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And by virtue of and pursuant to the authority vested in me by the act of March 12, 1914, 38 Stat. 305, 307 (U.S.C., title 48, sec. 303), so much of the above-described tract as is not now reserved therefor is hereby withdrawn from settlement, location, sale, entry, or other disposition, and reserved for townsite purposes in connection with the construc-

tion and operation of railroad lines under said act, under such regulations as have been or may hereafter be prescribed.

FRANKLIN D ROOSEVELT
THE WHITE HOUSE,
August 7, 1940.

[No. 8505]

[F. R. Doc. 40-3305; Filed, August 8, 1940; 2:14 p. m.]

Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER VII—AGRICULTURAL ADJUSTMENT ADMINISTRATION

[1940 Bulletin, Supplement No. 11]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

Paragraph (g), § 701.110, is amended to read as follows:

(g) *Deductions in case of erroneous notice of acreage allotment.* Notwithstanding the deduction provisions of § 701.101, in any case where, through error in a county or State office, the producer was officially notified of an acreage allotment for a commodity larger than the finally approved acreage allotment for that commodity and the county and State committees find, if the notice was in writing or the county and State committees, with the approval of the Administrator, find, if the notice was not in writing, that the producer, acting solely upon information contained in the erroneous notice, planted an acreage to the commodity in excess of the finally approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment for such commodity unless he planted an acreage to the commodity in excess of the allotment erroneously issued, and the deduction for excess acreage will be made only with respect to the acreage in excess of the allotment erroneously issued.

Done at Washington, D. C., this 9th day of August 1940. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Acting Secretary.

[F. R. Doc. 40-3311; Filed, August 9, 1940; 11:33 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

CHAPTER I—MONETARY OFFICES

PART 134—AMENDMENT TO GENERAL LICENSE No. 4 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

Paragraph (b) of General License No. 4, as amended, is further amended to read as follows:

(b) this general license shall not be deemed to authorize the sale of any security registered or inscribed in the name of Norway, Denmark, the Netherlands, Belgium, Luxembourg, France, Latvia, Estonia or Lithuania, or any national thereof, irrespective of the fact that at any time (whether prior to, on, or subsequent to April 10, 1940) the registered or inscribed owner thereof may have, or appears to have, assigned, transferred or otherwise disposed of the security.*

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.
August 8, 1940.

[F. R. Doc. 40-3314; Filed, August 9, 1940; 11:38 a. m.]

PART 143—AMENDMENT TO GENERAL LICENSE No. 13 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

General License No. 13 is hereby amended to read as follows:

A general license is hereby granted authorizing banking institutions within the United States to make all payments, transfers and withdrawals from accounts in the name of any of the following: the head offices in Java of the Javasche Bank, Nederlandsche Handel Maatschappij, Nederlandsch Indische Handelsbank and Nederlandsch Indische Escompto Maatschappij, the branch offices in Kobe, Shanghai, Amoy, Hongkong, Manila, Singapore, Bombay and Calcutta of the Nederlandsch Indische Handelsbank and the branch offices in Kobe, Djeddah, Shanghai, Hongkong, Singapore, Penang, Rangoon, Calcutta and Bombay of the Nederlandsche Handel Maatschappij.

Banking institutions within the United States making such payments, transfers or withdrawals shall file promptly with the appropriate Federal Reserve Bank weekly reports showing the details of the transactions during such period.**

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.
AUGUST 8, 1940.

[F. R. Doc. 40-3315; Filed, August 9, 1940; 11:38 a. m.]

*Part 134; sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E. O. 6560, Jan. 15, 1934; E. O. 8389, April 10, 1940; E. O. 8405, May 10, 1940; E. O. 8446, June 17, 1940; E. O. 8484 July 15, 1940; E. O. 8493, July 25, 1940; Regulations, April 10, 1940, as amended May 10, 1940, June 17, 1940 and July 15, 1940.

**Part 143; sec. 5 (b), 40 Stat. 415 and 966, Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 3389, April 10, 1940; E.O. 8405, May 10, 1940; E.O. 8446, June 17, 1940; E.O. 8484, July 15, 1940; E.O. 8493, July 25, 1940; Regulations, April 10, 1940, as amended May 10, 1940, June 17, 1940, and July 15, 1940.

