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[Amdt. 10]

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments for 1960 and Subsequent Crops of Wheat

RELEASE AND REAPPORTIONMENT OF POOLED ALLOTMENTS FOR 1961

Basis and purpose. The amendment hereto is issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, including the amendment in Public Law 87–33, approved May 16, 1961, and is for the purpose of providing for the temporary release and reapportionment of pooled wheat acreage allotments for 1961.

Since this amendment applies to the 1961 crop of wheat, and since most of the 1961 crop of wheat has already been seeded, it is important that producers be informed of it as soon as possible. Accordingly, it is hereby found that compliance with the notice, procedure and effective date provisions of the Administrative Procedure Act (5 U.S.C. 1003) is unnecessary and contrary to the public interest, and this amendment shall become effective upon publication in the FEDERAL REGISTER.

New §§ 728.1022a, 728.1022b and 728.1022c are being added between §§ 728.1022 and 728.1023 to read as follows:

AUTHORITY: §§ 728.1022a, 728.1022b and 728.1022c issued under 375, 378, 52 Stat. 66, as amended, 72 Stat. 995, as amended, Public Law 87–33; 7 U.S.C. 1375, 1378.

§ 728.1022a Temporary release of pooled acreage allotments for 1961.

A displaced owner may, prior to the final date for planting wheat in the county as determined by the county committee but in no event later than June 15, 1961, release any part or all of the farm wheat acreage allotment remaining to his credit in the allotment pool in accordance with § 719.12 of the regulations for reconstitution of farms, farm allotments and farm history and soil bank base acreages (7 CFR Part 719) to the county committee.

§ 728.1022b Reapportionment of 1961 release pooled allotment.

The allotment released in accordance with § 728.1022a shall be apportioned by the county committee to other farms in the county having a wheat allotment on the basis of the past acreage of wheat, land, labor, equipment available for the production of wheat, crop-rotation practices and soil and other physical facilities affecting the production of wheat. Such reapportionment shall be made prior to the final date for planting wheat in the county as determined by the county committee but in no event later than June 30, 1961. To the extent the released pooled allotment acreage which is reapportioned to the farm is not planted on the farm to which reapportioned, the allotment so reapportioned to the farm shall automatically be reduced so as not to exceed the amount by which the allotment prior to reapportionment is overplanted.

§ 728.1022c Other conditions relating to release and reapportionment of the pooled allotment.

(a) *No private agreement.* The release and reapportionment of allotments shall not be made between individuals. Any acreage released will be released to the county committee, and any released acreage which is reapportioned will be reapportioned by the county committee.

(b) *New farms.* No release of a 1961 new farm allotment will be accepted. However, new farms may be considered along with other farms as eligible to receive released acreage.

(c) *Credit for history acreage.* The released acreage reapportioned to a farm shall not be considered, for purposes of establishing wheat acreage history or future allotments, to have been planted on the farm to which it is reapportioned. The pooled allotment acreage, even though released, will be considered to have been planted with respect to the pooled allotment during the period of its eligibility to remain in the pool. In determining whether the 1961 farm wheat acreage allotment for any farm to which any released acreage was reapportioned is to be considered fully planted, the reapportioned acreage will not be considered a part of the 1961 allotment.

Issued at Washington, D.C., this 1st day of June 1961.

E. A. JAENKE,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 61–5219; Filed, June 5, 1961; 8:53 a.m.]

[Amdt. 7]

PART 730—RICE

Subpart—Regulations for the Determination of Rice Acreage Allotments for the 1959 and Subsequent Crops of Rice

RELEASE AND REAPPORTIONMENT OF ALLOTMENTS

The purpose of the amendments herein is to implement the provisions of Public Law 87–33 which provides for the release and reapportionment of acreage on any farm acquired under right of eminent domain and to extend the dates for the release and reapportionment of rice allotments in Arkansas for the 1961 crop to June 6 and June 13, respectively. Since rice is now being planted throughout the rice producing area, it is imperative that these revisions be approved as soon as possible. Accordingly, it is hereby found that compliance with the public notice, procedure and effective date provisions of the Administrative Procedure Act (5 U.S.C. 1003) is impractical and contrary to the public interest and the amendments become effective as provided herein.

1. Section 730.1024(a) is amended to read as follows:

(a) In a producer State or area, a producer may, not later than the applicable closing date prescribed in this section voluntarily release to the county committee all or any part of his producer rice acreage allotment that will not be allocated to a farm in the current year. Such released acreage shall be deducted from the allotment established for such producer and may, except as provided in paragraph (e) of this section, be reapportioned by the county committee to other producers (old or new) in the same county in amounts determined to be fair and reasonable on the basis of the production of rice by the producer during the five years immediately preceding the current year; previous rice acreage allotments established for the producer; abnormal conditions affecting acreage; land, labor, water and equipment available for the production of rice; crop-rotation practices; and the soil and other physical factors affecting the production of rice. The closing dates in each producer State or area for the release and reapportionment of rice acreage allotments shall be as follows:

State	Release	Reapportionment
California	Apr. 1	[1]Apr. 15
Florida	Feb. 28	Mar. 14
Louisiana [1]	Apr. 24	May 1
North Carolina	Feb. 28	Mar. 5
Tennessee	Apr. 1	Apr. 15
Texas	Apr. 21	May 5

[1] Producer administrative area.

2. Section 730.1024(e) is amended to read as follows:

(e) Notwithstanding any other provisions of this section, any rice acreage allotment released by the owner or the operator of a farm which is covered in whole or in part by a soil bank conservation reserve contract or for which an application is pending for a conservation reserve contract, shall not be reapportioned by the county committee to any other farm.

3. Section 730.1033(a) is amended to read as follows:

(a) In a farm State, any part of the rice acreage allotment determined for a farm that will not be planted in the cur-

rent year, including pooled rice acreage allotment for a farm acquired under right of eminent domain, and which is voluntarily released by the owner or operator of the farm to the county committee not later than the applicable closing date prescribed in this section shall be deducted from the rice acreage allotment determined for such farm, and may, except as provided under paragraph (e) of this section, be reapportioned by the county committee to other farms (old or new) in the same county receiving allotments in amounts determined by the county committee to be fair and reasonable on the basis of the production of rice on the farm during the five years immediately preceding the current year; farm acreage allotments previously established for the farm; abnormal conditions affecting acreage; land, labor, water and equipment available for the production of rice; crop-rotation practices; and the soil and other physical factors affecting the production of rice. The closing dates, in each State, or area, for the release and reapportionment of farm rice acreage allotments shall be as follows:

4. Section 730.1033(e) is amended to read as follows:

(e) Notwithstanding any other provision of this section, any rice acreage allotment released by the owner or the operator of a farm which is covered in whole or in part by a soil bank conservation reserve contract or for which an application is pending for a conservation reserve contract, shall not be reapportioned by the county committee to any other farm.

(Sec. 375, 52 Stat. 66, as amended, sec. 353, 52 Stat. 61, as amended, sec. 115, 70 Stat. 196, sec. 1, 74 Stat. 41; 7 U.S.C. 1353, 1375, 1378, 1803)

Effective date. The amendments contained herein shall become effective upon the date of their publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 1, 1961.

E. A. JAENKE,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 61-5218; Filed, June 5, 1961; 8:53 a.m.]

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 820, Amdt. 1]

PART 820—REQUIREMENTS RELATING TO NON-QUOTA PURCHASE SUGAR FOR THE CALENDAR YEAR 1961

1. Paragraph (c) of § 820.1 of Part 820 is hereby amended to read as follows:

§ 820.1 Basis and purpose, and persons affected.

* * * * *

(c) After study of appropriate means to assure that non-quota purchase sugar imported into the continental United States is produced from sugarcane or sugar beets grown in the supplying country and is not made available by the importation of Cuban sugar into the country supplying non-quota purchase sugar, it is deemed appropriate under the prevailing circumstances that non-quota purchase sugar should not be authorized for purchase from Canada or the United Kingdom but may be authorized for purchase from Belgium and the Netherlands, provided any non-quota purchase sugar authorized for importation from Belgium and the Netherlands has been produced from sugar beets grown in the respective countries. By reference to the statistical bulletins of the International Sugar Council and other data, Belgium, Canada, Netherlands and United Kingdom have been identified as countries which purchased and imported Cuban sugar in 1960. Each of these countries produces beet sugar. Canada and the United Kingdom are large net importers of sugar so that any supplies of refined sugar exported to the United States could be said to have been made available for export by importation of Cuban sugar. Although Belgium has imported sugar, including Cuban sugar, for refining and reexport this country is a net exporter, and was a large net exporter in the latter part of 1960. The Netherlands, after allowing for the sugar content of exports of sugar-containing products, was a net exporter in 1960. The importation of Cuban sugar by Belgium and the Netherlands for refining and reexport or for manufacturing into sugar-containing products for exportation, had the effect of increasing the volume of the import and export trade of those countries rather than of making available for export to the United States sugar produced from sugar beets grown in such countries.

2. Section 820.3 of Part 820 is hereby amended to read as follows:

§ 820.3 Non-quota purchases of sugar authorized.

(a) Non-quota purchases of sugar, in accordance with Sec. 408(b) of the Act, are authorized to be made in accordance with the provisions of this Part. Such non-quota purchases must be made from the producer of such sugar or from a citizen, partnership, corporation, or other legal entity, or Government agency, of the country in which the sugar was produced, for shipment to the United States, or after shipment to the United States.

(b) Pursuant to section 408(b) of the Act, the President by Proclamation No. 3401 established the amount of the quotas for sugar and for liquid sugar for Cuba for the calendar year 1961 at zero. At a level of consumption requirements for consumers in the United States of 10,000,000 short tons, raw value of sugar for 1961, the amount of the quotas that otherwise would have been provided for Cuba under the terms of Title II of the Act for the calendar year 1961 are 3,297,195 short tons, raw value of sugar and 7,970,558 wine gallons of liquid sugar, 72 percentum total sugar content, which represent the quantities that may be caused or permitted to be brought or imported into or marketed in the United States during the calendar year 1961 pursuant to section 408(b) of the Act. Sugar Regulation 819, effective for the period January 1, 1961, through March 31, 1961, permitted the importation of 824,299 short tons, raw value, of non-quota sugar pursuant to section 408(b) of the Act. Thus, the amounts available for allocation to foreign countries pursuant to section 408(b) of the Act for the period April 1, 1961, through December 31, 1961, are 2,472,896 short tons, raw value of sugar and 7,970,558 wine gallons of liquid sugar. By Sugar Regulation 820, effective April 19, 1961, in § 820.4, a total of 1,263,776 short tons, raw value of non-quota purchase sugar was authorized for purchase and importation during the period April–December 1961. Section 820.4 as herein amended revises the allocations and authorizations for the purchase of non-quota sugar for the period April–December 1961 in the following respects: A total of 2,272,896 short tons, raw value is authorized for purchase during the period April–December 1961. The authorization for the purchase of 977,095 short tons, raw value of this total is based upon a proration in accordance with section 408(b)(2) of the Act to foreign countries with which the United States is in diplomatic relations and for which quotas have been established pursuant to section 202 of the Act, to the extent of their ability to supply sugar, except for Canada and the United Kingdom as provided in paragraph (c) of § 820.1 as herein amended. Several of the countries which receive quotas under section 202 of the Act are unable to supply portions of the prorations of non-quota purchase sugar as follows: Mexico 175,090 tons; Nicaragua 95,122 tons; Peru 400,520 tons; and the Philippines 150,000 tons. These quantities totaling 820,732 tons plus the prorations for Canada and the United Kingdom totaling 6,895 tons and 468,174 tons of the Dominican Republic's proration under section 408(b)(2)-(iii) of the Act or a total of 1,295,801 short tons, raw value, is authorized for purchase from foreign countries in accordance with the proviso in section 408(b)(2)(iii) of the Act. In authorizing the purchase of the 1,295,801 short tons, raw value, from Brazil, Federation of the West Indies and British Guiana, Colombia, Costa Rica, Ecuador, El Salvador, French West Indies, Guatemala, Haiti, Formosa, India, Paraguay, Australia, special consideration was given to countries of the Western Hemisphere and to those countries purchasing United States agricultural commodities. Of the 2,472,896 short tons, raw value, which may be authorized for purchase, 200,000 short tons, raw value of the proration for the Dominican Republic is not being authorized for purchase at this time. Also, the 7,970,558 wine gallons of liquid sugar are not allocated or authorized for purchase at this time.

3. Section 820.4 of Part 820 is hereby amended to read as follows:

§ 820.4 Source of non-quota purchase sugar.

(a) The amounts of non-quota purchase sugar permitted to be imported into the continental United States for consumption therein from individual foreign countries during the period April 1, 1961, through December 31, 1961, are as follows:

Country:	*Short tons, raw value*
Haiti	36,572
Netherlands	4,388
China (Formosa)	174,543
Panama	4,515
Costa Rica	24,774
Republic of the Philippines	218,048
Peru	329,870
Mexico	398,423
Nicaragua	9,897
Belgium	1,092
Hong Kong	19
Federation of the West Indies and British Guiana	255,755
El Salvador	10,000
Guatemala	15,000
Brazil	325,000
Ecuador	30,000
Colombia	40,000
French West Indies	75,000
India	225,000
Australia	90,000
Paraguay	5,000

The regulation can be amended from time to time to increase or decrease the quantities of sugar authorized for purchase from any of the countries named herein or to establish quantities for countries or groups of countries which are not named herein if it later appears that supplies from any country or countries will not be forthcoming in a manner that meets the requirements of this market.

(b) It is hereby found that raw sugar is not reasonably available in sufficient quantity to supply our requirements during the remainder of the calendar year 1961. Accordingly, non-quota purchase sugar testing in excess of 99 degrees polarization is authorized for importation to be further refined or improved in quality in the United States, in accordance with the requirements of § 810.3 of Part 810 of this chapter, and non-quota purchase sugar imported from any country for which the total permitted quantity of non-quota purchase sugar, as established in paragraph (a) of this section, is 7,500 short tons, raw value, or less may be released for direct-consumption.

(c) To give effect to Article 7 of the International Sugar Agreement which limits total importations in any year from non-participating countries, no sugar may be authorized to be imported from any country that is not a participant in the International Sugar Agreement.

4. Paragraph (e) of § 820.6 of Part 820 is hereby amended to read as follows:

§ 820.6 Application by importer.

* * * * *

(e) To give effect to the requirement that non-quota purchase sugar be produced from sugar beets or sugarcane grown in the country from which such sugar is imported into the United States and the requirement that non-quota sugar be purchased from the producer of such sugar or from a citizen, partnership, corporation or other legal entity or government agency of the country in which the sugar was produced, for shipment to the United States, any application made pursuant to this section shall contain over the signature of the applicant the following certification:

This application is made under Sugar Regulation 820 for importing non-quota purchase sugar and is subject to all of the provisions of such regulation. The applicant certifies that the sugar was produced from sugarcane or sugar beets grown in the country in which the sugar was produced as identified in the application and that he (1) is the producer of the sugar, or (2) is a citizen, partnership, corporation, or other legal entity, or government agency, of the country in which the sugar is produced, or (3) has purchased such sugar from _____, the producer of such sugar, or from _____, a citizen, partnership, corporation, or other legal entity, or government agency, of the country in which the sugar was produced, for exportation to the United States.

