THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 22 NUMBER 104

Washington, Wednesday, May 29, 1957

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 9—SEPARATIONS, SUSPENSIONS, AND DEMOTIONS

PART 20—RETENTION PREFERENCE REGULATIONS FOR USE IN REDUCTIONS IN FORCE

MISCELLANEOUS AMENDMENTS

1. Section 9.109 is revoked.

(R. S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U. S. C. 631, 633)

2. Paragraph (f) of § 20.5, paragraphs (a) and (d) of § 20.6 and paragraph (b) of § 20.8 are amended, the present paragraph (f) of § 20.6 is redesignated paragraph (g), a new paragraph (f) is added to § 20.6, and § 20.10 is revoked, as follows:

§ 20.5 *Actions* * * *

(f) *Exceptions*—(1) *Continuing retention.* An exception to the regular order of selection or to the provisions of this section governing actions in a reduction in force may be made only when necessary to retain an employee engaged on necessary duties which cannot be taken over within ninety (90) calendar days and without undue interruption to the activity, by an employee with higher retention standing. In such cases, each employee affected adversely by the exception must be notified of the reasons and of his right to appeal to the Commission for a review of such reasons.

(2) *Temporary retention.* An employee reached for reduction in force may be retained temporarily in his competitive level for ninety (90) calendar days or less after the effective date of reduction in force actions for higher-ranking employees in the same competitive level in order to continue an essential activity without undue interruption or to satisfy a Governmental obligation to the retained employee. When an employee is temporarily retained in his competitive level for more than thirty (30) calendar days after the effective date of reduction in force actions for higher-ranking employees in the same competitive level, each such higher-ranking employee shall be given notice in writing of the reasons for the temporary retention, of the date it will end, and of his right to appeal to the Commission for a review of such reasons. When the temporary retention is for thirty (30) days or less, the reasons for the temporary retention and the date it will end shall be listed opposite the retained employee's name on the retention register for the inspection of all employees.

§ 20.6 *Notice to employees*—(a) *Proposed action.* Each employee who is to be separated from the rolls, furloughed for more than thirty (30) days, or reduced in grade or pay, in a reduction in force, under the regulations in this part, shall be given a notice in writing, stating specifically the action proposed in his case and the reasons therefor, at least thirty (30) calendar days, and not more than ninety (90) calendar days in advance of the effective date of the action except as provided in paragraphs (e) and (f) of this section.

* * * * *

(d) *Contents of notice.* Notices to employees shall set forth the nature and effective date of the proposed actions, the place where they may inspect copies of the regulations in this part and the retention records which have a bearing on the action in their cases, specific reasons for any exceptions or temporary retention for more than thirty (30) days, appeal rights within the agency and to the Commission, and all available information to aid the employee in securing other employment.

* * * * *

(f) *Employee temporarily retained.* Notices to employees temporarily retained pursuant to § 20.5 (f) shall cite the effective date of reduction in force action as the date of termination of the temporary retention period.

(g) *Invalidation of notices.* A general notice or other indefinite notice that is not followed by a definite notice, or renewed as an indefinite notice, within thirty (30) days, is thereafter invalid as a notice of proposed action in a reduction in force. Any notice becomes invalid if it is not followed by action according to its terms, or as amended before action is due.

§ 20.8 *Special regulations relating to consolidation and liquidations.* * * *

(b) Whenever it has been determined that all positions in the entire agency or an entire competitive area are to be

(Continued on p. 3747)

CONTENTS

FEDERAL REGISTER

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

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

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

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

CONTENTS—Continued

CODIFICATION GUIDE

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

abolished within a period of three (3) months or less, actions may be taken with regard to individual employees in any retention subgroup at administrative discretion. The provisions of § 20.5 (f) may be used during liquidation. Employees reached for separation under this paragraph shall be given individual notices in writing conforming generally to the notice requirements under § 20.6 but containing a statement of the authority which requires the liquidation and of the time period in which the liquidation is to be accomplished.

(Secs. 11, 19, 58 Stat. 390, 391; 5 U. S. C. 860, 868)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-4327; Filed, May 28, 1957; 8:49 a. m.]

TITLE 7—AGRICULTURE

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

Subchapter A—Commodity Standards and Standard Container Regulations

PART 29—TOBACCO INSPECTION

REGULATIONS UNDER TOBACCO INSPECTION ACT; RULES 11 AND 13

A notice of proposed amendment to the regulations governing the inspection of tobacco (7 CFR Part 29) was published in the FEDERAL REGISTER on May 2, 1957 (22 F. R. 3124) and afforded interested persons the opportunity to submit written data, views, or arguments in connection therewith.

After consideration of all relevant material presented and the notice of rule making, the amendments hereafter set forth are hereby promulgated, to become effective 30 days after publication in the FEDERAL REGISTER.

The amendments are as follows:

1. Change § 29.397 to read as follows:

§ 29.397 *Rule 11.* Any special factor symbol, approved for the purpose by the Director of the Tobacco Division of the Agricultural Marketing Service, may be used after a grade mark to show a peculiar side or characteristic of the tobacco. Interpretations, the use of the specifications, and the meaning of terms, shall be in accordance with the determinations or clarifications made by the Chief of the Standards Branch and approved by the Director. The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify making the grade.

2. Change § 29.399 to read as follows:

§ 29.399 *Rule 13.* Lugs of the second quality in L and F colors only, and Lugs of the third, fourth, and fifth qualities in L, F, and G colors which have the characteristics of Primings shall be made a subgroup of Lugs by substituting the letter "P" for the group letter "X" in the grade symbol.

(49 Stat. 734; 7 U. S. C. 511m)

Issued at Washington, D. C., this 24th day of May 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 57-4360; Filed, May 28, 1957; 8:54 a. m.]

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

PART 718—DETERMINATION OF ACREAGE AND PERFORMANCE

AUTHORITY: §§ 718.1 to 718.15 issued under sec. 374, 375, 52 Stat. 65, 66, sec. 401, 63 Stat. 1054, 61 Stat. 932, sec. 124, 70 Stat. 198; 7 U. S. C. 1374, 1375, 1421, 1153.

§ 718.1 *Basis and purpose and applicability*—(a) *Basis and purpose.* The regulations contained in §§ 718.1 to 718.15, each inclusive, are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301 et seq.), the Agricultural Act of 1949, as amended (7 U. S. C. 1441 (a) et seq.), the Sugar Act of 1948, as amended (7 U. S. C. 1100 et seq.), and the Soil Bank Act (7 U. S. C. 1801 et seq.), and are intended to govern generally the determination of acreages and performance under the marketing quota, acreage allotment, sugar, and Soil Bank programs. Prior to the issuance of this part public notice of the proposed regulations was given in accordance with the Administrative Procedure Act (21 F. R. 6070). The data, views, and recommendations pertaining thereto which were submitted have been duly considered. Since county committees are now determining the acreages of crops on farms under the above programs it is hereby determined that compliance with the provisions of the Administrative Procedure Act with respect to the effective date is impracticable and contrary to the public interest and that §§ 718.1 to 718.15, each inclusive, shall therefore become effective upon filing with the Director, Division of the Federal Register, subject to the provisions of paragraph (b) of this section.

(b) *Applicability.* This part shall apply generally to the determination of acreages and performance with respect to marketing quota, acreage allotment, sugar, and Soil Bank programs, hereinafter referred to as "programs", for 1957 and subsequent years established pursuant to the Agricultural Adjustment Act of 1938, as amended, the Agricultural Act of 1949, as amended, the Sugar Act of 1948, as amended, or the Soil Bank Act; shall be deemed supplemental to any specific regulations pertaining to determination of acreages and perform-

ance in connection with such programs and in case of conflict such specific regulations shall control over this part. Acreages measured prior to the effective date of this part in accordance with procedures of the Department shall be utilized where pertinent in determining acreages of allotment crops for 1957 or compliance with Soil Bank contracts. The definition of "farm" as hereinafter set out shall supersede and be substituted for the definition of "farm" in current regulations issued pursuant to the Agricultural Adjustment Act of 1938, as amended, the Agricultural Act of 1949, as amended, and the Soil Bank Act; the definition will not be applicable to determinations made pursuant to the Sugar Act of 1948, as amended.

§ 718.2 *Definitions.* As used in §§ 718.1 to 718.15, each inclusive, and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the text or subject matter otherwise requires.

(a) "Allotment crop" means any crop for which an acreage allotment or proportionate share is established pursuant to the Agricultural Adjustment Act of 1938, as amended, the Agricultural Act of 1949, as amended, or the Sugar Act of 1948, as amended.

(b) Committees:

(1) "Community committee" means the persons elected within a community as the community committee, pursuant to the regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(2) "County committee" means the persons elected within a county as the county committee, pursuant to regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(3) "State committee" means the persons in a State designated by the Secretary as the Agricultural Stabilization and Conservation State committee under section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(c) "Competitive crop" means a crop which is planted, at approximately the same time, in alternate rows or strips with another row crop, both of which will mature at approximately the same time and compete for moisture and plant foods during the entire growing season.

(d) "County office manager" means the person employed by the county committee to execute the policies of the county committee and be responsible for the day-to-day operations of the Agricultural Stabilization and Conservation county office, or the person acting in such capacity.

(e) "Cropland" means farmland, which in the year immediately preceding the year for which a determination is being made, was tilled or was in regular crop rotation, including also land which was established in permanent vegetative cover, other than trees, since 1953, and which was classified as cropland at the time of seeding, but excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable non-crop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, an erosion hazard to the community. Insofar as the acreage of cropland on the farm enters into the determination of the farm acreage allotment, the cropland acreage on the farm shall not be deemed to be decreased during the period of any contract entered into pursuant to the Conservation Reserve Program under the Soil Bank Act by reason of the establishment and maintenance of vegetative cover or water storage facilities, or other soil, water, wildlife, or forest conserving uses under such contract.

(f) "Department" means the United States Department of Agriculture.

(g) "Deputy Administrator" means the Deputy Administrator, or the Acting Deputy Administrator, Production Adjustment, Commodity Stabilization Service, United States Department of Agriculture.

(h) "Director" means the Director, or Acting Director, Performance Division, Commodity Stabilization Service, United States Department of Agriculture.

(i) "Farm" means land which immediately prior to the effective date of this section was properly constituted and identified as a farm under regulations issued pursuant to the Agricultural Adjustment Act of 1938, as amended, or the Soil Bank Act, and such land shall continue to constitute a farm for all programs to which this part may apply until reconstituted as required because of changes in operation of the land occurring on or after the effective date of this section or because the land was not properly constituted as a farm immediately prior to the effective date of this section. With respect to reconstitutions made after the effective date of this section, or the identification of land as a farm for the first time after the effective date of this section, the term "farm" shall mean:

(1) All adjoining or nearby and easily accessible farm, wood, or range land under the same ownership which is operated by one person, and

(2) All additional farm, wood, or range land under different ownership operated by such person which the county committee determines:

(i) Is nearby and easily accessible, and

(ii) Is approximately equally productive, and

(iii) For the past two years has been operated by such person and will be so operated during the current year, or has been operated by such person for one year with proof satisfactory to the county committee that it will be operated by such person for at least two more years.

(3) Notwithstanding the conditions set forth in subparagraphs (1) and (2) of this paragraph:

(i) Fields and subdivisions of fields which are part of a farm shall remain a part of such farm when operated under a short term agreement by another operator, unless and until such fields or subdivisions of fields may be properly constituted as a separate farm or part of another farm under the provisions of this section.

(ii) Land for which one or more landlord(s) refuse(s) to sign a conservation reserve contract and which is part of a multiple ownership farm may be constituted as a separate farm provided some eligible land in the balance of such multiple ownership farm is covered by a conservation reserve contract.

(iii) Land which is properly constituted as a farm shall not be reconstituted when a change of farm operators is the only basis for such action.

(j) "Field" means a part of a farm which is separated from the balance of the farm by a complete permanent boundary.

(k) "Non-competitive crop" means a crop which is planted in alternate rows or strips with another crop but does not compete for moisture and plant foods during the entire growing season because of later planting or earlier maturity.

(l) "Normal row width" means the distance between rows of crops on the farm provided such distance is 36 inches or more.

(m) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(n) "Person" means an individual, partnership, association, corporation, estate or trust, or other business enterprise or other legal entity and, whenever applicable, a State, a political subdivision of a State or any agency thereof.

(o) "Producer" means a person who, as owner, landlord, tenant, or sharecropper shares in a sugar crop at time of harvest or is entitled to share in the other crops available for marketing from the farm or in the proceeds thereof.

(p) "Reporter" means the person employed by the county office manager to secure the necessary information and measurements to determine the acreage of crops for which measurements are required.

(q) "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(r) "Soil Bank contract" means an acreage reserve agreement or conservation reserve contract, entered into pursuant to the Soil Bank Act (7 U. S. C. 1801 et seq.).

(s) "Spot check" means a determination of the acceptability of the work performed by a reporter, by any employee of the State Agricultural Stabilization and Conservation office of the Department when so authorized by the State administrative officer, or any employee of the county committee when so authorized by the county office manager, or any employee of the Department when so authorized by the Deputy Administrator.

(t) "State administrative officer" means the person employed by the State committee to execute the policies of the State committee and to be responsible for the day-to-day operations of the

Agricultural Stabilization and Conservation State office, or the person acting in such capacity.

(u) "Subdivision" means a part of a field or farm which is separated from the balance of the field or farm by a temporary boundary.

§ 718.3 *Functions of county committee, Director, and Deputy Administrator.* The county committee shall provide for the measurement of farms and the determination of performance under the regulations in this part. The Director shall cause to be prepared and issued such forms as are necessary and shall cause to be prepared such instructions with respect to internal management as are necessary for carrying out the regulations in this part. The forms and instructions shall be approved by and the instructions shall be issued by the Deputy Administrator.

§ 718.4 *Identification of farms.* Each farm for which an acreage allotment or proportionate share is established or each farm for which a Soil Bank contract is in effect and each farm on which the county committee has reason to believe any allotment crop has been planted or is growing shall be identified by a farm number. All records pertaining to the measurement and determination of acreages of such crops shall be identified by such number.

§ 718.5 *Methods of measurement.* The method of measurement used in determining acreages shall be one or a combination of the following methods:

(a) *Aerial photographs.* Subject to the provisions of paragraph (b) of this section aerial photographs shall be used when available unless based on State committee recommendations, the Director determines that because of age, use, or other reasons it is not feasible to further use available photographs for a particular area taken at a particular time.

(b) *Ground measurements.* Acreages shall be determined by ground measurements only when aerial photographs are not available or the use of the photograph is not feasible for acreage determinations on individual fields because of cultural changes or size of the fields or available photographs have been disapproved under paragraph (a) of this section.

(c) *Official acreages.* Measured acreages determined by photography and recorded in prior years by the Commodity Stabilization Service of the Department or its predecessor agencies, may be used for the current year when a field or subdivision is planted to one crop and it is determined by inspection that the boundary has not been changed since the acreage was determined. Recorded acreages determined in prior years which are later found to be incorrect shall be corrected and may be used for future determinations provided the operator of the farm in question has been notified in writing by the county committee of the corrected acreages.

(d) *Intertilled and fallow stripped acreage.* Where two allotment row crops or one allotment row crop and another competitive row crop are planted in alternate rows, or in strips of two or more rows, the acreage shall be considered as intertilled. Where an allotment row crop is planted in alternate rows or strips with noncompetitive row crops or in alternate rows or strips with idle or fallow land, the acreage shall be considered as fallow stripped.

(1) If intertilled and the distance between each row of the crops planted is not less than the normal row width for the allotment crop, only the land actually occupied by the allotment crop shall be considered as planted to the allotment crop.

(2) If intertilled and the distance between the rows of the crops planted is less than the normal row width for the allotment crop, the entire intertilled area shall be considered as planted to the allotment crop.

(3) If fallow stripped and the strips of idle fallow land, non-competitive crops, or a combination thereof are not as wide as four normal rows of the allotment crop, the entire area shall be considered as planted to the allotment crop.

(4) If fallow stripped and the strips of idle fallow land, non-competitive crops, or a combination thereof are at least as wide as four normal rows of the allotment crop, only the land actually occupied by the allotment crop shall be considered as planted to the allotment crop.

(e) *Premeasured acreages.* The acreage of fields or subdivisions which were officially premeasured will not be redetermined unless it is found that all of the premeasured area was not utilized for the purpose for which it was premeasured or that the crop was planted outside the premeasured area.

(f) *Deductions*—(1) *General.* In determining the acreage of any field or subdivision of a field, a deduction may be made for any continuous area not planted to the crop being measured provided it contains three-hundredths (0.03) acre or more, except that no deduction shall be made under this provision for any alternate row arrangement under paragraph (d) of this section.

(2) *Terraces and sod-waterways.* Terraces or sod-waterways not planted to the crop being measured may be deducted provided the terrace or sod-waterway is as wide as or wider than one normal row width. The area included in all eligible terraces or sod-waterways may be combined and deducted without regard to the three-hundredths (0.03) acre minimum.

(3) *Deductions from tobacco.* In the case of tobacco the following shall apply:

(i) Any noncropland area of one-hundredth (0.01) acre or more (computed in hundredths) not planted to tobacco, such as a rock pile, building, pond, or sink hole which could not be planted to tobacco and cropland used for turnrows may be deducted whenever the total acreage of tobacco for the farm is in excess of the farm allotment.

(ii) The area included in sled (slide box) rows may be deducted from the acreage of flue-cured tobacco provided the sled row is at least one normal row in width and there is not more than one sled row for each four normal rows of tobacco. The area in all eligible sled rows may be combined and deducted without regard to the three-hundredths (0.03) acre minimum.

(g) *Adjustment credit for tobacco.* The minimum area which may be disposed of to adjust to the allotment shall be three-hundredths (0.03) acre unless the excess for the farm is less than three-hundredths (0.03) acre in which case the minimum shall be the amount of the excess.

(h) *Adjustment credit for other crops.* For crops other than tobacco, the minimum area which may be disposed of to adjust to the allotment shall be three-hundredths (0.03) acre.

§ 718.6 *Equipment and materials.* Equipment and materials approved for use by reporters in making measurements and recording acreage data are as follows:

(a) Report of Acreage.

(b) Measuring tape or chain, scale or straight edge, dividers, chaining pins, or Plane table.

(c) Aerial photograph.

(d) Farm map, cut-out, or other record of acreages determined in prior years.

(e) Planimeter.

Any other measuring equipment shall not be used unless approval in writing is obtained from the Director.

§ 718.7 *Farm inspection and measurement of acreages and determination of performance.* The measurement of allotment crops and the determination of performance with respect to any program on a farm shall be made by a reporter to whom the farm has been assigned to make such measurements and determinations by the county office manager. Each farm in the county shall be so assigned for which measurement of allotment crops or a determination of performance is required with respect to any program and shall include any farm on which the county committee has reason to believe an allotment crop is planted or will be harvested. For the purpose of making such measurement the reporter shall visit each farm assigned to him and shall enter thereon if such entry will facilitate measurement. The reporter shall secure the necessary measurements and data and may be assisted by another reporter, a community, county, or State committeeman, a State committee representative, the county office manager, any employee of the county committee when authorized by the county office manager, or by any employee of the Department when authorized by the Deputy Administrator. The reporter may request the operator or his representative or a producer on the farm to designate all fields and crops on the farm for which measurements are necessary and to otherwise assist in securing the measurements. If so requested the operator or his representative, or the producer, shall so designate all fields of such crops and may otherwise assist in making the necessary measurements. Upon the request of any interested producer the reporter shall obtain and exhibit to the producer written certifica-

tion from the county office manager that the reporter is assigned to the farm of such producer to secure the measurement of allotment crops or performance data with respect to a program applicable to the farm.

§ 718.8 *Report of acreage.* The farm operator or his representative shall file a report with the county committee or a representative of the county committee on the form provided for such purpose. The report shall include, over the signature of the operator or his representative, a certification that the crops reported by fields represent all acreage of such crops planted on the farm as constituted and designated by the farm number appearing in the heading thereof for which the report is filed.

§ 718.9 *Determination and computation of acreage.* Acreages shall be determined in the county Agricultural Stabilization and Conservation office by computations of data secured by the reporter. The following rules of fractions and extent of calculations govern the computation of field and farm acreages for various commodities and are established to aid in administration, and any tolerance permitted is not to be construed as a privilege to any producer to exceed the farm allotment.

(a) *Tobacco and tobacco acreage reserve.* Each field or subdivision computed will be recorded in acres and hundredths of acres, dropping all thousandths. The total farm acreage of the acreage reserve and each kind of tobacco shall be the sum of the field and field subdivision acreages of each kind of tobacco and shall be recorded in acres and hundredths of acres.

(b) *Crops and acreages other than tobacco and tobacco acreage reserve.* Each field or subdivision computed will be recorded in acres and hundredths of acres, dropping all thousandths. The total farm acreage for each allotment crop or other crop classifications shall be the sum of the field and field subdivision of each allotment crop or other crop classification and shall be recorded in acres and tenths, dropping all hundredths.

§ 718.10 *Notices to farm operators.* A written notice, on a form prescribed by the Deputy Administrator, of the acreages determined for the farm shall be mailed by the county committee, or on behalf of the county committee by an employee of the county office, to each farm operator in accordance with the regulations applicable to the particular crop.

§ 718.11 *Spot checks.* The State or county committee may at any time require a spot check of the acceptability of the work performed by any reporter pursuant to § 718.7 on any farm. The person authorized to make such spot check shall enter on the farm if such entry will facilitate the spot checking. Upon request of any interested producer the person authorized to do the spot checking shall obtain and exhibit to the producer his authorization in writing to spot check the farm of the interested producer.

§ 718.12 *Redetermination of acreages.* The State or county committee may at any time redetermine the acreage and performance with respect to any program for any farm. A redetermination of acreage shall be based on measurements made by a reporter or spot checker. A producer, upon deposit of the estimated cost of remeasurement and a request in writing for remeasurement of an acreage believed to be in error filed within the time limit therefor prescribed by the regulations applicable to the crop involved, may have such acreage remeasured. The county committee shall provide for such remeasurement and the deposit will be refunded to the producer only under the following conditions:

(a) *Cotton acreage.* In the case of cotton acreage remeasurements the deposit will be refunded only when:

(1) The remeasurement reduces the acreage sufficiently to bring the acreage within the farm cotton allotment; or

(2) The original measurement is claimed to be too small and the remeasurement reveals that an error of at least three percent or five-tenths (0.5) of an acre, whichever is larger, was made in the original determination and the redetermined acreage is within the farm cotton allotment.

(b) *Crops other than cotton.* In the case of remeasurements of acreages of crops other than cotton the deposit will be refunded only when:

(1) The acreage is claimed to be too large and the remeasurement brings the acreage within the allotment or reduces the acreage as much as three percent or five-tenths (0.5) acre, whichever is larger; or

(2) The acreage is claimed to be too small and the remeasurement increases the acreage as much as three percent or five-tenths (0.5) acre, whichever is larger.

A second or succeeding measurement at the request of the farmer shall be made only upon approval of the State Committee.

§ 718.13 *Determination and adjustment of excess acreage.* The acreage of any allotment crop determined to be in excess of the farm acreage allotment or the permitted acreage for harvest under a Soil Bank contract, or the acreage of Soil Bank base crops in excess of the permitted acreage for the farm under a Soil Bank contract, may be adjusted in accordance with the regulations pertaining to the applicable program. Such adjustment will be effective only when the adjusted acreage is determined as hereinafter provided and the county committee certifies to the adjustment based upon such determination. The estimated cost of determining the adjusted acreage shall be paid by the producer making the request, except in the case of wheat and peanuts which shall be governed by the specific regulations pertaining to such crops. When requested by the producer the excess acreage may be determined and staked by a reporter prior to adjustment. If the excess acreage is not determined and staked prior to adjustment the acreage after adjustment shall be determined and the facts reported to the county committee. Measurements for the purpose of determining adjusted acreages shall be made pursuant to the provisions of this part.

§ 718.14 *Cost of measurements.* The cost of initially determining the acreage of crops for which measurements are required shall be paid from administrative funds. Additional determinations shall be made only in accordance with §§ 718.12 and 718.13.

§ 718.15 *State committee option.* The State committee may, upon approval of the Deputy Administrator, increase the minimum area which may be deducted under § 718.5 (f), (g), and (h), and may decrease the five-tenths (0.5) acre minimum error as provided in § 718.12.