Part 147—REVOCATION OF GENERAL LICENSE No. 17, AS AMENDED, UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

General License No. 17, as amended, is hereby revoked.*

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.
AUGUST 8, 1940.

[F. R. Doc. 40-3316; Filed, August 9, 1940; 11:38 a. m.]

Part 157—GENERAL LICENSE No. 27 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

A general license is hereby granted authorizing banking institutions within the United States to present securities (including coupons) to the proper paying agents within the United States for redemption or collection for the account and pursuant to the authorization of nationals of any of the foreign countries designated in Executive Order No. 8389, as amended, and to perform such other acts, and to effect such other transactions, as may be necessarily incident to any such redemption or collection, provided that:

(a) the proceeds of the redemption or collection are credited to an account in the name of the national for whose account the redemption or collection was made and in the banking institution within the United States which held the securities for such national; and

(b) this general license shall not be deemed to authorize the presentation for redemption of any security registered or inscribed in the name of any of the foreign countries designated in Executive Order No. 8389, as amended, or any national thereof, irrespective of the fact that at any time (whether prior to, on, or subsequent to April 10, 1940) the registered or inscribed owner thereof may have, or appears to have, assigned, transferred or otherwise disposed of the security.

Each banking institution making any presentations for redemption or collection herein authorized is required to file promptly with the appropriate Federal Reserve Bank weekly reports showing the details of the transactions, including a description of the securities presented

*Part 147; sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8389, April 10, 1940; E.O. 8405, May 10, 1940; E.O. 8446, June 17, 1940; E.O. 8484, July 15, 1940; E.O. 8493, July 25, 1940; Regulations, April 10, 1940, as amended May 10, 1940, June 17, 1940 and July 15, 1940.

for redemption or collection, the dates of presentations, the persons for whose account the presentations were made, and the amounts collected.*

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.
AUGUST 8, 1940.

[F. R. Doc. 40-3317; Filed, August 9, 1940; 11:38 a. m.]

Part 158—GENERAL LICENSE No. 28 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

A general license is hereby granted authorizing any individual who is a citizen of the United States and residing therein and who is a "national" of any of the foreign countries designated in Executive Order No. 8389, as amended, within the meaning of such Executive Order, as amended, to engage in any transaction which would not be prohibited under the provisions of such Executive Order, as amended, if such resident citizen were not a "national" of any of the foreign countries designated in such Executive Order, as amended. All banking institutions within the United States are hereby authorized to engage in any transaction involving property in which such resident citizen has an interest, to the same extent, and under the same circumstances, as if such resident citizen were not a "national" of one of the foreign countries designated in such Executive Order, as amended.

This general license shall not be deemed to affect securities or evidences thereof delivered, or required to be delivered, to a Federal Reserve Bank under the provisions of General Ruling No. 5,¹ as supplemented, or to authorize payments, transfers or withdrawals from accounts referred to in Paragraph (4) of General Ruling No. 6.**

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.
August 8, 1940.

[F. R. Doc. 40-3318; Filed, August 9, 1940; 11:39 a. m.]

*Part 157; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8989, April 10, 1940; E.O. 8405, May 10, 1940; E.O. 8446, June 17, 1940; E.O. 8484, July 15, 1940; E.O. 8493, July 25, 1940; Regulations, April 10, 1940, as amended May 10, 1940, June 17, 1940 and July 15, 1940.
¹ 5 F.R. 2159.

**Part 158; sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; Ex. Order 6560, Jan. 15, 1934; Ex. Order 8389, April 10, 1940; Ex. Order 8405, May 10, 1940; Ex. Order 8446, June 17, 1940; Ex. Order 8484, July 15, 1940; Ex. Order 8493, July 25, 1940; Regulations, April 10, 1940, as amended May 10, 1940, June 17, 1940, and July 15, 1940.

PART 159—GENERAL LICENSE No. 29 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

The provisions of the following General Licenses, as amended, are hereby made applicable, as of the date hereof, to all accounts of the type referred to in paragraph (4) of General Ruling No. 6, issued under Executive Order No. 8389, as amended, to the extent that heretofore such General Licenses have not been applicable by reason of their specifying accounts of certain designated countries, or nationals thereof:

- General License No. 1.
- General License No. 2.
- General License No. 4.
- General License No. 5.
- General License No. 11.
- General License No. 27.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.
AUGUST 9, 1940.