5. Paragraph (b) of § 820.10 of Part 820 is hereby amended to read as follows:

§ 820.10 Records and reports.

(b) Each person subject to the provisions of this part shall keep and preserve, for a period of two years following the end of the calendar year in which the sugar was imported into the continental United States, an accurate record of the receipt, processing and movement of such sugar and of all tests and weights pertaining thereto, and documentation substantiating the representations made by the importer in the certification required by § 820.6. Upon request by any authorized employee of the Department, such records and documentation shall be made freely available for examination by such employee during the regular working hours of any business day.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies secs. 101, 408; 61 Stat. 922, as amended, 933, as amended; 7 U.S.C. 1101, 1158; Pub. Law 87–15, approved Mar. 31, 1961. Presidential Proclamation 3401 (26 F.R. 2849))

Effective date. To permit such non-quota purchase sugar to be marketed in an orderly manner it is essential that the amendments made herein 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 these amendments to the regulations shall become effective when published in the FEDERAL REGISTER.

Done at Washington, D.C., this 31st day of May 1961.

ORVILLE L. FREEMAN,
Secretary.

Concurred in for the Secretary of State by:

EDWIN M. MARTIN,
Assistant Secretary of State.

[F.R. Doc. 61–5220; Filed, June 5, 1961; 8:53 a.m.]

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

[Plum Order 6]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Grade and Size

§ 936.665 Plum Order 6 (Tragedy).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further 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 section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information con-

cerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 17, 1961, and necessary supplemental data for consideration in connection with the specification of the provisions of this section were not available until May 31, 1961.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 7, 1961, and ending at 12:01 a.m., P.s.t., November 1, 1961, no shipper shall ship any package or container of Tragedy plums, unless:

(i) Such plums grade at least U.S. No. 1, as required by the provisions of § 936.660 (Plum Order 1; 26 F.R. 4144) except that a total tolerance of ten (10) percent for defects not considered serious damage is permitted in addition to the tolerances permitted by such grade;

(ii) Such plums are of a size that, when packed in a standard basket, they will pack at least a 5 x 6 standard pack;

(iii) The diameters of the smallest and largest plums in such package or container do not vary more than one-fourth (¼) inch: *Provided,* That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) When used in this section, "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(3) Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 1, 1961.

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

[F.R. Doc. 61–5212; Filed, June 5, 1961; 8:52 a.m.]

[Plum Order 7]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Size

§ 936.666 Plum Order 7 (Wickson).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further 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 section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 17, 1961, and necessary supplemental data for consideration in connection with the specification of the provisions of this section were not available until May 31, 1961.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t, June 7, 1961, and ending at 12:01 a.m., P.s.t., November 1, 1961, no shipper shall ship any package or container of Wickson plums, unless:

(i) Such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 4 standard pack; and

(ii) The diameters of the smallest and largest plums in such package or container do not vary more than one-fourth (¼) inch: *Provided,* That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) When used in this section "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(3) Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 1, 1961.

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

[F.R. Doc. 61–5213; Filed, June 5, 1961; 8:52 a.m.]

[Plum Order 8]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Regulation by Sizes

§ 936.667 Plum Order 8 (El Dorado).

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part

936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such plums and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 17, 1961, and necessary supplemental data for consideration in connection with the specification of the provisions of this section were not available until May 31, 1961.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 7, 1961, and ending at 12:01 a.m., P.s.t., November 1, 1961, no shipper shall ship any package or container of El Dorado plums, unless:

(i) Such plums are of a size that, when packed in a standard basket, they will pack at least a 4 x 5 standard pack; and

(ii) The diameters of the smallest and largest plums in such package or container do not vary more than one-fourth (¼) inch: *Provided,* That, a total of not more than five (5) percent, by count, of the plums in the package or container may fail to meet this requirement.

(2) When used in this section, "standard pack" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (Fresh) (§§ 51.1520 to 51.1537 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "diameter" shall mean the distance through the widest portion of the cross section of a plum at right angles to a line running from the stem to the blossom end; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

(3) Section 936.143 sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: June 1, 1961.

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

[F.R. Doc. 61–5214; Filed, June 5, 1961; 8:52 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Definition of Production Facility

Statement of considerations. The Atomic Energy Act of 1954, as amended, defines "production facility" as "(1) any equipment or device, determined by rule of the Commission to be capable of the production of special nuclear material in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public * * *" (section 11.t.). Pursuant to this provision, the Commission has by rule defined a "production facility", among other things, as "any facility designed or used for the processing of irradiated materials containing special nuclear material, except laboratory scale facilities designed or used for experimental or analytical purposes only." (Section 50.2(a)(3).)

Under this definition, facilities which are designed or used for the processing of irradiated fuel elements are subject to the licensing requirements of Part 50, including, among others, the issuance of a construction permit prior to construction, issuance of operators' licenses, showing of financial protection and execution of a Price-Anderson indemnification agreement. If material containing special nuclear material has been irradiated, the Part 50 requirements are presently applicable regardless of the length or type of irradiation or content or activity of fission products. On the other hand, facilities used for the processing of unirradiated fuel elements are not subject to Part 50 requirements, but are licensed pursuant to Part 70, Special Nuclear Material, Part 40, Licensing of Source Material, and Part 30, Licensing of Byproduct Material.

The Commission has concluded that irradiated materials which contain such small amounts of fission products and have such low levels of fission product activity that no additional radiological safety precautions are required beyond those necessary in connection with the processing of unirradiated materials should be treated similarly to unirradiated materials from a licensing standpoint. Accordingly, the amendment set forth below is intended to exempt the processing of slightly irradiated uranium from the licensing requirements of Part 50. Such processing would still be subject to the requirements of Part 30, Licensing of Byproduct Material and Part 70, Special Nuclear Material.

The limits on concentration and activity specified in the amendment are based upon analysis and calculations described in "AEC Analysis of Appropriate Limits for Exemption," a document which is on file in the AEC's Public Document Room, 1717 H Street NW., Washington 25, D.C. A copy of this document may be obtained at the AEC's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

The specified limits for concentrations and quantities of induced radioactivity are very low. It is possible that higher concentrations and quantities would not present hazards appreciably greater than those associated with the processing of unirradiated uranium. The specified limits have been selected so as to exempt from the Part 50 regulations only materials with such low concentrations and activities of fission products, including plutonium, that safety equipment, personnel and procedures adequate for unirradiated uranium are obviously sufficient.

The amendment would have the effect of exempting from Part 50 the processing of many fuel elements used in critical facilities, if cooled for an appropriate period of time prior to processing. For example, the activity of a fuel element irradiated in a critical facility operated at 50 watts for 40 days would decrease below the exempted amount after ap-

proximately 180 days' cooling time. On the other hand, fuel elements used in research, test or power reactors for any reasonable period of time would require extremely long cooling times to decrease to exempted levels. For example, assuming a reactor containing 4 kg of uranium 235, a fuel element irradiated at 10 kilowatts for 30 days would require cooling for approximately 30 years.

The amended regulation will relieve Engelhard Industries, Inc., from Part 50 licensing requirements for proposed processing at their Newark, N.J., plant of 24 slightly irradiated MTR-type fuel and control elements being returned by the Netherlands Government. Since these elements were used in a reactor for only one week and have been in storage for three years, the content of fission products and level of activity fall within the limits prescribed in the amended regulation. The proposed activities are described in Engelhard Industries, Inc., Application for Exemption, dated January 5, 1961, a copy of which is on file in the AEC's Public Document Room.

Inasmuch as this amendment is intended to relieve from, rather than to impose, restrictions under regulations currently in effect and will not adversely affect the public health and safety, the Commission has found that general notice of proposed rule-making and public procedure thereon are unnecessary and good cause exists why this amendment should be made effective upon publication in the FEDERAL REGISTER.

It may be noted that the amendment set forth below excludes from the definition of "production facility" only facilities used for the processing of slightly irradiated uranium. Public comments are invited with respect to (1) the concentrations of fission products, including plutonium, specified in the amendment with respect to irradiated uranium; (2) possible adoption of exceptions with respect to other irradiated materials containing special nuclear materials; and (3) proposed concentrations of fission products for such additional irradiated materials. Such public comments should be submitted within sixty (60) days of the publication of this amendment in the FEDERAL REGISTER and should be addressed to the Secretary, United States Atomic Energy Commission, Washington 25, D.C.

Notice is hereby given that effective upon the publication in the FEDERAL REGISTER, 10 CFR Part 50, Licensing of Production and Utilization Facilities, is amended by revising § 50.2(a)(3) to read as follows:

(3) Any facility designed or used for the processing of irradiated materials containing special nuclear material, except (i) laboratory scale facilities designed or used for experimental or analytical purposes, and (ii) facilities in which the only special nuclear materials contained in the irradiated material to be processed are uranium enriched in the isotope U–235 and plutonium produced by the irradiation, if the material processed contains not more than 10^{-4} grams of plutonium per gram of U–235 and has fission product activity not in excess of 0.25 millicuries of fission products per gram of U–235.

Dated at Germantown, Md., this 29th day of May 1961.

For the Atomic Energy Commission.

HAROLD D. ANAMOSA,
Acting Secretary.

[F.R. Doc. 61–5165; Filed, June 5, 1961; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 765; Reg. No. SR–425C]

PART 1—CERTIFICATION, IDENTIFICATION, AND MARKING OF AIRCRAFT AND RELATED PRODUCTS

PART 3—AIRPLANE AIRWORTHINESS; NORMAL, UTILITY, AND ACROBATIC CATEGORIES

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

PART 6—ROTORCRAFT AIRWORTHINESS; NORMAL CATEGORY

PART 7—ROTORCRAFT AIRWORTHINESS; TRANSPORT CATEGORIES

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

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

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PART 43—GENERAL OPERATION RULES

PART 46—SCHEDULED AIR CARRIER HELICOPTER CERTIFICATION AND OPERATION RULES

Special Civil Air Regulation; Provisional Certification and Operation of Aircraft

Special Civil Air Regulation No. SR–425A was adopted on July 22, 1958, to provide for provisional certification of turbine-powered transport category airplanes in order to permit certain air carriers and manufacturers to conduct crew training, service testing, and simulated air carrier operations prior to introduction of the airplanes into commercial service. The objective of this regulation was to provide a means whereby the air carriers and manufacturers could obtain as much experience as possible with turbine-powered airplanes which, although safe for flight, had not been approved for the issuance of a type certificate.

Special Civil Air Regulation No. SR–425B, which superseded SR–425A, was adopted on April 7, 1960, to extend the application of the regulation to: (1) Piston-engine transport category aircraft, including rotorcraft; and (2) personal and executive type aircraft, including rotorcraft, irrespective of powerplant type. In addition, this regulation permitted operations such as sales demonstrations and market surveys with aircraft having a provisional type and airworthiness certificate.

To accomplish this, SR–425B provided for, among other things, the issuance of two classes of provisional type and airworthiness certificates. Class I provisional and airworthiness certificates could be issued for all types of aircraft for operation by the aircraft manufacturer. Class II provisional type and airworthiness certificates could be issued only for transport category aircraft, but these aircraft could be operated by either the aircraft manufacturer or a certificated air carrier. In general, the requirements for the issuance of Class I provisional certificates were less stringent, and the operating limitations less confining, than those for the issuance of Class II provisional certificates.

Under the provisions of SR–425B, however, eligibility to apply for Class I provisional certificates was limited to aircraft manufacturers. A recommendation that this eligibility be extended to include engine manufacturers had been evaluated by the Agency prior to the adoption of SR–425B, but rule making action on such extension was deferred until additional experience with provisional certification could be acquired.

Experience accumulated since the adoption of SR–425B has indicated that it would be practicable for engine manufacturers, who have altered a type certificated aircraft by installing type certificated engines of their own manufacture in place of the original engines, to show compliance with the currently effective requirements for issuance of Class I provisional type and provisional airworthiness certificates; and that compliance with these requirements will insure safe operation of provisionally certificated aircraft by such engine manufacturers. Further, the Agency believes that operations conducted by engine manufacturers under the terms of Class I provisional certificates, for the purpose of sales demonstrations, market surveys, and other similar activities related to the sale of their engines, would contribute to the promotion and development of civil aeronautics in the United States.

SR–425B is therefore being superseded by SR–425C to permit certain engine manufacturers to apply for Class I provisional type and provisional airworthiness certificates if they have applied for the issuance of a supplemental type certificate.

Since this is a superseding regulation which relieves restrictions and imposes no additional burden on any person, notice and public procedures hereon are unnecessary, and this regulation may be made effective on less than 30 days' notice.

In consideration of the foregoing, the following Special Civil Air Regulation is adopted to become effective June 6, 1961:

GENERAL

1. *Applicability.* Contrary provisions of the Civil Air Regulations notwithstanding, provisional type and airworthiness certificates, amendments to provisional type certificates, and provisional amendments to type certificates, will be issued as prescribed in this regulation to a manufacturer or an air carrier. As used in this regulation, a manufacturer shall mean only a manufacturer who is a citizen of the United States; and the term air carrier shall not include an air taxi operator.

2. *Eligibility.*

(a) A manufacturer of aircraft manufactured by him within the United States may apply for Class I or Class II provisional type and provisional airworthiness certificates, for amendments to provisional type certificates held by him, and for provisional amendments to type certificates held by him.

(b) An air carrier holding an air carrier operating certificate authorizing him to conduct operations under Parts 40, 41, 42, or 46 of the Civil Air Regulations may apply for Class II provisional airworthiness certificates for transport category aircraft which meet the conditions of either subparagraphs (1) or (2) of this paragraph.

(1) The aircraft has a currently valid Class II provisional type certificate or an amendment thereto;

(2) The aircraft has a currently valid provisional amendment to a type certificate which was preceded by a corresponding Class II provisional type certificate.

(c) An engine manufacturer who has altered a type certificated aircraft by installing different type certificated engines, manufactured by him within the United States, in place of the original engines, may apply for Class I provisional type and provisional airworthiness certificates for such aircraft, and for amendments to Class I provisional type certificates held by him, if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, or transport category.

3. *Application*—(a) *General.* Applications for provisional type and airworthiness certificates, for amendments to provisional type certificates, and for provisional amendments to type certificates, shall be submitted to the Chief, Flight Standards Division, FAA, of the Regional Office in which the manufacturer or air carrier is located and shall be accompanied by the pertinent information specified in this regulation.

4. *Duration.* Unless sooner surrendered, superseded, revoked, or otherwise terminated, certificates and amendments thereto, shall have periods of duration in accordance with paragraphs (a) through (f) of this section.

(a) A Class I provisional type certificate shall remain in effect for 24 months after the date of its issuance or until the date of issuance of the corresponding type or supplemental type certificate, whichever occurs first.

(b) A Class I provisional type certificate shall expire immediately upon issuance of a Class II provisional type certificate for aircraft of the same type design.

(c) A Class II provisional type certificate shall remain in effect for 6 months after the date of its issuance or 60 days after the date of issuance of the corresponding type certificate, whichever occurs first.

(d) An amendment to a Class I or a Class II provisional type certificate shall remain in effect for the duration of the corresponding provisional type certificate.

(e) A provisional amendment to a type certificate shall remain in effect for 6 months after its approval or until the amendment to the type certificate is approved, whichever occurs first.

(f) Provisional airworthiness certificates shall remain in effect for the duration of the corresponding provisional type certificate, amendment to a provisional type certificate, or a provisional amendment to the type certificate.