Done at Washington, D. C., this 24th day of May 1957. Witness my hand and seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 57-4363; Filed, May 28, 1957; 8:55 a. m.]

[Amdt. 2]

PART 728—WHEAT

SUBPART—REGULATIONS PERTAINING TO WHEAT MARKETING QUOTAS FOR THE 1957 CROP OF WHEAT

DISPOSITION OF EXCESS WHEAT

Basis and purpose. The amendment herein is issued under the Agricultural Adjustment Act of 1938, as amended, and is for the purpose of permitting producers in counties of the States of Oklahoma, Texas, Kansas, Arkansas and Illinois which have a cover crop date earlier than May 31, 1957, to have an extended period of time for disposing of excess wheat due to flooding conditions.

In order that producers may have an opportunity to comply with the following provision, it is hereby found that compliance with the public notice, procedure, and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendment herein shall become effective upon filing of this document with the Director, Division of the Federal Register.

Section 728.751 (r) is amended by adding the following sentence immediately following the date established for disposing of excess wheat in the States of Oklahoma and Arkansas and immediately following the dates for such disposal in the State of Texas: "If a producer proves to the satisfaction of the county committee that he was unable to dispose of the excess wheat acreage by the required date because of the physical condition of the wheat acreage due to excessive rainfall, an extension of time sufficient to afford a fair and reasonable opportunity for such disposal may be granted by the county committee, provided the excess acreage is destroyed not later than May 31, 1957".

The following sentence shall be added immediately following the dates estab-

lished in § 728.751 (r) for disposing of excess wheat in the States of Illinois and Kansas: "If, in any county with an established date earlier than May 31, 1957, by which wheat must be utilized as wheat cover crop, a producer proves to the satisfaction of the county committee that he was unable to dispose of the excess wheat by the required date because of the physical condition of the wheat acreage due to excessive rainfall, an extension of time sufficient to afford a fair and reasonable opportunity for such disposal may be granted by the county committee, provided the excess acreage is destroyed not later than May 31, 1957".

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 374, 52 Stat. 65, as amended, 68 Stat. 904; 7 U. S. C. 1374)

Done at Washington, D. C., this 23d day of May 1957. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-4332; Filed, May 28, 1957; 8:50 a. m.]

[Amdt. 3]

PART 728—WHEAT

SUBPART—MARKETING QUOTAS FOR 1957 CROP

RATE OF PENALTY

Basis and purpose. The purpose of this amendment is to establish the monetary rate of penalty for any farm marketing excess determined in connection with the 1957 wheat marketing quota program at 45 percent of the May 1, 1957, parity price of wheat as required by Public Law 117, 83d Congress.

Since the only purpose of this amendment is to announce the penalty in dollars and cents calculated in accordance with a mathematical formula prescribed by statute, it is hereby found and determined that compliance with the provisions of the Administrative Procedure Act with respect to notice, public procedure thereon, and effective date is unnecessary, and the amendment herein shall become effective upon the date of its publication in the FEDERAL REGISTER.

Section 728.776 of the 1957 wheat marketing quota regulations is hereby amended to read as follows:

§ 728.776 *Rate of penalty.* The rate of penalty applicable to 1957 crop wheat shall be $1.12 per bushel, which is 45 per centum of the parity price per bushel of wheat as of May 1, 1957, which is determined to be $2.50.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies 55 Stat. 203, as amended, sec. 3, 67 Stat. 151; 7 U. S. C. 1340)

Done at Washington, D. C., this 23d day of May 1957. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-4331; Filed, May 28, 1957; 8:50 a. m.]

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

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 811, Amdt. 2]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

DETERMINATION AND PRORATION OF 1957 PUERTO RICO DEFICIT

Basis and purpose. This amendment is issued pursuant to the Sugar Act of 1948, as amended, hereinafter called the "act", for the purpose of prorating a deficit which is hereby determined in the quota for Puerto Rico for sugar to be marketed in the continental United States in 1957.

Section 204 (a) of the act provides that the Secretary shall from time to time determine whether any area will be unable to market its quota and prescribe the manner in which any deficit in a quota for a domestic area or Cuba is to be prorated to other such areas able to supply the additional sugar. Such section provides that any deficit in any domestic producing area occurring by reason of inability to market that part of the quota for such area allotted under the provisions of section 202 (a) (2) of the act, shall first be prorated to other areas on the basis of the quotas then in effect.

The act also provides that the quota for any area as established under the provisions of section 202 shall not be reduced by reason of any determination of a deficit.

In order to afford sellers of sugar in affected areas an adequate opportunity to plan marketings and to market the additional sugar authorized by this amendment, and thereby protect the interest of consumers, it is essential that this amendment be made effective immediately. Therefore, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendment herein shall become effective when published in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, 65 Stat. 318, 7 U. S. C. 1100, Public Law 545, 84th Congress) and the Administrative Procedure Act (60 Stat. 237) Sugar Regulation 811, as amended (21 F. R. 10332; 22 F. R. 369, 423) is hereby further amended by adding § 811.93 as follows:

§ 811.93 *Determination and proration of area deficits and adjusted quotas*—(a) *Deficit in quota for Puerto Rico.* It is hereby determined, pursuant to subsection (a) of section 204 of the act, that for the calendar year 1957 Puerto Rico will be unable by 150,000 short tons of sugar, raw value, to market the quota established for it in § 811.91.

(b) *Quotas in effect upon proration of deficit in part of quota established pursuant to section 202 (a) (2).* The part of the deficit determined in paragraph (a) of this section applicable to that portion of the quota for Puerto Rico established pursuant to the provisions of section 202 (a) (2) of the act, which amounts to 60,253 short tons, raw value, is hereby prorated on the basis of the quotas established in § 811.91 to domestic areas able to supply additional quantities. The quotas for such areas in effect upon publication of this paragraph in the FEDERAL REGISTER shall be those established in § 811.91 plus the quantities prorated herein, as follows:

Area	Short tons, raw value	
	Prorated herein	Quotas including prorations herein
Domestic beet sugar	32,293	1,986,245
Mainland cane sugar	9,937	611,187
Hawaii	18,023	1,108,519
Puerto Rico	0	1,140,253
Virgin Islands	0	15,549

(c) *Quotas in effect upon proration of deficit in part of quota otherwise established.* Immediately after the quotas established in paragraph (b) of this section become effective, the quantity by which the deficit determined in paragraph (a) of this section exceeds the quantity prorated in paragraph (b) of this section, which amounts to 89,747 short tons, raw value, is hereby prorated on the basis of the quotas in effect pursuant to paragraph (b) of this section for domestic areas and § 811.92 for Cuba, to the domestic areas able to supply additional sugar and Cuba. Thereupon the following quotas shall be in effect, such quotas consisting of those established in paragraph (b) of this section for domestic areas and in § 811.92 for Cuba plus the quantities prorated in this paragraph:

Area	Short tons, raw value	
	Prorated herein	Quota including prorations herein and in paragraph (b)
Domestic beet sugar	26,577	2,012,822
Mainland cane sugar	8,178	619,365
Hawaii	14,833	1,123,352
Puerto Rico	0	1,140,253
Virgin Islands	0	15,549
Cuba	40,159	3,041,454

Quotas for foreign countries other than Cuba remain as established in § 811.92

Statement of bases and considerations. The processing of the sugarcane crop in Puerto Rico is nearing completion and it is now clear that the supply of sugar in Puerto Rico will be inadequate to fill its 1957 mainland and local quotas by at least 150,000 short tons, raw value. Processing has been completed in the Virgin Islands and that area will not have a sufficient supply of sugar available for marketing in the continental United States to exceed its quota as established in S. R. 811, Amendment 1 (22 F. R. 369, 423). Accordingly, a deficit of 150,000 short tons, raw value, in the mainland quota for Puerto Rico is determined and, pursuant to section 204 (a) of the act, 60,253 tons are pro-

rated to domestic areas able to market additional sugar on the basis of the quotas for such areas as established in S. R. 811, Amendment 1, and 89,747 tons are prorated to such domestic areas and Cuba on the basis of the quota in effect after proration of the 60,253 tons.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 202, 204; 61 Stat. 924, 925; 7 U. S. C. 1112, 1114)

Done at Washington, D. C., this 24th day of May 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-4362; Filed, May 28, 1957; 8:54 a. m.]

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

[Navel Orange Reg. 119, Amdt. 1]

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

LIMITATION OF HANDLING

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of navel oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 914.419 (Navel Orange Regulation 119, 22 F. R. 3481) are hereby amended to read as follows:

(ii) District 2: Unlimited movement.

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

Dated: May 23, 1957.

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

[F. R. Doc. 57-4329; Filed, May 28, 1957; 8:49 a. m.]

PART 925—MILK IN THE PUGET SOUND, WASHINGTON, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Puget Sound, Washington, marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order, as amended, effective not later than June 1, 1957. Any delay beyond that date in the effective date of this order would tend to disrupt the orderly marketing of milk in the aforesaid marketing area and would defeat the purpose of the amendment. The amendment action of this order amending the order, as amended, is known to handlers. The public hearing was held April 5, 1957, and the recommended decision was issued April 26, 1957 (22 F. R. 3074). The final decision was issued by the Assistant Secretary on May 15, 1957 (22 F. R. 3522). Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. In view of the foregoing, it is hereby found and determined that good cause exists for not delaying the effective date of this order for 30 days after its publication in the FEDERAL REGISTER (section 4 (c); Administrative Procedure Act, 5 U. S. C. 1001 et seq.).

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

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

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

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum thereon, and who, during the determined representative period (February 1957), were engaged in the production of milk for sale in the said marketing area.

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

1. In § 925.13 (a) add the word "and" immediately following the semi-colon at the end of the paragraph.

2. Delete § 925.13 (b) and (c) and substitute therefor the following:

(b) For the purposes of applying the provisions of paragraph (a) of this section in the case of a producer on every-other-day delivery, the days of nondelivery shall be considered as days of delivery.

3. Delete § 925.51 (b) (1) and substitute therefor the following:

(1) Add 3 cents to the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago, as reported by the Department, during the month, and multiply the result by 4.8: *Provided,* That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

4. Delete § 925.52 (a) and (b) and substitute therefor the following:

(a) *Class I milk.* Add 3 cents to the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter at Chicago, as reported by the Department during the preceding month, multiply the result by 0.120, and round to the nearest tenth of a cent: *Provided,* That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

(b) *Class II milk.* Add 3 cents to the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter at Chicago, as reported by the Department during the month, multiply the result by 0.115, and round to the nearest tenth of a cent: *Provided,* That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

5. Add a new § 925.55 as follows:

§ 925.55 *Use of equivalent prices.* If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

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

Issued at Washington, D. C., this 24th day of May 1957, to be effective on and after June 1, 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 57-4358; Filed, May 28, 1957; 8:54 a. m.]

PART 945—TOMATOES GROWN IN FLORIDA

ORDER TERMINATING LIMITATION OF SHIPMENTS

Findings. (a) Pursuant to Marketing Agreement No. 125 and Order No. 45 (7 CFR Part 945) regulating the handling of tomatoes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Florida Tomato Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the termination of the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this termination order later than May 24, 1957 (5 U. S. C. 1001 et seq.) in that: (i) The time intervening between the date when information upon which this termination order is based became available and the time when this termination order must become effective in order to effectuate the declared policy of the act is insufficient; (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by terminating regulations applicable to shipments of tomatoes, in the manner set forth below, on and after the effective date hereof; (iii) compliance with this termination order will not require any special preparation on the part of handlers which cannot be completed by the effective date; (iv) reasonable time is permitted, under the circumstances, for such preparation; (v) information regarding the committee's recommendations has been made available to producers and handlers in the production area; and (vi) this termination order relieves restrictions on the handling of tomatoes grown in the production area during the period from the effective date hereof until June 30, 1957.

Order terminated. The provisions of § 945.303, as amended (21 F. R. 8109, 8534; 22 F. R. 757, 812, 885, 925, 1372) are hereby terminated as of May 24, 1957.

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

Dated: May 23, 1957.

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

[F. R. Doc. 57-4330; Filed, May 28, 1957; 8:49 a. m.]

[Lime Order 2, Amdt. 2]

PART 1001—LIMES GROWN IN FLORIDA

CONTAINER REGULATION

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 101, as amended (7 CFR Part 1001; 22 F. R. 2526), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Florida Lime Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the relaxation of the limitation, as hereinafter provided, on the handling of such limes will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of limes grown in Florida, in that it authorizes the handling of Florida limes in containers that are not now permitted to be used in the handling of such limes.

It is therefore ordered that the provisions in subparagraph (3) of paragraph (b) of § 1001.302, as amended (Lime Order 2, as amended; 20 F. R. 5627, 8986), are hereby amended to read as follows:

(3) The limitations set forth in subparagraph (2) of this paragraph shall not apply to master containers for individual cartons of limes: *Provided,* That each such carton contains not more than 2 pounds of limes, or complies with the requirements of subdivision (ii) or (iii) of subparagraph 2 of this paragraph.

Effective time. The provisions of this amendment shall become effective at 12:01 a. m., e. s. t., June 2, 1957.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c. Interprets or applies sec. 401, 68 Stat. 906, as amended; 7 U. S. C. 608e-1)

Dated: May 24, 1957.

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

[F. R. Doc. 57-4361; Filed, May 28, 1957; 8:54 a. m.]

PART 1065—TOMATOES

ORDER TERMINATING TOMATO IMPORT REGULATION

Pursuant to the requirement contained in section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), § 1065.2 *Tomato Regulation No. 2,* as amended (22 F. R. 811, 946, 1372), is hereby terminated as of May 24, 1957.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this termination of regulation beyond that herein specified (5 U. S. C. 1001 et seq.) in that (i) the requirements established by this termination order are issued pursuant to section 8e of the Agricultural Marketing Agreement Act

of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), which makes such termination mandatory; (ii) regulations imposed on domestic shipments of tomatoes under Marketing Agreement No. 125 and Order No. 45 (7 CFR 945.303; 21 F. R. 8109, 8534; 22 F. R. 757, 812, 885, 925, 1372), will terminate May 24, 1957; (iii) compliance with this tomato import regulation should not require any special preparation by importers which cannot be completed by the effective date; (iv) this order terminates restrictions on the importation of tomatoes which would be imposed by § 1065.2 *Tomato Regulation No. 2* (22 F. R. 811, 946, 1372) if it were not terminated.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c. Interprets or applies sec. 401, 68 Stat. 906, as amended; 7 U. S. C. 608e–1)

Dated: May 23, 1957.

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

[F. R. Doc. 57–4359; Filed, May 28, 1957; 8:54 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6074]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

FLORIDA CITRUS MUTUAL

Subpart—*Combining or conspiring:* § 13.397 *To control or restrict marketing or trading methods, practices and conditions;* § 13.425 *To enforce or bring about resale price maintenance;* § 13.430 *To enhance, maintain or unify prices.*

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Florida Citrus Mutual, Lakeland, Fla., Docket 6074, May 6, 1957]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a Florida nonprofit cooperative marketing association and its 7,000 member producers of citrus fruit, with requiring handlers, shippers, and processors to maintain their fixed resale prices and to restrict the quantity of citrus fruit and citrus fruit products to be shipped in interstate commerce.

Following hearings in Lakeland, Fla., and Washington, D. C., the hearing examiner filed an initial decision dismissing the complaint for lack of public interest, from which counsel in support of the complaint appealed. Sustaining the appeal, the Commission vacated the initial decision and remanded the case for the taking of further evidence. After further extensive proceedings, the hearing examiner made an initial decision including an order to cease and desist.

Hearing the matter on cross-appeals therefrom by respondents and counsel in support of the complaint, the Commission on May 6, 1957, rendered its decision, denying respondents' appeal, granting in part and denying in part that of counsel in support of the complaint, directing modification of the initial decision and substituting for the order contained in the latter its own cease and desist order.

The order to cease and desist, as modified, is as follows:

It is ordered, That respondent Florida Citrus Mutual, its officers, directors and members, in, or in connection with, the offering for sale, sale, shipping, marketing or distribution of citrus fruit or citrus fruit products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, understanding, or combination, with shippers, handlers, processors or others, to do, perform, engage in, or carry out any of the following acts, practices or methods:

1. Fixing, or attempting to fix, establish or maintain prices at which handlers or processors of citrus fruit or citrus fruit products resell such fruit or products to the purchasers thereof in interstate commerce.

2. Restricting or limiting, or attempting to restrict or limit, the volume or quantity of citrus fruit or citrus fruit products to be shipped by handlers or processors thereof from the State of Florida to purchasers in other States of the United States or in the District of Columbia.

By "Final Order", report of compliance was required as follows:

It is further ordered, That respondent Florida Citrus Mutual shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist contained in the initial decision as modified.

Issued: May 6, 1957.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 57–4326; Filed, May 28, 1957; 8:48 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order No. 197]

PART 154—RATE SCHEDULES AND TARIFFS

ORDER MODIFYING RULES AND REGULATIONS WITH RESPECT TO SUPPLEMENTS REFLECTING 1 PERCENT SEVERANCE TAX OF THE STATE OF KANSAS

MAY 23, 1957.

Pursuant to House Bill No. 383 enacted by the Legislature of the State of Kansas in its 1957 regular session, a severance tax of 1 percent effective July 1, 1957, will be levied upon every person engaged in the business of producing or severing oil or gas within the State of Kansas.

The incidence of such tax may result in increases in the rates paid by the purchasers under all rate schedules for sales of natural gas produced in Kansas which contain provisions whereby the buyer is to reimburse the seller for any portion of such tax. The Natural Gas Act and § 154.94 of the Commission's regulations make it mandatory that such increases in rates be timely and properly filed with the Commission.

To simplify the required change, the Commission deems it proper and in the public interest to waive the 30-day notice requirement under section 4 (d) of the act and § 154.98 of the Commission's regulations and to eliminate, to the extent feasible, the data and information to be submitted in support of the change.

Accordingly, a producer, in submitting a supplement to any of its rate schedules on file with the Commission to reflect the incidence of the above-described 1 percent tax as of July 1, 1957, may, notwithstanding other provisions of the Commission's regulations, make such filings as hereinafter provided. Early filing will be of assistance in orderly processing.

The Commission finds: It is appropriate and in the public interest in the administration of the Natural Gas Act (a) to waive the 30-day notice requirement provided in section 4 (d) of the Natural Gas Act and § 154.98 of the Commission's regulations thereunder (Order No. 174–B), with respect to the filing of any appropriate supplement reflecting the incidence of the 1 percent State of Kansas severance tax as of July 1, 1957, provided such filing is made on or before July 1, 1957, and (b) with respect to the filing of any appropriate supplement reflecting the incidence of the 1 percent State of Kansas severance tax, to submit 3 copies of the data in the form set forth below, in lieu of the data required by § 154.94 of the Commission's regulations (Order No. 174–B):

1. This filing is submitted pursuant to Commission Order No. ____ to reflect ____ percent reimbursement of the Kansas gas severance tax of 1 percent effective July 1, 1957 levied on producers by act of the Kansas Legislature in House Bill No. 383.

2. Such reimbursement is provided by Section ____ of the contract dated ____ between ____ and ____ on file with the Commission and designated ____ FPC Gas Rate Schedule No. ____.

3. A copy of this filing was served on the buyer as required by the Commission's Regulations on ____.

4. Comparison of rates prior to and subsequent to such change in rate (Cents per MCF):

Date	Base price per Mcf	Tax reimbursement per Mcf	Total price per Mcf
June 30, 1957			
July 1, 1957			

Sales for 12 months ending March 31, 1957 ____ Mcf.

The Commission orders: Rate Schedules reflecting the incidence of the 1 percent severance tax of the State of Kansas as of July 1, 1957, if filed on or before July 1, 1957, may be filed on less than the 30 days' notice required by section

4 (d) of the Natural Gas Act and in accordance with the findings of this order.

(Sec. 16, 52 Stat. 830; 15 U. S. C. 717o)

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 57-4316; Filed, May 28, 1957; 8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54364]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

TONNAGE TAX, ORIGIN OF VOYAGE AND DETERMINATION OF RATE

In order to provide a guide for determining the port of origin of a voyage to the United States and the rate of tonnage tax in conformity with certain recent rulings of the Bureau and court decisions in tonnage tax cases, the following change is made in the Customs Regulations:

Section 4.20 is amended by adding a new paragraph following paragraph (a) thereof:

(a-1) In determining the port of origin of a voyage to the United States and the rate of tonnage tax, the following shall be used as a guide:

(1) When the vessel has proceeded in ballast from a port to which the 6-cent rate is applicable to a port to which the 2-cent rate applies and there has laden cargo or taken passengers for the United States, tonnage tax upon entry in the United States shall be assessed at the 2-cent rate.

(2) The same rate shall be applied in a case in which the vessel has transported cargo or passengers from a 6-cent port to a 2-cent port when all such cargo or passengers have been unladen or discharged at the 2-cent port, without regard to whether the vessel thereafter has proceeded to the United States in ballast or with cargo or passengers laden or taken on board at the 2-cent port.

(3) The 6-cent rate shall be applied when the vessel proceeds from a 2-cent port to a 6-cent port en route to the United States under circumstances similar to subparagraph (1) or (2) of this paragraph.

(4) If the vessel arrives in the United States with cargo or passengers taken at two or more ports to which different rates are applicable, tonnage tax shall be collected at the higher rate.

(R. S. 161, secs. 2, 3, 23 Stat. 118, as amended, 119, as amended; 5 U. S. C. 22, 46 U. S. C. 2, 3. Interprets or applies R. S. 4219, as amended, 4225, as amended; 46 U. S. C. 121, 128)

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

Approved: May 23, 1957.

DAVID W. KENDALL, *Acting Secretary of the Treasury.*

[F. R. Doc. 57-4352; Filed, May 28, 1957; 8:53 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

GULF OF MEXICO

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), §§ 204.111 and 204.114 establishing and governing the use and navigation of danger zones in the Gulf of Mexico in the vicinity of Apalachee, Apalachicola, San Blas, and St. Joseph Bays, Florida, are amended by changing paragraph (b) (2) of each section as follows to provide for the use of surface patrol boat and/or patrol aircraft to warn vessels that firing is to be conducted therein:

§ 204.111 *Gulf of Mexico south of Apalachee Bay, Fla.; Air Force rocket firing range.* * * *

(b) *The regulations.* * * *

(2) Prior to the conduct of rocket firing, the area will be patrolled by surface patrol boat and/or patrol aircraft to insure that no watercraft are within the danger zone and to warn any such watercraft seen in the vicinity that rocket firing is about to take place in the area. When aircraft is used to patrol the area, low flight of the aircraft across the bow will be used as a signal or warning.

§ 204.114 *Gulf of Mexico south and west of Apalachicola, San Blas, and St. Joseph Bays; air-to-air firing practice range, Tyndall Air Force Base, Fla.* * * *

(b) *The regulations.* * * *

(2) Other vessels will be warned to leave the danger area during firing practice by surface patrol boat and/or patrol aircraft. When aircraft is used to patrol the area, low flight of the aircraft across the bow will be used as a signal or warning. Upon being so warned such vessels shall clear the area immediately.

[Regs., May 11, 1957, 800.2121 (Mexico, Gulf of)—ENGWO] (Sec. 7, 40 Stat. 266; 33 U. S. C. 1)

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

[F. R. Doc. 57-4348; Filed, May 28, 1957; 8:52 a. m.]

TITLE 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

PART 2—RULES OF PRACTICE IN TRADEMARK CASES

MISCELLANEOUS AMENDMENTS

The following amendments are made, to take effect thirty days after publication in the FEDERAL REGISTER. Notice and public procedure are deemed unnecessary as the changes relate to minor fee items.