[F. R. Doc. 40-3319; Filed, August 9, 1940; 11:39 a. m.]

GENERAL RULING No. 6 SUPPLEMENTING GENERAL RULING No. 5 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

AUGUST 8, 1940.

(1) The provisions of General Ruling No. 5¹ of June 6, 1940, and all instructions issued pursuant thereto, are hereby continued in full force and effect, *Provided*, That any Federal Reserve Bank to whom securities or evidences thereof (hereinafter referred to as securities) have been forwarded under such General Ruling may, as fiscal agent of the United States, deliver the securities, at any time, under appropriate arrangements with the addressee of the securities, to a bank or trust company incorporated under the laws of the United States or of any state, territory or district of the United States, or to a private bank subject to supervision and examination under the banking laws of any state, or to any other banking institution authorized for that purpose by the Treasury Department.

(2) Prior to such delivery by a Federal Reserve Bank of any such security a complete description of the security shall

*Part 159; sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8389, April 10, 1940; E.O. 8405, May 10, 1940; E.O. 8446, June 17, 1940; E.O. 8484, July 15, 1940; E.O. 8493, July 25, 1940; Regulations, April 10, 1940, as amended May 10, 1940, June 17, 1940 and July 15, 1940.
¹ 5 F.R. 2159.

be made or received, and retained by such Federal Reserve Bank, and in any case in which a security bears a stamp, seal or other mark not lending itself to precise description, a photostat of such mark shall be made at the expense of the addressee and retained by such Federal Reserve Bank. This requirement may be dispensed with in any case in which appropriate arrangements are entered into for furnishing such Federal Reserve Bank with this description within a reasonable time after such delivery.

(3) Upon the delivery of any such security by a Federal Reserve Bank to any such institution, such institution shall execute such form of receipt as may be prescribed by the Secretary of the Treasury.

(4) Any institution to which any such security shall be delivered by a Federal Reserve Bank shall place such security in an account in such institution, from which payments, transfers, or withdrawals may be made only in accordance with a license issued pursuant to Executive Order No. 8389, as amended. In the event that any such security so held by such institution is sold or otherwise dealt with under a license the proceeds therefrom shall be held by such institution under the same conditions as those under which the security was held, and such proceeds shall be placed in an account in such institution in the same name in which the security sold or otherwise dealt with was held, from which payments, transfers or withdrawals may be made only in accordance with a license issued pursuant to Executive Order No. 8389, as amended.

(5) Federal Reserve Banks shall release any security referred to in paragraph (1) hereof, or shall authorize the release of the contents of any account referred to in paragraph (4) hereof, if and when the Treasury Department is fully satisfied that no foreign country designated in Executive Order No. 8389, as amended, or any national thereof, has, at any time, on or since the dates specified in such Order, as amended, had any interest of any nature whatsoever, direct or indirect, in such security or in such account.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 40-3320; Filed, August 9, 1940;
11:39 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 491]

ALLOCATION OF FUNDS FOR LOANS

JULY 29, 1940.

By virtue of the authority vested in me by the provisions of Section 4 of

the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Colorado 1016B1 Jefferson.....	\$221,000
Indiana 1083A1 Dubois.....	322,000
Indiana 1099A1 Spencer.....	355,000
Iowa 1056C1 Poweshiek.....	160,000
Louisiana 1017B1 Claiborne.....	134,000
Michigan 1033C1 Charlevoix.....	266,000
Minnesota 1010G2 Carlton.....	102,000
Oklahoma 1019B2 Craig.....	29,000
Pennsylvania 1004D2 Crawford..	200,000
Virginia 1028C1 Lancaster.....	66,000
Virginia 1029H1 Nelson.....	64,000
Washington 1035A2 Pend Oreille..	15,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 40-3308; Filed, August 9, 1940;
9:55 a. m.]

Surplus Marketing Administration.