5. *Transferability of certificates.* Certificates issued pursuant to this regulation are not transferable except that a Class II provisional airworthiness certificate may be transferred to an air carrier eligible to apply for such certificate under section 2 of this regulation.

6. *Display of certificates and markings.* A provisional airworthiness certificate shall be prominently displayed in the aircraft for which it is issued. The words "Provisional Airworthiness" shall be painted in letters not less than 2 inches high on the exterior of such aircraft adjacent to each entrance to the cabin and cockpit of the aircraft.

REQUIREMENTS FOR ISSUANCE

7. *Class I provisional type certificates.* A Class I provisional type certificate and amendments thereto will be issued for a particular type design when the eligible aircraft or engine manufacturer shows compliance with the provisions of paragraph (a) through (f) of this section, and an authorized representative of the Administrator finds, on the basis of information submitted to him by the manufacturer in compliance with the provisions of this section and of other relevant information, that there is no feature, characteristic, or condition which would render the aircraft unsafe when operated in accordance with the limitations established in paragraph (d) of this section and in section 13 of this regulation.

(a) The manufacturer has applied for the issuance of a type or supplemental type certificate for the aircraft.

(b) The manufacturer certifies that the aircraft has met the provisions of subparagraphs (1) through (3) of this paragraph.

(1) The aircraft has been designed and constructed in accordance with the airworthiness requirements applicable to the issuance of the type or supplemental type certificate for the aircraft;

(2) The aircraft substantially complies with the applicable flight characteristics requirements for the type or supplemental type certificate;

(3) The aircraft can be operated safely under the appropriate operating limitations specified in this regulation.

(c) The manufacturer has submitted a report showing that the aircraft had been flown in all maneuvers necessary to show compliance with the flight requirements for the issuance of the type or supplemental type certificate and to establish that the aircraft can be operated safely in accordance with the limitations specified in this regulation.

(d) The manufacturer has established limitations with respect to weights, speeds, flight maneuvers, loading, operation of controls and equipment, and all other relevant factors. The limitations shall include all the limitations required for the issuance of a type or supplemental type certificate for the aircraft. *Provided,* That, where such limitations have not been established, appropriate restrictions on the operation of the aircraft shall be established.

(e) The manufacturer has established an inspection and maintenance program for the continued airworthiness of the aircraft.

(f) A prototype aircraft has been flown by the manufacturer for at least 50 hours pursuant to the authority of an experimental certificate issued under Part 1 of the Civil Air Regulations or under the auspices of a United States military service: *Provided,* That the number of flight hours may be reduced by the authorized representative of the Administrator in the case of an amendment to a provisional type certificate.

8. *Class I provisional airworthiness certificates.* Except as provided in section 12 of this regulation, a Class I provisional airworthiness certificate will be issued for an aircraft, for which a Class I provisional type certificate is in effect, when the eligible aircraft or engine manufacturer shows compliance with the provisions of paragraphs (a) through (d) of this section, and an authorized representative of the Administrator finds that there is no feature, characteristic, or condition of the aircraft which would render the aircraft unsafe when operated in accordance with the limitations established in sections 7(d) and 13 of this regulation.

(a) The manufacturer is the holder of the provisional type certificate for the aircraft.

(b) The manufacturer submits a statement that the aircraft conforms to the type design corresponding with the provisional type certificate and has been found by him to be in safe operating condition under the applicable limitations.

(c) The aircraft has been flown at least 5 hours by the manufacturer.

(d) The aircraft has been supplied with a provisional aircraft flight manual or other document and appropriate placards containing the limitations required by sections 7(d) and 13 of this regulation.

9. *Class II provisional type certificates.* A Class II provisional type certificate and amendments thereto will be issued for a particular transport category type design when the manufacturer of the aircraft shows compliance with the provisions of paragraphs (a) through (h) of this section, and an authorized representative of the Administrator finds, on the basis of information submitted to him by the manufacturer in compliance with the provisions of this section and of other relevant information, that there is no feature, characteristic, or condition which would render the aircraft unsafe when operated in accordance with the limitations established in paragraph (f) of this section and in sections 13 and 14 of this regulation.

(a) The manufacturer has applied for the issuance of a transport category type certificate for the aircraft.

(b) The manufacturer holds a type certificate and a currently effective production certificate for at least one other aircraft in the same transport category as the subject aircraft.

(c) The Agency's official flight test program with respect to the issuance of a type certificate for the aircraft is in progress.

(d) The manufacturer certifies that the aircraft has met the provisions of subparagraphs (1) through (3) of this paragraph.

(1) The aircraft has been designed and constructed in accordance with the airworthiness requirements applicable to the issuance of the type certificate for the aircraft;

(2) The aircraft substantially complies with the applicable flight characteristics requirements for the type certificate;

(3) The aircraft can be operated safely under the appropriate operating limitations specified in this regulation.

(e) The manufacturer has submitted a report showing that the aircraft had been flown in all maneuvers necessary to show compliance with the flight requirements for the issuance of the type certificate and to establish that the aircraft can be operated safely in accordance with the limitations specified in this regulation.

(f) The manufacturer has prepared a provisional aircraft flight manual which includes limitations with respect to weights, speeds, flight maneuvers, loading, operation of controls and equipment, and all other relevant factors. The limitations shall include all the limitations required for the issuance of a type certificate for the aircraft: *Provided,* That, where such limitations

have not been established, the provisional flight manual shall contain appropriate restrictions on the operation of the aircraft.

(g) The manufacturer has established an inspection and maintenance program for the continued airworthiness of the aircraft.

(h) A prototype aircraft has been flown by the manufacturer for at least 100 hours pursuant to the authority of either an experimental certificate issued under Part 1 of the Civil Air Regulations or a Class I provisional airworthiness certificate: *Provided,* That the number of flight hours may be reduced by the authorized representative of the Administrator in the case of an amendment to a provisional type certificate.

10. *Class II provisional airworthiness certificates.* Except as provided in section 12 of this regulation, a Class II provisional airworthiness certificate will be issued for an aircraft, for which a Class II provisional type certificate is in effect, when the applicant shows compliance with the provisions of paragraphs (a) through (e) of this section, and an authorized representative of the Administrator finds that there is no feature, characteristic, or condition of the aircraft which would render the aircraft unsafe when operated in accordance with the limitations established in sections 9(f), 13, and 14 of this regulation.

(a) The applicant submits evidence that a Class II provisional type certificate for the aircraft has been issued to the manufacturer.

(b) The applicant submits a statement by the manufacturer that the aircraft has been manufactured under a quality control system adequate to ensure that the aircraft conforms to the type design corresponding with the provisional type certificate.

(c) The applicant submits a statement that the aircraft has been found by him to be in a safe operating condition under the applicable limitations.

(d) The applicant submits a statement that the aircraft has been flown at least 5 hours by the manufacturer.

(e) The aircraft has been supplied with a provisional aircraft flight manual containing the limitations required by sections 9(f), 13, and 14 of this regulation.

11. *Provisional amendments to type certificate.* A provisional amendment to a type certificate will be approved when the manufacturer of the type certificated aircraft shows compliance with the provisions of paragraphs (a) through (g) of this section, and an authorized representative of the Administrator finds, on the basis of information submitted to him by the manufacturer in compliance with the provisions of this section and of other relevant information, that there is no feature, characteristic or condition which would render the aircraft unsafe when operated in accordance with the limitations established in paragraph (e) of this section, and section 13 and, if applicable, section 14 of this regulation.

(a) The manufacturer has applied for an amendment to the type certificate.

(b) The Agency's official flight test program with respect to the amendment of the type certificate is in progress.

(c) The manufacturer certifies that the aircraft has met the provisions of subparagraphs (1) through (3) of this paragraph.

(1) The modification involved in the amendment to the type certificate has been designed and constructed in accordance with the airworthiness requirements applicable to the issuance of the type certificate for the aircraft;

(2) The aircraft substantially complies with the applicable flight characteristics requirements for the type certificate;

(3) The aircraft can be operated safely under the appropriate operating limitations specified in this regulation.

(d) The manufacturer has submitted a report showing that the aircraft incorporating the modifications involved had been flown in all maneuvers necessary to show compliance with the flight requirements applicable to these modifications and to establish that the aircraft can be operated safely in accordance with the limitations specified in this regulation.

(e) The manufacturer has established, in a provisional aircraft flight manual or other document and appropriate placards, limitations with respect to weights, speeds, flight maneuvers, loading, operation of controls and equipment, and all other relevant factors. The limitations shall include all the limitations required for the issuance of a type certificate for the aircraft: *Provided,* That where such limitations have not been established, appropriate restrictions on the operation of the aircraft shall be established.

(f) The manufacturer has established an inspection and maintenance program for the continued airworthiness of the aircraft.

(g) An aircraft modified in accordance with the corresponding amendment to the type certificate has been flown by the manufacturer for the number of hours found necessary by the authorized representative of the Administrator, such flights having been conducted pursuant to the authority of an experimental certificate issued under Part 1 of the Civil Air Regulations.

12. *Provisional airworthiness certificates corresponding with provisional amendment to type certificate.* A Class I or a Class II provisional airworthiness certificate, as specified in section 2 of this regulation, will be issued for an aircraft, for which a provisional amendment to the type certificate has been issued, when the applicant shows compliance with the provisions of paragraphs (a) through (e) of this section, and an authorized representative of the Administrator finds that there is no feature, characteristic, or condition of the aircraft, as modified in accordance with the provisionally amended type certificate, which would render the aircraft unsafe when operated in accordance with the limitations established in sections 11(e) and 13 and, if applicable, section 14 of this regulation.

(a) The applicant submits evidence that approval has been obtained for the relevant provisional amendment to the type certificate for the aircraft.

(b) The applicant submits evidence that the modification to the aircraft was accomplished under a quality control system adequate to ensure that the modification conforms to the provisionally amended type certificate.

(c) The applicant submits a statement that the aircraft has been found by him to be in a safe operating condition under the applicable limitations.

(d) The applicant submits a statement that the aircraft has been flown at least 5 hours by the manufacturer.

(e) The aircraft has been supplied with a provisional aircraft flight manual or other document and appropriate placards containing the limitations required by sections 11(e) and 13 and, if applicable, section 14 of this regulation.

Operating Limitations

13. *Operation of provisionally certificated aircraft.* An aircraft for which a provisional airworthiness certificate has been issued shall be operated only by a person eligible to apply for a provisional airworthiness certificate in accordance with section 2 of this regulation. Operations shall be in compliance with paragraphs (a) through (j) of this section.

(a) The aircraft shall not be operated in air transportation unless so authorized in a particular case by the Director, Bureau of Flight Standards.

(b) Operations shall be restricted to the United States, its Territories and possessions.

(c) The aircraft shall be limited to the types of operations listed in subparagraphs (1) through (7) of this paragraph.

(1) Flights conducted by the aircraft or engine manufacturer in direct conjunction with the type or supplemental type certification of the aircraft;

(2) Training of flight crews, including simulated air carrier operations;

(3) Demonstration flights conducted by the manufacturer for prospective purchasers;

(4) Market surveys by the manufacturer;

(5) Flight checking of instruments, accessories, and equipment, the functioning of which does not adversely affect the basic airworthiness of the aircraft;

(6) Service testing of the aircraft;

(7) Such additional operations as may be specifically authorized by the authorized representative of the Administrator.

(d) All operations shall be conducted within the prescribed limitations displayed in the aircraft or set forth in the provisional aircraft flight manual or other document containing the limitations for the safe operation of the aircraft: *Provided,* That operations conducted in direct conjunction with the type or supplemental type certification of the aircraft shall be subject to the experimental aircraft limitations of § 1.74 of Part 1 of the Civil Air Regulations, and all "flight tests" as defined in § 60.60 of the Civil Air Regulations shall be conducted in accordance with the requirements of § 60.24 of that part.

(e) The operator shall establish procedures for the use and guidance of flight and ground personnel in the conduct of operations under this section. Specific procedures shall be established for operations from and into airports where the runways require takeoffs or approaches over populated areas. All procedures shall be approved by an authorized representative of the Administrator. All operations shall be conducted in accordance with such approved procedures.

(f) The operator shall ensure that each flight crewmember is properly certificated and possesses adequate knowledge of, and familiarity with, the aircraft and the procedures to be used by him.

(g) The aircraft shall be maintained in accordance with applicable Civil Air Regulations, with the inspection and maintenance program established in accordance with this regulation, and with any special inspections and maintenance conditions prescribed by an authorized representative of the Administrator.

(h) No aircraft shall be operated under authority of a provisional airworthiness certificate if the manufacturer or the authorized representative of the Administrator determines that a change in design, construction, or operation is necessary to ensure safe operation, until such change is made and approved by the authorized representative of the Administrator. Section 1.24 of Part 1 of the Civil Air Regulations shall be applicable to operations under this section.

(i) Only those persons who have a bona fide interest in the operations permitted under this section or who are specifically authorized by both the manufacturer and the authorized representative of the Administrator may be carried in provisionally certificated aircraft: *Provided,* That they have been advised by the operator of the provisional certification status of the aircraft.

(j) The authorized representative of the Administrator may prescribe such additional limitations or procedures as he finds necessary. This shall include limitations on the number of persons who may be carried aboard the aircraft.

14. *Additional limitations to operations by air carriers.* In addition to the limitations in section 13 of this regulation, operations by air carriers shall be subject to the provisions of paragraphs (a) through (d) of this section.

(a) In addition to crewmembers, the aircraft may carry only those persons who are listed in § 40.356(c) of Part 40 of the Civil

Air Regulations or who are specifically authorized by both the air carrier and the authorized representative of the Administrator.

(b) The air carrier shall maintain current records for each flight crewmember. These records shall include such information as is necessary to show that each flight crewmember is properly trained and qualified to perform his assigned duties.

(c) The appropriate instructor, supervisor, or check airman shall certify to the proficiency of each flight crewmember and such certification shall become a part of the flight crewmember's record.

(d) A log of all flights conducted under this regulation, and accurate and complete records of inspections made and maintenance accomplished, shall be kept by the air carrier and made available to the manufacturer and to an authorized representative of the Administrator.

15. *Other operations.* The Director, Bureau of Flight Standards, may credit toward the aircraft proving test requirements of the applicable air carrier regulations such operations conducted pursuant to this special regulation as he finds have met the applicable aircraft proving test requirements: *Provided,* That he also finds that there is no significant difference between the provisionally certificated aircraft and the aircraft for which application is made for operation pursuant to an air carrier operating certificate.

CERTIFICATES ISSUED UNDER SR–425A AND SR–425B

16. *Duration.* Currently valid provisional type and airworthiness certificates issued in accordance with Special Civil Air Regulations Nos. SR–425A and SR–425B shall remain in effect for the durations and under the conditions prescribed in those regulations.

This special regulation supersedes Special Civil Air Regulation No. SR–425B and shall terminate on June 30, 1963, unless sooner superseded, rescinded, or otherwise terminated.

(Secs. 313(a), 601, 603, 608, 609, 72 Stat. 752, 755, 776, 779; 49 U.S.C. 1354, 1421, 1423, 1428, 1429)

Issued in Washington, D.C., on May 31, 1961.

N. E. HALABY,
Administrator.

[F.R. Doc. 61–5201; Filed, June 5, 1961; 8:50 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. No. ER–331]

PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Approval of Certain Interlocking Relationships

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of June 1961.