1. Paragraphs (j), (k), (o), (p) and (q) of § 1.21 are amended to read as follows:

(j) For making patent drawings, when facilities are available, the cost of making the same, minimum charge per sheet	$25.00
(k) For correcting patent drawings, the cost of making the correction, minimum charge	3.00
(o) Search of records to determine the filing by any particular person of applications for patents, on presentation of proper authorization, one hour or less	3.00
(p) Subscription order for printed copies of patents as issued: Annual service charge for entry of order and one subclass, $2.00, and 20 cents for each additional subclass included; amount to be deposited (for price of copies supplied), as determined with respect to each order.	
(q) List of U. S. Patents:	
All patents in a subclass, per sheet (containing 100 patent numbers or less)	.30
Patents in a subclass, limited by date or patent number, per sheet (containing 50 numbers or less)	.30

2. Paragraphs (d) and (e) of § 2.6 are amended to read as follows:

(d) For making drawings, when facilities are available, the cost of making the same, minimum charge per sheet	$10.00
(e) For correcting drawings, the cost of making the correction plus a photoprint of the uncorrected drawing, minimum charge	3.30

(Sec. 1, 66 Stat. 793; 35 U. S. C. 6. Interprets or applies sec. 1, 66 Stat. 796; 35 U. S. C. 41)

[SEAL] ROBERT C. WATSON, *Commissioner of Patents.*

Approved: May 23, 1957.

SINCLAIR WEEKS, *Secretary of Commerce.*

[F R. Doc. 57-4369; Filed, May 28, 1957; 8:55 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 1421]

[Wyoming 043671]

WYOMING

RESERVING LANDS WITHIN BIGHORN NATIONAL FOREST FOR USE OF FOREST SERVICE AS YOUTH ORGANIZATION CAMP

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described lands within the Bighorn National Forest in Wyoming are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral-leasing laws nor the act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U. S. C. 601-604) as amended, and reserved for

use of the Forest Service, Department of Agriculture, as a youth organization camp:

SIXTH PRINCIPAL MERIDIAN

T. 54 N., R. 88 W.,
Sec. 6, lots 3, 4, and 5.
T. 55 N., R. 88 W.,
Sec. 31, lot 4 and SE¼SW¼.
T. 54 N., R. 89 W.,
Sec. 1, E½NE¼.

The areas described aggregate 274.70 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

HATFIELD CHILSON,
Under Secretary of the Interior.

MAY 23, 1957.

[F. R. Doc. 57-4309; Filed, May 28, 1957; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Rules Amdt. 2-33]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

MEASUREMENT DATA REQUIRED FOR TYPE ACCEPTANCE

The Commission having under consideration the desirability of making certain editorial changes in § 2.524 (d) (2) of its rules and regulations; and

It appearing, that the subject section adopted new January 5, 1955, by Order FCC 55-6 and which then was numbered § 2.523 (b) (4) (iv) (b), contained language specifically detailing the intent and application of this regulation; and

It further appearing, that through clerical error certain of this language inadvertently was omitted in the amendment of § 2.523 (b) (4) (iv) (b) which was adopted by Commission Opinion and Order FCC 55-547, May 11, 1955 (Amendment 2-38), and in the editorial revision of Part 2 adopted June 2, 1955 which recodified § 2.523 in §§ 2.523, 2.524, and 2.525 without changing the provisions thereof; and

It further appearing, that § 2.254 (d) (2) would be improved in clarity and precision by the restoration of the omitted language; and

It further appearing, that, in similar manner, during the recodification of § 2.523 (b) (4) (iv) (b) of June 20, 1955, the resulting new § 2.524 (e) erroneously referred to "measurements set forth in paragraphs (a) to (d)" wherein it properly referred to measurements set forth in paragraph (d) only; and

It further appearing, that § 2.524 (e) would be improved in clarity and precision by correcting this error; and

It further appearing, that the amendments adopted herein are editorial in nature, and, therefore, prior publication of Notice of Proposed Rule Making Under the Provisions of section 4 of the Administrative Procedure Act is unnecessary, and the amendments may become effective immediately; and

It further appearing, that the amendments adopted herein are issued pursuant to authority contained in sections 4 (i), 5 (d) (1) and 303 (r) of the Communications Act of 1934, as amended, and section 0.341 (a) of the Commission's Statement of Organization, Delegations of Authority and Other Information;

It is ordered, This 22d day of May 1957, that effective June 1, 1957, § 2.524 (d) (2) and (e) are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 713; 47 U. S. C. 303, 155)

Released: May 22, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

1. Amend § 2.524 (d) (2) by inserting between the phrase "that may be radiated" and the phrase "shall be made" the following words: "directly from the cabinet, control circuits, power leads or intermediate circuit elements under normal conditions of installation and operation".

2. Amend § 2.524 (e) by deleting reference to paragraph (a), so that the first sentence commences as follows: "In all of the measurements set forth in paragraph (d) of this section * * *"

[F. R. Doc. 57-4312; Filed, May 28, 1957; 8:46 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Ex Parte 55]

PART 1—GENERAL RULES OF PRACTICE

MODIFIED PROCEDURE; CONTENT OF PLEADINGS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 20th day of May A. D. 1957.

There being under consideration § 1.49 of the general rules of practice, and good cause appearing therefor:

It is ordered, That § 1.49 (a) be, and the same is hereby, amended to read as follows:

§ 1.49 *Modified procedure; content of pleadings*—(a) *Generally.* A statement filed under the modified procedure after that procedure has been directed shall state the facts and include the exhibits upon which the party relies. If no answer has been filed pursuant to the waiver provision of § 1.46, defendant's statement should admit or deny specifically and in detail each material allegation of the complaint. In addition defendant's statement and complainant's statement in reply shall specify those statements of fact of the opposite party to which exception is taken, and include a statement of the facts constituting the basis for such exception. Complainant's statement of reply shall be confined to rebuttal of the defendant's statement.

It is further ordered, That this order shall become effective on July 1, 1957.

Notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended, 49 Stat. 546, as amended, 548, as amended, sec. 201, 54 Stat. 933, sec. 1, 56 Stat. 285; 49 U. S. C. 12, 17, 304, 305, 904, 1003)

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 57-4341; Filed, May 28, 1957; 8:51 a. m.]

PART 1—GENERAL RULES OF PRACTICE

DRAFTING OF RECOMMENDED ORDER AND REPORT BY PREVAILING PARTY

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 13th day of May A. D. 1957.

There being under consideration § 1.241, special rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto:

It is ordered, That § 1.241 be, and the same is hereby amended by adding paragraph (f) reading as follows:

(f) *Drafting of recommended order and report by prevailing party.* Applications in which oral hearings are held and in which the hearing officer can announce his decision on the record after the close of the taking of testimony may be made the subject of a recommended order and report, prepared by the party or parties in whose favor the hearing officer decides, upon a form prepared by the Commission, within a period specified by the hearing officer. The hearing officer will make such changes as he considers appropriate in the draft prepared for him.

It is further ordered, That this order shall become effective on the date hereof.

Notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended, 49 Stat. 546, as amended, 548, as amended, sec. 201, 54 Stat. 933, sec. 1, 56 Stat. 285; 49 U. S. C. 12, 17, 304, 305, 904, 1003)

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 57-4340; Filed, May 28, 1957; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Parts 716, 717, 718, 719]

[Administrative Order 483]

HANDKERCHIEF, SQUARE SCARF, AND ART LINEN INDUSTRY; WOMEN'S AND CHILDREN'S UNDERWEAR AND WOMEN'S BLOUSE AND NECKWEAR INDUSTRY; CHILDREN'S DRESS AND RELATED PRODUCTS INDUSTRY; NEEDLEWORK AND FABRICATED TEXTILE PRODUCTS INDUSTRY; SWEATER AND KNIT SWIMWEAR INDUSTRY

APPOINTMENTS TO INVESTIGATE CONDITIONS AND RECOMMEND MINIMUM WAGES; NOTICE OF HEARING

Pursuant to authority under the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), and Reorganization Plan No. 6 of 1950 (5 U. S. C. 611), I hereby appoint, convene, and give notice of the hearings of Industry Committee No. 31–A for the Handkerchief, Square Scarf, and Art Linen Industry in Puerto Rico, Industry Committee No. 31–B for the Women's and Chlidren's Underwear and Women's Blouse and Neckwear Industry in Puerto Rico, Industry Committee No. 31–C for the Children's Dress and Related Products Industry in Puerto Rico, Industry Committee No. 31–D for the Needlework and Fabricated Textile Products Industry in Puerto Rico, and Industry Committee No. 31–E for the Sweater and Knit Swimwear Industry in Puerto Rico.

Industry Committee No. 31–A is composed of the following representatives:

For the public:
Jaime Benitez, Chairman, Rio Piedras, Puerto Rico.
John W. McConnell, Ithaca, New York.
Charles O. Gregory, Charlottesville, Virginia.

For the employees:
Charles S. Zimmerman, New York, New York.
Thomas J. Flavell, New York, New York.
Prudencio Rivera-Martinez, San Juan, Puerto Rico.

For the employers:
Benjamin H. Lerner, New York, New York.
Maria Luisa Arcelay, Mayaguez, Puerto Rico.
Cesar A. Pietri, Yauco, Puerto Rico.

For the purpose of this order, the handkerchief, square scarf, and art linen industry in Puerto Rico is defined as follows:

The manufacture of plain, scalloped, or ornamented handkerchiefs and square scarves; the manufacture of art linens, including, but not by way of limitation, table cloths, luncheon cloths, altar cloths, napkins, bridge sets, table covers, sheets, pillow cases, and towels; and the manufacture of needlepoint on canvas or other material.

Industry Committee No. 31–B is composed of the following representatives:

For the public:
Jaime Benitez, Chairman, Rio Piedras, Puerto Rico.
John W. McConnell, Ithaca, New York.
Charles O. Gregory, Charlottesville, Virginia.

For the employees:
Charles S. Zimmerman, New York, New York.
Thomas J. Flavell, New York, New York.
Prudencio Rivera-Martinez, San Juan, Puerto Rico.

For the employers:
Benjamin H. Lerner, New York, New York.
Ruben D. Nazario Fournier, Yauco, Puerto Rico.
Sam Schweitzer, Mayaguez, Puerto Rico.

For the purpose of this order the women's and children's underwear and women's blouse and neckwear industry in Puerto Rico is defined as follows:

The knitting, or manufacture from woven or knit fabric, of women's, misses', girls', boys' size 6x and under, and infants' underwear and nightwear, including, but not by way of limitation, slips, petticoats, nightgowns, negligees, panties, undershirts, briefs, shorts, pajamas, sleepers, and similar articles; and the manufacture of women's and misses' blouses, shirts, waists, neckwear (including collar and cuff sets), and scarves (except square scarves): *Provided, however,* That the definition shall not cover products or activities included in the Corsets, Brassieres, and Allied Garments Industry, as defined in Administrative Order No. 480 (22 F. R. 2247); or the outlining or embroidery of lace by machine, or the embroidery of any article or trimming by a crochet beading process or with bullion thread.

Industry Committee No. 31–C is composed of the following representatives:

For the public:
Jaime Benitez, Chairman, Rio Piedras, Puerto Rico.
John W. McConnell, Ithaca, New York.
Charles O. Gregory, Charlottesville, Virginia.

For the employees:
Charles S. Zimmerman, New York, New York.
Thomas J. Flavell, New York, New York.
Prudencio Rivera-Martinez, San Juan, Puerto Rico.

For the employers:
Benjamin H. Lerner, New York, New York.
Maurice J. Perthus, Hatillo, Puerto Rico.
Leonard M. Tuttman, Bayamon, Puerto Rico.

For the purpose of this order the children's dress and related products industry in Puerto Rico is defined as follows:

The manufacture from woven or knit fabric or from waterproof materials of the following garments: dresses, blouses, shirts, and similar garments for girls; shirts and blouses for boys, size 6x and under; dresses, creepers, rompers, waterproof pants, diaper covers, sportswear and play apparel for infants three years of age or under; and clothing and accessories for dolls: *Provided, however,* That this definition shall not include products manufactured by heat sealing, cementing, vulcanizing or any operation similar thereto.

Industry Committee No. 31–D is composed of the following representatives:

For the public:
Jaime Benitez, Chairman, Rio Piedras, Puerto Rico.
John W. McConnell, Ithaca, New York.
Charles O. Gregory, Charlottesville, Virginia.

For the employees:
Charles S. Zimmerman, New York, New York.
Thomas J. Flavell, New York, New York.
Prudencio Rivera-Martinez, San Juan, Puerto Rico.

For the employers:
Benjamin H. Lerner, New York, New York.
Gloria E. Domenech, Mayaguez, Puerto Rico.
Stanley B. Siegel, Bayamon, Puerto Rico.

For the purpose of this order the needlework and fabricated textile products industry in Puerto Rico is defined as follows:

The manufacture from any material of all apparel and apparel furnishings and accessories made by knitting, crocheting, cutting, sewing, embroidering, or other processes; and the manufacture of all textile products and the manufacture of like articles in which a synthetic material in sheet form is the basic component: *Provided, however,* That the definition shall not cover products or activities included in the Fabric and Leather Glove Industry, the Hosiery Industry, the Shoe and Related Products Classification of the Leather, Leather Goods, Shoe, and Related Products Industry, or the Textile and Textile Products Industry, as defined in the wage orders for those industries in Puerto Rico; or in the Artificial Flower, Decoration, and Party Favor Industry, the Button, Jewelry, and Lapidary Work Industry, or the Straw, Hair, and Related Products Industry, as defined in Administrative Order No. 476, (22 F. R. 1449); or in the Corsets, Brassieres, and Allied Garments Industry, or the Men's and Boys' Clothing and Related Products Industry, as defined in Administrative Order No. 480 (22 F. R. 2247); or in the Children's Dress and Related Products Industry, the Handkerchief, Square Scarf, and Art Linen Industry, the Sweater and Knit Swimwear Industry, or the Women's and Children's Underwear and Women's Blouse and Neckwear Industry as these industries are defined in this Administrative Order.

Industry Committee No. 31–E is composed of the following representatives:

For the public:
Jaime Benitez, Chairman, Rio Piedras, Puerto Rico.
John W. McConnell, Ithaca, New York.
Charles O. Gregory, Charlottesville, Virginia.

For the employees:
Charles S. Zimmerman, New York, New York.
Thomas J. Flavell, New York, New York.
Prudencio Rivera-Martinez, San Juan, Puerto Rico.

For the employers:
Benjamin H. Lerner, New York, New York.
Oscar Castro-Rivera, San Juan, Puerto Rico.
George Vargish, Toa Alta, Puerto Rico.

For the purpose of this order the sweater and knit swimwear industry in Puerto Rico is defined as follows:

The manufacture of men's, women's, misses', boys', and girls' knit sweaters, shrugs, shoulderettes, boleros, and similar knitwear, and women's, misses', and girls' knit swimwear: *Provided, however,* That the definition shall not include the embroidery of any article or trimming by a crochet beading process or with bullion thread.

I hereby refer to each of the above mentioned industry committees the question of the minimum wage rate or rates to be fixed under section 6 (c) of the act for its industry. Each such industry committee shall investigate conditions in its industry, and the committee, or any authorized sub-committee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the act.

Industry Committee No. 31–A shall commence its hearing on July 8, 1957, at 2 p. m. in the offices of the Wage and Hour Division, United States Department of Labor, New York Department Store Building, Fortaleza and San Jose Streets, San Juan, Puerto Rico. Consecutively, at the same place, after the hearing of Industry Committee No. 31–A, Industry Committees Nos. 31–B, 31–C, and 31–E shall hold their hearings in that order.

Each committee will meet at the same place before its hearing to make its investigation and appropriate decisions concerning its hearing. Industry Committee No. 31–A will meet at 10 a. m. on July 8, 1957, and Industry Committees Nos. 31–B, 31–C, 31–D, and 31–E will meet at an hour to be designated by the committee chairman.

In order to reach as rapidly as is economically feasible the objective of the minimum wage prescribed in paragraph (1) of section 6 (a) of the act, each industry committee shall recommend to the Administrator the highest minimum wage rate or rates for the industry which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands and American Samoa. Where an industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in the industry, the industry committee shall recommend such reasonable classifications within the industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set out here which will not substantially curtail employment in such classifications and will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within the industry, in making such classifications, and in determining the minimum wage rates for such classifications, the committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) the wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) the wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

The Administrator shall prepare an economic report for each committee containing such data as he is able to assemble pertinent to the matters herein referred to that committee. Copies of each such report may be obtained at the national and the Puerto Rican offices of the United States Department of Labor as soon as they are completed and prior to the hearings. Each committee will take official notice of the facts stated in the economic report to the extent they are not refuted at the hearings.

The procedure of these industry committees will be governed by Part 511 of Title 29, Code of Federal Regulations. As a prerequisite to participation as witnesses or parties these regulations require, among other things, that interested persons in the present matters shall file a prehearing statement containing certain specified data, not later than June 28, 1957.

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

JAMES P. MITCHELL,
Secretary of Labor.

[F. R. Doc. 57–4311; Filed, May 28, 1957; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 60]

AIR TRAFFIC RULES

NOTICE OF CONFERENCE WITH RESPECT TO DISCUSSION OF RECOMMENDATIONS AND SUGGESTIONS FOR IMPROVEMENT

The Civil Aeronautics Board recently met with representative groups of the aviation industry, civil and military, for the purpose of reviewing matters associated with the air traffic system. The Board requested that each of the representatives submit his considered recommendations or suggestions for improving the air traffic system particularly to the extent that the Civil Air Regulations are involved.

As a measure preliminary to the institution of formal rule-making procedures, the Bureau of Safety considers it desirable to convene a conference in order that all interested persons may be afforded an opportunity of expressing their views on these recommendations. In order to avoid a complex agenda, only those items which have been most often reflected in the recommendations received and those which are in need of more immediate consideration will be included in the agenda for discussion. Briefly, the titles of these agenda items are as follows:

(a) Definition of Control Area,
(b) Operation of Aircraft Lights,
(c) Minimum Weather Conditions for VFR Flight,
(d) Expansion of Controlled Airspace at High Altitudes,
(e) Operation On and In the Vicinity of Airports,
(f) Cruising Altitudes,
(g) Instrument Take-Off and Landing Minimums, and
(h) Altimeter Settings.

The conference will be held June 13–14, 1957, at 10:00 a. m., in the Department of Commerce Auditorium, 14th Street and Constitution Avenue, Washington, D. C.

The Bureau of Safety has prepared for distribution a draft release setting forth a brief discussion of proposed recommendations and suggestions pertaining to the aforementioned agenda items to be the subject of discussion at the conference. Interested persons who desire to obtain a copy of this draft release should submit their request in writing to the Bureau of Safety, Civil Aeronautics Board, Washington 25, D. C.

The Bureau is interested in obtaining the views of all interested persons with respect to the discussion items set forth in the draft release and accordingly invites written comment from those persons who cannot participate in the conference. Such comments should be submitted in duplicate to the Bureau of Safety, Civil Aeronautics Board, Washington 25, D. C., and in order to insure consideration must be received by the Bureau not later than June 7, 1957. Interested persons will be given further opportunity to comment at such time as formal rule-making procedures are instituted.

Because of the large number of comments which we anticipate receiving in response to the draft release, we will be unable to acknowledge receipt of each reply. However, you may be assured that all comments received will be given careful consideration.

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

Dated at Washington, D. C. May 23, 1957.

By the Bureau of Safety.

[SEAL] OSCAR BAKKE,
Director.

[F. R. Doc. 57–4365; Filed, May 28, 1957; 8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 11279; FCC 57–530]

RADIO BROADCAST SERVICES

SUBSCRIPTION TELEVISION SERVICE

In the matter of amendment of Part 3 of the Commission's rules and regulations (Radio Broadcast Stations) to provide for subscription television service.

1. In our notice of proposed rule making adopted February 10, 1955 (FCC 55–165) we invited comments on proposals that the Commission authorize the use of frequencies allocated to television broadcasting for the transmission of programs in scrambled, unintelligible form under proposed systems calling for the payment of a charge by the viewer for the reception of such programs in unscrambled, intelligible form.

2. We have received proposals for three different systems for the encoding and decoding of television signals: "Phonevision", sponsored by Zenith Radio Corporation and TECO, Inc.; "Subscriber-Vision", sponsored by Skiatron Electronics and Television Corporation and Skiatron TV, Inc.; and "Telemeter", sponsored by International Telemeter Corporation. In this document we will use the general term "subscription television" to refer to all three of the foregoing systems, as well as to any other system which may be developed for the encoding and decoding of programs broadcast by television stations.

3. Interested parties representing important segments of the television industry, motion picture distributors, the proponents of three different systems of subscription television and others have formally submitted lengthy comments and reply comments in this proceeding. In addition we have received many thousands of informal expressions of opinion in letters from numerous organizations and members of the public—over 25,000 in all. The volume of the record, the complexity of the issues, the fact that basic departures from established practice are involved, and the necessity for concentrating much of the time of the Commission and its staff during the past year on television allocations problems have made it impossible, until now, to advance our continuing study of subscription television to a point where a decision could be reached concerning additional steps it would be desirable to take in this proceeding.

4. The record discloses basic disagreement between parties who claim that subscription television would provide a beneficial supplement to the programming now available to the public and an increase of the financial resources available to support television, and parties who contend that it would seriously impair the capacity of the present system to continue to provide "free", advertiser-financed programming of the present or foreseeable quantity and quality. The Comments filed to date have provided us with data and arguments which have furnished helpful assistance in our initial consideration of the questions of law, fact and policy set out in the notice of proposed rule making. Useful as they have been, however, the written submissions of the parties, taken alone, do not in our opinion provide a fully adequate basis for concluding either that the proposals in hand that we authorize subscription television should be denied, or that they should be granted by amending the rules in such fashion as to open the way for permanent nationwide subscription television operations using the frequencies which have been allocated to television broadcasting."

5. Since we propose to defer final conclusions until completion of the steps discussed in this further notice we will not endeavor in this document to discuss the numerous questions here involved in detail but will mention briefly the principal matters which at this stage we think are of paramount importance. The additional proceedings contemplated in this notice will be directed toward the specific questions which in our opinion remain unclear and on which we feel the need of additional information and study in order to afford us a sound basis for decision.

6. The first group of questions raised in our notice, designated as "Questions of Law", concern the statutory power of the Commission to authorize subscription television, its proper classification as a broadcast or other type of service, and amendments which might be required to the Communications Act of 1934, as amended, or to the Commission rules and regulations. Several of the parties provided us with detailed memoranda of law on these questions which, together with separate researches by Commission staff, have enabled us to reach the conclusion that the Commission has the statutory authority to authorize the use of television broadcast frequencies for subscription television operations if it finds that it would be in the public interest to do so. We believe this authority falls within the powers conferred on the Commission in the Communications Act for licensing the use of radio frequencies.

7. We leave for future determination the related legal questions of whether subscription television would be properly classifiable as "broadcasting" within the meaning of section 3 (o) of the Communications Act or whether it may be classifiable as some other type of service. Nor, in view of the steps contemplated in this further notice, is it necessary or desirable that we endeavor to reach final conclusions at this stage concerning the proper classification of subscription television. While we recognize the importance of settling this question, we believe that it would be premature to attempt to decide it until we have additional information concerning the manner in which subscription television, if authorized, would operate in actual practice.

8. While the three major proponents of subscription television have sketched in some detail several proposed modes of conducting subscription television operations, some of the critical aspects of such operations are left for future determination. Since the classification of this novel type of service is in part dependent on the way it would actually operate in practice, we are not in a position to decide finally how to classify the proposed service until we can learn more about the techniques and methods which would be employed. We need more information than is available on the present record concerning the relationships between subscription program producers, distributors, community franchise holders, television stations, manufacturers and distributors of encoding and decoding equipment and the public, and, in particular, concerning the role of the broadcasters, to whom the Commission issues licenses authorizing the use of television broadcast frequencies and whom the Commission holds responsible for the proper discharge of their responsibility to operate their stations in the public interest.

9. We recognize that at the initial stage of rule making it was difficult for proponents of subscription television to specify precise plans of operation of a service which is not yet in being, and numerous aspects of which cannot feasibly be worked out and crystallized except in practice. At the same time it is not possible for us to make sound determinations concerning the classification of the proposed service, or to reach well-founded conclusions concerning its potential impact on the public and on the established system of television broadcasting on the basis of the information submitted so far.

10. We recognize also that it is impossible to make a fully realistic assessment of an untried service such as subscription television without ample demonstration of its operation in actual practice. The field experiments performed so far were too limited in scope and duration to disclose much more than an indication of the feasibility of the technical processes involved and the initial response of limited numbers of participating viewers. We believe that an adequate trial demonstration of subscription television in operation is indispensable to a soundly based evaluation of its acceptability to the public, its capacity to enlarge the selection of program fare, now or foreseeably, available under the present system, its significance as a possible additional source of financial support for continued expansion of the nation's television services, its potential impact, beneficial or otherwise, on the established television system and its mode of operation in actual practice. Since all of these matters bear on a decision as to whether the authorization of subscription television on a nationwide scale will serve the public interest, convenience and necessity, we think it is now timely and desirable to determine the conditions under which trial demonstrations of subscription television could properly be authorized.

