### AEROLINEAS ARGENTINAS FAMA; FOREIGN AIR CARRIER PERMIT

#### NOTICE OF REASSIGNMENT OF DATE OF HEARING

In the matter of the application of Aerolineas Argentinas FAMA pursuant to section 402 of the Civil Aeronautics Act of 1938, as amended, for a foreign air carrier permit authorizing the foreign air transportation of persons, property and mail between Buenos Aires, Argentina and New York, New York, via the intermediate points Sao Paulo, Brazil (or Rio de Janeiro, Brazil), Belem, Brazil, Port of Spain, Trinidad, B. W. I. and Havana, Cuba.

<sup>1</sup> See F. R. Doc. 49-8227, Title 43, Chapter I, Appendix, *supra*.

Notice is hereby given that public hearing in the above-entitled proceeding heretofore assigned for October 21, 1949, has been advanced and is now assigned to be held on October 19, 1949, at 10:00 a. m. (e. s. t.) in Room 2065, Temporary Building No. 4, 17th Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., October 11, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 49-8243; Filed, Oct. 13, 1949; 8:49 a. m.]

### FEDERAL POWER COMMISSION

[Docket No. E-6240]

#### BLACK HILLS POWER AND LIGHT Co.

#### NOTICE OF APPLICATION

OCTOBER 10, 1949.

Notice is hereby given that on October 7, 1949, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Black Hills Power and Light Company, a corporation organized under the laws of the State of South Dakota and doing business in the States of Wyoming and South Dakota, with its principal business office at Rapid City, South Dakota, seeking an order authorizing the issuance of 33,730 shares of Common Stock of the par value of \$1 per share. Said Common Stock will be offered to the holders of the presently outstanding Common Stock of the Applicant, pro rata according to their preemptive rights, with additional rights to such stockholders to subscribe for shares not taken upon the exercise of preemptive rights; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 31st day of October 1949, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-8229; Filed, Oct. 13, 1949; 8:46 a. m.]

[Docket Nos. G-963, G-1105, G-1261, G-1273, G-1241, G-1259]

#### COMMONWEALTH NATURAL GAS CORP. ET AL.

#### ORDER RECONVENING HEARING

In the matters of Commonwealth Natural Gas Corporation, Docket No. G-963; Piedmont Natural Gas Corporation, Docket No. G-1105; Virginia Gas Transmission Corporation, Docket No. G-1261; Tennessee Gas Transmission Company, Docket No. G-1273; Virginia Natural Gas Company, Docket No. G-1241; Eastern Natural Gas Company, Docket No. G-1259.

On October 5, 1949, pursuant to a motion by Piedmont Natural Gas Corporation, the Trial Examiner recessed the hearing in the above-consolidated proceedings to reconvene on December 5, 1949, from which ruling Commonwealth Natural Gas Corporation and Virginia Gas Transmission Corporation appealed to the Commission.

The Commission finds: The hearing in the above-consolidated proceedings should be reconvened for the purpose of taking evidence concerning the matters involved and the issues presented.

The Commission orders:

(A) Further hearings be held on the applications filed in the above-entitled dockets commencing on October 24, 1949, at 10:00 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

(B) At the reconvened hearing the sequence for the presentation of additional evidence as to the matters involved and the issues presented by the applicants shall be as follows:

(1) Tennessee Gas Transmission Company, Docket No. G-1273;

(2) Commonwealth Natural Gas Corporation, Docket No. G-963;

(3) Virginia Gas Transmission Corporation, Docket No. G-1261; Piedmont Natural Gas Corporation, Docket No. G-1105, shall proceed with its presentation not later than November 28, 1949.

Date of issuance: October 10, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-8230; Filed, Oct. 13, 1949; 8:46 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1121]

OHIO EDISON CO.

### NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of October A. D. 1949.

The San Francisco Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$8 Par Value, of Ohio Edison Company, a security listed and registered on the New York Stock Exchange and on the Cleveland Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to October 26, 1949, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-8234; Filed, Oct. 13, 1949;  
8:47 a. m.]

[File No. 70-2213]

AMERICAN GAS AND ELECTRIC CO.

### SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING AMENDED DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 7th day of October A. D. 1949.