Section 298.11 of Part 298 (14 CFR Part 298), as revised, effective January 1, 1961, exempts air taxi operators from the provisions of subsection 409(a) of the Act, except that the exemption does not extend to any of the relationships prohibited by that subsection with any person (other than air carriers) who operates, for compensation or hire, aircraft having a maximum take-off weight exceeding 12,500 pounds. Revised Part 298 does not contain a corresponding provision approving participation in such interlocking relationships by individuals otherwise subject to the prohibitions of section 409(a) (3) and (6) of the Act. Such a provision should be inserted in this part. Since this amendment does not impose any burden or restriction on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective on less than 30 days' notice.

Accordingly, the Civil Aeronautics Board hereby amends Part 298 of its Economic Regulations effective June 6, 1961, by adding a new § 298.14 to read as follows:

§ 298.14 Approval of certain interlocking relationships.

To the extent that any officer or director of an air taxi operator would be in violation of any of the provisions of section 409(a) (3) and (6) by participating in interlocking relationships covered by the exemption granted in § 298.11(h), such participation is hereby approved by the Board, subject, however, to the provisions of § 298.12.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 409, 411, 416, 72 Stat. 768, 769, 771; 49 U.S.C. 1379, 1381, 1386)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 61–5210; Filed, June 5, 1961; 8:51 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

SUBCHAPTER B—FARM OWNERSHIP LOANS

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

Average Values of Farms; North Dakota

On May 19, 1961, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below were determined to be as herein set forth. The average values heretofore established for said counties which appear in the tabulations of average values under 6 CFR 331.17 are superseded by the average values set forth below for said counties.

NORTH DAKOTA

County	Average value	County	Average value
Adams	$45,000	Golden Valley	$45,000
Barnes	45,000	Grand Forks	50,000
Benson	45,000	Grant	40,000
Billings	40,000	Griggs	45,000
Bottineau	45,000	Hettinger	45,000
Bowman	45,000	Kidder	40,000
Burke	40,000	La Moure	40,000
Burleigh	40,000	Logan	40,000
Cass	50,000	McHenry	40,000
Cavalier	45,000	McIntosh	40,000
Dickey	40,000	McKenzie	50,000
Divide	40,000	McLean	45,000
Dunn	40,000	Mercer	40,000
Eddy	45,000	Morton	40,000
Emmons	40,000	Mountrail	$40,000
Foster	45,000	Nelson	45,000
		Oliver	40,000
		Pembina	50,000
		Pierce	40,000
		Ramsey	45,000
		Ransom	40,000
		Renville	45,000
		Richland	50,000
		Rolette	40,000
		Sargent	40,000
		Sheridan	40,000
		Sioux	$40,000
		Slope	45,000
		Stark	40,000
		Steele	45,000
		Stutsman	40,000
		Towner	45,000
		Traill	50,000
		Walsh	50,000
		Ward	45,000
		Wells	45,000
		Williams	50,000

(Sec. 41, 50 Stat. 528, as amended; 7 U.S.C. 1015; Order of Acting Sec. of Agr., 19 F.R. 74, 22F.R. 8188)

Dated: May 29, 1961.

HOWARD BERTSCH,
Administrator,
Farmers Home Administration.

[F.R. Doc. 61–5192; Filed, June 5, 1961; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Docket No. 3666; Order 48]

PARTS 71–78—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Miscellaneous Amendments

At a session of the Interstate Commerce Commission, Safety and Service Board No. 2—Explosives and Other Dangerous Articles Board, held in Washington, D.C., on the 24th day of May 1961.

The matter of revision of certain regulations governing the transportation of explosives and other dangerous articles, formulated and published by the Commission, being under consideration, and

It appearing that Notice No. 48, dated April 6, 1961, setting forth certain proposed amendments to the said regulations, and the reasons therefor, and stating that consideration was to be given thereto, was published in the FEDERAL REGISTER on April 19, 1961 (26 F.R. 3317), pursuant to the provisions of section 4 of the Administrative Procedure Act; that pursuant to said notice interested parties were given an opportunity to be heard with respect to said proposed amendments; that written views were submitted to the Commission with respect to the proposed amendments;

And it further appearing that said views and arguments with respect to the proposed amendments are such as to warrant revision at this time of certain of the proposed amendments, and that in all other respects the proposed amendments set forth in the above referred-to Notice No. 48 are deemed justified and necessary;

It is ordered, That the aforesaid regulations governing the transportation of explosives and other dangerous articles be, and they are hereby, amended in the manner and to the extent set forth in said Notice No. 48, dated April 6, 1961, as revised by the specific deletions and modifications set forth as follows:

In § 73.31(g)(9) table 2 delete the word "hydrostatic" from the 5th column of added entry "ICC–110A800–W."

Delete the entire proposed amendment of § 73.393 which is paragraph (f) (5).

In § 74.526 paragraph (o) (3) change the word "with" to read "within" in the second line.

In § 78.82–7(a) table change the subcolumn headings now reading "Body sheet[5]" and "Head sheet[4 5]" to read "Body sheet[5 6]" and "Head sheet[4 5 6]" respectively.

In § 78.100–5(a) table change the subcolumn headings now reading "Body sheet" and "Head sheet[4]" to read "Body sheet[5]" and "Head sheet[4 5]" respectively.

In § 78.245–1 amend paragraph (a).

In § 78.336–1 amend paragraph (a).

In § 78.336–3 amend paragraph (a).

In § 78.336–13 delete the last sentence of the amendment of paragraph (a).

Delete entire proposed amendment of § 78.336–17 which is paragraph (a).

Delete entire proposed amendment of § 78.336–18 which is paragraph (a).

It is further ordered, That this order shall become effective August 21, 1961, and shall remain in effect until further order of the Commission;

It is further ordered, That compliance with the herein prescribed and amended regulations is hereby authorized on and after the date of service of this order;

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

(62 Stat. 738, 74 Stat 808; 18 U.S.C. 834)

Date of service: June 1, 1961.

By the Commission, Safety and Service Board No. 2—Explosives and Other Dangerous Articles Board.

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

PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71–78 OF THIS CHAPTER

Amend § 72.5 Commodity List (15 F.R. 8266, 8268, 8269, 8270, 8271, 8272, Dec. 2, 1950) as follows:

§ 72.5 List of explosives and other dangerous articles.

(a) * * *

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
(Change)				
Oleum	Cor. L	73.244, 73.272	White	10 pints.
(Add)				
Engine starting fluid	F.G	No exemption, 73.306	Red Gas	60 pounds.
*Mercurial liquid, n.o.s.	Pois. B	73.345, 73.346	Poison	55 gallons.
Monobromotrifluoromethane	Nonf. G	73.302, 73.306, 73,314	Green	300 pounds.
Propylene imine, inhibited	F.L	No exemption, 73.139	Red	5 pints.
Spray starting fluid. See Engine starting fluid.				

PART 73—SHIPPERS

Subpart A—Preparation of Articles for Transportation by Carriers by Rail Freight, Rail Express, Highway, or Water

In § 73.31 amend paragraph (g) (9) Table 2 and footnote b thereto (21 F.R. 4563, June 26, 1956) to read as follows:

§ 73.31 Qualification, maintenance, and use of tank cars.

* * * * *

(g) * * *

(9) * * *

TABLE 2—RETEST PERIODS AND PRESSURES

Classification	Tank retest (years [a b])	Safety valves (years [c])	Tank test			Safety valve (p.s.i.)	Safety valve vapor tight (p.s.i.)
			Holding time minimum (seconds)	Hydrostatic displacement test (p.s.i.)	Air test for leaks (p.s.i.)		
(Add)							
ICC–110A800–W	[a] 5	2	10 minutes	800		600	480

* * * * *

[b] Reports giving data showing results of these retests must be rendered by the party making the test to the owner of the tank, and each tank passing the test must be marked with the date (month and year) plainly and permanently stamped into the metal of one head or chime. For example, 1–54 for January 1954. Dates of previous tests must not be obliterated. (On ICC–107A * * * tanks, date should be stamped into metal of marked end.)

Subpart C—Flammable Liquids; Definition and Preparation

In § 73.119 amend paragraphs (a) (12), (b) (4), (e) (2), (f) (1) and (3); add paragraphs (a) (25), (e) (4) and (f) (6) (24 F.R. 3596, May 5, 1959) (15 F.R. 8299, 8300, Dec. 2, 1950) (18 F.R. 5272, Sept. 1, 1953) (22 F.R. 4789, July 9, 1957) to read as follows:

§ 73.119 Flammable liquids not specifically provided for.

(a) * * *

(12) Spec. 103, 103–W, 103AL–W, 103D–W, 104, 104–W, 105A100, 105A100–W, 105A100AL–W, 105A200–W, 105A200AL–W, 105A300–W 105A300AL–W, 105A400–W, 105A500–W, 105A600–W, 106A500, 106A500–X, 106A800, 106A800–X, 106A800–X–NC, 106A800NCI, 110A500–W, 110A800–W, 111A60AL–W, 111A100–W–1, 111A100–W–3, 111A100–W–4, 111A100–W–6, 112A400–W, 112A500–W, ARA–II,[2] ARA–III,[2] ARA–IV,[2] or ARA–IV–A[2] (§§ 78.265, 78.280, 78.291, 78.297, 78.269, 78.284, 78.270, 78.285, 78.294, 78.307, 78.308, 78.286, 78.300, 78.287, 78.288, 78.289, 78.275, 78.276, 78.295, 78.293, 78.278, 78.310, 78.303, 78.305, 78.306, 78.311, 78.312, 78.290 of this chapter). Tank cars. For cars equipped with expansion domes, manhole closures must be so designed that pressure will be released automatically by starting the operation of removing the manhole cover. (See § 73.432 for shipping instructions.)

* * * * *

(25) Spec. 51 (§ 78.245 of this chapter). Portable tanks.

(b) * * *

(4) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside containers which must be glass, earthenware, polyethylene, or metal, not over 1 gallon each. Packages containing inside glass or earthenware containers must not contain more than 4 such inside containers if their capacity is greater than 5 pints each. Polyethylene containers are authorized only for materials that will not react with or cause decomposition of the plastic.

(No change in Note 1.)

* * * * *

(e) * * *

(2) Spec. 103, 103–W, 103AL–W, 103D–W, 104, 104–W, 105A100, 105A100–W, 105A100AL–W, 105A200–W, 105A200AL–W, 105A300–W 105A300AL–W, 105A400–W, 105A500–W, 105A600–W, 106A500, 106A500–X, 106A800, 106A800–X, 106A800–X–NC, 106A800NCI, 110A500–W, 110A800–W, 111A60AL–W, 111A100–W–1, 111A100–W–3, 111A100–W–4, 111A100–W–6, 112A400–W, 112A500–W, ARA–II,[1] ARA–III,[1] ARA–IV,[1] or ARA–IV–A[1] (§§ 78.265, 78.280, 78.291, 78.297, 78.269, 78.284, 78.270, 78.285, 78.294, 78.307, 78.308, 78.286, 78.300, 78.287, 78.288, 78.289, 78.275, 78.276, 78.295, 78.293, 78.278, 78.310, 78.303, 78.305, 78.306, 78.311, 78.312, 78.290 of this chapter). Tank cars. Cars having expansion domes must be equipped with manhole closures, identification marks, and dome placards as prescribed in (f) (4), (g), (h), and (h) (1) of this section. (See Note 1 of paragraph (f) (3) of this section.)

* * * * *

(4) Spec. 51 (§ 78.245 of this chapter). Portable tanks.

(f) * * *

(1) Spec. 5, 5A, or 5P (§ 78.80, 78.81, or 78.92 of this chapter). Metal barrels or drums, with openings not exceeding 2.3 inches in diameter. Bung labels required as prescribed in paragraph (i) of this section.

* * * * *

(3) Spec. 105A100, 105A100–W, 105A-100AL–W, 105A200–W, 105A200AL–W, 105A300–W, 105A300AL–W, 105A400–W, 105A500–W, 105A600–W, 106A500, 106A-500–X, 106A800, 106A800–X, 106A800–X–NC, 106A800NCI, 110A500–W, 110A800–W, 111A100–W–4, 112A400–W, 112A500–W, or ARA–IV–A[1] (§§ 78.270, 78.285, 78.294, 78.307, 78.308, 78.286, 78.300, 78.287, 78.288, 78.289, 78.275, 78.276, 78.295, 78.293, 78.278, 78.306, 78.312, 78.–290 of this chapter; see Note 1 of this subparagraph). Tank cars. Spec. 104, 104–W, 111A100–W–3, and ARA–IV[1] (§§ 78.269, 78.284, 78.305 of this chapter) tank cars are authorized under the conditions prescribed in paragraphs (f)(4), (g), (h), and (h)(1) of this section and Note 3 of this subparagraph.

(No change in Notes.)

* * * * *

(6) Spec. 51 (§ 78.245 of this chapter). Portable tanks.

In § 73.134 amend paragraph (a)(2) and Note 1 thereto (25 F.R. 6625, July 14, 1960) to read as follows:

§73.134 Aluminum triethyl, aluminum trimethyl, pyroforic fuel, pyroforic solutions, zinc ethyl, and triisobutyl aluminum, ethyl aluminum sesquichloride, diethyl aluminum chloride, ethyl aluminum dichloride, methyl aluminum sesquichloride, methyl aluminum sesquibromide, and mixtures or solutions thereof.

(a) * * *

(2) Spec. 105A300–W, 105A400–W, 105A500–W, 105A600–W, 106A500, 106A-500–X, or 110A500–W (§ 78.286, 78.287, 78.288, 78.289, 78.275, or 78.293 of this chapter) tank cars. Authorized for aluminum triethyl, aluminum trimethyl, and mixtures or solutions thereof, pyroforic fuel, and triisobutyl aluminum, ethyl aluminum sesquichloride, diethyl aluminum chloride, ethyl aluminum dichloride, methyl aluminum sesquichloride, methyl aluminum sesquibromide, and mixtures or solutions thereof only. Specs. 106A500, 106A500–X and 110A500–W (§§ 78.275 and 78.293 of this chapter) tanks must not be filled to a density exceeding 80 percent of the water capacities of the tanks and tanks must be equipped with an approved spring-relief safety valve. Tanks must be loaded on cars and motor vehicles in such a manner that the safety relief valve will always be in the vapor phase.

NOTE 1: Tanks complying with 106A500, 106A500–X and 110A500–W (§§ 78.275 and 78.293 of this chapter) specifications may be transported on trucks or semi-trailers only, when securely chocked or clamped thereon to prevent shifting, and provided adequate facilities are present for handling tanks where transfer in transit is necessary.

In § 73.139 amend the heading and introductory text of paragraph (a) and add paragraphs (a) (2) and (3) (16 F.R. 9374, Sept. 15, 1951, to read as follows:

§ 73.139 Ethylene imine, inhibited, and propylene imine, inhibited.

(a) Ethylene imine and propylene imine must be inhibited and must be packed in specification containers as follows:

* * * * *

(2) Spec. 15A, 15B, or 15C (§ 78.168, 78.169, or 78.170 of this chapter). Wooden boxes with not more than four inside metal drums, spec. 37B (§ 78.132 of this chapter), not over 1-gallon capacity each, or not more than one spec. 37B (§ 78.132 of this chapter) metal drum of 5-gallons capacity, in one outside box. Inside drums must be surrounded on all sides with incombustible absorbent cushioning material.