11. The question of field demonstrations of subscription television in itself poses problems and difficulties which are partly similar to, although in some respects different from, the problems which are associated with full scale nationwide operation of subscription television. It would seem clear, on the one hand, that field demonstrations under highly circumscribed conditions and limitations would be unlikely to yield reliable indications of how subscription television would be likely to operate if later authorized on a more general scale. On the other hand we do not believe that we could at this stage justify the authorization of subscription television on an unlimited or general scale, even for a prescribed trial period. It may be possible to avoid the objectionable results of either extreme by author-

izing the conduct of field demonstrations of subscription television under conditions which will provide useful information on critical questions we cannot resolve on the present record, but which will preclude subscription television operations of such scope and magnitude as to induce inordinate investment either by the industry or by the public in equipment and other costs necessary for a novel type of television service on which we must reserve final judgment.

12. This brings us to the question of the basis upon which it may be useful and desirable to authorize the conduct of field demonstrations of subscription television. These questions involve a host of matters which have been lengthily debated in the comments submitted so far in this proceeding. They include, with particular reference to a trial period, the questions of whether subscription television operations should be confined to the larger markets, for example those with at least four stations, or in which at least four television services are available; whether some maximum limitation should be placed on subscription programming in terms of hours per week, per day or per broadcast time segment, or in terms of some percentage of the participating station's total broadcast hours per week; whether subscription television, as has been proposed by one of the proponents, should be limited to UHF stations with the possible exception of VHF stations in certain circumstances; whether subscription television operations in a particular market should be limited to a single system; whether a trial of any of the individual systems should be limited to a single station in any particular market or made available for participation of more than one station in an individual market; preservation of the broadcaster's duty to retain control over the selection of material broadcast over his station, which is necessary to the proper discharge of his responsibilities as a licensee; and numbers of other related problems.

13. Before it would be possible for the Commission to make decisions concerning the basis on which it may be desirable to permit field demonstrations of subscription television operations it will be necessary for us to obtain more information than is available on the present record concerning questions such as were briefly stated in the preceding paragraph.

14. Therefore, in order to assist us in reaching decisions on the foregoing matters, we have decided to afford an opportunity to television station licensees, sponsors of subscription television systems and any other interested parties to submit statements informing us as to their views on the following questions relating to a trial demonstration of subscription television:

(1) The city or cities in which it may be desirable and feasible to conduct trial demonstrations.

(2) Whether trial operations should be confined to a single station in any individual community; or whether more than one station could participate.

(3) Whether a trial in any individual community should be confined to a single system; or whether it is proposed that more than one system be demonstrated in any individual community at the same time.

(4) If known, the identity of the individual stations which it is proposed would broadcast subscription programs in each community where trial operations would be conducted; and the basis for their selection.

(5) The time required for the production, distribution and installation of the necessary coding and decoding equipment, and commencement of subscription programming.

(6) The minimum period of actual system operations necessary to a meaningful demonstration of the manner in which subscription television would operate, and of the reaction of the public to this novel type of television service.

(7) The approximate minimum and maximum numbers of subscribers during the trial run in each city where trial demonstrations are proposed.

(8) Whether it is essential for a satisfactory trial demonstration of any proposed system that decoding equipment be sold or leased to the participating subscribers, and the terms of such sale or lease.

(9) The number of broadcast hours per week, and during the hours of 6:00 p. m. to 11 p. m. on weekdays and 1:00 p. m. to 11 p. m. on Sundays, which it is believed would be required for a meaningful trial demonstration of subscription television.

(10) Whether it would be preferable to state such limitations as may be imposed on subscription broadcasts in terms of a maximum number of hours per week, per month or per year, or in terms of some maximum percentage of the station's total broadcast hours per week, month or year.

(11) A statement of the specific ways in which it is believed that the conduct of the proposed field demonstrations would assist the Commission in evaluating the effects, impact, benefits, and potential hazards or disadvantages of subscription television if it were subsequently authorized on a more general scale.

15. While we believe that the information sought in the foregoing questions should be furnished primarily by any station licensees who may be interested in participating in trial demonstrations of subscription television and by other persons who would be associated in the operation, we will accept and consider comments on these matters by any other interested party. It is requested that the additional information be submitted in 14 copies on or before July 8, 1957.

16. We cannot, of course, anticipate the extent to which the additional information may answer all the questions which we believe it is important to evaluate before making decisions concerning the authorization of trial demonstrations. In the event the additional information fails to clarify all of the important considerations we believe to be involved, we will then decide whether it would be desirable to conduct oral hearings on specific issues to be designated.

17. Our immediate concern is to make sound determinations concerning the basis on which the Commission could authorize suitably controlled trial demonstrations of subscription television, as a means of ascertaining its potential impact and what amendments should be introduced in the Commission's rules and standards if it were later determined, on the basis of trial experience, and after further proceedings, that it would be in the public interest to authorize subscription television on a permanent basis.

18. It would, we think be premature at this stage to attempt to determine whether, if subscription television were ultimately authorized on some general basis, it would be necessary or appropriate to establish standards which would call for the use of a single system, or whether it would be appropriate to authorize the use of more than one system of encoding and decoding television signals. We do not believe that it will be possible to give adequate consideration to all the different questions involved in this matter unless the capacities, advantages and disadvantages of the respective systems which have already been proposed and of any others which may be proposed, could be suitably tested in field demonstrations.

19. We believe that the steps contemplated in this further notice will also help to disclose and clarify any matters which it may be desirable to take up with Congress, including any amendments to the Communications Act which the Commission may find it necessary or desirable to propose to Congress.

Adopted: May 23, 1957.

Released: May 23, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-4354; Filed, May 28, 1957; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 57-24]

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026), and in compliance with the authorities cited with each item of equipment: *It is ordered,* That:

(a) All the approvals listed in this document which extend approvals previously published in the FEDERAL REGISTER are prescribed and shall be in effect for a period of five years from their respective

dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and

(b) All the other approvals listed in this document (which are not covered by paragraph (a) above) are prescribed and shall be in effect for a period of five years from the date of publication of this document in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority.

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE) MODELS 2, 3, 5, AND 6

Approval No. 160.002/59/0, Model 2, adult kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Swan Products Co., Inc., 145–92 228th Street, Springfield Gardens, Long Island, N. Y.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4481, 4482, 4488, 4491, 4492, as amended, sec. 11, 35 Stat. 428, secs. 1, 2, 49 Stat. 1544, secs. 6, 17, 54 Stat. 164, 166, and sec. 3, 54 Stat. 346, as amended, and 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 475, 481, 489, 490, 396, 367, 526e, 526p, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.002)

LIFE PRESERVERS, FIBROUS GLASS, ADULT AND CHILD (JACKET TYPE) MODELS 51, 52, 55, AND 56

Approval No. 160.005/3/0, Model 51, adult fibrous glass life preserver, U. S. C. G. Specification Subpart 160.005, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 160.005/4/0, Model 55, child fibrous glass life preserver, U. S. C. G. Specification Subpart 160.005, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4481, 4482, 4488, 4491, 4492, as amended, sec. 11, 35 Stat. 428, secs. 1, 2, 49 Stat. 1544, secs. 6, 17, 54 Stat. 164, 166, and sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 475, 481, 489, 490, 396, 367, 526e, 526p, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.005)

CONTAINERS, EMERGENCY PROVISIONS AND WATER

Approval No. 160.026/21/1, Container for emergency provisions, dwg. No. A–101–F, dated March 11, 1957, manufactured by H & M Packing Corp., 913 Ruberta Avenue, Glendale 1, Calif. (Supersedes Approval No. 160.026/21/0 published in FEDERAL REGISTER, December 4, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat. 1544, as amended; sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 396, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.026)

LIFE FLOATS

Approval No. 160.027/5/1, 7.0' x 3.17' (9'' x 9'' body section) rectangular solid balsa wood life float, 10-person capacity, specification and dwg. No. 2–27–52, dated February 27, 1952, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 160.027/6/1, 7.5' x 4.0' (11'' x 11'' body section) rectangular solid balsa wood life float, 15-person capacity, specification and dwg. No. 2–27–52, dated February 27, 1952, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 160.027/7/1, 9.0' x 5.08' (12'' x 12'' body section) rectangular solid balsa wood life float, 25-person capacity, specification and dwg. No. 2–27–52, dated February 27, 1952, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 160.027/8/1, 10.67' x 6.17' (13'' x 13'' body section) rectangular solid balsa wood life float, 40-person capacity, specification and dwg. No. 2–27–52, dated February 27, 1952, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 160.027/9/1, 12.0' x 7.58' (15'' x 15'' body section) rectangular solid balsa wood life float, 60-person capacity, specification and dwg. No. 2–27–52, dated February 27, 1952, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.027)

DAVITS

Approval No. 160.032/131/0, mechanical davit, straight boom sheath screw, Type 22–25 MKII, approved for maximum working load of 7500 pounds per set (3750 pounds per arm), identified by general arrangement dwg. No. DB–151, Alt. B dated February 29, 1952, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 160.032/132/0, mechanical davit, straight boom sheath screw, Type 22–31 MKII, approved for maximum working load of 9000 pounds per set (4500 pounds per arm), identified by general arrangement dwg. No. DB–111, Alteration B dated February 4, 1952, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Cum. Supp.; 46 CFR 160.032)

LIFEBOATS

Approval No. 160.035/10/2, 14.0' x 5.2' 2.3' steel, oar-propelled lifeboat, 10-person capacity, identified by general arrangement dwg. No. G–1410 dated August 20, 1951, and revised March 5, 1957, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York, N. Y. (Supersedes Approval No. 160.035/10/1 published in FEDERAL REGISTER, May 1, 1952.)

Approval No. 160.035/91/2, 18.0' x 6.0' x 2.6' steel, oar-propelled lifeboat, 18-person capacity, identified by general arrangement and construction dwg. No. 49R–1815 dated August 8, 1951, and revised March 27, 1957, manufactured by Lane Lifeboat & Davit Corp., 8920 26th Avenue, Brooklyn 14, N. Y. (Reinstates and supersedes Approval No. 160.035/91/1 terminated in FEDERAL REGISTER, January 30, 1957.)

Approval No. 160.035/363/0, 24.0' x 8.0' x 3.5' steel, hand-propelled lifeboat, 40-person capacity, identified by construction and arrangement dwg. No. 24–9G, dated December 10, 1956, and revised March 6, 1957, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, 4492, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 490, 396, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.035)

KITS, FIRST-AID

Approval No. 160.041/2/0, First-aid kit, Model X–173, dwg. No. 450–X, revision 2 dated March 10, 1952, and dwg. No. X–181, revision 2 dated March 10, 1952, submitted by Davis Emergency Equipment Co., Inc., 45 Halleck Street, Newark, N. J. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.041)

BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD MODELS, AK, CKM, CKS, AF, CFM, AND CFS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/118/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Dennison Co., 200 Waverly Avenue, Newark 8, N. J.

Approval No. 160.047/119/0, Model CKM, child kapok buoyant, vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Dennison Co., 200 Waverly Avenue, Newark 8, N. J.

Approval No. 160.047/120/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Dennison Co., 200 Waverly Avenue, Newark 8, N. J.

Approval No. 160.047/121/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N. J.

Approval No. 160.047/122/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N. J.

Approval No. 160.047/123/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N. J.

Approval No. 160.047/127/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Associated Plastics, Inc., 312 East 12th Street, Los Angeles 15, Calif.

Approval No. 160.047/128/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Associated Plastics, Inc., 312 East 12th Street, Los Angeles 15, Calif.

Approval No. 160.047/129/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Associated Plastics, Inc., 312 East 12th Street, Los Angeles 15, Calif.

Approval No. 160.047/130/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Peoples Co., 712 Buffington Street, Huntington, W. Va.

Approval No. 160.047/131/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Peoples Co., 712 Buffington Street, Huntington, W. Va.

Approval No. 160.047/132/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Peoples Co., 712 Buffington Street, Huntington, W. Va.

Approval No. 160.047/133/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N. J., for Imperial Sports, 205 Belleville Avenue, Bloomfield, N. J.

Approval No. 160.047/134/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N. J., for Imperial Sports, 205 Belleville Avenue, Bloomfield, N. J.

Approval No. 160.047/135/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manfactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N. J., for Imperial Sports, 205 Belleville Avenue, Bloomfield, N. J.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.047)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/85/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by The Hettrick Manufacturing Co., Statesville, N. C.

Approval No. 160.048/92/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by The Biltmore Manufacturing Co., 1501 Freeman Avenue, Cincinnati 14, Ohio.

Approval No. 160.048/93/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by Liberty Cork Co., Inc., South River, N. J., for A. Goldman & Sons, Inc., 625 Broadway, New York 13, N. Y.

Approval No. 160.048/94/0, group approval for rectangular or trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4 (c) (1) (i), manufactured by The Peoples Co., 712 Buffington Street, Huntington 2, W. Va.

Approval No. 160.048/95/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N. J., for Imperial Sports, 205 Belleville Avenue, Bloomfield, N. J.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.048)

BUOYS, LIFE, RING, UNICELLULAR PLASTIC

Approval No. 160.050/5/0, 30-inch unicellular plastic ring life buoy, U. S. C. G. Specification Subpart 160.050, manufactured by The Goodyear Tire & Rubber Co., Akron, Ohio.

Approval No. 160.050/6/0, 24-inch unicellular plastic ring life buoy, U. S. C. G. Specification Subpart 160.050, manufactured by The Goodyear Tire & Rubber Co., Akron, Ohio.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4488, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, secs. 6, 17, 54 Stat. 164, 166, as amended, sec. 3, 54 Stat. 1333, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 481, 489, 367, 526e, 526p, 1333; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.050)

LIGHTS (WATER): ELECTRIC, FLOATING, AUTOMATIC (WITH BRACKET FOR MOUNTING)

Approval No. 161.001/6/0, automatic floating electric water light (with bracket for mounting), identified by dwg. No. 607, Alt. 1, manufactured by Pomill Manufacturing Corp., 17 Battery Place, New York, N. Y. (Extension of the approval published in FEDERAL REGISTER, April 3, 1952, effective April 3, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 367, 1333; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 161.001)

TELEPHONE SYSTEMS, SOUND POWERED

Approval No. 161.005/49/0, Sound powered telephone extension bell relay with indicator lights, two station type, self-locking, splashproof, dwg. B–196 dated November 5, 1956, manufactured by Sig-Trans, Inc., Amesbury, Mass.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4418, as amended, 4426, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, sec. 3, 54 Stat. 346, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 392, 404, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 113.30–25 (a))

VALVES, SAFETY (POWER BOILERS)

Approval No. 162.001/177/0, Series 100–E cast steel body safety valve, 600 p. s. i. maximum pressure, 650° F. maximum temperature, dwg. No. D–100–E dated July 10, 1950, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Marine & Industrial Products Co., 3731–35 Filbert Street, Philadelphia 4, Pa. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 162.001/178/0, Series 110–E cast steel body safety valve, 600 p. s. i. maximum pressure, 650° F. maximum temperature, dwg. No. D–110–E dated July 10, 1950, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Marine & Industrial Products Co., 3731–35 Filbert Street, Philadelphia 4, Pa. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 162.001/179/0, Series 100–HT cast steel body safety valve, 600 p. s. i. maximum pressure, 750° F. maximum temperature, dwg. No. D–100–HT dated July 10, 1950, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Marine & Industrial Products Co., 3731–35 Filbert Street, Philadelphia 4, Pa. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 162.001/180/0, Series 110–HT cast steel body safety valve, 600 p. s. i. maximum pressure, 750° F. maximum temperature, dwg. No. D–110–HT dated July 10, 1950, approved for sizes

1½", 2", 2½", 3" and 4", manufactured by Marine & Industrial Products Co., 3731–35 Filbert Street, Philadelphia 4, Pa. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 392, 404, 411, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.001)

FIRE EXTINGUISHERS, PORTABLE, HAND, VAPORIZING LIQUID TYPE

Approval No. 162.004/57/1, Kidde VL No. 6 (Symbol AM), 1-qt. carbon tetrachloride type hand portable fire extinguisher, assembly dwg. No. 13X–1379, Rev. C dated September 20, 1951, instruction panel dwg. No. 13X–928, Rev. D dated May 26, 1953, manufactured by American-La France Corp., Elmira, N. Y., for Walter Kidde & Co., Inc., Belleville 9, N. J. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 162.004/58/1, Kidde VL No. 5 (Symbol AM), 1½-qt. carbon tetrachloride type hand portable fire extinguisher, assembly dwg. No. 13X–1380, Rev. C dated September 20, 1951, instruction panel dwg. No. 13X–929, Rev. D dated May 26, 1953, manufactured by American-La France Corp., Elmira, N. Y., for Walter Kidde & Co., Inc., Belleville 9, N. J. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4479, as amended, 4491, as amended, 4492, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, secs. 8 and 17, 54 Stat. 165, 166, as amended; sec. 3, 54 Stat. 346, as amended; sec. 2 54 Stat. 1028, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 472, 489, 490, 367, 526g, 526p, 1333, 463a, 50 U. S. C. 198; 46 CFR 25.30, 34.25, 76.50, 95.50)

VALVES, SAFETY (FOR STEAM HEATING BOILERS)

Approval No. 162.012/3/0, Series 90 semi-steel body safety valve for steam heating boilers and unfired steam generators, dwg. No. D–90 dated July 27, 1951, approved for 1½", 2", 2½", 3", and 4" inlet sizes for a maximum pressure of 30 pounds per square inch, manufactured by Marine & Industrial Products Co., 3731–35 Filbert Street, Philadelphia 4, Pa. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 162.012/4/0, Series 90-E semi-steel body safety valve for steam heating boilers and unfired steam generators, dwg. No. D–90–E dated July 10, 1950, approved for 1½", 2", 2½", 3", and 4" inlet sizes for a maximum pressure of 30 pounds per square inch, manufactured by Marine & Industrial Products Co., 3731–35 Filbert Street, Philadelphia 4, Pa. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 162.012/5/0, Series 92 semi-steel body safety valve for steam heating boilers and unfired steam generators, dwg. No. D-92 dated July 27, 1951, approved for 1½", 2", 2½", 3", and 4" inlet sizes for a maximum pressure of 30 pounds per square inch, manufactured by Marine & Industrial Products Co., 3731–35 Filbert Street, Philadelphia 4, Pa. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 162.012/6/0, Series 92–E semi-steel body safety valve for steam heating boilers and unfired steam generators, dwg. No. D–92–E dated July 10, 1950, approved for 1½", 2", 2½", 3", and 4" inlet sizes for a maximum pressure of 30 pounds per square inch manufactured by Marine & Industrial Products Co., 3731–35 Filbert Street, Philadelphia 4, Pa. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 367, 391a, 392, 404, 411, 489, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.012)

VALVES, PRESSURE VACUUM RELIEF AND SPILL

Approval No. 162.017/65/2, Figure No. 110, pressure-vacuum relief valve, atmospheric pattern, weight-loaded poppets, all bronze construction, dwg. No. 110–C, Alt. 2, dated July 19, 1955, approved for 4", 5" and 6" sizes, manufactured by Mechanical Marine Co., Inc., 17 Battery Place, New York 4, N. Y. (Supersedes Approval No. 162.017/65/1, published in the FEDERAL REGISTER, February 28, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4491, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 489; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.017)

VALVES, SAFETY RELIEF, LIQUEFIED COMPRESSED GAS

Approval No. 162.018/41/1, Type S–1011 safety relief valve, flanged inlet "O" ring synthetic gasket type, for liquefied compressed gas service, dwg. No. 317–23713, Rev. A, dated August 8, 1952, and dwg. No. 317–24837, Rev. A, dated March 21, 1957, approved for a maximum set pressure of 260 p. s. i., flow-rated at 110 percent of the following set pressures (discharge in cubic feet per minute of free air measured at 60° F. and 14.7 pounds per square inch absolute), manufactured by American Car and Foundry Division, ACF Industries, Inc., 30 Church Street, New York 8, N. Y.

Set pressure, pounds per square inch:	*Discharge capacity, cubic feet per minute, air*
100	5,500
110	6,060
125	6,770
200	10,260
215	10,870
220	11,120
250	12,420
260	12,820

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, and 4491, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 489; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.018)

NOZZLES, FIRE HOSE, COMBINATION SOLID STREAM AND WATER SPRAY (1½" AND 2½")

Approval No. 162.027/4/0, 1½-inch Model CG 15 combination solid stream and water spray fire hose nozzle, Style HV 15 high-velocity head, and either Style 415 4'–60° applicator or Style 1015 10'–90° applicator with Style LV 15 low-velocity head, dwg. Nos. 5106 dated December 6, 1956, 5087 dated December 6, 1956, 5134 dated December 31, 1956, 5135 dated December 31, 1956, and 5093 dated December 6, 1956, manufactured by Akron Brass Manufacturing Co., Inc., Wooster, Ohio.

Approval No. 162.027/5/0, 2½-inch Model CG 25 combination solid stream and water spray fire hose nozzle, Style HV 25 high-velocity head, and Style 1225 12'–90° applicator with Style LV 25 low-velocity head, dwg. Nos. 5107 dated December 7, 1956, 5090 dated December 6, 1956, 5136 dated December 31, 1956, and 5098 dated December 6, 1956, manufactured by Akron Brass Manufacturing Co., Inc., Wooster, Ohio.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4418, as amended, 4426, as amended, 4427, as amended, 4471, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 346, as amended, sec. 2, 54 Stat. 1028, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 392, 404, 405, 464, 489, 367, 526p, 463a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.027)

BULKHEAD PANELS

Approval No. 164.008/12/1, Marinite–36, asbestos incombustible binder board type bulkhead panel identical to that described in National Bureau of Standards Test Report No. TG 3619–23; FR 1274 dated March 21, 1939; approved as meeting Class B–15 requirements in a ¾ inch thickness, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 164.008/13/1, Marinite–30, asbestos incombustible binder board type bulkhead panel identical to that described in Protexol Testing Laboratory Test Report No. 146 dated November 15, 1946; approved as meeting Class B–15 requirements in a ¾ inch thickness manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 164.008/14/1, Marinite–65, asbestos incombustible binder board type bulkhead panel identical to that described in Johns-Manville letter of March 6, 1947; approved as meeting Class B–15 requirements in a ¾ inch thickness, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 164.008/15/1, Marine Veneer, asbestos cement board type bulkhead panel identical to that described in Johns-Manville letter of March 6, 1947; approved as meeting Class B–15 requirements in a ¾ inch thickness, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

Approval No. 164.008/29/1, Marinite-23, inorganic composition board type bulkhead panel with aluminum or equivalent veneer on both sides, identical to that described in Protexol Testing Laboratory Report No. 193, dated February 24, 1950, approved as meeting Class B–15 requirements in a ⅞ inch thickness inclusive of veneers, manufactured by Johns-Manville Corp., 22 East 40th Streeet, New York 16, N. Y. (Extension of the approval published in FEDERAL REGISTER, May 1, 1952, effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 2, 54 Stat. 1028, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391, 391a, 392, 404, 369, 367, 1333, 463a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 164.008)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/43/0, "Thermobestos" asbestos-hydrous calcium silicate type pipe and block insulation identical to that described in Commandant, U. S. Coast Guard, letter dated April 9, 1957, file 164.009/43; manufactured by Johns-Manville Corp., 22 East 40th Street, New York 16, N. Y.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 2, 54 Stat. 1028, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391, 391a, 392, 404, 369, 367, 1333, 463a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 164.009)

Dated: May 22, 1957.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral,
U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 57–4350; Filed, May 28, 1957; 8:53 a. m.]

[CGFR 57–25]

TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and Treasury Department Order 167–14, dated November 26, 1954 (19 F. R. 8026), and in compliance with the authority cited with each item of equipment, the following approvals of equipment are terminated because the approvals have expired. Notwithstanding this termination of approval of any item of equipment as listed in this document, such equipment in service may be continued in use so long as such equipment is in good and serviceable condition.