American Gas and Electric Company ("American Gas"), a registered holding company, having filed a declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a), 7 and 12 (c) thereof and Rules U-42 and U-50 thereunder regarding the issuance and sale of 498,081 additional shares of its \$10 par value common stock, subject to a rights offering to its present stockholders on the basis of one share of addi-

tional stock for each nine shares presently held, such issuance and sale to be subject to the competitive bidding requirements of Rule U-50 with respect to the compensation paid to underwriters, the price at which such stock is being offered to be fixed by American Gas prior to the time set for receiving bids; and

The Commission, by order dated September 27, 1949, having permitted said declaration, as amended, to become effective subject to the condition that the proposed issuance and sale of common stock should not be consummated until the results of competitive bidding pursuant to Rule U-50 should be made a matter of record in these proceedings and a further order entered by the Com-

mission in the light of the record as so completed, and subject to a reservation of jurisdiction with respect to the payment of all fees and expenses incurred or to be incurred in connection with the proposed transactions; and

American Gas having filed a further amendment to its declaration setting forth that it had requested bids for the purchase of said common stock; American Gas, having notified underwriters who had qualified, that such stock would be offered at a price of \$44.75 per share, that such underwriters were to bid upon the compensation they would receive, and, American Gas having stated in such amendment that in response to such invitations the following bids for the common stock were received:

Underwriters	Price to company (per share) <sup>1</sup>	Underwriters' compensation	Aggregate net proceeds
Union Securities Corp.....	\$44.75	\$116,000	\$22,173,124.75
The First Boston Corp.....	44.75	146,933	22,142,191.75
Dillon, Read & Co., Inc.....	44.75	198,000	22,091,124.75
Blyth & Co., Inc., and Goldman, Sachs & Co.....	44.75	428,349	21,860,775.75

<sup>1</sup> The price was fixed by the company and indicates the subscription price to stockholders.

The amendment further setting forth that American Gas has accepted the bid of the underwriting group headed by Union Securities Corporation, as set forth above, and it appearing that the underwriters' agreement provides that said underwriters will purchase from the company at the subscription price indicated above such of the shares as are not sold pursuant to subscriptions, and that if any such shares, including shares purchased pursuant to the right to over-subscribe, are sold by the underwriters at a price in excess of \$46.75, prior to November 24, 1949, the underwriters will pay to the company, in addition to the subscription price, one-half of such excess; and

The record having also been completed with respect to fees and expenses in connection with the proposed transactions, which fees and expenses are estimated in the aggregate amount of \$145,540.55, including fees in the amount of \$20,000 for Simpson, Thacher & Bartlett, counsel for the company, and a fee in the maximum amount of \$45,000 for Guaranty Trust Company for its services as subscription agent, and said amendment also setting forth the fee of Winthrop, Stimson, Putnam & Roberts, counsel for the underwriters in the amount of \$12,000, which fee is to be paid by the successful purchasers; and

The Commission having examined said amendment and having considered the record herein and finding that the fees proposed to be paid are not unreasonable, and observing no basis for adverse findings or the imposition of terms and conditions with respect to the matters set forth in said amendment.

It is ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as the result of competitive bidding under Rule U-50, and with respect to fees and expenses in connection with the issuance and sale of the common stock, be, and the same hereby is, released, and that said declaration, as amended be, and the same

hereby is, permitted to become effective, forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-8232; Filed, Oct. 13, 1949;  
8:47 a. m.]

[File No. 70-2225]

STANDARD POWER AND LIGHT CORP. AND  
STANDARD GAS AND ELECTRIC CO.

### ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of October 1949.

Standard Power and Light Corporation ("Standard Power"), a registered holding company, and its subsidiary, Standard Gas and Electric Company ("Standard Gas"), also a registered holding company, having filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") with respect to the following proposed transaction:

Applicants-declarants propose to extend for a period of one year the maturity of a 4% unsecured promissory note held by Standard Power and issued by Standard Gas in the principal amount of \$983,930, due October 10, 1949. The note was issued pursuant to authorization of this Commission in File No. 70-1211 in lieu of the payment of cash by Standard Gas to Standard Power in retirement of the latter company's holdings of certain notes and debentures of Standard Gas. Such authorization permitted the issuance of the note "upon the condition that Standard Power and Light Corporation hold such note subject to the infirmities, if any, which presently inhere in its holdings of notes and



debentures of Standard Gas and Electric Company and without prejudice to the right of the Commission to take such further action as may from time to time be appropriate under the applicable provisions of the act and the rules and regulations thereunder". The nature or extent of the aforementioned infirmities, if any, not having as yet been determined, the extension of the maturity of such note is proposed by applicants-declarants in order to maintain the status quo with respect thereto.