(3) Spec. 6A, 6B, 6C, or 6J (§ 78.97, 78.98, 78.99, or 78.100 of this chapter). Metal barrels or drums, with one inside spec. 17E (§ 78.116 of this chapter) metal drum not over 30-gallons capacity. Inside drum must be completely surrounded with incombustible cushioning material.

Subpart D—Flammable Solids and Oxidizing Materials; Definition and Preparation

In § 73.153 amend paragraph (b)(1) (25 F.R. 3100, April 12, 1960) to read as follows:

§ 73.153 Exemptions for flammable solids and oxidizing materials.

* * * * *

(b) * * *

(1) Strong outside containers having not over 1 pint or 1 pound net weight of material in any one outside package, with inside containers securely packed and cushioned with incombustible cushioning material, except that cushioning material is not required when the liquid is contained in strong, securely closed plastic containers not over 1 ounce capacity each, properly packaged to prevent breakage or leakage.

In § 73.163 amend paragraph (a)(7) (20 F.R. 4415, June 23, 1955) to read as follows:

§ 73.163. Chlorate of soda, chlorate of potash, and other chlorates.

(a) * * *

(7) Chlorate of soda, dry, is authorized for shipment in steel tank car tanks, steel cargo tank vehicles, tight sift-proof covered hopper cars, or tight sift-proof covered hopper type motor vehicles. Tank car tanks, cargo tank vehicles, hopper cars, and hopper type motor vehicles must be thoroughly cleaned before loading.

In § 73.182 add paragraph (b)(6) (15 F.R. 8308, Dec. 2, 1950) to read as follows:

§ 73.182 Nitrates.

* * * * *

(b) * * *

(6) Plastic bags which must be securely closed. Authorized net weight not over 81 pounds. Shipper must submit complete details of resin from which bags are made and obtain approval from the Bureau of Explosives prior to use and reference to such approval must be made on shipping paper. Authorized only for ammonium nitrate fertilizer containing 90 percent or more ammonium nitrate with no organic coating. (See §§ 74.532 and 77.838 of this chapter for loading requirements.)

* * * * *

In § 73.190 amend paragraph (c)(3) (25 F.R. 10392, Oct. 29, 1960) to read as follows:

§ 73.190 Phosphorus, white or yellow.

* * * * *

(c) * * *

(3) Spec. 29 (§ 78.226 of this chapter). Mailing tube having a watertight rigid polyethylene container in which is placed a quartz tube containing not more than 50 grams of phosphorus sealed under nitrogen, with the remaining space in the polyethylene container filled with water. The polyethylene container shall be cushioned within the mailing tube with incombustible cushioning material.

In § 73.224 amend the introductory text of paragraph (a) (24 F.R. 904, Feb. 6, 1959) to read as follows:

§ 73.224 Cumene hydroperoxide, dicumyl peroxide, paramenthane hydroperoxide, and tertiary butylisopropyl benzene hydroperoxide.

(a) Cumene hydroperoxide of strength not exceeding 96 percent in a non-volatile solvent, dicumyl peroxide of strength not exceeding 50 percent in a non-volatile solvent, paramenthane hydroperoxide of strength not exceeding 60 percent in a non-volatile solvent, and tertiary butylisopropyl benzene hydroperoxide of strength not exceeding 60 percent must be packed in specification containers as follows:

Subpart E—Acids and Other Corrosive Liquids; Definition and Preparation

In § 73.247 amend paragraphs (a) (7), (13), and (16) (23 F.R. 2325, April 10, 1958) (24 F.R. 3497, May 5, 1959) to read as follows:

§ 73.247 Acetyl chloride, antimony pentachloride, benzoyl chloride, chromyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di), sulfuryl chloride, thionyl chloride, tin tetrachloride (anhydrous), and titanium tetrachloride.

(a) * * *

(7) Spec. 5A, 5B, or 17C (single-trip) (§ 78.81, 78.82, or 78.115 of this chapter). Metal barrels or drums with openings not exceeding 2.3 inches in diameter.

* * * * *

(13) Spec. 103A, 103A–W, 105A300–W, 105A400–W, 105A500–W, 105A600–W, or 111A100–W–2 (§§ 78.266, 78.281, 78.286, 78.287, 78.288, 78.289, or 78.304 of this chapter) tank cars, except that for tin tetrachloride (anhydrous) spec. 105-A300–W, 105A400–W, 105A500–W, or

105A600–W (§§ 78.286, 78.287, 78.288, or 78.289 of this chapter) tank cars must be used.

* * * * *

(16) Spec. 106A500, 106A500–X, or 110A500–W (§ 78.275 or 78.293 of this chapter). Tank cars. Authorized for antimony pentachloride and titanium tetrachloride (anhydrous) only. Titanium tetrachloride (anhydrous) tanks must not be equipped with safety devices.

In § 73.253 add paragraphs (a) (6), (7), and (8) (15 F.R. 8315, Dec. 2, 1950) to read as follows:

§ 73.253 Chloracetyl chloride.

(a) * * *

(6) Specs. MC 310 and MC 311 (§§ 78.330 and 78.331 of this chapter). Tank motor vehicles having tanks fabricated from Type 316 stainless steel.

(7) Spec. 103A–W (§ 78.281 of this chapter). Tank cars. Tanks must have a nickel cladding of 1/16 inch minimum thickness. Nickel cladding in tanks must have a minimum nickel content of at least 99 percent pure nickel.

(8) Spec. 103A–N–W (§ 78.299 of this chapter). Tank cars. Tank must be of solid nickel at least 99 percent pure and all cast metal parts of the tank in contact with the lading must have a minimum nickel content of approximately 96.7 percent.

In § 73.266 add paragraph (b) (5) (15 F.R. 8318, Dec. 2, 1950) to read as follows:

§ 73.266 Hydrogen peroxide solution in water.

* * * * *

(b) * * *

(5) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside polyethylene bottles having vented screw-cap closures not over 16 ounces capacity each. Each bottle must be completely contained in a securely closed polyethylene bag or tube constructed of material having minimum film thickness of 0.004 inch. Enclosed bottles must be separated from each other by use of fiberboard partitions or other suitable cushioning material and not more than 12 bottles shall be packaged in one box.

In § 73.276 add paragraph (a) (5) (15 F.R. 8322, Dec. 2, 1950) to read as follows:

§ 73.276 Anhydrous hydrazine and hydrazine solution.

(a) * * *

(5) Spec. 103A–AL–W (§ 78.292 of this chapter). Tank cars. Vapor space in tank must be filled with nitrogen gas at atmospheric pressure.

In § 73.289 cancel paragraph (a) (12) (23 F.R. 7649, Oct. 3, 1958) as follows:

§ 73.289 Formic acid and formic acid solutions.

(a) * * *

(12) Canceled.

Subpart F—Compressed Gases; Definition and Preparation

In § 73.302 amend the introductory text of paragraph (a); add paragraph (a) (10) (21 F.R. 7601, Oct. 4, 1956) (15 F.R. 8325, Dec. 2, 1950) to read as follows:

§ 73.302 Exemptions for compressed gases.

(a) Compressed gases, except poisonous gases as defined by § 73.326(a), when in accordance with one of the following subparagraphs, are exempt from specification packaging, marking, and labeling requirements, except that marking name of contents on outside container is required for shipments via carrier by water. Shipments for transportation by highway carriers are exempt also from Part 77 of this chapter, except § 77.817, and Part 197 of this chapter.

* * * * *

(10) Inside metal containers of a capacity not to exceed 35 cubic inches, charged with nonflammable, nonpoisonous liquefied compressed gas to be used in conjunction with audible fire alarm systems. Pressure in the container must not exceed 85 pounds per square inch absolute at 70° F. The completely assembled containers must be capable of withstanding without bursting a pressure of 1,000 pounds per square inch. The liquid portion of the gas must not completely fill the container at 130° F.

In § 73.306 add paragraph (d) (22 F.R. 2227, April 4, 1957) to read as follows:

§ 73.306 Liquefied gases, except acetylene in solution.

* * * * *

(d) Engine starting fluid containing compressed gas or gases which are flammable under this part must be shipped in cylinders as prescribed in paragraph (a) (1) of this section, or as follows:

(1) Inside nonrefillable metal containers of capacity not exceeding 32 cubic inches. Containers must be packaged in spec. 12B (§ 78.205 of this chapter) fiberboard boxes equipped with top and bottom pads which will provide three complete thicknesses of fiberboard on tops and bottoms of boxes, or spec. 15A, 15B, or 15C (§ 78.168, 78.169, or 78.170 of this chapter) wooden boxes. Pressure in the container must not exceed 140 pounds per square inch, absolute, at 130° F. However, if the pressure exceeds 140 pounds per square inch, absolute at 130° F., a spec. 2P (§ 78.33 of this chapter) container must be used. In any event, the metal container must be capable of withstanding without bursting a pressure of one and one-half times the pressure of the content at 130° F. The liquid content of the material and gas must not completely fill the container at 130° F. Each completed container filled for shipment must have been heated until content reaches a minimum temperature of 130° F., without evidence of leakage, distortion, or other defect. Each outside shipping container must be plainly marked: "INSIDE CONTAINERS COMPLY WITH PRESCRIBED SPECIFICATIONS."

In § 73.314 amend paragraph (a) Table and Notes 2, 8, and 9; amend paragraphs (b) and (c) (22 F.R. 2227, April 4, 1957) (25 F.R. 3102, April 12, 1960) (21 F.R. 4565, June 26, 1956) (22 F.R. 7838, Oct. 3, 1957) to read as follows:

§ 73.314 Compressed gases in tank cars.

(a) * * *

Kind of gas	Maximum permitted filling density, Note 1	Required type of tank car, Note 2
(Change)	*Percent*	
Nitrosyl chloride	110	ICC–106A800–NCI, 106A800–X–NC, Notes 12 and 17.
	124	ICC–105A300–W, Note 15.
Vinyl methyl ether, inhibited (see Note 14).	68	ICC–105A100, 105A100–W, 105A300–W, Note 9.
	68	ICC–106A500, 106A500–X, Note 12.
(Add)		
Monobromotrifluoromethane	124	ICC–110A800–W, Notes 12 and 19.

* * * * *

NOTE 2: Unless otherwise specifically provided, when class 105A–W, 105A–AL–W, 106A500, 106A500–X, 109A–AL–W, 110A500–W, or 112A–W tank cars are prescribed, the same class tank cars having higher marked test pressures than those prescribed may also be used.

* * * * *

NOTE 8: For tank cars other than ICC–106A type used for the transportation of chlorine, interior pipes of liquid discharge valves must be equipped with excess-flow valves of approved design.

NOTE 9: For tank cars other than ICC–106A type used for the transportation of liquefied flammable gases, interior pipes of loading and unloading valves must be equipped with excess-flow valves of approved design.

* * * * *

(b) The gas pressure at 105° F. in any lagged tank of tank cars of spec. 105A100, 105A100–W, 105A100AL–W, 105A200–W, 105A200AL–W, 105A300–W, 105A300AL–W, 105A400–W, 105A500–W, 105A600–W, 109A300–W, 109A100AL–W, 109A200AL–W, 109A300AL–W, or 111A100–W–4 (§ 78.270, 78.285, 78.294, 78.307, 78.308, 78.286, 78.300, 78.287, 78.288, 78.289, 78.301, 78.302 78.313, 78.314, or 78.306 of this chapter); at 115° F. in any unlagged tank of tank cars of spec. 112A400–W or 112A500–W (§ 78.312 or 78.290 of this chapter); and at 130° F. in any unlagged tank of tank cars of spec. 106A500, 106A500–X, 106A800, 106A800–X, 110A500–W, or 110A800–W (§ 78.275, 78.276, 78.293, or 78.278 of this chapter) must not exceed three-fourths

times the prescribed retest pressure of the tank. The gas pressure at 130° F. in any unlagged tank of tank cars of the 107A (§ 78.277 of this chapter) series must not exceed seven-tenths of the marked test pressure of the tank.

(No change in Note 1.)

(c) The liquid portion of the gas at 105° F. must not completely fill a lagged tank nor at 130° F. completely fill an unlagged tank except that the liquid portion of the gas at 115° F. must not completely fill an unlagged tank of spec. 112A400–W or 112A500–W (§ 78.312 or 78.290 of this chapter).

In § 73.315 amend paragraph (a)(1) Table and paragraph (b) Table (23 F.R. 2327, April 10, 1958) (15 F.R. 8331, Dec. 2, 1950) to read as follows:

§ 73.315 Compressed gases in cargo tanks and portable tank containers.

(a) * * *

(1) * * *

Kind of gas	Maximum permitted filling density		Specification container required	
	Percent by weight (see Note 1)	Percent by volume (see par. (f) of this section)	Type (see Note 2)	Minimum design working pressure (psig)
(Change) Butadiene, inhibited	See par. (b) of this section.	See par. (b) of this section.	ICC–51, MC 330	100

* * * * *

(b) * * *

Maximum specific gravity of the liquid material at 60° F.	Maximum permitted filling density in percent of the water-weight capacity of the tanks		Maximum permitted filling density by volume
	1,200 gallons or less	Over 1,200 gallons	
(Change) 0.627 and over	*Percent* 57	*Percent* 60	See Note 1.

Subpart G—Poisonous Articles; Definition and Preparation

In § 73.332 add paragraph (c)(3) (15 F.R. 8333, Dec. 2, 1950) to read as follows:

§ 73.332 Hydrocyanic acid, liquid (prussic acid) and hydrocyanic acid liquefied.

* * * * *

(c) * * *

(3) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes, constructed in accordance with requirements for a gross weight of 65 pounds but having a gross weight of not over 70 pounds, with inside containers consisting of metal cans, spec. 2N (§ 78.32 of this chapter). The liquid contents of each can must not exceed 0.33 pound of liquid for 1-pound water capacity of the can and the total weight of liquid in each can must not exceed 41 ounces. Each can must be tested for leakage after being filled and again after being maintained at ordinary room temperature for a period of at least three weeks. Each can must have its outer surface protected against rust by the use of enamel or lacquer. Not more than twelve cans shall be packed in the outside fiberboard box and each can shall be separated from the other by 200-pound minimum test fiberboard partitions. Each box shall be provided with 200-pound minimum test fiberboard liner and top and bottom pads of the same material. In addition to the required closure of the boxes, two metal straps measuring ½ inch by .015 inch must be applied around the girth of each box.

In § 73.369 add paragraph (a)(15) (15 F.R. 8337, Dec. 2, 1950) to read as follows:

§ 73.369 Carbolic acid (phenol), not liquid.

(a) * * *

(15) Spec. 12A (§ 78.210 of this chapter). Fiberboard boxes with inside glass, polyethylene, or other nonfragile plastic bottles not over 1-gallon capacity each. Not more than 4 inside glass bottles exceeding 5 pints capacity each shall be packed in the outside container. Shipper must have established that the completed package meets test requirements prescribed by § 78.210–10 of this chapter.

In § 73.377 add paragraph (b)(5) (16 F.R. 11780, Nov. 21, 1951) to read as follows:

§ 73.377 Hexaethyl tetraphosphate mixtures, methyl parathion mixtures, organic phosphate compound mixtures, n.o.s., parathion mixtures, tetraethyl dithio pyrophosphate mixtures, and tetraethyl pyrophosphate mixtures, dry.