LIFE PRESERVERS, FIBROUS GLASS, ADULT AND CHILD (JACKET TYPE) MODELS 51, 52, 55 AND 56

Termination of Approval No. 160.-005/7/0, Model 52, adult fibrous glass life preserver, U. S. C. G. Specification Subpart 160.005, manufactured by Victory Apparel Manufacturing Corp., 238–50 Passaic Street, Newark 4, N. J. (Approved FEDERAL REGISTER, April 3, 1952. Termination of approval effective April 3, 1957.)

Termination of Approval No. 160.-005/8/0, Model 56, child fibrous glass life preserver, U. S. C. G. Specification Subpart 160.005, manufactured by Victory Apparel Manufacturing Corp., 238–50 Passaic Street, Newark 4, N. J. (Approved FEDERAL REGISTER, April 3, 1952. Termination of approval effective April 3, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4481, 4482, 4488, 4491, 4492, as amended, sec. 11, 35 Stat. 428, secs. 1, 2, 49 Stat. 1544, secs. 6, 17, 54 Stat. 164, 166, and sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 475, 481, 489, 490, 396, 367, 526e, 526p, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.005)

BUOYS, LIFE, RING, CORK OR BALSA WOOD

Termination of Approval No. 160.009/39/0, 30-inch balsa wood ring life buoy, dwg. No. 501, dated December 1, 1951, manufactured by Kamor Manufacturing Corp., 426 Great East Neck Road, West Babylon, N. Y. (Approved FEDERAL REGISTER, April 3, 1952. Termination of approval effective April 3, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, secs. 6 and 17, 54 Stat. 164, 166, as amended, sec. 3, 54 Stat. 1333, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 481, 489, 367, 526e, 526p, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.009)

NOZZLES, WATER SPRAY (1½" FIXED TYPE)

Termination of Approval No. 160.025/5/1, Sprayco Model 6610H Fire Fog 1½-inch fixed type water spray nozzle, dwg. No. MN–5565 dated February 13, 1952, no revision, manufactured by Spray Engineering Co., 114 Central Street, Somerville 45, Mass. (Approved FEDERAL REGISTER, May 1, 1952. Termination of approval effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 2, 54 Stat. 1028, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 489, 367, 463a; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 34.10–40, 76.10–10, 95.10–10)

DAVITS, LIFEBOAT

Termination of Approval No. 160.032/121/0, aluminum gravity davit, Type G165A, approved for maximum working load of 33,000 pounds per set (16,500 pounds per arm), using 2 part falls, identified by arrangement dwg. No. 3324–6, revised May 11, 1951, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER, April 3, 1952. Termination of approval effective April 3, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Cum. Supp.; 46 CFR 160.032)

LIFEBOATS

Termination of Approval No. 160.035/271/0, 22.0′ x 6.75′ x 2.92′ steel, oar-propelled lifeboat, 25-person capacity, identified by construction and arrangement dwg. No. 22–1B dated October 16, 1950, and revised January 24, 1952, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER, April 3, 1952. Termination of approval effective April 3, 1957.)

Termination of Approval No. 160.035/276/0, 26.0′ x 7.88′ x 3.35′ aluminum, oar-propelled lifeboat, 41-person capacity, identified by construction and arrangement dwg. No. 3359, dated June 28, 1951, manufactured by Welin Davit and Boat Division of Continental Copper and Steel Industries, Inc., Perth Amboy, N. J. (Approved FEDERAL REGISTER, May 1, 1952. Termination of approval effective May 1, 1957.)

Termination of Approval No. 160.035/280/0, 26.0′ x 9.0′ x 3.83′ aluminum oar-propelled lifeboat, 53-person capacity, identified by construction and arrangement dwg. No. 26–8 dated June 22, 1951, and revised February 21, 1952, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER, May 1, 1952. Termination of approval effective May 1, 1957.)

Termination of Approval No. 160.035/284/0, 16.0′ x 5.5′ x 2.38′ aluminum, oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement dwg. No. 16–3, dated October 17, 1951, and revised February 4, 1952, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER, April 3, 1952. Termination of approval effective April 3, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, 4492, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat, 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 490, 396, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.035)

REGULATORS AND LOW WATER ALARMS, BOILER FEED

Termination of Approval No. 162.024/10/0, Type "FW6" Feed Water Control System, dwg. No. HS-445-XM-1, Rev. 1 dated March 28, 1952, manufactured by The Swartwout Co., 18511 Euclid Avenue, Cleveland 12, Ohio. (Approved FEDERAL REGISTER, May 1, 1952. Termination of approval effective May 1, 1957.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, sec. 3, 54 Stat. 346, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 392, 404, 411, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR Part 52)

Dated: May 22, 1957.

J. A. HIRSHFIELD,
Rear Admiral,
U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 57-4351; Filed, May 28, 1957; 8:53 a. m.]

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

DELEGATION OF AUTHORITY WITH RESPECT TO DONATION OF SURPLUS PERSONAL PROPERTY TO EDUCATIONAL ACTIVITIES OF SPECIAL INTEREST TO THE ARMED SERVICES

I. *Authority and purpose.* Pursuant to the authority vested in the Secretary of Defense by section 203 (j) (2) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C. 484 (j) (2)), this delegation assigns responsibilities within the Office of the Secretary of Defense for carrying out the provisions of section 203 (j) (2) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C. 484 (j) (2)), and sets forth the basic policy of the Department of Defense on the above subject.

II. *Basic policy.* It is the policy of the Department of Defense to make available to designated schools and organizations (hereinafter referred to as Service Educational Activities) certain surplus property of the Department of Defense in order to foster and encourage the educational purpose of such activities.

III. *Responsibilities.* A. The Assistant Secretary of Defense (Manpower, Personnel and Reserve) (ASD (MP&R)) will:

1. Establish criteria for the designation of Service Educational Activities as educational activities of special interest to the Department of Defense.

2. Approve or disapprove requests for special interest consideration under the above established criteria.

3. Amend DOD Instruction 4160.13, Subject: "Designation of Schools and Organizations as Activities of Special Interest to the Armed Services," to reflect additions to the list of approved Service Educational Activities, or deletions from the list when such action is considered necessary.

4. Prescribe other policies and procedures necessary to carry out his responsibilities under this delegation.

B. The Assistant Secretary of Defense (Supply and Logistics) (ASD (S&L)) will:

1. Determine the categories of materiel which may be usable and necessary for each Service Educational Activity listed in DOD Instruction 4160.13, in consultation with the ASD (MP&R).

2. Develop a proper "Donation Agreement" under which the Service Educational Activities will receive donations of surplus personal property and provide copies thereof to the General Services Administration and other interested agencies of the Government.

3. Prescribe policies and procedures through which each Service Educational Activity and the military departments will participate in this program.

4. Provide policy for allocation of surplus personal property in those cases where more than one Service Educational Activity has an interest.

5. Prescribe other policies and procedures necessary to carry out his responsibilities under this delegation.

C. The Secretaries of the military departments may individually nominate schools or organizations for special interest consideration, provided such activities are located in the United States, Alaska, Hawaii, Puerto Rico, or the Virgin Islands. Recommendations, with justification for such designation, will be submitted to the ASD (MP&R) for approval.

DONALD A. QUARLES,
Deputy Secretary of Defense.

[F. R. Doc. 57-4308; Filed, May 28, 1957; 8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. Idaho 07268]

IDAHO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

MAY 21, 1957.

The Department of Agriculture has filed an application, Serial No. Idaho 07268, for the withdrawal of the lands described below, from all forms of appropriation under the General Mining Laws, subject to valid existing claims. The applicant desires the land for protection of a public recreation area in Kaniksu National Forest and access to Mirror Lake.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P. O. Box 2237, Boise, Idaho.

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

T. 56 N., R. 1 W.,
Sec. 31, Lots 2 and 3.

This area includes 45.85 acres.

J. R. PENNY,
State Supervisor.

[F. R. Doc. 57-4310; Filed, May 28, 1957; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[Amdt. 4]

MONTANA

NOTICE OF ESTABLISHMENT OF AREAS OF VENUE FOR MARKETING QUOTA REVIEW COMMITTEES

Pursuant to section 3 (a) (1) of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1002) which requires that the field organization be published in the FEDERAL REGISTER, and § 711.11 of the Marketing Quota Review Regulations (21 F. R. 9365 and 21 F. R. 9716), which provides for establishment of areas of venue for marketing quota review committees, notice is hereby given of areas of venue for the State of Montana established by the ASC State Committee as follows:

Counties of:

Area I—Deer Lodge, Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Powell, Ravalli, Sanders, Silver Bow.

Area II—Cascade, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, Toole.

Area III—Blaine, Daniels, Phillips, Richland, Roosevelt, Sheridan, Valley.

Area IV—Beaverhead, Broadwater, Gallatin, Jefferson, Lewis and Clark, Madison, Meagher .

Area V—Carbon, Fergus, Golden Valley, Judith Basin, Park, Stillwater, Sweet Grass, Wheatland.

Area VI—Big Horn, Garfield, Musselshell, Petroleum, Rosebud, Treasure, Yellowstone.

Area VII—Carter, Custer, Dawson, Fallon, McCone, Powder River, Prairie, Wibaux.

(Sec. 3, 60 Stat. 238; 5 U. S. C. 1002. Interprets or applies secs. 361-368, 52 Stat. 38; 7 U. S. C. 1361-1368)

Done at Washington, this 23d day of May. Witness my hand and the seal of the Department of Agriculture.

[SEAL] WALTER C. BERGER,
Administrator,
Commodity Stabilization Service.

[F. R. Doc. 57-4364; Filed, May 28, 1957; 8:55 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

[Case 230]

LONDON EXPORT CORP. LTD. ET AL.

ORDER DENYING EXPORT PRIVILEGES

In the matter of London Export Corporation Ltd., 5 Chandos Street, London W. 1, England; N. V. Transmare Handelmaatschappij, H. Aarsen, Meent 93, Rotterdam, Netherlands; James Robert Chambers, Finsbury Circus House, 4/10

Blomfield Street, London E. C. 2, England; respondents, Case No. 230.

The respondents, London Export Corporation Ltd., H. Aarsen, N. V. Transmare Handelmaatschappij, and James Robert Chambers, having been charged by the Agent in Charge, Investigation Staff, Bureau of Foreign Commerce, Department of Commerce, with violations of the Export Control Act of 1949, as amended, and regulations promulgated thereunder, which charges involved the alleged transshipment to Communist China, without permission, of 10,000 vials of aureomycin exported from the United States as well as the giving of alleged false answers to interrogatories served during the course of an investigation; and

The said respondents all having been duly served with the charging letter; and

The said respondents having appeared herein by service of answers without demand for oral hearing, this case was referred to the Compliance Commisisoner, who held a hearing at which their respective defenses were considered and proof in support of the charges was received.

The Compliance Commissioner, having heard and considered all the evidence submitted in support of the charges and all the evidence and arguments submitted by respondents in opposition thereto or in connection therewith, has transmitted to the undersigned Director, Office of Export Supply, Bureau of Foreign Commerce, Department of Commerce, his written report, including findings of fact and findings that violations have occurred, and his recommendation that remedial action, as hereinafter provided, be taken against the respondents, together with which report there have been transmitted also the transcript of testimony at the hearing, all exhibits submitted thereat, the charging letter, answers, and correspondence received from the respondents.

After reviewing and considering the entire record of this case and the Compliance Commissioner's Report and Recommendation, I hereby make the following findings of fact.

1. At all times hereinafter mentioned, the respondents London Export Corporation Ltd. (hereafter referred to as London Export) and J. R. Chambers were engaged in the export-import business in London, England, and the respondents H. Aarsen and N. V. Transmare Handelmaatschappij (both hereafter referred to as Transmare) were engaged in the export-import business in Rotterdam, the Netherlands.

2. At all times hereinafter mentioned, London Export was, and now is, the correspondent in the United Kingdom for China National Import-Export Corporation.

3. In March 1955, for the purpose of acquiring and shipping to Communist China 10,000 bottles of aureomycin, London Export entered into negotiations with Transmare for the purchase thereof from a supplier in the United States, and such negotiations were conducted with the aid of Chambers, Transmare's agent in London. These negotiations resulted in a contract of purchase and sale whereby Transmare agreed to obtain the aureomycin from the United States and to sell and deliver it to London Export, in Rotterdam, the Netherlands.

4. Each of the said respondents knew that the export control regulations of the United States forbade the exportation of aureomycin from the United States to Communist China without prior authorization from the United States Government.

5. Transmare and Chambers knew that London Export's purpose in purchasing the aureomycin was to export it to Communist China.

6. Chambers knew that the purpose and intention of the contract was for Transmare to obtain the aureomycin for London Export from the United States and that London Export intended to transship it to China.

7. Transmare, for the purpose of performing its contract with London Export, purchased 10,000 bottles of aureomycin from a supplier in the United States and, in order to export it from the United States, the supplier there was required to and did cause to be executed a shipper's export declaration in which he represented and certified that the aureomycin was being exported from the United States, under general license GRO, to Transmare as the ultimate consignee and the Netherlands as the country of ultimate destination.

8. While general license GRO permitted such exportation, it did not permit any reexportation or transshipment of aureomycin to any Soviet Bloc destination, Hong Kong, Macao or Communist China, without prior written permission or authorization from the United States Government.

9. When the said aureomycin arrived in Rotterdam, and with knowledge that London Export intended to transship or reexport it to Communist China, Transmare caused it to be delivered into the control of London Export.

10. London Export then caused said aureomycin to be shipped to Hsinkang, China, without prior authorization from the United States.

11. During the course of an investigation by the Bureau of Foreign Commerce into the disposition of the said aureomycin after exportation from the United States, interrogatories were duly served on Transmare and, in its answers thereto, although it well knew that its contract with London Export provided that the aureomycin was to be of United States origin and also well knew that London Export's purpose and intention were to ship said aureomycin to Communist China, it (Transmare) said that its contract with London Export did not stipulate that the aureomycin was to be of United States origin and that it had sold the aureomycin to London Export merely upon an "ex-warehouse Rotterdam" basis. This latter answer was wilfully evasive and concealing and therefore false.

And, from the foregoing, the following are my conclusions.

A. The respondents London Export Corporation, Aarsen, and Transmare knowingly caused false statements to be made on export control documents, or documents relating thereto, in violation of § 381.5 of the export regulations.

B. The respondents London Export Corporation, Chambers, Aarsen, and Transmare knowingly caused exportations of commodities to be made from the United States of America to a destination not previously authorized by a license granted by the BFC, in violation of §§ 370.2 (a), 371.4, and 371.8 (a) of the export regulations.

C. The respondents London Export Corporation, Aarsen, and Transmare knowingly disposed of, diverted or caused to be diverted commodities to Communist China without BFC authorization, and contrary to and in violation of § 381.6 of the export regulations.

D. The respondents London Export Corporation, Chambers, Aarsen, and Transmare bought, sold, or participated in exportations from the United States of America, knowing that with respect thereto a violation of the U. S. Export Control Law was intended or about to occur, in violation of § 381.4 of the export regulations.

E. The respondents Aarsen and Transmare knowingly made false representations and statements to and concealed material facts from BFC in the course of an authorized investigation, in violation of § 381.5 of the export regulations.

The charges against London Export Corporation Ltd. and James Robert Chambers that they gave false answers to interrogatories are hereby dismissed.

In his report, the Compliance Commissioner said:

> • • • It is my belief that the facts would justify a reasonable man, understanding the export business in 1955, to conclude that China National Import-Export Corporation's agent, London Export, which had access to and ordinarily might have purchased aureomycin in the American market, resorted to the purchase from Transmare, a Dutch supplier, because it knew it could not, legally and without false representations, either express or implied, purchase the goods in the American market for shipment to Communist China. In other words, it did indirectly through Transmare what it did not choose to do directly. Whether it did so for ethical reasons based on its unwillingness to make false representations or because it was known to the American authorities as CNIEC's agent is immaterial. The fact is that, by doing what it did, it caused false representations to be made on American export control documents and it caused U. S. goods to be transshipped to Communist China without authorization from the Department of Commerce when such authorization was required by law.
>
> The position of Chambers is not so clear and all that appears affirmatively in the case is that he was Transmare's agent, had knowledge that the goods were to be purchased in the United States for transshipment to China, and was the funnel or channel whereby papers were shunted from buyer to seller and from seller to buyer.
>
> Transmare was the purchaser of the goods from the American exporter and it caused the documents to be delivered to London Export's control whereby the transshipment was effectuated. It admits it was aware of U. S. export controls and that there were provisions directly applicable to Communist China trade. It knew that the goods were to be transshipped to China. It alleges that because of this knowledge it did not rely only on [a certain American exporter's] statement that no export license was re-

quired for aureomycin but it doubly protected itself by imposing a requirement in the letter of credit that the shipping documents not have any destination control clause.

Standing alone, and if this were a penal or criminal case, the facts in the last two paragraphs might compel the conclusion that a knowing violation has not been shown and the result would be a dismissal of these charges against Chambers and Transmare. However, this is a remedial proceeding, not penal or criminal, and its purpose is to achieve effective enforcement of the law. The object and policy of the law are "to further the foreign policy of the United States and * * * to exercise the necessary vigilance over exports from the standpoint of their significance to the national security." That being the policy, we cannot blind our eyes to the facts of life. We are authorized, "To the extent necessary to achieve effective enforecment of" the Export Control Act and "To effectuate the policies * * * to curtail the exportation * * * of any articles, materials, or supplies" and to prescribe rules and regulations governing "the participation therein by any person." If Transmare were as innocent as it asks us to believe, it would not have given false and evasive answers to the interrogatories. Its readiness to hide its knowledge of the requirement that the aureomycin be of U. S. origin and of the fact that the aureomycin had been purchased for export to China is indicative of its feeling of guilt.

Then there is what has come to be the regular pattern in "transshipment of general license commodity" cases. An agent of the Communist Chinese contacts an intermediary, either in his own country or another neutral or friendly country, and the intermediary then buys, either directly or through another intermediary, from another company in another country or the country of the intermediary, which in turn makes the purchase from the United States. These events happen in 1955, when it is general knowledge, as admitted by Transmare, that the United States has special restrictions on exportations to or transshipments to Soviet Bloc destinations.

True, Transmare sought to protect itself by requiring that there be no destination control clause on the documents. True, also, this requirement was susceptible of two inferences, the innocent one sought by Transmare and the other, that it wanted to be sure it could transship the aureomycin without permission and without difficulty. In this remedial proceeding, where the national interest is involved, and where Transmare has been untruthful in its answers during the course of the investigation, I am not compelled to make the innocent inference. This is particularly so in these cases where, for no apparent reason, a company which presumably is large enough to find its own vendors in the United States seeks out an agent in England to make a purchase from a firm in the Netherlands which, in turn, has to make the purchase from the United States. This is a factor which should have put even a naive dealer on notice.

The part played by Chambers was that of the middleman between London Export and Transmare. All the circumstances of this case and the reasoning in the preceding paragraph justify the inference that Chambers knew why London sought him out in England for the purpose of bringing London and Transmare together in order to obtain the aureomycin for transshipment. He handled the contract papers and knew the subject matter and purpose of the transaction.

Now, after careful consideration of the entire record and being of the opinion that the recommendations of the Compliance Commissioner are fair and just and that this order is necessary to achieve effective enforcement of the law: *It is hereby ordered:*

I. So long as export controls shall be in effect, except as qualified in Part III hereof, the respondents and each of them hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in an exportation of any commodity or technical data from the United States to any foreign destination, including Canada, whether such exportation has heretofore or hereafter been completed. Without limitation of the generality of the foregoing denial of export privileges, participation in an exportation is deemed to include and prohibit participation by any of the respondents, directly or indirectly, in any manner or capacity, (a) as a party or as a representative of a party to any validated export license application, (b) in the preparation or filing of any export license application or document to be submitted therewith, (c) in the obtaining or using of any validated or general export license or other export control documents, (d) in the receiving, ordering, buying, selling, delivering, using, or disposing in any foreign country of any commodities in whole or in part exported or to be exported from the United States, and (e) in financing, forwarding, transporting, or other servicing of such exports from the United States.

II. Such denial shall extend not only to each of the respondents, but also to any person, firm, corporation, or business organization with which any of them may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade in which may be involved exports from the United States or services connected therewith.

III. (a) James Robert Chambers, without further order of the Bureau of Foreign Commerce, nine months after the date hereof, shall have his export privileges restored to him conditionally, and (b) H. Aarsen and N. V. Transmare Handelmaatschappij, without further order of the Bureau of Foreign Commerce, one year after the date hereof, shall have their export privileges restored to them conditionally, the condition for such restoration in each such case being that during all the time following the date hereof and so long as export controls shall be in effect, said respondents shall comply in all respects with this order and with all other requirements of the Export Control Act of 1949, as amended, and all regulations, licenses, and orders issued thereunder.

IV. The privileges so conditionally restored to respondents James Robert Chambers on the one hand and H. Aarsen and N. V. Transmare Handelmaatschappij on the other, may be revoked summarily and without notice upon a finding by the Director of the Office of Export Supply, or such other official as may at that time be exercising the duties now exercised by him, that any such respondent at any time hereafter has knowingly failed to comply with the conditions set forth in Part III hereof, in which event Part I hereof, insofar as it shall apply to such respondent, shall then be and become effective so long as export controls shall be in effect, without thereby preventing the Bureau of Foreign Commerce from taking such other and further action based on such violation as it shall deem warranted. In the event that such supplemental order is issued, any respondent affected thereby shall have the right to appeal therefrom, as provided in the export regulations.

V. No person, firm, corporation, or other business organization, whether in the United States or elsewhere, during any time when any respondent or related party is prohibited under the terms hereof from engaging in any activity within the scope of Part I hereof, shall, without prior disclosure to, and specific authorization from, the Bureau of Foreign Commerce, directly or indirectly, in any manner or capacity, (a) apply for, obtain, or use any export license, shipper's export declaration, bill of lading, or other export control document relating to any such prohibited activity, (b) order, receive, buy, sell, deliver, use, dispose of, finance, transport, forward, or otherwise service or participate in, any exportation from the United States, on behalf of or in any association with such respondent or related party, or (c) do any of the foregoing acts with respect to any exportation in which such respondent or related party may have any interest or obtain any benefit of any kind or nature, direct or indirect.

Dated: May 24, 1957.

JOHN C. BORTON,
Director,
Office of Export Supply.

[F. R. Doc. 57-4342; Filed, May 28, 1957; 8:51 a. m.]

Office of the Secretary

ARTHUR W. McKINNEY

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of December 7, 1956, 21 F. R. 9727.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of May 8, 1957.

ARTHUR W. McKINNEY.

MAY 13, 1957.

[F. R. Doc. 57-4323; Filed, May 28, 1957; 8:47 a. m.]

EDWARD ABBOTT

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken

place in my financial interests as reported in the FEDERAL REGISTER of December 3, 1955, 20 F. R. 8937, June 12, 1956, 21 F. R. 4030, November 29, 1956, 21 F. R. 9336.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of May 18, 1957.

EDWARD ABBOTT.

MAY 20, 1957.

[F. R. Doc. 57-4324; Filed, May 28, 1957; 8:48 a. m.]

JULIEN R. STEELMAN

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of December 14, 1956, 21 F. R. 9985.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of May 14, 1957.

JULIEN R. STEELMAN.

MAY 16, 1957.

[F. R. Doc. 57-4325; Filed, May 28, 1957; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11907 etc.; FCC 57M-492]

CLARK COUNTY BROADCASTING CO. ET AL.

ORDER CONTINUING HEARING CONFERENCE

In re applications of Horace E. Tabb, Holly Skidmore, Stokley Bowling, C. A. Diecks, J. W. Hodges and W. Dee Huddleston d/b as Clark County Broadcasting Company, Jeffersonville, Indiana, Docket No. 11907, File No. BP-10588; Thomas E. Jones and Keith L. Reising d/b as Northside Broadcasting Company, Jeffersonville, Indiana, Docket No. 11908, File No. BP-10824; Southeastern Indiana Broadcasters, Inc., Jeffersonville, Indiana, Docket No. 12023, File No. BP-11046; for construction permits.