Said application-declaration having been filed on September 20, 1949, notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that said application-declaration satisfies the requirements of the applicable provisions of the act and the rules thereunder, that no adverse findings are necessary in connection with the proposed transaction, and that the application-declaration should be granted and permitted to become effective forthwith without the imposition of terms and conditions other than contained in Rule U-24:

*It is ordered,* Pursuant to said Rule U-23 and the applicable provisions of said act that the said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-8233; Filed, Oct. 13, 1949;  
8:47 a. m.]

[File No. 811-394]

COMSEC CORPORATION PARTICIPATING  
COLLATERAL TRUST CERTIFICATES

NOTICE OF MOTION TO TERMINATE  
REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of October A. D. 1949.

Notice is hereby given that the Division of Corporation Finance of the Commission has filed a motion for an order pursuant to section 8 (f) of the Investment Company Act of 1940 declaring that Comsec Corporation Participating Collateral Trust Certificates, a registered investment company, has ceased to be an investment company within the meaning of the act.

The Division of Corporation Finance has been advised that in accordance with the consents of all the holders of Comsec Corporation Participating Collateral Trust Certificates and the provisions of a Trust Agreement under which it was created, Comsec Corporation Participating Collateral Trust Certificates was terminated. The Division has been fur-

No. 199—4

ther advised that all of the assets of such trust have been liquidated, that all liabilities have been paid and/or compromised with the consent and approval of all the parties in interest, and that all of the proceeds have been distributed to certificate holders.

All interested persons are referred to said motion which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order declaring that the registration of Comsec Corporation Participating Collateral Trust Certificates has ceased to be in effect may be entered by the Commission at any time after October 26, 1949, unless prior thereto a hearing in this matter shall be ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than October 24, 1949, at 5:30 p. m., e. s. t., submit to the Commission in writing his views or any additional facts bearing upon this motion or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the motion which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-8235; Filed, Oct. 13, 1949;  
8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13875]

YUTAKA TERAMOTO

In re: Debt owing to Yutaka Teramoto. D-39-19167-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yutaka Teramoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows. That certain debt or other obligation owing to Yutaka Teramoto, by Western Union Telegraph Company, Chicago 5, Illinois, in the amount of \$150.00, as of December 31, 1945, arising from an uncashed telegraphic money order for \$150.00, purchased by Hamraye Teramoto at Western Union Office, Tule Lake, California, November 26, 1945, pay-

able to Yutaka Teramoto, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Yutaka Teramoto, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan.)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 27, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8247; Filed, Oct. 13, 1949;  
8:50 a. m.]

[Vesting Order 13876]

MARTIN MEFFERT

In re: Estate of Martin Meffert, also known as John Martin Meffert, also known as Bruce Meffert, deceased. File No. D-28-12609; E. T. sec. 16796.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That George Boerner, Anna Boerner Erb, Ernest (Ernst) Boerner, Eliese Boerner Roedel, Caroline Katharine Boerner Hendrich, Friedrich Wilhelm Boerner, Karl Johannes Boerner, Elise Boerner, George (Georg) Boerner, Franz Boerner and Lina Boerner Kister, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Martin Meffert, also known as Bruce Meffert, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Treasurer of Berrien County, Michigan, as Depository, acting under the judicial supervision of the Probate Court for the County of Berrien, Michigan;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 3, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8248; Filed, Oct. 13, 1949;  
8:50 a. m.]

[Vesting Order 13879]

THILKING ET AL.

In re: Thilking et al., vs. Rubel et al. D-28-10665; E. T. sec. 15019.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elsa Zachinsky, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the proceeds of the real estate sold pursuant to court order in a partition suit entitled: "Thilking et al., vs. Rubel et al.", case No. 74119 in the Circuit Court of the City of St. Louis, State of Missouri, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by the Clerk of the Circuit Court of the City of St. Louis, State of Missouri, as depository, acting under the judicial supervision of the Circuit Court of the City of St. Louis, State of Missouri;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States

requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 3, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8249; Filed, Oct. 13, 1949;  
8:50 a. m.]