* * * * *

(b) * * *

(5) Spec. 21A or 21B (§ 78.222 or 78.223 of this chapter). Fiber drums. Authorized only for mixtures in which the liquid is absorbed in concentration not greater than 50 percent.

PART 74—CARRIERS BY RAIL FREIGHT

Subpart A—Loading, Unloading, Placarding and Handling Cars; Loading Packages Into Cars

In § 74.526 amend the introductory text of paragraph (o), and (o)(3) (20 F.R. 4418, June 23, 1955) (23 F.R. 2328, April 10, 1958) to read as follows:

§ 74.526 Loading explosives into cars.

* * * * *

(o) Explosives, class A, may be loaded and transported in tight, closed truck bodies or trailers on flat cars and wooden boxed bombs, rocket ammunition, or jet thrust units which, due to their size, cannot be loaded in tight, closed truck bodies or trailers may be loaded in or on open-top truck bodies or trailers but must be protected against accidental ignition, provided all of the following requirements are fulfilled and provided wooden containers are painted or treated with fire-retardant material of a type approved by the Bureau of Explosives:

* * * * *

(3) Lading shall be so loaded, blocked, and braced within or on the truck body or trailer that it will not change position under impact from each end of at least 8 miles per hour.

In § 74.533 amend paragraphs (a) and (b) (23 F.R. 2329, April 10, 1958) (18 F.R. 3138, June 2, 1953) to read as follows:

§ 74.533 Truck bodies or trailers on flat cars.

(a) Truck bodies or trailers containing explosives, class B, explosives, class C, or other dangerous articles as provided in Parts 71–78 of this chapter must be of such design and so loaded that they will not rupture or become seriously damaged under conditions normally incident to transportation and must be so secured on the flat car that they cannot permanently change position during transit. Packages of explosives and dangerous articles contained therein must be loaded and braced as provided by §§ 74.529, 74.530, and 74.532. Placards must be applied when prescribed by §§ 74.541 and 74.542.

(b) Truck bodies or trailers equipped with automatic heating or refrigerating equipment employing any fuel or article classed as a dangerous article in Parts 71–78 of this chapter may be loaded and transported on flat cars if such equipment is of a type approved by the Bureau of Explosives. They must be so braced and stayed on the flat car that they cannot permanently change position during transit.

PART 78—SHIPPING CONTAINER SPECIFICATIONS

Subpart B—Specifications for Inside Containers, and Linings

In § 78.24 amend the heading (25 F.R. 3104, April 12, 1960) to read as follows:

§ 78.24 Specification 2U; molded or thermoformed polyethylene containers having rated capacity of over one gallon. Removable head containers or containers fabricated from film not authorized.

Subpart D—Specifications for Metal Barrels, Drums, Kegs, Cases, Trunks and Boxes

In § 78.82–7 amend paragraph (a) Table by adding Footnote 6 to the subcolumn headings now reading "Body sheet" and "Head sheet" to read "Body sheet[5 6]" and "Head sheet[4 6]", amend Footnote 5 and add Footnote 6 (24 F.R. 3599, May 5, 1959) (15 F.R. 8434, Dec. 2, 1950) to read as follows:

§ 78.82 Specification 5B; steel barrels or drums.

§ 78.82–7 Parts and dimensions.

(a) * * *

[5] When drum is used in conjunction with inside plastic containers as prescribed by Part 73 of this chapter two ¼ inch holes are permitted diametrically opposite each other in the drum body immediately above the double seam of the bottom chime and three holes not exceeding 3/16 inch in diameter on centers 120 degrees apart in the bottom head.

[6] When drum is used in conjunction with inside plastic container as prescribed by Part 73 of this chapter, drum interior shall be free of projections, burrs, or any edges that will cause damage to inside plastic containers and shall be free of lubricants, oils, or any foreign matter.

In § 78.100–5 amend paragraph (a) Table by adding Footnote 5 to the subcolumn headings now reading "Body sheet" and "Head sheet" to read "Body sheet[5]" and "Head sheet[4][5]", amend Footnote 3 and add Footnote 5 (23 F.R. 4031, June 10, 1958) (22 F.R. 2233, April 4, 1957) (24 F.R. 907, Feb. 6, 1959) (15 F.R. 8445, Dec. 2, 1950) to read as follows:

§ 78.100 Specification 6J; steel barrels and drums:

§ 78.100–5 Parts and dimensions.

(a) * * *

[3] When drum is used in conjunction with inside plastic containers as prescribed by Part 73 of this chapter, two ¼ inch holes are permitted diametrically opposite each other in the drum body immediately above the double seam of the bottom chime and three holes not exceeding 3/16 inch in diameter on centers 120 degrees apart in the bottom head.

* * * * *

[5] When drum is used in conjunction with inside plastic container as prescribed by Part 73 of this chapter, drum interior shall be free of projections, burrs, or any edges that will cause damage to inside plastic containers and shall be free of lubricants, oils, or any foreign matter.

In § 78.111–6 amend paragraph (a) (24 F.R. 10116, Dec. 15, 1959) to read as follows:

§ 78.111 Specification 42G; aluminum drums.

§ 78.111–6 Parts and dimensions.

(a) At start of fabrication, aluminum alloy sheets shall be a minimum of 10 Brown and Sharpe gauge (0.102 inch) and completed container shall have no wall thickness less than 0.081 inch.

In § 78.131–6 amend paragraph (a) Table by adding Footnote 8 to the subcolumn headings now reading "Body sheet[3][6]" and "Head sheet[4][6]" to read "Body sheet[3][6][8]" and "Head sheet[4][6][8]", amend Footnote 6 and add Footnote 8 (26 F.R. 1018, Feb. 2, 1961) (24 F.R. 3600, May 5, 1959) (20 F.R. 4419, June 23, 1955) to read as follows:

§ 78.131 Specification 37A; steel drums.

§ 78.131–6 Capacities, weights, type, and gauges.

(a) * * *

[6] When drum is used in conjunction with inside plastic containers as prescribed in Part 73 of this chapter, two ¼ inch holes are permitted diametrically opposite each other in the drum body immediately above the double seam of the bottom chime and three holes not exceeding 3/16 inch in diameter on centers 120 degrees apart in the bottom head.

* * * * *

[8] When drum is used in conjunction with inside plastic container as prescribed by Part 73 of this chapter, drum interior shall be free of projections, burrs, or any edges that will cause damage to inside plastic containers and shall be free of lubricants, oils, or any foreign matter.

Subpart E—Specifications for Wooden Barrels, Kegs, Boxes, Kits, and Drums

In § 78.165–8 paragraph (a) Table amend the column heading now reading, "Nails (minimum size)" to read "Nails (minimum size)[4]"; add footnote 4 thereto (15 F.R. 8460, Dec. 2, 1950) to read as follows:

§ 78.165 Specification 14; wooden boxes, nailed.

§ 78.165–8 Parts and dimensions.

(a) * * *

[4] Coated wire staples are authorized in lieu of nails when used for fastening tops to boxes. Staples must be of such size and spaced and driven as to provide closure efficiency equivalent to that in §§ 78.165–11 and 78.165–12.

In § 78.185–22 amend the heading and introductory text of paragraph (a), (a)(1), (a)(2), (b); add paragraph (a)(4) (25 F.R. 3105, 3106, April 12, 1960) to read as follows:

§ 78.185 Specification 16A; plywood or wooden boxes, wirebound.

§ 78.185–22 Special box authorized only when used in conjunction with inside spec. 2U (§ 78.24 of this chapter) polyethylene 5- and 15-gallon cubical containers.

(a) The boxes shall comply with spec. 16A requirements using the table for a gross weight of 200 pounds for construction purposes only, except as follows:

(1) The top section of boxes may have a hole not over 4⅛ inches in diameter midway between the cleats, and centered not less than 3 3/16 inches from either the back or front edge of boxes.

(2) Five-gallon capacity—ends. Ends may be made from ⅛ inch or thicker veneer and have only one 14-gauge wire across face. One-eighth inch veneer liners, at least 1¼ inches wide, must be stapled across the top and bottom of the ends.

(i) Fifteen-gallon capacity—ends. Ends must be made with same thickness faceboard material as the sides, top, and bottom and must have two liners of the same thickness, at least 3 inches wide, fastened by two rows of staples. Ends may have one 13-gauge wire across face.

* * * * *

(4) Wire spacing for 5-gallon capacity containers. Binding wires stapled to a row of cleats may be spaced not more than 13 inches apart.

(b) Wirebound wooden or paper overlaid veneer board boxes must be provided with full size double-faced corrugated liners of at least 125-pound test (Mullen or Cady) for bottom and sides. Full area top pad is required for 5-gallon capacity containers and must be a minimum of 200-pound test (Mullen or Cady). Full area top pad is required for the 15-gallon capacity container and must be a minimum of 275-pound test (Mullen or Cady).

Subpart F—Specifications for Fiberboard Boxes, Drums, and Mailing Tubes

In § 78.209–12 amend the introductory text of paragraph (a); cancel paragraphs (a) (1), (2); (b) (1), (2); (c) (20 F.R. 8110, Oct. 28, 1955) (25 F.R. 3106, April 12, 1960) (22 F.R. 3929, June 5, 1957) (24 F.R. 5643, July 14, 1959) to read as follows:

§ 78.209 Specification 12H; fiberboard boxes.

§ 78.209–12 Closing for shipment.

(a) By any method capable of withstanding tests prescribed by § 78.209–16 without failure.

(1) Canceled.
(2) Canceled.
(b) Canceled.
(1) Canceled.
(2) Canceled.
(c) Canceled.

In § 78.214–6 cancel paragraphs (b), (c), (c)(1), (c)(2); in § 78.214–16 amend paragraph (a) and cancel paragraphs (b), (c), (d), (d)(1), (d)(2), (e) (18 F.R. 5277, 5278, Sept. 1, 1953) (25 F.R. 3106, April 12, 1960) (19 F.R. 3263, June 3, 1954) (15 F.R. 8480, Dec. 2, 1950) to read as follows:

§ 78.214 Specification 23F; fiberboard boxes.

§ 78.214–6 Tape.

* * * * *

(b) Canceled.
(c) Canceled.
(1) Canceled.
(2) Canceled.

§ 78.214–16 Closing for shipment.

(a) By any method capable of withstanding tests prescribed by § 78.214–20 without failure.

(b) Canceled.
(c) Canceled.
(d) Canceled.
(1) Canceled.
(2) Canceled.
(e) Canceled.

In § 78.219–5 amend the introductory text of paragraph (a) and cancel paragraphs (a)(1) and (a)(2), (b), (c); in § 78.219–12 amend paragraph (a) and cancel paragraphs (b), (c), (d) (22 F.R. 7843, Oct. 3, 1957) (24 F.R. 908, Feb. 6, 1959) (20 F.R. 955, Feb. 15, 1955) (21 F.R. 3015, May 5, 1956) to read as follows:

§ 78.219 Specification 23H; fiberboard boxes.

§ 78.219–5 Tape.

(a) Coated with glue at least equal to No. 1¾ Peter Cooper standard. Cloth tape of strength, across the woof, at least 70 units, Elmendorf test. Sisal tape of 2 sheets of No. 1 kraft paper, total weight 80 pounds per ream (500 sheets, 24" x 36"); sheets to be combined

with asphalt and reinforced by unspun sisal fibers completely embedded in the asphalt and extending across the tape.

(1) Canceled.

(2) Canceled.

(b) Canceled.

(c) Canceled.

§ 78.219–12 Closing for shipment.

(a) By any method capable of withstanding tests prescribed by § 78.219–16 without failure.

(b) Canceled.

(c) Canceled.

(d) Canceled.

Subpart H—Specifications for Portable Tanks

In § 78.245 amend §78.245–1 paragraph (a); § 78.245–2(b); § 78.245–4 (b); § 78.245–5 (a), (b); § 78.245–6(a) § 78.245–7(a) (23 F.R. 2332, April 10, 1958) (15 F.R. 8483, Dec. 2, 1950) (24 F.R. 908, Feb. 6, 1959) to read as follows:

§ 78.245 Specification 51; steel portable tanks.

§ 78.245–1 Requirements for design and construction.

(a) Tanks shall be of seamless or welded steel construction or combination of both and shall have in excess of 1,000 pounds water capacity. Fusion-welded tanks shall be fully radiographed and stress-relieved. Tanks shall be designed and constructed in accordance with and fulfill the requirements of (1) the 1950 edition, (2) 1952 edition, (3) 1956 edition, or (4) 1959 edition of section VIII of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code; no revisions except to include ASME Case Interpretation Nos. 1056–4 and 1204–4 and all addendas through the Winter 1959 Addenda issued January 20, 1960 (any or all of which hereinafter referred to as "the Code").

§ 78.245–2 Material.

* * * * *

(b) A material of thickness less than 3/16 inch shall not be used for the shells and heads.

§ 78.245–4 Tank mountings.

(b) All tank mountings such as skids, fastenings, brackets, cradles, lifting lugs, etc., intended to carry loadings shall be permanently secured to tanks in accordance with the requirements of the Code under which the tanks were fabricated and shall be designed to withstand static loadings in any direction equal to twice the weight of the tank and attachments when filled with the lading using a safety factor of not less than four, based on the ultimate strength of the material to be used. The specific gravity used in determining the static loadings shall be shown on the marking required by § 78.245–6(a) and on the report required by § 78.245–7(a).

* * * * *

§ 78.245–5 Protection of valves and accessories.

(a) All valves, fittings, accessories, safety devices, gaging devices, and the like shall be adequately protected against mechanical damage.

(b) The protective device or housing shall comply with the requirements under which the tanks are fabricated with respect to design and construction, and shall be designed to withstand static loadings in any direction equal to twice the weight of the tank and attachments when filled with the lading using a safety factor of not less than four, based on the ultimate strength of the material to be used.

* * * * *

§ 78.245–6 Name plate.

(a) In addition to the markings required by the Code (see § 78.245–1(a)) under which tanks were constructed, they shall have permanently affixed, on one of the heads of the tank, a metal plate. This plate shall be permanently affixed by means of soldering, brazing, or welding around its complete perimeter. Neither the plate itself nor the means of attachment to the tank shall be subject to destructive attack by the contents of tank. Upon such plate shall be plainly marked by stamping, embossing, or other means of forming letters into or onto the metal of the plate itself the following information in characters at least 3/8 inch high:

Manufacturer's name _____
Serial No. _____ Owner's serial No. _____
I.C.C. Specification No. _____
Water capacity (pounds) _____
Tare weight (pounds) _____
Design pressure (psig) _____
Design specific gravity _____
Original test date _____
Tank retested at _____ (psig) on _____

* * * * *

§ 78.245–7 Report.

(a) A copy of the manufacturer's data report required by the Code (see § 78.245–1(a)) under which the tank is fabricated shall be furnished for each new tank to the owner and the Bureau of Explosives. In addition, the manufacturer or owner shall register each tank with the Bureau of Explosives in the following form:

Place _____
Date _____

Portable tank:
Manufactured for _____ Company
Location _____
Manufactured by _____ Company
Location _____
Consigned to _____ Company
Location _____
Size ____ feet outside diameter by ____ long

Marks on tank as prescribed by § 78.245–6 of this specification are as follows:

Manufacturer's name _____
Serial No. _____ Owner's serial No. _____
I.C.C. specification ____ Code symbol ____
Date of manufacture _____
Water capacity (pounds) _____
Tare weight (pounds) _____
Design pressure (psig) _____
Design specific gravity _____

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

(Signed) _____
(Manufacturer or owner)

Subpart I—Specifications for Tank Cars

Add entire § 78.278 (21 F.R. 4585, June 26, 1956) to read as follows:

§ 78.278 Specification ICC–110A800–W; welded steel tanks to be mounted on a car.