[Docket No. A-138 O-138]

PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER REGULATING THE HANDLING OF MILK IN THE SHREVEPORT, LOUISIANA, MARKETING AREA

NOTICE OF HEARING

Whereas, the Cooperative Dairy Association of Shreveport, Louisiana, has requested the Secretary of Agriculture to hold a public hearing on a proposed marketing agreement and order prepared and proposed by said organization and designed to regulate such handling of milk in the Shreveport, Louisiana, marketing area as is in the current of interstate commerce, or which directly burdens, obstructs or affects interstate commerce; and

Whereas, the Secretary of Agriculture has reason to believe that the execution of a marketing agreement and the issuance of an order will tend to effectuate the declared policy of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, with respect to such handling of milk in the Shreveport, Louisiana, marketing area as is in the current of interstate commerce or which directly burdens, obstructs or affects interstate commerce; and

Whereas, under said act notice of and opportunity for a hearing are required prior to the execution of a marketing agreement and the issuance of an order, and the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for such notice:

Now, therefore, pursuant to said act and said general regulations, notice is hereby given of a public hearing to be held in the Court Room, Parish Court House, Milam and Marshal Streets, Shreveport, Louisiana, beginning at 10:00 a. m., c. s. t., August 26, 1940, on the

forementioned marketing agreement and order prepared and proposed by the aforementioned organization and designed to regulate such handling of milk in the Shreveport, Louisiana, marketing area as is in the current of interstate commerce or which directly burdens, obstructs or affects interstate commerce.

At this public hearing, representatives of the Secretary will receive factual evidence (1) as to whether marketing conditions for such handling of milk in the Shreveport, Louisiana, marketing area as is in the current of interstate commerce or which directly burdens, obstructs or affects interstate commerce are so disorderly as to necessitate regulation of the handling of such milk in order that the declared policy of the act may be effectuated, and (2) as to the specific provisions which a marketing agreement or order should contain.

The proposed marketing agreement and order provide, among other things, for: (1) definition of the marketing area, (2) selection of a market administrator, (3) reports of handlers, (4) classification of milk, (5) minimum prices to producers, (6) payments to producers through the use of individual handler pools, and (7) expenses of administration.

Copies of the proposed marketing agreement and order may be obtained from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 0310 South Building, Washington, D. C., or may be there inspected.

[SEAL] GROVER B. HILL,
Acting Secretary.

Dated, AUGUST 9, 1940.

[F. R. Doc. 40-3307; Filed, August 9, 1940;
9:55 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF CHANGE IN DATE OF HEARING ON APPLICATION OF THE RAW FUR AND WOOL ASSOCIATION OF ST. LOUIS, MISSOURI, INC., AND SUNDRY OTHER PARTIES FOR PARTIAL EXEMPTION OF THE RAW FUR RECEIVING INDUSTRY AS AN INDUSTRY OF A SEASONAL NATURE

Whereas on the 30th day of July, 1940, Notice of Hearing¹ on the application of the Raw Fur and Wool Association, St. Louis, Missouri, Inc., and sundry other parties for exemption of the raw fur receiving industry as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Fair Labor Standards Act and Part 526 of the regulations issued thereunder, was duly issued by Philip B. Fleming, Administrator, Wage and Hour Division, U. S. Department of Labor, to

15 F.R. 2694.

commence on August 14, 1940, at 10:00 a. m. at Room 3229, U. S. Department of Labor Building, Washington, D. C., before Harold Stein, a duly authorized representative of the Administrator, for the purpose of determining:

Whether or not raw fur receiving as defined herein is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938, and Part 526 of regulations issued thereunder, and if so, the appropriate limits of such industry. As used in this notice the term "raw fur receiving" may include the receiving, packing, grading, sorting, appraising, scraping, stretching, or drying of raw furs or any combination of such operations.

Now take notice that the said hearing has been duly postponed and will be held at 10:00 a. m. on September 5, 1940, at the Raleigh Hotel, Washington, D. C., before Harold Stein, an authorized representative of the Administrator, to take testimony, hear argument, and receive written statements for the purpose of determining the question set forth above.