The Hearing Examiner having under consideration a petition (a motion) for continuance filed by Northside Broadcasting Company on May 21, 1957;

It appearing that the hearing is now scheduled to commence with a conference on May 27, 1957; and

It further appearing that counsel for Northside Broadcasting Company is scheduled to be hospitalized at approximately this date; and

It further appearing that on May 20, 1957, the Commission released an order designating the application of Southeastern Indiana Broadcasters, Inc., to be heard in this consolidated proceeding so that additional time is needed to prepare for the conference but that it is anticipated the parties will be prepared to commence the presentation of evidence on July 15, 1957; and

It further appearing that counsel for all parties have informally advised the petitioner that they consent to the continuance;

It is ordered, This 22d day of May 1957, that the petition of Northside Broadcasting Company for continuance of the hearing conference is granted and the date for such conference is continued from May 27 to June 14, 1957, at 10:00 a. m. in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-4313; Filed, May 28, 1957; 8:46 a. m.]

[Docket No. 11960; FCC 57M-488]

NETWORK STUDY COMMITTEE ORDER 2

MEMORANDUM OPINION AND ORDER

In the matter of study of radio and television network broadcasting pursuant to Delegation Order No. 10, dated July 20, 1955, and Network Study Committee Order No. 1, dated November 21, 1955, Docket No. 11960.

The Presiding Officer in the above-entitled proceeding has under consideration a series of Motions to Quash Subpoenas Duces Tecum issued April 23, 1957, to compel the appearance of certain television program producers and distributors and the production by them of various books, papers and documents pertaining to their respective business organizations. The subpoenas were issued by the Commission's Network Study Committee, hereinafter referred to as Committee, through its Chairman, and were returnable at a formal proceeding scheduled to commence at 10:00 a. m., May 1, 1957, in the Federal Court House, Foley Square, New York City. Adequate notice in this regard was served upon all concerned and service of the subpoenas was duly accomplished. The matter was convened by the Presiding Officer at the time and place indicated. The parties subpoenaed failed to appear; and the books, papers and documents sought from each were not forthcoming. Their action was pursuant to the advice of counsel by whom they were represented in the proceeding. In behalf of all of them, there were filed the motions to quash, aforementioned, on grounds hereinafter discussed. Oral argument in opposition to these pleadings was presented by counsel for the Committee on May 2, 1957. Respondents submitted replies to this argument on May 17, 1957.

It is appropriate to review briefly the several objectives of the Commission's study of network broadcasting activities and to define its scope. In the year 1955, the Commission determined that in the full discharge of its functions and duties under the Communications Act of 1934, as amended, it would be necessary to acquire detailed information in the field of modern broadcasting, with particular reference to the television media. For this purpose, Congress appropriated special funds. By Delegation Order No. 10, adopted July 20, 1955, the Commission established a Network Study Committee, composed of Chairman McConnaughey and Commissioners Hyde, Bartley and Doerfer, and, under authority of section 5 (d) (1) of the Communications Act, it delegated to them the duty to undertake the study. In its order published November 21, 1955, the Committee resolved that "in order to institute and carry on the study of radio and television network broadcasting directed by the Commission—and to report to the Commission the relevant facts necessary to enable the Commission properly to perform its functions and duties under the Communications Act of 1934, as amended, it is essential that inquiry be instituted, pursuant to section 403 of the Communications Act of 1934, as amended, by the Committee, to obtain information from various persons and sources regarding radio and television network broadcasting." The Committee resolved that "Basically, the network study will concern itself with a broad question whether the present structure, composition and operation of radio and television networks in their relationships with their affiliates and other components of the industry, tend to foster or impede the maintenance and growth of a nationwide competitive radio and television broadcasting industry." Thus, it was the Committee's announced purpose that its inquiry should encompass, as far as possible, a comprehensive factual analysis of the broadcasting industry as a whole; and it was determined that the study, if it were to be genuinely effective, should not be limited to the network organizations, as such, and their activities and operations, but, as well, that it should embrace all of the relationships between the several networks; the relationship between the networks and their owned and operated stations as well as their affiliated stations; and the activities of advertising agencies functioning in the field of broadcasting, talent agencies, national spot representatives and the producers and distributors of television programs. Specifically, the Committee resolved, in its order of November 21, 1955, supra, that its inquiry would include, among other things, a determination of the effects upon radio and television broadcasting of the "production, distribution or sale of programs or other materials or services (including the providing of talent) by various persons, both within and outside the broadcast industry, for (1) radio and television network broadcasting, and (2) radio and television non-network broadcasting." In sum, the Committee's view, as expressed by its counsel, is that "only in the context of the relations of the networks with other components of the industry and with the public did the Committee feel that a comprehensive and meaningful study would be accomplished." At the outset of its study, the Committee proceeded informally, viz, by the questionnaire method and by conference, to secure the necessary factual data, with the result that substantial amounts of such data were forthcoming; but several of the major producers and distributors of television programs were found unwilling to cooperate, and while agreeing to furnish certain types of data concerning their

operations, they failed and refused to supply the most vital of the information sought. Whereupon, the Commission en banc, on March 20, 1957, in light of a notification received from the Committee advising of a lack of cooperation on the part of said program producers and distributors, supra, entered an order authorizing formal investigatory proceedings to be carried on by the Committee. Pursuant thereto, and by order entered April 23, 1957, the Committee directed the convening of the instant proceeding, and its Chairman issued subpoena duces tecum (returnable May 1, 1957) addressed to the following persons:

Harry Fleischman, President, Entertainment Productions, Inc., 575 Madison Avenue, New York, New York;

Ralph M. Cohn, Vice President and General Manager, Screen Gems, Inc., 711 Fifth Avenue, New York, New York;

John L. Sinn, President, Ziv Television Programs, Inc., 488 Madison Avenue, New York, New York;

Harold L. Hackett, President, Official Films, Inc., 25 West 45th Street, New York, New York;

Michael M. Sillerman, Executive Vice President, Television Programs of America, Inc., 488 Madison Avenue, New York, New York;

David Sutton,[1] Vice President in Charge, MCA–TV, Ltd., 598 Madison Avenue, New York, New York;

Charles Miller, Secretary. Revue Productions, Inc., 598 Madison Avenue, New York, New York.

As indicated above, the persons subpoenaed failed to respond and motions to quash were submitted in their behalf.

The seven respondent companies here under subpoena exist primarily, if not entirely, for the purpose of producing and distributing television programs or shows, which, in their entirety, are exhibited by the national television networks and individual television stations. In general, these programs appear to be included among the most widely exhibited entertainment features of the networks. Some of the respondents are engaged only in program production or creation; others are program distributors; and at least one is in production as well as distribution. It appears that after the programs are created, whether they be live or on film, respondents sell them to the networks for exhibition over their affiliated stations or on such of the affiliated stations as may be designated by the advertiser or sponsor; or they may sell them direct to the individual stations, most of which are affiliates of the networks. On occasion, the programs involved are sold by the producers or distributors directly to the advertisers or to the advertising agents who have made arrangements for their exhibition on the networks. It is the practice, in some instances, for the producers or distributors to enter into financial arrangements with the networks concerning particular programs, with the result that joint profit-sharing interests arise. Thus, the seven respondents under subpoena are found to be directly concerned with network broadcasting. In reality, they are no less a part of the broadcasting industry of the nation than are the several major networks themselves or the licensees of the numerous radio and television broadcast stations. Their activities are among the primary subjects under investigation by the Committee, concerning which public notice was given some eighteen months ago, when, in its order adopted November 21, 1955, the Committee made known that the network study would involve determinations of the effect on radio and television broadcasting of the "production, distribution or sale of programs or other materials or services (including the providing of talent) by various persons, both within and outside the broadcast industry, for (1) radio and television network broadcasting, and (2) radio and television non-network broadcasting."

The respondents' claim has been that they are in close competition with the major networks of the country for the exhibition of their programs; that, in the restrictive methods and practices of the networks, all of which are allegedly consistent with the Commission's current regulations pertaining to chain broadcasting, the normal principles of free competition are not observed in the television broadcasting industry; that, by reason of the foregoing evil, their investment in television program production and distribution, and their "limitless production potential," are jeopardized and threatened with extinction; and that "the one good source of independent station programming is disappearing as a result of increased monopolization of prime time." It appears that, in light of the methods and practices of the respondents and their complaint of monopolization by the networks, the Committee issued the subpoenas herein sought to be quashed. It is evident that the very character of the complaint is such that it cannot be resolved effectively without the valuable data specified in the subpoenas duces tecum. The networks have heretofore submitted comparable data, and, therefore, a full resolution of respondents' complaint is possible only after consideration of these data as presented by the networks on the one hand and by the respondents on the other. Thus, respondents are, for all practical purposes, estopped from resisting the subpoenas which have been issued herein.

From the foregoing, the conclusion is compelling that the books, papers and documents herein specified are relevant to the inquiry; and the Committee has full authority, under section 409 (e) of the act, to issue subpoenas for their production. There is no contest as to the Commission's authority to delegate, as it has, to the Committee full powers with reference to this study. However, such authority is specifically provided for in the Communications Act.

As suggested by counsel for the Committee, each and all of the data sought to be produced by these subpoenas duces tecum, viz., statements of assets, profits and losses, production costs, billings accruing from the sales of programs, market and station coverages, talent arrangements, etc. are not only "reasonably relevant" but are essential to the inquiry. The factor that respondents are not licensees or permittees of the Commission is wholly without significance, for the Committee is entitled to demand relevant matters in the possession of all business organizations, particularly those directly involved in the field of television broadcasting. One of the purposes to be accomplished by the Committee in issuing these subpoenas is the ascertainment of the true nature, and its effects upon radio and television broadcasting, of the competition existing between respondents and the several networks for the exhibition of programs and shows produced by the former, and, as indicated, no data would be more enlightening upon the subject, or relevant and essential thereto, than the financial and other related data here demanded. In a number of cases, the Federal Courts have upheld the broad authority of governmental departments and agencies to issue subpoenas duces tecum, in conducting investigations authorized by statute, where the request was reasonable in scope, the documents were relevant to the inquiry and were identified with reasonable particularity. See United States, et al. v. Union Trust Company of Pittsburgh, 13 Fed. Supp., 286; Fleming v. Montgomery Ward & Company, 114 Fed. (2d), 384; United States v. Morton Salt Company, 338 U. S. 632; Oklahoma Press Publishing Company v. Walling, 327 U. S. 186. The conditions or requirements specified above have been fully met in the issuance of the subpoenas in the instant proceeding. Moreover, the courts have held that a witness is not entitled to resist a subpoena, under such circumstances as prevail herein, merely upon the claim that the material sought of him is incompetent or irrelevant, but, in order that the question of admissibility may enter into the scales at all, the papers must be so manifestly irrelevant as to make it plain that the subpoena is but a step in a "fishing expedition" and thus an unreasonable search. Certainly, in view of the objectives and scope of the network inquiry, which were so clearly delineated in the Committee's order of November 21, 1955, supra, and the very character of the complaints made by the respondents themselves, supra, it appears absurd on its face to contend that the documents specified in these subpoenas are "manifestly irrelevant," or that they are demanded by the Committee for the purpose of embarking on a "fishing expedition." See United States, et al. v. Union Trust Company of Pittsburgh, cited, supra.

Having determined the relevance of the data here under subpoena, respondents may not be heard to complain that the matters sought of them are confidential from the standpoint of their business investments, for considerations of the public policy must be held paramount to the private rights of individuals. Likewise, their claim that the subpoenas are too broad in scope is without merit. The material sought is described with sufficiently reasonable particularity, and, indeed, it is clear that respondents are thoroughly aware of the exact records which are sought of them. Unquestionably, their production will involve some burden to the respondents,

[1] In the absence of Mr. Sutton, service of the subpoena upon the company involved was accomplished through another of its officials.

but this has been true also of the numerous other organizations which have voluntarily furnished similar data, and, in this connection, the Committee will cooperate fully in providing reasonable methods and means whereby, without causing undue interference with respondents' day-to-day business activities, the data may be gathered together and furnished. Thus, the several grounds urged by respondents in support of their motions are without merit.

Committee counsel not having presented in his pleading filed May 17, 1957, any matters of substance not covered in his argument of May 2, 1957, supra, there is no occasion to grant respondents additional time for submitting further replies or pleadings at this stage of the proceeding. The question involved is thus submitted.

Accordingly, it is ordered, This 21st day of May 1957, that the Motions to Quash Subpoenas Duces Tecum issued in the above-entitled proceeding on April 23, 1957, are denied: *And, it is further ordered*, That the hearing herein will be resumed on May 27, 1957, at 10:00 a. m. in the Federal Courthouse, Foley Square, New York City, New York, at which time and place the several respondents here under subpoena, and each of them, will appear in person and produce the books, papers and documents specified in said subpoenas.

Released: May 21, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-4314; Filed, May 28, 1957; 8:46 a. m.]

[Docket No. 12015; FCC 57M-490]

WPFH BROADCASTING CO.

ORDER CONTINUING HEARING CONFERENCE

In re application of WPFH Broadcasting Company (WPFH), Wilmington, Delaware, Docket No. 12015, File No. BPCT-2083; for construction permit.

The Hearing Examiner having under consideration a petition, filed on May 21, 1957, on behalf of WPFH Broadcasting Company (WPHF), requesting that the pre-hearing conference in the above-entitled proceeding, now scheduled to be held on May 24, 1957, be postponed until May 28, 1957; and

It appearing that sufficient "good cause" has been set forth in the said petition to justify a grant of the relief requested therein; and

It further appearing that counsel for Pennsylvania Broadcasting Company, protestant, and counsel for the Chief of the Commission's Broadcast Bureau, the only other parties to the above-entitled proceeding, have consented to a grant of the said petition and to a waiver of Section 1.745 of the Commission's rules in order to permit immediate consideration thereof;

It is ordered, This 21st day of May 1957, that the above petition be, and it is hereby, granted, and that the pre-hearing conference in the above-entitled proceeding is hereby postponed until 10:00 o'clock a. m., on Tuesday, May 28, 1957, in the offices of this Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-4315; Filed, May 28, 1957; 8:46 a. m.]

[Docket Nos. 12021, 12022; FCC 57M-497]

OK BROADCASTING CO. AND E. O. RODEN & ASSOCIATES

ORDER SCHEDULING HEARING

In re Applications of Jules J. Paglin & Stanley W. Ray, Jr., d/b as OK Broadcasting Company, Mobile, Alabama, Docket No. 12021, File No. BP-10590; E. O. Roden, W. I. Dove, James E. Reese, Zane D. Roden and Bruce H. Gresham d/b as E. O. Roden & Associates, Gulfport, Mississippi, Docket No. 12022, File No. BP-10879; for construction permits.

It is ordered, This 23d day of May 1957, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 22, 1957, in Washington, D. C.

Released: May 24, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-4356; Filed, May 28, 1957; 8:54 a. m.]

[Docket No. 12025; FCC 57M-496]

JOSEPH E. YOUNG (KACT)

ORDER SCHEDULING HEARING

In re application of Joseph E. Young (KACT), Andrews, Texas, Docket No. 12025, File No. BP-10910; for construction permit.

It is ordered, this 23d day of May 1957, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 25, 1957, in Washington, D. C.

Released: May 24, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-4357; Filed, May 28, 1957; 8:54 a. m.]

FEDERAL POWER COMMISSION

SECRETARY OR ACTING SECRETARY

NOTICE OF AMENDMENT OF DELEGATION OF FINAL AUTHORITY

MAY 23, 1957.

The Commission amended the delegation of authority published May 9, 1957 (22 F. R. 3267) to also authorize the Secretary, or in his absence the Acting Secretary, to vacate previous orders issuing certificates of public convenience and necessity to independent producer natural gas companies and to cancel the prior acceptance of the related rate schedule, upon request of such independent producers who are non-operating signatory parties.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-4317; Filed, May 28, 1957; 8:46 a. m.]

[Docket Nos. G-9277, G-9280]

CHAMPLIN OIL & REFINING CO.

NOTICE OF ADVANCEMENT OF HEARING

MAY 22, 1957.

Notice is hereby given that on May 21, 1957 the Presiding Examiner advanced the hearing originally scheduled to be held on September 16, 1957 in the above-designated matter so that it will be held at 10:00 a. m., e. d. t., July 24, 1957, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-4318; Filed, May 28, 1957; 8:47 a. m.]

[Docket Nos. G-11563, G-11712]

UNION OIL AND GAS CORPORATION OF LOUISIANA ET AL.

NOTICE OF ADVANCEMENT OF HEARING

MAY 22, 1957.

In the matters of Union Oil and Gas Corporation of Louisiana, Docket No. G-11563; H. S. Cole, Jr., et al., Docket No. G-11712.

Notice is hereby given that on May 22, 1957, the Presiding Examiner advanced the hearing originally scheduled to be held on September 3, 1957, in the above-designated matters so that it will be held at 10:00 a. m., e. d. s. t., July 10, 1957, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-4319; Filed, May 28, 1957; 8:47 a. m.]

[Docket No. G-11704]

TEXAS GAS TRANSMISSION CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

MAY 23, 1957.

Take notice that Texas Gas Transmission Corporation, a Delaware corporation, having its principal place of business at 416 West Third Street, Owensboro, Kentucky, filed on January 4, 1957 an application, pursuant to section 7 (b) of the Natural Gas Act, for permission and approval to abandon certain natural gas transmission facilities as hereinafter

described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant seeks permission and approval to abandon the portion of its 8-inch pipeline, together with metering and appurtenant facilities, extending 30.56 miles northwest from Martinsville, Indiana to a point near Danville, Indiana where Applicant formerly purchased gas from Panhandle Eastern Pipe Line Company. The location of said facilities is shown on Exhibit 1 attached to the application.

Applicant alleges that the salvage value of the facilities involved is approximately $151,000 and the cost of removal is approximately $145,000. Applicant states also that new 8-inch pipe capable of comparable service would cost approximately twice the salvage value or cost of removal. It desires to use these facilities in other parts of its system.

There are seventeen "farm tap" customers of Indiana Gas and Water Company, Inc. who are presently receiving gas from these facilities. Service to these customers would be abandoned under Texas Gas' proposal.

This matter is one that should be disposed of under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 25, 1957, at 10:00 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 12, 1957.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-4320; Filed, May 28, 1957; 8:47 a. m.]

[Docket No. E-6756]

KENTUCKY UTILITIES CO.

NOTICE OF APPLICATION

MAY 23, 1957.

Take notice that on May 20, 1957, an application was filed with the Federal Power Commission pursuant to section 203 of the Federal Power Act by Kentucky Utilities Company ("Applicant"), a corporation organized under the laws of the State of Kentucky and doing business in the States of Kentucky and Tennessee with its principal business office at Lexington, Kentucky, seeking an order authorizing the acquisition from Old Dominion Power Company of Norton, Virginia (hereinafter referred to as "Old Dominion") of an unsecured note in the amount of $1,500,000 to be dated July 2, 1957, to mature 10 years after date and to bear interest at the rate of 4 percent per annum, payable semi-annually. Such note will be issued to replace the unsecured 3 percent note of Old Dominion for $1,500,000 held by Applicant. The original note, which will mature July 2, 1957, was issued to evidence a cash advance or loan made on or about July 2, 1947, by Applicant to Old Dominion.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 14th day of June 1957, file with the Federal Power Commission, Washington 25, D. C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-4321; Filed, May 28, 1957; 8:47 a. m.]

[Docket No. G-12619]

PAN AMERICAN PETROLEUM CORP.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MAY 22, 1957.

Pan American Petroleum Corporation (Pan American) on April 22, 1957, tendered for filing a proposed change in its presently effective rate schedule [1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated April 17, 1957.

Purchaser: Texas Gas Pipe Line Corporation.

Rate schedule designation: Supplement No. 6 to Pan American's FPC Gas Rate Schedule No. 3.

Effective date: [2] June 1, 1957.

In support of the proposed periodic rate increase, Pan American cites arm's-length bargaining in a competitive market and states that the proposed increase is but a part of the whole contract price.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

[1] Present rate previously suspended and is in effect subject to refund in Docket No. G-10436.

[2] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Pan American, if later.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly Sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the Regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until November 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.[1]

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-4322; Filed, May 28, 1957; 8:47 a. m.]

UNITED STATES TARIFF COMMISSION

WHISKEY

DISMISSAL OF INVESTIGATION

On February 7, 1957, the United States Tariff Commission announced that, pursuant to a resolution approved by the Committee on Finance of the United States Senate on February 6, 1957, the Commission instituted an investigation under the provisions of section 332 of the Tariff Act of 1930, as amended, of the whiskey industry of the United States (22 F. R. 873).

On May 22, 1957, the Chairman of the Committee on Finance, United States Senate, advised the Commission that the resolution above mentioned had been rescinded by the Committee. Accordingly, the Commission has dismissed the investigation.

Issued: May 24, 1957.

By order of the Commision.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 57-4349; Filed, May 28, 1957; 8:53 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 166]

MOTOR CARRIER APPLICATIONS

MAY 24, 1957.

The following applications are governed by the Interstate Commerce Com-

[1] Commissioner Digby dissenting.

mission's special rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto. (49 CFR 1.241)

All hearings will be called at 9:30 o'clock a. m., United States standard time (or 9:30 o'clock a. m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OF PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 8948 (Sub No. 39), filed April 19, 1957, WESTERN TRUCK LINES, LTD., 2835 Santa Fe Avenue, Los Angeles 58, Calif. Applicant's representative: Lloyd R. Guerra, 2835 Santa Fe Avenue, Los Angeles 58, Calif. For authority to operate as a *common carrier*, over regular routes, transporting: *Class A, B and C explosives*, as classified in the Commission's rules and regulations governing the transportation of explosives and other dangerous articles, *ammunition*, not included in Class A, B and C explosives, and *component parts* of Class A, B and C explosives and of ammunition not included in Class A, B and C explosives, between Ridgecrest and U. S. Naval Ordnance Test Station (China Lake), Calif., and Los Angeles, Calif., (with authority to interline at Los Angeles) over applicant's authorized regular routes in the transportation of general commodities, namely, over unnumbered California highway from Ridgecrest to junction of U. S. Highway 6 approximately 3 miles north of Freeman, Calif., thence over U. S. Highway 6 to junction with U. S. Highway 99 approximately 5 miles north of San Fernando, Calif., thence over U. S. Highway 99 and other streets and highways in the Los Angeles Area applicant is authorized to traverse; also as an alternate route from Ridgecrest over unnumbered highway to junction with U. S. Highway 395 at Inyokern, Calif., thence over U. S. Highway 395 to San Bernardino and Colton, Calif., thence over applicant's authorized regular routes to Los Angeles, including U. S. Highways 60, 66 and 99, and all streets and highways in the Los Angeles Area now authorized, and return over the same routes, serving intermediate and off-route points presently authorized to be served. Applicant is authorized to conduct operations in Arizona, California and Nevada.

HEARING: July 12, 1957, at the Federal Building, Los Angeles, Calif., before Joint Board No. 75, or if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 30837 (Sub No. 221), filed May 6, 1957, KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, 1821 Jefferson Place, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Self-propelled street sweepers*, from Los Angeles, Calif. to points in Arizona, Nevada, New Mexico, Oklahoma, and Texas. Applicant is authorized to conduct operations throughout the United States.

HEARING: July 8, 1957, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 30837 (Sub No. 222), filed May 6, 1957, KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, 1821 Jefferson Place, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Truck concrete mixers*, set up, weighing in excess of 3,000 lbs. each, from the plant sites of Challenge Manufacturing Company and Willard Concrete Machinery Company at Los Angeles, Calif. to points in Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Texas, Utah, Washington, Arkansas, Colorado, Kansas, Louisiana, and Oklahoma; and from the plant site of Whiteman Manufacturing Company at Pacoima, Calif. to points in Arizona, Nexada, New Mexico, Oklahoma, and Texas. Applicant is authorized to conduct operations throughout the United States.

HEARING: July 9, 1957, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 30837 (Sub No. 223), filed May 6, 1957, KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, 1821 Jefferson Place, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Trenching machines*, from Los Angeles, Calif. to points in the United States. Applicant is authorized to conduct operations throughout the United States.