(a) Wherever the word "approved" is used in this specification, it means approval by the Association of American Railroads Committee on Tank Cars as prescribed in § 78.259 Application for approval, (a), (b), (c) and (d).

§ 78.278–1 Type and general requirements.

(a) Tanks built under this specification must be of one piece cylindrical shell with heads of approved design. All operating fittings must be located in one of the heads, and no openings of any sort are permitted in the cylindrical shell. Tanks must be securely attached to the car structure in a manner such that they may be removed for filling by the consignor and emptying by the consignee. Each tank must have a capacity of at least 1,600 pounds of water and not more than 2,600 pounds of water.

(b) The tanks must be fabricated by approved methods.

(c) For tanks made in foreign countries, Canada excepted, a chemical analysis of material and all tests as specified must be carried out within the limits of the United States under supervision of a competent and disinterested inspector.

§ 78.278–2 Thickness of plates.

(a) The wall thickness of the cylindrical portion of the tank must not be less than that calculated by the following formula; and in no case be less than 15/32 inch:

$$t = \frac{Pd}{2SE}$$

where

t = thickness in inches of thinnest plate;
P = calculated bursting pressure in pounds per square inch; 2,000 pounds per square inch gauge minimum;
d = inside diameter in inches;
S = minimum specified ultimate tensile strength of plate in pounds per square inch;
E = efficiency of butt-welded joint = 90 percent.

§ 78.278–3 Material.

(a) All plates for the tank must be of steel to an approved specification. These plates may also be clad with other metals, such as nickel.

(b) All plates must have their heat number and the name or brand of the manufacturer legibly stamped on them at the rolling mill.

§ 78.278–4 Tank heads.

(a) The tank heads must be hot pressed with a straight flange of at least 1½ inches, the heads must be of one piece, and be either torispherical or ellipsoidal, the thickness of which must satisfy the requirements of the appropriate formulas below.

(b) Torispherical heads must be dished to a radius not greater than the inside diameter of tank. The inside

knuckle radius must not be less than 6 percent of the diameter of the tank. The thickness of the head shall not be less than that determined by the following formula:

Heads with pressure on concave side:

$$t=\frac{5PL}{6SE}$$

Heads with pressure on convex side:

$$t=\frac{8.35PL}{6SE}$$

where

t = minimum thickness in inches of finished head;
P = minimum bursting pressure = 2,000 pounds per square inch gauge;
S = minimum specified ultimate tensile strength of plate material in pounds per square inch;
L = inside radius of dish;
E = 1.0 for heads made from one plate.

(c) Ellipsoidal heads shall have a ratio of major to minor axis of 2 to 1. The thickness of the heads shall not be less than that determined by the following formula:

Heads with pressure on concave side:

$$t=\frac{Pd}{2SE}$$

Heads with pressure on convex side:

$$t=\frac{1.67Pd}{2SE}$$

where

t = minimum thickness in inches of finished head;
P = minimum bursting pressure = 2,000 pounds per square inch gauge;
S = minimum specified ultimate tensile strength of plate material in pounds per square inch;
d = inside diameter of container in inches;
E = efficiency of butt-welded joint = 1.0 for heads made of one plate.

(d) Threads for openings in tank heads must be American Standard Taper, tapped to gauge, clean cut, even and without checks and of a length to insure tight joints.

§ 78.278–5 Welding.

(a) All joints must be welded by a process which investigation and laboratory tests by the Mechanical Division of the Association of American Railroads have proved will produce satisfactory results. Fusion-welding to be performed by fabricators certified by the Association of American Railroads as qualified to meet the requirements of this specification. Joints fabricated by means of fusion-welding must be in accordance with the requirements of A.A.R. Welding Code, Appendix W, except circumferential welds in tanks less than 36 inches inside diameter need not be radiographed.

§ 78.278–6 Stress-relieving.

(a) All welding of the tank and attachments welded directly thereto must be stress-relieved as a unit, in accordance with A.A.R. Welding Code, Appendix W.

§ 78.278–7 Tank mounting.

(a) The manner in which the tanks are supported on and securely attached to the car structure must be approved.

§ 78.278–8 Protection of fittings.

(a) Tanks must be of such approved design as will afford maximum protection to any fitting or attachment to the head including the housing referred to in § 78.278–9(a). Tank ends must slope or curve inward toward the axis such that the diameter at the outboard end is at least 2 inches less than the maximum diameter.

§ 78.278–9 Protective housing and cover.

(a) All operating fittings shall be located in one head. Valves and other closures of openings in tank heads, except fusible plug vents and drain plugs, must be protected against accidental injury by a detachable housing of approved design which must not project beyond the protective ring on the end of the tank and must be securely fastened to the tank head. This housing must be provided with an opening having an area equal to the total safety valve or vent discharge area.

§ 78.278–10 Venting, loading and unloading valves.

(a) These valves must be of approved type, made of metal not subject to rapid deterioration by the lading, and must withstand a pressure of 800 pounds per square inch without leakage. The valves must be screwed directly into tank heads or by other approved methods. Provision must be made for closing the pipe connections of the valves.

§ 78.278–11 Safety valves or vents.

(a) Unless prohibited for type of service in which tank is used, the tank must be equipped with one or more safety valves or vents of approved type, made of metal not subject to rapid deterioration by the lading and screwed directly into tank heads or attached to tank heads by other approved method. The total valve or vent discharge capacity must be sufficient to prevent building up pressure in tank in excess of ¾ the test pressure as calculated by A.A.R. Appendix A. When safety vents of the fusible plug type are used, the required discharge capacity must be available in each head.

(b) Safety valves must be set to open and vents of the frangible disc type must function at a pressure of not exceeding 600 pounds per square inch. Vents of the fusible plug type must function at a temperature of not exceeding 175° F. (For tolerance see § 78.278–14.)

§ 78.278–12 Fixtures.

(a) Siphon pipes and their couplings on the inside of the tank head and lugs on the outside of the tank head for attaching the valve protection housing may be fusion-welded in place, provided they are properly heat-treated at the time the entire tank is heat-treated. All other fixtures and appurtenances, except as provided for in § 78.278–7, § 78.278–8, § 78.278–9, § 78.278–10, and § 78.278–11, are prohibited.

§ 78.278–13 Tests of tanks.

(a) After heat treatment, tanks must be subjected to hydrostatic test in a water jacket, or by other accurate method, operated so as to obtain reliable data. No tank shall have been subjected previously to internal pressure within 100 pounds of the test pressure. Each tank must be tested to 800 pounds per square inch. Pressure must be maintained for 30 seconds and sufficiently longer to insure complete expansion of tank. Pressure gauge must permit reading to accuracy of one percent. Expansion gauge must permit reading of total expansion to accuracy of one percent. Expansion must be recorded in cubic centimeters.

(b) Permanent volumetric expansion must not exceed 10 percent of total volumetric expansion at test pressure.

(c) Each finished tank must be subject to interior air pressure of at least 100 pounds per square inch under conditions favorable to detection of any leakage. No leaks shall appear.

(d) Repairs of leaks detected in manufacture or test must be made by the same process as employed in manufacture of tank. Calking, soldering, or similar repairing is prohibited.

§ 78.278–14 Tests of safety valves and vents.

(a) Each valve must be tested by air or gas before being put into service and also at intervals as prescribed by retest table No. 2 of § 73.31(g) (9) of this chapter. The valve must open at a pressure not exceeding 600 pounds per square inch and be vapor tight at 480 pounds per square inch, which limiting pressures must not be affected by any auxiliary closure or other combination.

(b) For safety vents of the frangible disc type, a sample of the disc used must burst at a pressure of not exceeding 600 pounds per square inch.

(c) For safety vents of the fusible plug type, a sample of the fusible plugs used must function at a temperature of not exceeding 175° F. and be vapor tight at a temperature of 130° F.

§ 78.278–15 Alterations and maintenance of tanks.

(a) All prescribed markings on tanks must be kept legible. Copy of the said markings, in letters and figures of the prescribed size stamped on a brass plate secured to the tank is authorized. Markings must not be changed except as follows:

(1) By application of additional marks not affecting the test pressure or water capacity these must not obliterate previously applied marks.

(2) By application of test pressure marks, or alteration of such marks, to indicate a reduced test pressure authorized only for tanks that have not failed in the 5-year test.

(3) By change of serial numbers or ownership marks, or both; report in sufficient detail so that previous serial number and ownership mark can be determined for each tank, arranged by lot numbers or by consecutive serial numbers, must be filed with the Bureau of Explosives.

§ 78.278–16 Marking.

(a) Each tank must be plainly and permanently marked, thus certifying that the tank complies with all the requirements of this specification. These marks must be stamped into the metal of one head or chime in letters and figures at least ⅜ inch high as follows:

(1) ICC–110A800–W.

(2) Serial number (immediately below the stamped mark specified in subparagraph (1) of this paragraph).

(3) Inspector's official mark (immediately below the stamped mark specified in subparagraph (2) of this paragraph).

(4) Name, mark (other than trade mark) or initials of company or person for whose use the tanks are being made, which must be recorded with the Bureau of Explosives.

(5) Date of tank test (month and year), such as 1–61 for January 1961, so placed that dates of subsequent tests may easily be added thereto.

(6) Water capacity—0000 Pounds.

(7) Tanks made of clad plates must be stenciled on the tank "(naming material) ---------- clad tank."

§ 78.278–17 Inspection and reports.

(a) Purchaser of tank must provide for inspection by competent inspector as follows:

(1) The inspector must carefully inspect all plates from which tanks are to be made and records pertaining thereto, and plates which do not comply with the requirements of this specification must be rejected.

(2) The inspector must secure complete certified records, including chemical analyses and physical tests on samples taken from each heat of steel used in the manufacture of the plate.

(3) The inspector must report capacity in pounds of water and tare weight of each tank, and the minimum thickness of tank wall noted.

(4) The inspector must make such inspection as may be necessary to see that all the requirements of this specification are fully complied with, must see that the finished tanks are heat treated, and must witness all air and hydrostatic tests.

(5) The inspector must stamp his official mark on each accepted tank immediately below the serial number and make certified report (see paragraph (b) of this section) to the builder, to the company or person for whose use the tanks are being made, to the builder of the car structure on which the tanks are to be mounted, if any, to the Bureau of Explosives and to the Secretary, Mechanical Division, Association of American Railroads.

(b) Inspector's report required herein must be in the following form:

Place ----------
Date ----------

STEEL TANKS

It is hereby certified that drawings were submitted for these tanks under A.A.R. Application for Approval No. ------ and approved by the A.A.R. Committee on Tank Cars under date of ----------.
Built for ---------- Company
Location at ----------
Built by ---------- Company
Location at ----------
Consigned to ---------- Company
Location at ----------
Quantity ----------
Size ---------- inches outside diameter by ---------- inches long

Marks stamped into the head or chime of the tank are:

Specification ICC ----------
Serial numbers ------- to ------- inclusive
Inspector's mark ----------
Test date ----------
Water capacity (see Record of Hydrostatic Tests).
Tare Weight (Yes or No). (See Record of Hydrostatic Tests).
These tanks were made by process of------

The steel used was identified as indicated by the attached list showing the serial number of each tank, followed by the heat number of the plate head, and bottom used in the tank.

The steel used was verified as to chemical analysis and record thereof is attached hereto. The heat numbers were stamped into the metal.

All material, such as plates, billets, and seamless tubing, was inspected and each tank was inspected both before and after closing in the ends; all that was accepted was found free from seams, cracks, laminations, and other defects which might prove injurious to the strength of the tank. The processes of manufacture and heat treatment of tanks were supervised and found to be efficient and satisfactory.

The tank walls were measured and the minimum thickness noted was ------- inch. The outside diameter was determined by a close approximation to be ------- inches. The wall stress was calculated to be ------- pounds per square inch under an internal pressure of ------- pounds per square inch.

Hydrostatic tests, bend and tensile tests of material, and other tests as prescribed in this specification were made in the presence of the inspector and all material and tanks accepted were found to be in compliance with the requirements of this specification. Records thereof are attached hereto.

I hereby certify that all of these tanks proved satisfactory in every way and comply with requirements of Interstate Commerce Commission Specification No. ----------.

(Signed) ----------
(Inspector)

(Place) ----------
(Date) ----------

RECORD OF CHEMICAL ANALYSIS OF STEEL FOR TANKS

Numbered ---------- to ---------- inclusive
Size ---------- inches outside diameter by ---------- inches long
Made by ---------- Company
For ---------- Company

Heat No.	Chemical analysis						
	C	P	S	Si	Mn	Ni	Cr

The analyses were made by:

(Signed) ----------

(Place) ----------
(Date) ----------

RECORD OF TENSILE TESTS OF MATERIAL IN TANKS

Numbered ---------- to ---------- inclusive
Size ---------- inches outside diameter by ---------- inches long
Made by ---------- Company
For ---------- Company

Heat No.	Yield point (pounds per square inch)	Tensile strength (pounds per square inch)	Elongation (per cent in 8 inches)	Reduction of area (per cent)	Bend test

(Signed) ----------

(Place) ----------
(Date) ----------

RECORD OF HYDROSTATIC TESTS ON TANKS

Numbered ---------- to ---------- inclusive
Size ---------- inches outside diameter by ---------- inches long
Made by ---------- Company
For ---------- Company

Serial numbers of tanks tested	Actual test pressure (pounds per square inch)	Total expansion (cc) [1]	Permanent expansion (cc) [1]	Percent ratio of permanent expansion to total expansion	Tare weight (pounds) [2]	Capacity in pounds of water at 60° F.

(Signed) ----------

[1] If the tests are made by a method involving the measurement of the amount of liquid forced into the tank by the test pressure then the basic data, on which the calculations are made, such as the pump factors, temperature of liquid, coefficient of compressibility of liquid, etc., must also be given.

[2] Do not include protective housing and cover but state whether with or without valves.

(c) Before a tank built under this specification is placed in service, the builder must furnish the owner, Bureau of Explosives, and the Secretary, Mechanical Division, Association of American Railroads, a report in proper form certifying that the tank and its appurtenances comply with all the requirements of this specification, including information as to the serial numbers, date of test, and ownership marks on the tanks. In the event the owner of the tank instead of the builder elects to furnish appurtenances such as valve protection caps, loading and unloading valves or vents of the frangible disc or fusible plug type, the owner must furnish to the Bureau of Explosives and the Secretary, Mechanical Division, Association of American Railroads, a report in proper form certifying that these appurtenances comply with all the requirements of this specification.

(d) In case of alterations of or additions to tank or equipment from original design and construction or of repairs, there must be furnished to the owner, Bureau of Explosives, and the Secretary,

Mechanical Division, Association of American Railroads, a report in detail of the repairs, alterations or additions made to each tank covered by a particular application, showing the serial number of each tank involved and stating the heat-treatment called for by the particular type of repair authorized has been performed and, that after repairs, alterations, or additions, the tests prescribed in § 78.278–13 were made, results of hydrostatic test reported and tank marked as prescribed by retest Table No. 2 of § 73.31(g)(9) of this chapter.