Signed at Washington, D. C., this 9th day of August 1940.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 40-3326; Filed, August 9, 1940; 12 m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Order No. 75-A]

TIME EXTENDED FOR RADIO OPERATOR TO FILE RESPONSE TO QUESTIONNAIRE

The Commission having under consideration its Order No. 75,¹ which, in part, requires that on or before the 15th day of August 1940, each radio operator who holds an outstanding commercial or amateur radio operator license issued by this Commission shall file with the Commission his response, under oath, to a questionnaire attached to the Order;

It is ordered, That the time within which responses in accordance with the first ordering paragraph of Order No. 75 must be filed with the Commission be, and it is hereby, extended until September 15, 1940: *Provided, however,* That in all other respects the responses to that order shall be filed in accordance with the provisions thereof.

This Order shall take effect on the 2nd day of August 1940.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 40-3310; Filed, August 9 1940; 11:22 a. m.]

¹ 5 F.R. 2394.

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. F.D.C. No. 22]

AMENDMENT OF DEFINITION AND STANDARD OF IDENTITY FOR TOMATO CATSUP SO AS TO PERMIT THE USE THEREIN OF SODIUM BENZOATE AS AN OPTIONAL INGREDIENT

NOTICE OF HEARING

Notice is given hereby that the Administrator of the Federal Security Agency, upon the application of a substantial portion of the interested industry stating reasonable grounds therefor and in accordance with the provisions of sections 401 and 701 (e) of the Federal Food, Drug, and Cosmetic Act, 52 Stat. 1046, 1055, 21 U.S.C. Secs. 341 and 371 (e) (Supp. V, 1939); the Reorganization Act of 1939, 53 Stat. 561, 5 U.S.C. Sec. 133 (Supp. V, 1939); and Reorganization Plans No. I (53 Stat. 1423, 4 F.R. 2727) and No. IV (5 F.R. 2421); will hold a public hearing, commencing at 10 o'clock in the morning of September 11, 1940, in Room 3106, South Building, between 12th and 14th Streets SW., Washington, D. C., upon a proposal to amend the definition and standard of identity for the food known under its common or usual name as tomato catsup, which definition and standard of identity was fixed and established by regulations promulgated by the Secretary of Agriculture on July 25, 1939, and published in the FEDERAL REGISTER for July 29, 1939 (4 F.R. 3455).

The proposal, which is advocated by the Cannery League of California on behalf of its members, is as follows:

§ 53.010 *Catsup, Ketchup, Catchup—Identity; Labeling of Optional Ingredients.* Add the following sentence to (a) (3): "There may be added as a preservative, benzoate of soda not in excess of $\frac{1}{16}$ of one per cent by weight of the total contents."

Insert in paragraph (b) preceding the sentence reading "Wherever the name 'Catsup', 'Ketchup' or 'Catchup' appears on the label, etc." the following sentence: "If benzoate of soda is used, the label shall bear the statement 'Contains $\frac{1}{16}$ of one per cent benzoate of soda.'"

All interested persons are invited to attend the hearing, either in person or by representative, and to offer evidence relevant and material to the proposal.

Mr. Walter G. Green, Jr., hereby is designated as presiding officer to conduct the hearing, in the place of the Administrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing.

The hearing will be conducted in accordance with the rules of practice provided for such hearings, as published in the FEDERAL REGISTER of Wednesday,

June 26, 1940, at pages 2379 to 2381 (5 F.R. 2379-2381).

In lieu of oral testimony, interested persons may offer affidavits by delivering the same to the presiding officer at Room 2240, South Building, Independence Avenue, between 12th and 14th Streets SW., Washington, D. C., on or before the date of the opening of the hearing. Such affidavits, if relevant and material, may be received and made a part of the record at the hearing, but the Administrator will consider the lack of opportunity for cross-examination in determining the weight to be given to statements made in the form of affidavits. Every interested person will be permitted, in accordance with the above-mentioned rules of practice, to examine the affidavits offered and to file counter-affidavits with the presiding officer.

The proposed amendments are subject to adoption, rejection, amendment, or modification by the Administrator, in whole or in part, as the evidence adduced at the hearing may require.

Done at Washington, D. C., this 8th day of August 1940.

PAUL V. McNUTT,
Administrator.

[F. R. Doc. 40-3306; Filed, August 9, 1940; 9:53 a. m.]