HEARING: July 10, 1957, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 52709 (Sub No. 74), filed April 19, 1957, RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Applicant's representative: Eugene St. M. Hamilton, 3201 Ringsby Court, Denver 5, Colo. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including *Class A and B explosives*, but excluding articles of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Reno, Nev., and Klamath Falls, Oreg., from Reno over U. S. Highway 395 to junction U. S. Highway 299 at or near Alturas, Calif., thence over U. S. Highway 299 to junction California Highway 139 near Canby, Calif., thence over California Highway 139 to the California-Oregon State line, thence over Oregon Highway 39 to junction Oregon Highway 66, thence over Oregon Highway 66 to Klamath Falls, and return over the same route, serving all intermediate points, and the off-route point of the Sierra Ordnance Depot at Herlong, Calif.; (2) between Johnstonville, Calif., and Hallelujah Junction, Calif., from Johnstonville over California Highway 36 to junction California Highway 89, thence over California Highway 89 to junction Alternate U. S. Highway 40 at or near Paxton, Calif., thence over Alternate U. S. Highway 40 to Hallelujah Junction, and return over the same route, serving all intermediate points; (3) between Huntingville, Calif., and Standish, Calif., over unnumbered highway, serving all intermediate points; (4) between junction U. S. Highway 36 and unnumbered highway near Westwood, Calif., and junction unnumbered highway and California Highway 89 near the southern end of Lake Almanor, Calif., from junction U. S. Highway 36 and unnumbered highway near Westwood, Calif., over such unnumbered highway along the eastern shore of Lake Almanor to junction U. S. Highway 89, and return over the same route, serving all intermediate points; and (5) between junction California Highway 36 and unnumbered highway at or near Susanville, Calif., and junction California Highway 139 and U. S. Highway 299 near Canby, Calif., from junction California Highway 36 and unnumbered highway at or near Susanville over said unnumbered highway to junction U. S. Highway 299 at or near Adin, Calif., thence over U. S. Highway 299 to junction California Highway 139 near Canby, and return over the same route, serving all intermediate points, and with the right of joinder with existing authority at Reno, Nev. Applicant is authorized to transport similar commodities in California, Colorado, Illinois, Iowa, Missouri, Nebraska, Utah, and Wyoming.

HEARING: July 22, 1957, at the Nevada Public Service Commission, Carson City, Nev., before Joint Board No. 151, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 52858 (Sub No. 62), filed May 8, 1957, CONVOY COMPANY, a Corporation, 3900 Northwest Yeon Avenue, Portland 10, Oreg. Applicant's attorney: Marvin Handler, 465 California Street, San Francisco 4, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Automobiles, trucks* and *busses*, except trailers and show paraphernalia, in initial movements, in truckaway and driveaway service, from Milpitas, Calif., to points in Minnesota, Nebraska, North Dakota, South Dakota, Kansas and Wisconsin. Applicant is authorized to transport similar commodities in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

HEARING: July 1, 1957, in Room 226, Old Mint Building, Fifth and Mission Streets, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 59678 (Sub No. 1), filed April 26, 1957, TEXTILE TRANSPORTATION, INC., Box 841, Burlington, N. C. Applicant's attorney: Terry Sanford, Grace Pittman Building, Fayetteville, N. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Rayon and synthetic products*, from Waynesboro, Va., to points in North Carolina and South Carolina; and *empty spools and containers*, from points in North Carolina and South Carolina to Waynesboro, Va.

NOTE: Applicant states that the instant application is for the sole purpose of requesting a change in the wording of the commodities authorized from "Rayon and acetate yarns" to "Rayon and synthetic products". The purpose is to clarify the present authority to haul the commodities manufactured by DuPont at Waynesboro, Va.; the word "acetate" has a technical restricted meaning not as broad as "synthetic".

HEARING: July 9, 1957, at the North Carolina Utilities Commission, State Library Building, Morgan Street, Raleigh, N. C., before Joint Board No. 196, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 64994 (Sub No. 22), filed April 19, 1957, HENNIS FREIGHT LINES, INC., P. O. Box 612, Winston-Salem, N. C. Applicant's attorney: A. W. Flynn, Jr., 201–204 Jefferson Building Greensboro, N. C. For authority to operate as a *common carrier,* over irregular routes, transporting: *Helium gas,* in Government-owned tank trailers, and *empty Government-owned tank trailers,* between Dunbarton, S. C., and Miamisburg, Ohio.

HEARING: July 12, 1957, at the U. S. Court Rooms, Greensboro, N. C., before Examiner Reece Harrison.

No. MC 102682 (Sub No. 238), filed April 29, 1957, HUGHES TRANSPORTATION, INC., P. O. Box 851, Meeting Street, Rd., Charleston, S. C. For authority to operate as a *common carrier,* over irregular routes, transporting: *Ammunition and/or explosives and component parts thereof, classified materials,* and *empty containers used in transporting the commodities specified in this application,* between Fort Gordon, Ga., and points within five miles of Fort Gordon, on the one hand, and, on the other, the Savannah River Project at or near Dunbarton, S. C. and points within ten miles of Dunbarton. Applicant is authorized to conduct operations in North Carolina, South Carolina, Georgia, Kentucky, Indiana, Louisiana, Delaware, Florida, Maryland, Mississippi, Tennessee, Virginia, and West Virginia.

HEARING: July 17, 1957, at the Peachtree-Seventh Building, 50 Seventh Street NE., Atlanta, Ga., before Joint Board No. 131, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 103993 (Sub No. 92), filed May 13, 1957, MORGAN DRIVE-AWAY, INC., 509 Equity Building, Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. For authority to operate as a *common carrier,* over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles,* in initial movements, by truckaway method, from points in Idaho, excepting Boise, Idaho, to points in the United States. Applicant is authorized to conduct operations throughout the United States.

HEARING: July 17, 1957, at the Federal Building, Boise, Idaho, before Examiner James C. Cheseldine.

No. MC 107515 (Sub No. 255), filed May 9, 1957, REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, Grant Building, Atlanta, Ga. For authority to operate as a *common carrier,* over irregular routes, transporting: *Frozen foods,* from St. James and Mankato, Minn., to points in Alabama, Georgia, Florida, Tennessee and Mississippi. Applicant is authorized to transport similar commodities in Georgia, Tennessee, Louisiana, North Carolina, South Carolina, Florida, Alabama, Mississippi, Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Wisconsin, Minnesota, Oklahoma, Texas, Iowa, Nebraska, and Arkansas.

HEARING: July 19, 1957, at the Peachtree-Seventh Building, 50 Seventh Street NE., Atlanta, Ga., before Examiner Reece Harrison.

No. MC 109397 (Sub No. 18), filed May 13, 1957, TRI-STATE WAREHOUSING AND DISTRIBUTING CO., 315 East Seventh Street, P. O. Box 113, Joplin, Mo. Applicant's attorney: Stanley P. Clay, 514 First Nat'l. Building, Joplin, Mo. For authority to operate as a *common carrier,* over irregular routes, transporting: *Radioactive materials* in carrier-owned trucks, trailers or containers designed, constructed and equipped especially for the safe handling and transportation of such materials, between the plants and installations owned by or operated by or for the U. S. Atomic Energy Commission located at or near Aiken, S. C.; Albuquerque and Los Alamos, N. Mex.; Amarillo, Tex.; Ames and Burlington, Iowa; Arco, Idaho; Buffalo, Niagara Falls, Schenectady, and Upton, Long Island, N. Y.; Boulder, Denver, and Grand Junction, Colo.; Canoga Park, Livermore, Los Angeles, Palo Alto, Santa Susana, Stockton, and Van Nuys, Calif.; Dana, Ind.; Hanford, Wash.; Hartford and Windsor, Conn.; Homestead, Pittsburgh, and Shippingport, Pa.; Kansas City and St. Louis, Mo.; Las Vegas, Nev.; Lemont, Ill.; Lockland, Miamisburg, Portsmouth, and Ross, Ohio; Middlesex and New Brunswick, N. J.; Oak Ridge, Tenn.; Paducah, Ky.; Salt Lake City, Utah; and Washington, D. C., and radioactive material waste disposal areas, on the one hand, and, on the other, points in the United States.

HEARING: June 27, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner C. Evans Brooks.

No. MC 112205 (Sub No. 4), filed May 7, 1957, LEO G. BEST, doing business as BEST'S TRANSFER, Whiteville, N. C. Applicant's attorney: B. T. Henderson, II, Insurance Building, Raleigh, N. C. For authority to operate as a *common carrier,* over irregular routes, transporting: *Lumber,* from Whiteville, Hallsboro, and Tabor City, N. C., and Florence, S. C., to points in Tennessee, Kentucky, Ohio, Connecticut, and Illinois. Applicant is authorized to transport similar commodities in Maryland, New Jersey, New York, North Carolina, and Pennsylvania.

HEARING: July 11, 1957, at the North Carolina Utilities Commission, State Library Building, Morgan Street, Raleigh, N. C., before Examiner Reece Harrison.

No. MC 112391 (Sub No. 15), filed May 15, 1957, HADLEY AUTO TRANSPORT, a Corporation, 21732 South Santa Fe, Long Beach, Calif. Applicant's attorney: Phil Jacobson, Suite 723, 510 West Sixth Street, Los Angeles, Calif. For authority to operate as a *contract carrier,* over irregular routes, transporting: *Automobiles, trucks* and *busses,* except trailers and show paraphernalia, in initial movements, in truckaway and driveaway service, from Milpitas, Calif., to points in Minnesota, Nebraska, North Dakota, South Dakota, Kansas and Wisconsin, and *damaged rejected and refused automobiles, trucks* and *busses* from the above-described destination territory to Milpitas, Calif. Applicant is authorized to transport similar commodities in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

HEARING: July 1, 1957, in Room 226, Old Mint Building, Fifth and Mission Streets, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 113336 (Sub No. 12), filed May 8, 1957, PETROLEUM TRANSIT COMPANY, INC., Second St., P. O. Box 921, Lumberton, N. C. Applicant's attorney: Edward B. Hipp, Capital Club Building, Raleigh, N. C. For authority to operate as a *common carrier,* over irregular routes, transporting: *Asphalt,* in bulk, in tank vehicles, from Wilmington, N. C., to Danville, South Boston and Martinsville, Va. Applicant is authorized to transport asphalt in Georgia, South Carolina, and North Carolina.

HEARING: July 9, 1957, at the North Carolina Utilities Commission, State Library Building, Morgan Street, Raleigh, N. C., before Joint Board No. 7, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 113558 (Sub No. 4), filed March 11, 1957, BELYEA TRUCK CO., 6800 South Alameda, Huntington Park, Calif. Applicant's attorney: Wyman C. Knapp, 453 South Spring Street, Los Angeles 13, Calif. For authority to operate as a *common carrier,* over irregular routes, transporting: *Government owned compressed gas trailers, empty or loaded with compressed gases* (other than liquefied petroleum) for the Atomic Energy Commission and its cost-type contractors, moving on commercial or government bills of lading, between points in that part of California south of the northern boundaries of Mone, Tuolumne, Stanislaus, Santa Clara and Santa Cruz Counties and points in Nevada, Arizona and New Mexico except those points south and east of U. S. Highway 54.

NOTE: Applicant states that on return trips of loaded movements applicant proposes to transport empty trailers and is not at the moment in a position to state whether empty trailers as a return movement operation will flow in any given direction, therefore, the authority as above described is required throughout the subject irregular route territory. Applicant is authorized to conduct operations in California, Nevada, Arizona and New Mexico.

HEARING: July 12, 1957, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 114157 (Sub No. 2), filed April 29, 1957, C. L. NANCE, doing business as C. L. NANCE TRANSFER, Magnolia Street (Box 221), Whiteville, N. C. Applicant's attorney: Edward B. Hipp, Capital Club Building, Raleigh, N. C. For

authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber*, from Whiteville, N. C., and points within 50 miles of Whiteville, and from Grifton, N. C., to points in Tennessee, Kentucky, Ohio, Indiana, Connecticut and Illinois; from Whiteville, N. C., and points within 50 miles of Whiteville, to points in Georgia and Florida; and from points in Georgia and Florida to points in North Carolina; and *empty containers or other such incidental facilities* (not specified), used in transporting the commodity specified on return movements. Applicant is authorized to transport lumber in New York, North Carolina and West Virginia.

HEARING: July 10, 1957, at the North Carolina Utilities Commission, State Library Building, Morgan Street, Raleigh, N. C., before Examiner Reece Harrison.

No. MC 114553 (Sub No. 2), filed May 6, 1957, DUDLEY TRUCKING COMPANY, INC., 717 Memorial Drive SE., Atlanta 16, Ga. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Bakery products*, from Atlanta, Ga. to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, and Tennessee, excepting Chattanooga, Tenn.; and from Rome, Ga. to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia and Tennessee; *stale bakery products* and *empty containers used in transporting the bakery products* on return. Applicant is authorized to transport bakery products from Atlanta, Ga. to Chattanooga, Tenn.

HEARING: July 18, 1957, at the Peachtree-Seventh Building, 50 Seventh Street NE., Atlanta, Ga., before Examiner Reece Harrison.

No. MC 115037 (Sub No. 3), filed February 1, 1956, ROBERT L. BLANC, doing business as ROBERT'S TOWING SERVICE, 1847 Monrovia Street, Costa Mesa, Calif. Applicant's attorney: Robert M. Bradley, 924 East Main Street, Alhambra, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Mahogany and fibreglass, laminated boats, plywood and fibreglass combination boats, fibreglass boats*, and *wood boats*, uncrated, unpacked and unwrapped, requiring the use of special equipment, from Bellingham and Tacoma, Wash., Marysville, Calif., and points in Orange and Los Angeles Counties, Calif., to points in California, Oregon, Washington, Montana, Idaho, Nevada, Utah and Arizona, and *rejected, returned and damaged shipments of boats*, on return movements. Carrier is conducting operations under temporary authority in Arizona, California, Idaho, Oregon and Washington. Issues originally published in the FEDERAL REGISTER of February 15, 1956, as above.

HEARING: July 15, 1957, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 115585 (Sub No. 2), filed April 30, 1957, SOUTHERN NEWSPAPERS, INC., 525 Gilbreath Building, Guntersville, Ala. Applicant's attorney: T. Baldwin Martin, 503 First National Bank Building, Macon, Ga. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Newsprint paper*, from Calhoun, Tenn. to Ft. Payne, Ala. and West Point, Ga. and from the site of Coosa River Newsprint Company at or near Childersburg, Ala. to West Point, Ga. Applicant is authorized to transport newsprint paper from Coosa River Newsprint Company plant and from Calhoun, Tenn. to several specified points in Alabama, and to Cedartown, Ga., Sanford, Fla. and Bristol, Va.

HEARING: July 22, 1957, at the Hotel Thomas Jefferson, Birmingham, Ala., before Joint Board No. 239, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 115809 (Correction), OCO TRANSPORTATION COMPANY, a Corporation, Industrial Street, Rittman, Ohio. Applicant's attorneys: Donald Macleay and Francis W. McInerny, Commonwealth Building, 1625 K Street NW., Washington 1, D. C. REOPENED FOR FURTHER HEARING SOLELY WITH RESPECT TO APPLICANT'S REQUEST TO TRANSPORT, as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, (1) *Pulpboard and byproducts thereof, fiberboard and byproducts thereof*, and *paperboard and byproducts thereof:* from Rittman, Ohio, to points in Connecticut, Massachusetts, Rhode Island, Delaware, Kentucky, Tennessee, Virginia, Wisconsin, and the District of Columbia; to points in Illinois south of U. S. Highway 24, from Quincy through Peoria to the Illinois-Indiana State line; to South Bend, Ind., and to points in Indiana on and south of U. S. Highway 24 from Effner through Logansport and Fort Wayne to the Indiana-Ohio State line (except Indianapolis, Ind.); to points in Maryland (except Baltimore, Md., and except points on U. S. Highway 40 between Baltimore and the Maryland-Pennsylvania State line, and except points on U. S. Highway 1 between Baltimore and the Maryland-Pennsylvania State line); to Plymouth, Mich.; to points in Missouri (except St. Louis); to Lockport, N. Y., and to points in New York on and east of a line commencing at Oswego, N. Y., and extending along New York Highway 57 to Syracuse, N. Y., thence along U. S. Highway 11 to the New York-Pennsylvania State line (except Yonkers and New York, N. Y.); to points in New Jersey (except Trenton and points within 20 miles of New York, N. Y.); to Pittsburgh, Pa., and to points in Pennsylvania on and east of U. S. Highway 220 from the New York-Pennsylvania State line through Williamsport and Altoona to the Pennsylvania-Maryland State line (except Philadelphia and Scranton and points on U. S. Highway 22 between Hollidaysburg and Easton, Pa.); to Parkersburg, W. Va., and points in West Virginia north of U. S. Highway 40, and south of U. S. Highway 33 from Mason through Spencer and Elkins to the West Virginia-Virginia State line. Also, from Cuyahoga Falls and Youngstown, Ohio to Lockport, N. Y., and to points in New York on and east of a line commencing at Oswego, N. Y., and extending along New York Highway 57 to Syracuse, N. Y., thence along U. S. Highway 11 to the New York-Pennsylvania State line (except Yonkers and New York, N. Y.); (2) *Machinery, materials and supplies* (except waste-paper), used in the manufacture of the commodities described in (1) above: from points in the destination territory described (except South Bend, Ind., Plymouth, Mich., Lockport, N. Y., and Pittsburgh, Pa.) to Rittman, Ohio. Also, from points in New York on and east of a line commencing at Oswego, N. Y., and extending along New York Highway 57 to Syracuse, N. Y., thence along U. S. Highway 11 to the New York-Pennsylvania State line (except Yonkers and New York, N. Y.), to Cuyahoga Falls and Youngstown, Ohio. (3) *Wastepaper:* from points in Tennessee, Virginia, and Wisconsin to Rittman, Ohio, from points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New York, New Jersey, Pennsylvania, Rhode Island, West Virginia, and the District of Columbia, to Akron, Cleveland, and Rittman, Ohio. (4) *Skids, pallets, and empty containers* on or in which the commodities described are shipped: from points in the destination territory described to Rittman, Ohio. (5) *Skids, pallets, and empty containers* on or in which waste-paper is shipped: from Akron, Cleveland, and Rittman, Ohio, to points in the origin territory described.

HEARING: Remains as assigned June 24, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Isadore Freidson.

No. MC 116084 (Sub No. 3), filed April 24, 1957, CAPITOL TANK LINE, INC., 3743 East Florence Avenue, Bell, Calif. Applicant's attorney: Ivan McWhinney, 639 South Spring Street, Los Angeles 14, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Chemicals, liquids*, and *commodities in semi-liquid form*, excepting gasoline, fuel oil, lubricating oil, road oil, asphalt, and liquified petroleum gas, in bulk, in tank vehicles, between points in California, on the one hand, and, on the other, points in Oklahoma and Texas.

HEARING: July 11, 1957, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 116535, filed March 20, 1957, O. E. FLING, doing business as O. E. FLING TRUCK LINES, 2411 Inwood Road, Dallas, Tex. Applicant's attorney: John W. Carlisle, 422 Perry-Brooks Building, Austin 1, Tex. For authority to operate as a *common carrier*, over irregular routes, transporting: *Steel*, such as bars, angles, rounds or rods, sheets, galvanized, hot rolled and cold rolled, beams and reinforcing rods in bundles weighing not less than 2,000 pounds per bundle and steel plates requiring the use of special equipment in the loading, unloading and transportation thereof, from Gadsden, Bessemer, Fairfield and Birmingham, Ala., to points in Texas, Oklahoma, and Arkansas.

HEARING: July 23, 1957, at the Hotel Thomas Jefferson, Birmingham, Ala., before Examiner Reece Harrison.

No. MC 116592 (Sub No. 1), filed May 8, 1957, DAN CREW, doing business as CREW FREIGHT LINES, Goodwater, Ala. Applicant's attorney: James R.

Forman, Jr., 1038–1052 Brown-Marx Building, Birmingham 3, Ala. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber* and *lumber pallets*, in truckload lots, from Goodwater, Ala., and points within 5 miles thereof, to points in Tennessee, Kentucky, Ohio, Indiana, Missouri, Georgia, Florida and Louisiana, and *damaged shipments* of the above commodities on return.

HEARING: July 22, 1957, at the Hotel Thomas Jefferson, Birmingham, Ala., before Examiner Reece Harrison.

No. MC 116622, filed April 29, 1957, A. E. CARTER, doing business as SOUTHERN PINE EXPRESS, U. S. Highway 52, Gold Hill, N. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber*, rough and dressed, except plywood and veneer, from points in North Carolina on, east and south of a line commencing at the North Carolina-Virginia State line and extending along U. S. Highway 29 to Reidsville, N. C., thence along U. S. Highway 158 to Mocksville, N. C., thence along U. S. Highway 64 to Statesville, N. C., thence along U. S. Highway 21 to Charlotte, N. C., thence along U. S. Highway 29 to the North Carolina-South Carolina State line, and from points in South Carolina on, east and south of a line commencing at the South Carolina-North Carolina State line and extending along U. S. Highway 21 to Columbia, S. C., thence along U. S. Highway 176 to Charleston, S. C., to points in Virginia on, west and north of a line commencing at the Virginia-North Carolina State line and extending along U. S. Highway 29 to Culpeper, Va., thence along U. S. Highway 522 to the West Virginia-Maryland State line, and to points in Tennessee, Kentucky, West Virginia and Ohio, and those in Pennsylvania on, west and north of U. S. Highway 219 from the Pennsylvania-Maryland State line to the Pennsylvania-New York State line.

HEARING: July 15, 1957, at the U. S. Court Rooms, Charlotte, N. C., before Examiner Reece Harrison.

Applications in Which Handling Without Oral Hearing Is Requested

Motor Carriers of Property

No. MC 30319 (Sub No. 79), filed May 16, 1957, SOUTHERN PACIFIC TRANSPORT COMPANY, 810 North San Jacinto Street, P. O. Box 4054, Houston, Tex. Applicant's attorney: Edwin N. Bell, Epserson Building, Houston 2, Tex. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities, including air freight*, having a prior or subsequent movement by air, but excluding those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between the junction of Texas Highway 36 and Texas Farm Road No. 442 near Needville, Texas, and Boling, Texas, over Texas Farm Road No. 442, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Oklahoma, Texas, and Louisiana.

No. MC 54578 (Sub No. 24), filed April 19, 1957, SAN JUAN BASIN LINES, INC., 1623 Broadway NE., Albuquerque, N. Mex. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, commodities in bulk, household goods as defined by the Commission, and those requiring special equipment, serving the site of the El Paso Natural Gas Company's plant located approximately 20 miles southwest of Bloomfield, N. Mex., as an off-route point in connection with applicant's authorized regular route operations between Albuquerque, N. Mex., and Farmington, N. Mex., over New Mexico Highway 44. Applicant is authorized to transport similar commodities in Colorado and New Mexico.

No. MC 66562 (Sub No. 1365), filed April 29, 1957, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N. Y. Applicant's attorney: William H. Marx, Law Department, Railway Express Agency, Incorporated (same address as applicant). For authority to operate as a *common carrier*, transporting: *General commodities, including Class A and B explosives*, moving in express service, serving Smithville, Ohio, as an intermediate point in connection with applicant's authorized regular route between Akron and Columbus, Ohio in its Certificate MC 66562 (Sub No. 869) dated January 31, 1957, which embraces the operating rights in Certificate MC 66562 (Sub No. 869) dated December 16, 1948, as modified by Order in MC 66562 (Sub No. 1259) dated November 13, 1956 and also embracing operations authorized in MC 66562 (Sub No. 1259). RESTRICTIONS: The service to be performed by said carrier shall be limited to service which is auxiliary to or supplemental of express service. Shipments transported by said carrier shall be limited to those moving on a through bill of lading, or express receipt, covering in addition to a movement by said carrier, an immediately prior or immediately subsequent movement by rail or air. Such further specific conditions as the Commission, in the future, may find it necessary to impose in order to restrict said carrier's operations to service which is auxiliary to, or supplemental of, air or express service. Applicant is authorized to conduct operations throughout the United States.

NOTE: Applicant states interchange with rail express service and air express service will be made at Akron and Columbus, Ohio.