[Vesting Order 13881]

META BRUGGEMANN AND GRETA MAHLSTADT

In re: Cash owned by Meta Bruggemann and Greta Mahlstadt. F-28-30350-E-1, F-28-30351-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Meta Bruggemann and Greta Mahlstadt, each of whose last known address is Germany are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: The sum of \$150.00 presently in the possession of the Attorney General of the United States in Collection Account numbered 28-34620,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Meta Bruggemann, the aforesaid national of a designated enemy country (Germany);

3. That the property described as follows: The sum of \$150.00 presently in the possession of the Attorney General of the United States in Collection Account numbered 28-34621,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Greta Mahlstadt, the aforesaid national of a designated enemy country (Germany); and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 3, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8250; Filed, Oct. 13, 1949;  
8:50 a. m.]

[Vesting Order 13886]

JULIUS SPROEGEL

In re: Safe deposit lease and contents owned by Julius Sproegel, also known as Jules Sprogel. D-28-825-F-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Julius Sproegel, also known as Jules Sprogel, whose last known address is 12 Bismarckallee, Ahrensburg/Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. All rights and interests created in Julius Sproegel, also known as Jules Sproegel, under and by virtue of a safe deposit box lease agreement by and between Jules Sprogel and Continental Illinois Safe Deposit Company, 231 South La Salle Street, Chicago, Illinois, relating to Safe Deposit Box number K-799, located in the vaults of said safe deposit company, including particularly but not limited to the right of access to said safe deposit box, and

b. All property of any nature whatsoever owned by Julius Sproegel, also known as Jules Sprogel located in the safe deposit box referred to in subparagraph 2 (a) hereof, and all rights and interests of said person, evidenced or represented thereby

subject, however, to any liens of the aforesaid Continental Illinois Safe Deposit Company, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the

national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 3, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8251; Filed, Oct. 13, 1949;  
8:50 a. m.]

[Vesting Order 13889]

JOE MAYER

In re: Bank accounts, bank draft, stock and checks owned by Joe Mayer, also known as Joseph Mayer, and as Josef Mayer. F-28-23285-E-1/2, F-28-23285-D-1/2, F-28-23285-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joe Mayer, also known as Joseph Mayer, and as Josef Mayer, whose last known address is Bavaria, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Joe Mayer, also known as Joseph Mayer, and as Josef Mayer, by The First National Bank of Monroe, Monroe, Wisconsin, arising out of a Savings Account, account number 4794, entitled Joe Mayer, maintained at the aforesaid Bank, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation evidenced by one Bank Draft, drawn on Irving Trust Company, One Wall Street, New York, New York, drawn by The First National Bank of Monroe, Monroe, Wisconsin, in the amount of \$129.42 bearing the number 107, dated January 10, 1941, payable to Joe Mayer, also known as Joseph Mayer, and as Josef Mayer, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, and any and all rights in, to and under the aforesaid Bank Draft,

c. Ten (10) shares of \$100.00 par value 6% preferred capital stock of Wisconsin Power & Light Company, 122 West Washington Avenue, Madison 1, Wisconsin, a corporation organized under the

laws of the State of Wisconsin, evidenced by certificates numbered CPO4339 and CPO5336 for five (5) shares each registered in the name of Joe Mayer, together with all declared and unpaid dividends thereon,

d. That certain debt or other obligation matured or unmatured evidenced by one (1) Certificate of Beneficial Interest for two (2) shares of no par value capital stock of Columbus Venetian Stevens Building, Inc., said certificate numbered 3079, registered in the name of Joe Mayer, and any and all rights to demand, enforce and collect the same, together with any and all rights in, to and under said Certificate of Beneficial Interest,

e. That certain debt or other obligation of Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, arising out of an accumulated cash account, entitled Columbus Venetian Stevens Building Inc. Interest Account, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

f. Those certain debts or other obligations of Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, evidenced by checks numbered R. I. 34724 dated March 1, 1940, in the amount of \$3.60 and R. I. 47448 dated September 1, 1940, in the amount of \$3.34, together with any and all rights to demand, enforce and collect the aforesaid debts or other obligations and any and all rights in, to and under the aforesaid checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Joe Mayer, also known as Joseph Mayer, and as Josef Mayer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 3, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8253; Filed, Oct. 13, 1949;  
8:50 a. m.]