FEDERAL WORKS AGENCY.

Public Works Administration.

[Administrative Order No. 297,¹ Supp. 3]

ESTABLISHMENT OF PWA REGIONS AND TERRITORIES, REORGANIZATION OF REGIONAL DIRECTORS' OFFICES AND PWA REPRESENTATIVES' OFFICES

AUGUST 5, 1940.

1. The Regional Director's Office for Region No. 3 is abolished. The powers, functions and duties of the Regional Director for said Region are returned to the Commissioner of Public Works. The powers, functions and duties of the Administrative, Engineering, Finance and Legal Sections of said Regional Director's Office are placed in and shall be exercised and performed by the corresponding Divisions of the Central Office. The powers, functions and duties of the Regional Labor Adviser for said Regional Director's Office are placed in and shall be exercised and performed by the Assistant on Labor Relations.

2. The relationships that each of the respective above-named Divisions and the Assistant on Labor Relations shall bear one to the other and to the Commissioner of Public Works in the handling of matters from a Regional Office point of view shall be substantially the same as in the case of a Regional Director's Office.

¹ 4 F.R. 4092.

3. All orders and parts of orders in conflict herewith are hereby rescinded.

E. W. CLARK,
Commissioner of Public Works.

[F. R. Doc. 40-3321; Filed, August 9, 1940;
1:41 a. m.]

[Administrative Order No. 298, Supp. 3]
REORGANIZATION OF REGIONAL PROJECT
AUDIT OFFICES

August 5, 1940.

1. The Regional Audit Office for Region No. 3 is abolished and the powers, functions and duties of the Regional Project Auditor for said Office are placed in and shall be exercised and performed by the Chief Project Accountant, Division of Accounts.

2. In connection with the foregoing paragraph, attention is directed to Administrative Order No. 297 (Supplement 3).

3. All orders and parts of orders in conflict herewith are hereby rescinded.

E. W. CLARK,
Commissioner of Public Works.

[F. R. Doc. 40-3322; Filed, August 9, 1940;
11:41 a. m.]

SECURITIES AND EXCHANGE COM-
MISSION.

[File No. 1-2232]

IN THE MATTER OF PROCEEDING UNDER SECTION 19 (a) (2) OF THE SECURITIES EXCHANGE ACT OF 1934, AS AMENDED, TO DETERMINE WHETHER THE REGISTRATION OF CHOLLAR EXTENSION MINING COMPANY COMMON STOCK, 10 CENTS PAR VALUE SHOULD BE SUSPENDED OR WITHDRAWN

ORDER FOR HEARING AND DESIGNATING
OFFICER TO TAKE TESTIMONY

I

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of August, A. D. 1940.

It appearing to the Commission:

That Chollar Extension Mining Company, a corporation organized under the laws of the State of Nevada, is the issuer of Common Stock, 10 Cents Par Value; and

That said Chollar Extension Mining Company registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing with the said Exchange and with the Commission, pursuant to Section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and pursuant to Rule X-12B-1, as amended, promulgated by the Commission thereunder, on or about November 23, 1935, an application on Form 10, and on or about April 1, 1937, an application on Form 8-A, which ap-

¹⁴ F.R. 4093.

plication on Form 10 became effective June 1, 1936, and which application on Form 8-A became effective May 9, 1937, both applications having remained in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to Section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to Section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said Chollar Extension Mining Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the instructions to Form 10-K do not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within this initial period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

It further appearing to the Commission:

That said Chollar Extension Mining Company has a fiscal year ending December 31; that the annual report for its latest fiscal year ended December 31, 1939, was due to be filed not later than April 30, 1940; that no request for extension was filed by said Chollar Extension Mining Company; and that no annual report for the fiscal year ended December 31, 1939 was filed by July 1, 1940, within the maximum period allowable under the rule; and

II

The Commission having reasonable cause to believe:

That said Chollar Extension Mining Company has failed to comply with said Section 13 and said Rules X-13A-1 and X-13A-2 in that it has failed to file within the time prescribed for filing its annual report on Form 10-K for the fiscal year ended December 31, 1939; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether Chollar Extension Mining Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the rules, regulations and forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Stock, 10 Cents Par Value, of said Chollar Extension Mining Company on said San Francisco Mining Exchange; and

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John G. Clarkson, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 6th day of September, 1940, at 10:00 A. M. at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-3313; Filed, August 9, 1940;
11:35 a. m.]