No. MC 66562 (Sub No. 1366), filed May 16, 1957, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N. Y. Applicant's attorney: James E. Thomas, 1220 The Citizens and Southern National Bank Building, Atlanta 3, Ga. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities, including Class A and B explosives*, moving in express service, between Knoxville, Tenn., and Oak Ridge, Tenn.: from Knoxville over U. S. Highway 25–W to Emory Road, thence over Emory Road to Powell, Tenn., return over Emory Road to U. S. Highway 25–W, thence over U. S. Highway 25–W to Lake City, Tenn., return over U. S. Highway 25–W to junction Tennessee Highway 61, thence over Tennessee Highway 61 to junction Tennessee Highway 95, thence over Tennessee Highway 95 to Oak Ridge; from Oak Ridge over River Road to junction Tennessee Highway 62, and thence over Tennessee Highway 62 to Knoxville, Tenn., serving the intermediate points of Clinton and Lake City, Tenn., and the off-route point of Powell, Tenn., RESTRICTIONS: The service to be performed by said carrier shall be limited to service which is auxiliary to or supplemental of air or railway express service. Shipments transported by said carrier shall be limited to those moving on a through bill of lading, or express receipt, covering in addition to a movement by said carrier, an immediately prior or immediately subsequent movement by rail or air. Such further specific conditions as the Commission, in the future, may find it necessary to impose in order to restrict said carrier's operations to service which is auxiliary to, or supplemental of, air or railway express service. Applicant is authorized to conduct operations throughout the United States.

No. MC 101126 (Sub No. 70), filed May 10, 1957, STILLPASS TRANSIT COMPANY, INC., 4967 Spring Grove Avenue, Cincinnati 32, Ohio. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Animal and vegetable fatty acids, resin plasticizers*, and *animal grease*, in bulk, in insulated stainless steel tank vehicles, from Cincinnati, Ohio to Racine, Wisconsin. Applicant is authorized to transport similar commodities in Ohio, Maryland, New York, North Carolina, Michigan, Tennessee, Kentucky, South Carolina, Virginia, Illinois, Arkansas, Kansas, Iowa, Minnesota, Missouri, Nebraska, Wisconsin, and Pennsylvania.

No. MC 101126 (Sub No. 71), filed May 13, 1957, STILLPASS TRANSIT COMPANY, INC., 4967 Spring Grove Avenue, Cincinnati 32, Ohio. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Animal and vegetable oils* and *fats* and *blends*, in insulated stainless steel tank vehicles, from Cincinnati, Ohio to Augusta, Georgia. Applicant is authorized to transport similar commodities in Ohio, Maryland, New York, North Carolina, Michigan, Tennessee, Kentucky, South Carolina, Virginia, Illinois, Arkansas, Kansas, Iowa, Minnesota, Missouri, Nebraska, Wisconsin, and Pennsylvania.

No. MC 104654 (Sub No. 109), filed May 17, 1957, COMMERCIAL TRANSPORT, INC., P. O. Box 297, South 20th Street, Belleville, Ill. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum* and *petroleum products*, as defined by the Commission, including liquefied petroleum gases, in bulk, in tank vehicles, from New Madrid, Mo., and points within five miles thereof, to points in Arkansas, Illinois, Kentucky, and Tennessee, with 175 miles of New Madrid, Mo. Applicant is authorized to transport

similar commodities in Arkansas, Illinois, Indiana, Iowa, Missouri, and Tennessee.

No. MC 107403 (Sub No. 232), filed May 7, 1957, E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Robert H. Shertz, 811–819 Lewis Tower Building, 225 South 15th Street, Philadelphia 2, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lard*, in bulk, in tank vehicles, from Baltimore, Md., to Washington, D. C. Applicant has no authority to transport lard from and to the above-named points.

No. MC 107496 (Sub No. 94), filed May 16, 1957, RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, Des Moines, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Linwood, Iowa, and points in Iowa within 3 miles thereof, to points in Illinois and Missouri and points in Vernon, Sauk, Crawford, Richland, Dane, Iowa, Grant, Lafayette and Green Counties, Wis. Applicant is authorized to transport petroleum and petroleum products in Iowa, Illinois, Wisconsin, Minnesota, Missouri, Nebraska, South Dakota and North Dakota.

No. MC 116639, filed May 9, 1957, JAMES BAIMA, doing business as KING KONG TRUCK LINE, 303 North Hard Road, Benld, Ill. Applicant's attorney: Delmar D. Koebel, 406 Missouri Avenue, East St. Louis, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Malt beverages*, from Milwaukee, Wis., to points in Pike, Morgan, Sangamon, Macon, Moultrie, Douglas, and Edgar Counties, Ill., and points in Illinois south of the southern boundary lines of the above-specified counties. *Empty containers or other such incidental facilities* (not specified) used in transporting malt beverages from points in the above-described destination territory to Milwaukee, Wis.

No. MC 116646, filed May 13, 1957, JOHN FONTANA, 100 Florida Street, Laurium, Mich. Applicant's attorney: Michael D. O'Hara, Spies Building, Menominee, Mich. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Lumber* (excluding plywood dimensions stock, built-up wood and veneer stock), from the site of the Seneca Mine one mile north of Mohawk, Keweenaw County, Mich., to Oconto, New London, Two Rivers, Goodman and Milwaukee, Wis.

No. MC 116651 (Sub No. 1), filed May 17, 1957, JERRY LIPPS TRUCK SERVICE, 1100 North Spanish, Cape Girardeau, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Flower pots, flower pot saucers*, and *pottery*, from Jackson, Mo., to points in Alabama, Florida, Georgia, Iowa, and Minnesota.

MOTOR CARRIERS OF PASSENGERS

No. MC 1504 (Sub No. 138), filed May 10, 1957, ATLANTIC GREYHOUND CORPORATION, 1100 Kanawha Valley Building, Charleston, W. Va. Applicant's attorney: L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington 6, D. C. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers and their baggage*, and *express, mail* and *newspapers* in the same vehicle with passengers, between junction old and relocated U. S. Highways 60 near western limits of Clifton Forge, Va., and junction old and relocated U. S. Highways 60 approximately 4 miles west of Clifton Forge, Va.; from junction old and relocated U. S. Highways 60 near western limits of Clifton Forge over relocated U. S. Highway 60 to junction with old U. S. Highway 60 approximately 4 miles west of Clifton Forge, and return over the same route, serving all intermediate points.

NOTE: Applicant is authorized in Certificate MC 1504 dated October 25, 1955, (Sheet 1), to operate over U. S. Highway 60 between Clifton Forge, Va. and Lewisburg, W. Va., and merely seeks, in this application, authority to operate over a short, newly relocated segment of U. S. Highway 60.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5, GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

MOTOR CARRIERS OF PROPERTY

No. MC 45657 (Sub No. 17), filed May 16, 1957, PIC FREIGHT CO., a Corporation, 731 Campbell Avenue, St. Louis 15, Mo. Applicant's attorney: Jack Goodman, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except those of unusual value and except Class A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M. C. C. 467, commodities in bulk, and those requiring special equipment, between all points in Illinois within fifty (50) miles of Chicago, Ill. Applicant is authorized to transport similar commodities in Illinois, Indiana, Missouri, and Ohio.

NOTE: This application is directly related to MC–F 6586.

No. MC 102806 (Sub No. 9), filed May 20, 1957, PETROLEUM TRANSPORTATION, INCORPORATED, 701 East Davis Street, Gastonia, N. C. Applicant's attorney: J. Ruffin Bailey, P. O. Box 1773, Raleigh, N. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, between points in those portions of North Carolina and South Carolina bounded by a line beginning at Charleston, S. C., and extending north along U. S. Highway 52, through Kingstree, S. C., to Florence, S. C., thence continue along U. S. Highway 52 in a north-westerly direction through Cheraw, S. C., McFarlan, Wadesboro, Albemarle, and Salisbury, N. C., to Statesville, N. C., thence west along U. S. Highway 70 through Conover, Morganton, Marion, and Black Mountain, N. C., to Asheville, N. C., thence south along U. S. Highway 25 through Hendersonville, N. C. and Greenville, S. C., to Greenwood, S. C., thence in a southeasterly direction along U. S. Highway 178 through Saluda, Batesburg, Orangeburg, and Rosinville, S. C., to point of origin, including the points named and Dorchester and Ridgeville, S. C., *chemical products*, from Charleston, S. C., to Granite Falls and Charlotte, N. C., and *automobile accessories*, and *materials* and *supplies*, used in the conduct of automobile-accessory manufacture, between Charleston, S. C., and Charlotte, N. C. Applicant is authorized to transport similar commodities in North Carolina, South Carolina, and Tennessee. Duplication with present authority to be eliminated.

NOTE: Applicant states this is a request for conversion of contract carrier authority to that of common carrier authority. This application is directly related to MC–F 6591.

APPLICATIONS UNDER SECTIONS 5 AND 210a (b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5 (2) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto. (49 CFR 1.240)

MOTOR CARRIERS OF PROPERTY

No. MC–F 6585. Authority sought for purchase by HAYES FREIGHT LINES, INC., 628 East Adams Street, Springfield, Ill., of the operating rights and property of LESTER A. ELLIOTT, JR., doing business as ELLIOTT MOTOR LINES, Millwood Road, Winchester, Va., and for acquisition by DAVID H. RATNER, also of Springfield, of control of such rights and property through the purchase. Applicants' attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington 6, D. C. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes between Richmond, Va., and Paris, Va., between Winchester, Va., and Pittsburgh, Pa., between Washington, D. C., and Harrisonburg, Va., between Falls Church, Va., and New Market, Va., between Washington, D. C., and Winchester, Va., between Leesburg, Va., and Warrenton, Va., between Winchester, Va., and Massie's Corner, Va., between Middleburg, Va., and Baltimore, Md., between Front Royal, Va., and junction Virginia Highways 55 and 17, and between Berryville, Va., and Stephens City, Va., serving certain intermediate and off-route points; seven alternate routes for operating convenience only; *dump bodies*, between Baltimore, Md., and Washington, D. C., serving no intermediate points; *steel armor plate* weighing not less than 1,000 pounds, over irregular routes, from Pittsburgh, Pa., and points within five miles of Pittsburgh, to Dahlgren, Va.; *machinery and parts thereof*, from Washington, D. C., Baltimore, Md., Rosslyn, Va., and Hanover, Philadelphia, and Waynesboro, Pa., to points in Maryland, Virginia and West Virginia. Vendee is authorized to operate as a *common carrier* in Missouri, Iowa, Illinois, Indiana, Ohio, Kentucky, Mich-

igan, Tennessee, Pennsylvania and West Virginia. Application has not been filed for temporary authority under section 210a (b).

No. MC–F 6586. Authority sought for control and merger by PIC FREIGHT CO., 731 Campbell Avenue, St. Louis 15, Mo., of the operating rights and property of ACME MOTOR FREIGHT SERVICE, INC., 2931 South Cicero Avenue, Chicago 50, Ill., and for acquisition by JULIUS BLUMOFF, also of St. Louis, of control of such rights and property through the transaction. Applicants' attorneys: Calvin R. Sutker, 77 West Washington Street, Chicago, Ill., and Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill. Operating rights sought to be controlled and merged: Operations under the Second Proviso of section 206 (a) (1) of the Interstate Commerce Act in the transportation of *general commodities*, as a *common carrier* within a fifty-mile radius of 1970 Wilmot, Chicago, Ill., and the transportation of such property to or from any point outside of such authorized area of operation for a shipper or shippers within such area. PIC FREIGHT CO. is authorized to operate as a *common carrier* in Missouri, Illinois and Ohio. Application has been filed for temporary authority under section 210a (b).

NOTE: MC 45657 Sub 17 is a matter directly related.

No. MC–F 6588. Authority sought for lease by QUERNER TRUCK LINES, INC., 1131 Austin Street, San Antonio, Texas, of the operating rights of W. A. QUERNER, doing business as THRU TRUCK SERVICE, 231 North Mesquite Street, San Antonio, Texas, and for acquisition by J. L. QUERNER, also of San Antonio, of control of such rights through the transaction. Applicants' attorney: Joe T. Lanham, 1009 Perry-Brooks Building, Austin 1, Texas. Operating rights sought to be leased: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over a regular route between San Antonio, Tex., and Houston, Tex., serving no intermediate points. Lessee is authorized to operate as a *common carrier* in Texas, Missouri, Ohio, Illinois, Oklahoma, and Indiana. Application has been filed for temporary authority under section 210a (b).

No. MC–F 6589. Authority sought for control by EUGENE V. KLUG, 1505 Singer Avenue, Hamilton, Ohio, of UNION EXPRESS CO., 1505 Singer Avenue, Hamilton, Ohio. Applicant's attorneys: Noel F. George and John P. McMahon, both of 44 East Broad Street, Columbus 15, Ohio. Applicant seeks authority to control UNION EXPRESS CO. concurrently with its commencement of operations as a motor carrier under common control with KLUG TRUCKING CO., now controlled by applicant. UNION EXPRESS CO. proposes to qualify under the partial exemption of the Second Proviso of section 206 (a) (1) of the Interstate Commerce Act within Ohio in the transportation of property within the State of Ohio, over irregular routes, from and to Dayton, Ohio. KLUG TRUCKING CO. now operates under the said proviso, also within Ohio. Application has not been filed for temporary authority under section 210a (b).

No. MC–F 6590. Authority sought for purchase by LOUISVILLE, NEW ALBANY & CORYDON RAILROAD COMPANY, Walnut and Water Streets, Croydon, Ind., of the operating rights of EARL CUMMINGS, doing business as K & R TRUCK LINE, Cape Sandy, Ind. Applicants' attorney: C. Blaine Hays, Jr., 101–103 East Chestnut Street, Croydon, Ind. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and comomdities in bulk, as a *common carrier* over regular routes from Louisville, Ky., to Fredonia, Ind., serving the intermediate point of Leavenworth, Ind., and the off-route points of Wyandotte Cave, Beechwood, Alton, and Cape Sandy, Ind.; *livestock*, from Fredonia, Ind., to Louisville, Ky., serving certain intermediate and off-route points. Vendee is authorized to operate as a *common carrier* in Indiana and Kentucky. Application has not been filed for temporary authority under section 210a (b).

No. MC–F 6591. Authority sought for purchase by PETROLEUM TRANSPORTATION, INCORPORATED, 701 East Davis Street, Box 232, Gastonia, N. C., of a portion of the operating rights of G. & H. TRANSIT COMPANY, INCORPORATED, P. O. Box 8216, Wesley Heights Station, Charlotte 8, N. C. Applicants' attorney: J. Ruffin Bailey, 706–7 Raleigh Building, Raleigh, N. C. Operating rights sought to be transferred: *Petroleum products*, as a *contract carrier* over irregular routes, under such contracts or agreements with persons (as defined in section 203 (a) of the Interstate Commerce Act) who operate petroleum refining plants, the business of which is the refining, sale, and distribution of petroleum products, between certain point in South Carolina and certain points in North Carolina; *chemical products*, under such contracts or agreements with persons (as defined in section 203 (a) of the Interstate Commerce Act) who operate chemical plants, the business of which is the manufacture and sale of chemical products, from Charleston, S. C., to Granite Falls and Charlotte, N. C.; *automobile accessories*, and *materials* and *supplies* used in the conduct of automobile-accessory manufacture, under such contracts or agreements with persons (as defined in section 203 (a) of the Interstate Commerce Act) who manufacture automobile accessories, the business of which is the manufacture, sale, and distribution of automobile accessories, between Charleston, S. C., and Gastonia and Charlotte, N. C. Vendee is authorized to operate as a *common carrier* in Tennessee, North Carolina and South Carolina. Application has been filed for temporary authority under section 210a (b).

NOTE: MC 102806 Sub 9 is a matter directly related.

MOTOR CARRIERS OF PASSENGERS

No. MC–F 6587. Authority sought for purchase by THE SHORT LINE OF CONNECTICUT, INCORPORATED, 150 Gilbert Street, East Hartford, Conn., of a portion of the operating rights and certain property of NEW ENGLAND TRANSPORTATION COMPANY, 402 Congress Street, Boston, Mass., and for acquisition by DOMINICK T. BISESTI and ALFRED S. DAVENPORT, both of East Hartford, of control of such rights and property through the purchase. Applicants' attorneys: Robert E. Goldstein, 24 West 40th Street, New York 18, N. Y., and William Q. Keenan, 54 Meadow Street, New Haven, Conn. Operating rights sought to be transferred: *Passengers and their baggage*, and *express, mail* and *newspapers* in the same vehicle with passengers, and *baggage of passengers* in a separate vehicle, as a *common carrier* over regular routes between Hartford, Conn., and Springfield, Mass., and between junction U. S. Highway 5 and Alternate U. S. Highway 5 at or near East Hartford, Conn., and East Windsor Hill, Conn., in town of South Windsor, Conn., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Connecticut, Rhode Island, New Hampshire and Massachusetts. Application has been filed for temporary authority under Section 210a (b).

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 57–4337; Filed, May 28, 1957; 8:51 a. m.]

J. ALEX CROTHERS

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

Pursuant to subsection 302 (c), Part III, Executive Order 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended", I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F. R. 10086; 21 F. R. 3475; 21 F. R. 9198) during the six months' period ended May 9, 1957:

There have been no changes in my financial interests or business connections during the six months' period ending May 9, 1957.

Dated: May 9, 1957.

[SEAL] J. ALEX CROTHERS.

[F. R. Doc. 57–4333; Filed, May 28, 1957; 8:50 a. m.]

KEITH H. LYRLA

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

Pursuant to subsection 302 (c), Part III, Executive Order 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended", I hereby furnish for filing with the Division of the

Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F. R. 10086; 21 F. R. 3475; 21 F. R. 9198) during the six months' period ended May 14, 1957:

No change.

Dated: May 14, 1957.

[SEAL] KEITH H. LYRLA.

[F. R. Doc. 57-4334; Filed, May 28, 1957; 8:50 a. m.]

EUGENE S. ROOT

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

Pursuant to subsection 302 (c), Part III, Executive Order 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended", I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F. R. 10086; 21 F. R. 3475; 21 F. R. 9198) during the six months' period ended May 10, 1957:

Nothing to report.

Dated: May 10, 1957.

[SEAL] EUGENE S. ROOT.

[F. R. Doc. 57-4335; Filed, May 28, 1957; 8:50 a. m.]

FRED R. WHITE, JR.

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

Pursuant to subsection 302 (c), Part III, Executive Order 10647 (20 F. R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended", I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F. R. 10086; 21 F. R. 3475; 21 F. R. 9231) during the six months' period ended May 11, 1957.

A. Additions: To paragraph numbered (1) of my original statement, as amended:
Great Lakes Protective Association.
Mid-West Forge Company.
Santa Barbara Securities Corporation.
To paragraph numbered (2) of my original statement, as amended:
City of Memphis, Tennessee.
Illinois State Toll Road Commission.
Ottawa, Illinois.
B. Deletions: From paragraph numbered (2) of my original statement, as amended:
Appalachian Electric Power Company.
General Abrasive Company.
Houston Oil Company of Texas.
Ohio Turnpike Project.
Pennsylvania Turnpike.

Dated: May 11, 1957.

[SEAL] FRED R. WHITE, JR.

[F. R. Doc. 57-4336; Filed, May 28, 1957; 8:50 a. m.]

[No. 32158]

INCREASED PARCEL-POST RATES, 1957

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 20th day of May A. D. 1957.

The Postmaster General by application filed April 18, 1957, under section 207 of the act of February 28, 1925, as amended, 39 U. S. C. 247, has requested the Commission, after investigation, to consent to the establishment of increased rates on, or changes in conditions of mailability of, fourth-class mail matter as may be necessary to insure the receipt of revenue from fourth-class mail service sufficient to pay the cost of such service.

The application sets out that the Postmaster General has found on experience that the rates of postage and other conditions of mailability of fourth-class mail are such as permanently to render the cost of the service greater than the receipts of the revenue therefrom; that a revenue deficiency of approximately $800,000 was experienced during the fiscal year ending June 30, 1956, in the handling of parcel post and catalogues combined; that certain cost increases which became effective during fiscal year 1956 indicate additional costs applicable to parcel post and catalogue mailings of approximately $3,500,000 annually, a total annual revenue deficiency of approximately $4,300,000.

The Postmaster General will formulate and submit to the Commission within a reasonable period of time specific proposals for such increased rates, or other changes in conditions of mailability, necessary to insure the receipt of revenue from fourth-class mail service sufficient to pay the cost of such service.

For good cause appearing: *It is ordered*, That the application be, and it is hereby, received and filed under the docket number and title set forth in the caption of this order, and that an investigation of the matters and things involved be, and it is hereby, instituted.

It is further ordered, That this proceeding be reserved for disposition by the entire Commission, and be assigned to Commissioner Mitchell for handling.

It is further ordered, That the proceeding be assigned for hearing at a time and place to be hereafter designated.

And it is further ordered, That notice of this proceeding be given, (1) by depositing a copy of this order in the office of the Secretary of the Commission for public inspection, and (2) by filing a copy thereof with the Director, Division of the Federal Register, and (3) by serving copies thereof on the Postmaster General and the Comptroller General of the United States.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F. R. Doc. 57-4338; Filed, May 28, 1957; 8:51 a. m.]

[Rev. S. O. 562, Taylor's I. C. C. Order 82-A]

DULUTH, WINNIPEG AND PACIFIC RAILWAY CO.

DIVERSION OR REROUTING OF TRAFFIC

Upon further consideration of Taylor's I. C. C. Order No. 82 and good cause appearing therefor: *It is ordered*, That:

(a) Taylor's I. C. C. Order No. 82, be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 2:00 p. m., May 21, 1957.

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

Issued at Washington, D. C., May 21, 1957.

INTERSTATE COMMERCE COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F. R. Doc. 57-4339; Filed, May 28, 1957; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUGUST LIERHEIMER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

August Lierheimer, 28 Mueller Friedbergstrasse, St. Gallen, Switzerland, Claim No. 61470, Vesting Order No. 12260; $8,269.25 in the Treasury of the United States.

Executed at Washington, D. C., on May 23, 1957.

For the Attorney General.

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

[F. R. Doc. 57-4343; Filed, May 28, 1957; 8:52 a. m.]

MARIA BERTHA (ANNEMARIE) SCHLEE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Maria Bertha (Annemarie) Schlee, 7 Karolinengasse, Vienna IV, Austria, Claim No. 45005; $8,660.48 in the Treasury of the United States. The right to receive two-thirds of twenty percent of the authors' share of the royalties from the stage performance of The Chocolate Soldier. The authors' share is computed by deducting from the stage performance royalties due Felix Bloch Erben twenty percent thereof (representing the Sliwinski share, which is being retained by this Office). This property represents the interest of Leopold Jacobson which was vested by Vesting Order No. 1758 (9 F. R. 13773, November 17, 1944).

Executed at Washington, D. C., on May 23, 1957.

For the Attorney General.

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

[F. R. Doc. 57-4345; Filed, May 28, 1957; 8:52 a. m.]

JOSEF STUMPF

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Josef Stumpf, Markt-Allhau, 214, Bezirk Oberwart, Burgenland, Austria, Claim No. 44781, Vesting Order No. 2597; $376.54 in the Treasury of the United States.

Executed at Washington, D. C., on May 23, 1957.

For the Attorney General.

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

[F. R. Doc. 57-4346; Filed, May 28, 1957; 8:52 a. m.]

OTTO WOLFSKEHL 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, 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

Otto Wolfskehl, Fanny Wolfskehl, Darmstadt, Germany; Charlotte Kuehner, nee Wolfskehl, Thurgau, Switzerland; Dr. Marie-Luise Wolfskehl, Monmouth, Illinois; Claim No. 63990, Vesting Order No. 8711; an undivided one-fourth (¼) interest to each claimant in and to $4,000 National Railroad Company of Mexico 4 percent First Consolidated Mortgage Gold Bonds due October 1, 1951 (extended to January 1, 1975, Issue No. 18, Series No. 22, Schedule No. 2), Certificate Nos. M-17658/60 incl. and M-18462 in the principal amount of $1,000 each, presently in the custody of the Federal Reserve Bank of New York.

Executed at Washington, D. C., on May 23, 1957.

For the Attorney General.

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

[F. R. Doc. 57-4347; Filed, May 28, 1957; 8:52 a. m.]

HIROSHI MIYAKODA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Hiroshi Miyakoda, Sakaiminato-shi, Seihaku-gun, Tottori-ken, Japan, Claim No. 58465, Vesting Order No. 12261; $139.86 in the Treasury of the United States.

Executed at Washington, D. C., on May 23, 1957.

For the Attorney General.

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

[F. R. Doc. 57-4344; Filed, May 28, 1957; 8:52 a. m.]