[Vesting Order 13892]

HENRY FRICKE

In re: Estate of Henry Fricke, deceased. File: F-28-7638; E. T. sec. 2024.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees of Henry Fricke, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof in and to the estate of Henry Fricke, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Walter B. Solinger, as Ancillary Administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

4. That to the extent that the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees of Henry Fricke, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 4, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-8254; Filed, Oct. 13, 1949;  
8:50 a. m.]

[Return Order 445]

GUIDO QUILICI

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return,

and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Notice of Intention To Return Published, and Property*

Guido QUILICI, Lucca Lammori, Italy; Claim No. 35812; August 30, 1949 (14 F. R. 5384); \$1,126.21 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on October 7, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8255; Filed, Oct. 13, 1949; 8:50 a. m.]

**RICHARD ANSCHUETZ**

**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

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

*Claimant, Claim No., Property, and Location*

Richard Anschuetz, Paris, France; 36990; \$2,722.14 in the Treasury of the United States.

Executed at Washington, D. C., on October 7, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8256; Filed, Oct. 13, 1949; 8:50 a. m.]

**MARGARETE AND LUCIE BLASS**

**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

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

*Claimant, Claim No., Property and Location*

Margarete Blass, Executrix of the Estate of Lucie Blass, deceased, Cranford, N. J.; 11621; \$8,495.83 in the Treasury of the United States.

Executed at Washington, D. C., on October 7, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8257; Filed, Oct. 13, 1949; 8:50 a. m.]

**ANGELA PILERI CALABI ET AL.**

**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, certain shares of the common and third preferred capital stock of the De Nobili Cigar Company, Long Island City, New York, now registered in the name of the Alien Property Custodian and in the custody of the

Claim No.	Claimant	Shares		Certificate Nos.	Amount
		Common	Preferred		
1220	Angela Pileri Calabi, New York, N. Y.	25	20	145 197	\$133.96
1230	Ugo Calabi, New York, N. Y.	25	23	54 109	
2279	Camillo Artom, Winston-Salem, N. C.	6	10	191 238	58.75
36592	Roberto Funaro, New York, N. Y.	6	4	216 263	28.06

Executed at Washington, D. C., on October 7, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8258; Filed, Oct. 13, 1949; 8:50 a. m.]

**LORENZA NICASTRO ET AL.**

**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

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

*Claimant, Claim No., Property, and Location*

Lorenza Nicastro; 37859; \$5,030.57 in the Treasury of the United States.

Filippo Nicastro; 37859; \$3,153.56 in the Treasury of the United States.

Paola Nicastro; 37859; \$3,153.56 in the Treasury of the United States.

Maria Nicastro; 37859; \$3,153.57 in the Treasury of the United States.

All of Aidone, Enna, Italy; all right, title and interest of Lorenza Nicastro, Filippo Nicastro, Paola Nicastro and Maria Nicastro in and to the Estate of Lorenzo Nicastro, deceased.

Executed at Washington, D. C., on October 7, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8259; Filed, Oct. 13, 1949; 8:51 a. m.]

**JENNY PUCCINI**

**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to re-

turn, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

turn, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Property, and Location*

Jenny Puccini, Florence, Italy; 36821; \$1,858.27 in the Treasury of the United States. All right, title and interest of Jenny Puccini in and to a Trust created under the Will of Samuel Mathewson Scott, deceased; Provident Trust Company of Philadelphia, Pennsylvania, Trustee.

Executed at Washington, D. C., on October 7, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8260; Filed, Oct. 13, 1949; 8:51 a. m.]

**MARGUERITE LE GHAI T VON STEIN**

**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

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

*Claimant, Claim No., Property and Location*

Marguerite Le Ghait von Stein, Vernate pr. Lugano Ticino, Switzerland, 42475; all right, title and interest of Marguerite Le Ghait von Stein in and to a trust created under the Will of Fanny Payson, deceased.

Executed at Washington, D. C., on October 7, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 49-8261; Filed, Oct. 13, 1949; 8:51 a. m.]