[File No. 34-12]

IN THE MATTER OF COMMUNITY POWER
AND LIGHT COMPANY

ORDER DISMISSING APPLICATION AND DECLARATION UNDER PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 8th day of August, A. D. 1940

Community Power and Light Company having filed a Notification of Withdrawal of the above-captioned Application and Declaration and having informed the Commission that the matters covered by said Application and Declaration have been disposed of by the Commission in connection with its File No. 54-15.

It is ordered, That said Application and Declaration be and the same hereby is dismissed.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-3312; Filed, August 9, 1940;
11:35 p. m.]

[File No. 4-17]

IN THE MATTER OF WALSTON & CO., VERNON C. WALSTON, WILLIAM SHERMAN HOELSCHER, CHARLES DE Y. ELKUS, AND CLIFFORD P. HOFFMAN

ORDER OF REVOCATION AND SUSPENSION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2d day of August, A. D. 1940.

This matter, after appropriate notice, hearing and argument of counsel, having been duly considered by the Commission and the Commission having found that the respondent Walston & Co. has willfully violated section 15 of the Securities Exchange Act of 1934 and Rule X-15B-2 adopted thereunder, and the Commission finding that revocation of the respondents' registration under section 15 (b) is in the public interest; and the Commission being of the opinion that it is necessary and appropriate for the protection of investors to suspend the respondents Vernon C. Walston and William Sherman Hoelscher from membership upon national securities exchanges of which they are members for a period of six months, all as more fully set forth in the Findings and Opinion of the Commission herein.

It is ordered, That the registration of Walston & Co. pursuant to section 15 of the Securities Exchange Act of 1934, as amended, be revoked; and

It is further ordered, That respondent Vernon C. Walston be suspended from membership on the New York Stock Exchange for a period of six months; and

It is further ordered, That respondent William Sherman Hoelscher be suspended from membership on the San Francisco Stock Exchange for a period of six months; and

It is further ordered, That this order shall become effective September 10, 1940; and

It is further ordered, That copies of this Order, accompanied by copies of the Findings and Opinion of the Commission herein be served upon the respondents or their counsel and upon the secretaries of the New York Stock Exchange and the San Francisco Stock Exchange.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-3323; Filed, August 9, 1940; 11:56 a. m.]

[File No. 70-80]

IN THE MATTER OF GENERAL UTILITY INVESTORS CORPORATION

NOTICE OF AND ORDER 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 9th day of August, A. D. 1940.

An amended declaration pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on August 23, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 20, 1940.

The matter concerned herewith is in regard to the issuance and sale by declarant to The Chase National Bank of the City of New York of its secured promissory note in the principal amount of \$2,100,000, bearing interest at the rate of 3 per cent per annum, dated August 31, 1940, and due one year from date, which is to be issued in renewal of the balance due on declarant's note to The Chase National Bank of the City of New York falling due on that date.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-3324; Filed, August 9, 1940; 11:56 a. m.]

[File No. 70-132]

IN THE MATTER OF AMERICAN UTILITIES SERVICE CORPORATION AND MINNESOTA UTILITIES COMPANY

NOTICE REGARDING FILING SUBJECT TO RULE U-8

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 9th day of August, A. D. 1940.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party or parties; and

Notice is further given that any interested person may, not later than August 29, 1940, at 4:30 P. M., E. S. T., or 1:00 P. M., E. S. T., if such date be a Saturday, request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-8 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Minnesota Utilities Company, a subsidiary of American Utilities Service Corporation, a registered holding company, proposes to issue and sell not to exceed 2,600 shares of its no par common stock for \$50 per share in cash. It is stated that the purpose of such proposed issue and sale is to secure funds required for construction purposes or to reimburse Minnesota Utilities Company's treasury for construction expenditures heretofore made. It is proposed that such stock be issued to and acquired by American Utilities Service Corporation.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-3325; Filed, August 9, 1940; 11:56 a. m.]