Subpart J—Specifications for Containers for Motor Vehicle Transportation

In § 78.336 amend § 78.336–1 paragraph (a); § 78.336–3(a); § 78.336–10(a) and Exceptions thereto, (b); § 78.336–13(a); (26 F.R. 2521, March 24, 1961) to read as follows:

§ 78.336 Specification MC 330; cargo tanks constructed of steel, primarily for transportation of compressed gases.

§ 78.336–1 General requirements.

(a) *Code construction.* Tanks shall be of seamless or welded steel construction or combination of both and shall be designed and constructed in accordance with and fulfill the requirements of (1) the 1950 edition, (2) 1952 edition, (3) 1956 edition, or (4) 1959 edition of section VIII of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code; no revisions except to include ASME Case Interpretation Nos. 1056–4 and 1204–4 and all addendas through the Winter 1959 Addenda issued January 20, 1960 (any or all of which hereinafter referred to as "the Code").

(No change in exception.)

* * * * *

§ 78.336–3 Thickness of metal.

(a) Material thickness shall be as required by the Code (see § 78.336–1(a)), except that material of thickness less than 3/16 inch shall not be used for the shell, heads and protective housings or devices, except for chlorine tanks the wall thickness shall be not less than 5/8 inch, including corrosion allowance.

§ 78.336–10 Protection of fittings.

(a) All valves, fittings, accessories, safety relief devices, gauging devices, and the like shall be adequately protected against mechanical damage.

EXCEPTION. On chlorine tanks there shall be a protective housing and cover plate conforming to the Chlorine Institute, Inc. Dwg. 107–2 dated June 4, 1959 to permit the use of standard emergency kits for controlling leaks in fittings on the dome cover plate.

(b) The protective device or housing shall comply with the requirements under which the tanks are fabricated with respect to design and construction, and shall be designed to withstand static loadings in any direction equal to twice the weight of the tank and attachments when filled with the lading using a safety factor of not less than four, based on the ultimate strength of the material to be used.

§ 78.336–13 Anchoring of tank.

(a) *Hold-down devices.* Adequate "hold-down" devices shall be provided which will anchor each cargo tank to the cradle, frame or chassis in a suitable and safe manner that will not introduce undue concentration of stresses. The means of attachment of any cargo tank to the cradle, frame or chassis of a motor vehicle shall be designed to withstand static loadings in any direction equal to twice the weight of the tank and attachments when filled with the lading using a factor of safety of not less than four, based on the ultimate strength of the material to be used. Hold-down devices (on vehicles with frames not made integral with the tank, as by welding) shall incorporate turnbuckles or similar positive devices for drawing the tank down tight on the frame of the motor vehicle.

[F.R. Doc. 61–5189; Filed, June 5, 1961; 8:48 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940

Requirement To Maintain Specified Books and Records

On January 25, 1961, in Investment Advisers Act Release No. 111, the Commission published its proposal to adopt Rule 204–2 (§ 275.204–2) under the Investment Advisers Act of 1940 to require investment advisers subject to registration to maintain specified books and records relating to their business. On February 1, 1961, notice of the proposed rule making was published in the FEDERAL REGISTER (26 F.R. 987). The Commission has considered all the comments and suggestions on the proposal and has adopted Rule 204–2 (§ 275.204–2) in the form stated below, effective July 1, 1961.

Background material. Public Law 86–750 adopted in September 1960 amended the Investment Advisers Act of 1940 in many important respects. As amended, Section 204 provides that every investment adviser (other than one specifically exempted from registration pursuant to Section 203(b)) shall make, keep and preserve such accounts, correspondence, memoranda, papers, books and other records, and make such reports, as the Commission by rules and regulations may prescribe as necessary or appropriate in the public interest or for protection of investors. Under this section such books and other records are subject to inspection by Commission representatives.

Paragraph (a) of the rule specifies the books and records which all investment advisers are required to keep. These includes the usual journals and ledger accounts; memoranda of orders given and instructions received for the purchase, sale, receipt or delivery of securities; and originals or copies of certain communications received or sent by the investment adviser.

Paragraph (b) of the rule requires investment advisers who have custody or possession of securities or funds of any client to maintain certain additional records. These include a separate ledger account for each such client; copies of confirmations of transactions in the account of any such client; and a position record for each security in which any such client has a position, showing the interest of each such client and the location of the security.

Paragraph (c) of the rule is applicable to investment advisers who render any investment supervisory or management service to any client. Such investment advisers are required to maintain the records indicated with respect to the portfolio being supervised or managed and to the extent that the information is reasonably available to or obtainable by the investment adviser. It is recognized that it may not always be possible for the investment adviser to obtain such information, but the rule contemplates that the investment adviser will try to make some general arrangement under which his client will agree to furnish it to him promptly or direct the broker-dealer effecting the transaction to furnish it to him. Paragraph (c)(2) contemplates that investment advisers who render investment supervisory or management service will maintain information from which the investment adviser will be able to furnish promptly the name of each client who has a current position in a particular security, and the amount or interest of such client at that time.

Paragraphs (e) and (f) of the rule specify the period during which the books and records must be preserved. It will be noted that under paragraph (f) an investment adviser, before ceasing to conduct business, is required to arrange for and be responsible for the preservation of his books and records for the remainder of the period specified in the rule, and to notify the Commission of the place where such books and records will be maintained.

Commission action. The Commission, acting pursuant to the provisions of the Investment Advisers Act of 1940, as amended, and particularly sections 204 and 211(a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary and appropriate in the exercise of its functions and powers under the Act, hereby adopts § 275.204–2, effective July 1, 1961, to read as follows:

§ 275.204–2 Books and records to be maintained by investment advisers.

(a) Every investment adviser who makes use of the mails or of any means or instrumentality of interstate commerce in connection with his or its business as an investment adviser (other than one specifically exempted from registration pursuant to section 203(b) of the Act) shall make and keep true, accurate and current the following books and records relating to his investment advisory business:

(1) A journal or journals, including cash receipts and disbursements records, and any other records of original entry forming the basis of entries in any ledger.

(2) General and auxiliary ledgers (or other comparable records) reflecting asset, liability, reserve, capital, income and expense accounts.

(3) A memorandum of each order given by the investment adviser for the purchase or sale of any security, of any instruction received by the investment adviser concerning the purchase, sale, receipt or delivery of a particular security, and of any modification or cancellation of any such order or instruction. Such memoranda shall show the terms and conditions of the order, instruction, modification or cancellation; shall identify the person connected with the investment adviser who recommended the transaction to the client and the person who placed such order; and shall show the account for which entered, the date of entry, and the bank, broker or dealer by or through whom executed where appropriate. Orders entered pursuant to the exercise of discretionary power shall be so designated.

(4) All check books, bank statements, cancelled checks and cash reconciliations of the investment adviser.

(5) All bills or statements (or copies thereof), paid or unpaid, relating to the business of the investment adviser as such.

(6) All trial balances, financial statements, and internal audit working papers relating to the business of such investment adviser.

(7) Originals of all written communications received and copies of all written communications sent by such investment adviser relating to (i) any recommendation made or proposed to be made and any advice given or proposed to be given, (ii) any receipt, disbursement or delivery of funds or securities, or (iii) the placing or execution of any order to purchase or sell any security: *Provided, however,* (*a*) That the investment adviser shall not be required to keep any unsolicited market letters and other similar communications of general public distribution not prepared by or for the investment adviser, and (*b*) that if the investment adviser sends any notice, circular or other advertisement offering any report, analysis, publication or other investment advisory service to more than 10 persons, the investment adviser shall not be required to keep a record of the names and addresses of the persons to whom it was sent; except that if such notice, circular or advertisement is distributed to persons named on any list, the investment adviser shall retain with the copy of such notice, circular or advertisement a memorandum describing the list and the source thereof.

(8) A list or other record of all accounts in which the investment adviser is vested with any discretionary power with respect to the funds, securities or transactions of any client.

(9) All powers of attorney and other evidences of the granting of any discretionary authority by any client to the investment adviser, or copies thereof.

(10) All written agreements (or copies thereof) entered into by the investment adviser with any client or otherwise relating to the business of such investment adviser as such.

(11) A copy of each notice, circular, advertisement, newspaper article, investment letter, bulletin or other communication recommending the purchase or sale of a specific security, which the investment adviser circulates or distributes, directly or indirectly, to 10 or more persons (other than investment supervisory clients or persons connected with such investment adviser), and if such notice, circular, advertisement, newspaper article, investment letter, bulletin, or other communication does not state the reasons for such recommendation, a memorandum of the investment adviser indicating the reasons therefor.

(b) If an investment adviser subject to paragraph (a) of this section has custody or possession of securities or funds of any client, the records required to be made and kept under paragraph (a) above shall include:

(1) A journal or other record showing all purchases, sales, receipts and deliveries of securities (including certificate numbers) for such accounts and all other debits and credits to such accounts.

(2) A separate ledger account for each such client showing all purchases, sales, receipts and deliveries of securities, the date and price of each purchase and sale, and all debits and credits.

(3) Copies of confirmations of all transactions effected by or for the account of any such client.

(4) A record for each security in which any such client has a position, which record shall show the name of each such client having any interest in such security, the amount or interest of each such client, and the location of each such security.

(c) Every investment adviser subject to paragraph (a) of this section who renders any investment supervisory or management service to any client shall, with respect to the portfolio being supervised or managed and to the extent that the information is reasonably available to or obtainable by the investment adviser, make and keep true, accurate and current:

(1) Records showing separately for each such client the securities purchased and sold, and the date, amount and price of each such purchase and sale.

(2) For each security in which any such client has a current position, information from which the investment adviser can promptly furnish the name of each such client, and the current amount or interest of such client.

(d) Any books or records required by this section may be maintained by the investment adviser in such manner that the identity of any client to whom such investment adviser renders investment supervisory services is indicated by numerical or alphabetical code or some similar designation.

(e) (1) All books and records required to be made under the provisions of paragraphs (a) to (c) (1) of this section shall be maintained and preserved in an easily accessible place for a period of not less than five years from the end of the fiscal year during which the last entry was made on such record, the first two years in an appropriate office of the investment adviser.

(2) Partnership articles and any amendments thereto, articles of incorporation, charters, minute books, and stock certificate books of the investment adviser and of any predecessor, shall be maintained in the principal office of the investment adviser and preserved until at least three years after termination of the enterprise.

(f) An investment adviser subject to paragraph (a) of this section, before ceasing to conduct or discontinuing business as an investment adviser shall arrange for and be responsible for the preservation of the books and records required to be maintained and preserved under this section for the remainder of the period specified in this section, and shall notify the Commission in writing, at its principal office, Washington 25, D.C., of the exact address where such books and records will be maintained during such period.

(g) After a record or other document has been preserved for two years a photograph on film may be substituted for the balance of the required time.

(h) (1) Any book or other record made, kept, maintained and preserved in compliance with §§ 240.17a–3 and 240.17a–4 of this chapter under the Securities Exchange Act of 1934, which is substantially the same as the book or other record required to be made, kept, maintained and preserved under this section, shall be deemed to be made, kept, maintained and preserved in compliance with this section.

(2) A record made and kept pursuant to any provision of paragraph (a) of this section, which contains all the information required under any other provision of paragraph (a) of this section, need not be maintained in duplicate in order to meet the requirements of the other provision of paragraph (a) of the section.

(i) As used in this section the term "discretionary power" shall not include discretion as to the price at which or the time when a transaction is or is to be effected, if, before the order is given by the investment adviser, the client has directed or approved the purchase or sale of a definite amount of the particular security.

(Sec. 204, 54 Stat. 852, as amended, 15 U.S.C. 80b–4; sec. 211(a), 54 Stat. 855, as amended, 15 U.S.C. 80b–11)

By the Commission.

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

MAY 25, 1961.

[F.R. Doc. 61–5182; Filed, June 5, 1961; 8:47 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55396]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

PART 6—AIR COMMERCE REGULATIONS

Clearances of Vessels and Aircraft

Treasury Decision 55357, approved March 31, 1961 (26 F.R. 2965), issued pursuant to a request of the Bureau of Foreign Commerce and in order to assist in the enforcement of the export control regulations set forth a revised list of destinations to which vessels could not be cleared before complete outward foreign manifests and all required export declarations had been filed. The Bureau of Foreign Commerce has advised that Hong Kong and Macao were inadvertently not included in their request. Accordingly, T.D. 55357 is amended by adding Hong Kong and Macao to the list of countries to which vessels shall not be cleared until a complete outward foreign manifest and all required export declarations have been filed with the collector of customs.

To reflect the above change, footnote 109 to § 4.75 of the Customs Regulations is amended to read as follows:

[109] T.D. 55357, 26 F.R. 2965, as amended by T.D. 55396, 26 F.R. 5004, provides that vessels may be cleared pursuant to the procedure provided for in § 4.75 (a) and (b), except that no vessel shall be cleared for any port in Albania, Bulgaria, Communist China (including Manchuria), the Communist-controlled area of Viet-Nam, Czechoslovakia, East Germany (Soviet Zone of Germany and Soviet Sector of Berlin), Estonia, Hungary, Latvia, Lithuania, North Korea, Outer Mongolia, Rumania, Union of Soviet Socialist Republics, Poland (including Danzig), Hong Kong, Macao, or Cuba, until a complete outward foreign manifest and all required export declarations have been filed with the collector of customs.

(R.S. 4197, as amended, 4200, as amended; 46 U.S.C. 91, 92)

Treasury Decision 55354, approved March 30, 1961 (26 F.R. 2966), amended § 6.8(a) of the Customs Regulations to provide for presentation of all outward clearance documents in complete form when aircraft are departing with cargo to a destination in a country or place in Subgroup A, as defined in the export regulations prescribed by the Bureau of Foreign Commerce, Department of Commerce, or to a destination in Poland (including Danzig), or Cuba.

In addition to such destinations, the Bureau of Foreign Commerce has now advised that Hong Kong and Macao are destinations for which departures of aircraft should be permitted only after presentation of all outward clearance documents in complete form.

Accordingly, to add to the Customs Regulations such destinations of aircraft for the foregoing purpose, the last proviso at the end of the last sentence of § 6.8(a) is amended by deleting "or" before "Cuba" and by inserting "Hong Kong, or Macao," between "Cuba," and "unless" in such proviso. As hereby amended, that proviso reads as follows: "*And provided further*, That no aircraft shall be cleared until the complete cargo manifest and all required shipper's export declarations have been filed with the customs officer in charge if the aircraft is departing on a flight from the United States directly or indirectly to Poland (including Danzig), a country or other destination in Subgroup A as specified in § 371.3 of the Export Regulations (15 CFR 371.3), Cuba, Hong Kong, or Macao, unless clearance is authorized by the Commissioner of Customs."

(R.S. 161, as amended, 251, sec. 624, 46 Stat. 759, R.S. 4197, as amended, R.S. 4200, as amended, sec. 1109, 72 Stat. 799; 5 U.S.C. 22, 19 U.S.C. 66, 1624, 46 U.S.C. 91, 92, 49 U.S.C. 1509)

The foregoing amendment imposing clearance requirements for flights to Hong Kong or Macao is based on requirements of the Bureau of Foreign Commerce, Department of Commerce, which are already in effect. I, therefore, find that compliance with the notice, public rule making procedure, and effective date requirements of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is impracticable.

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

Approved: May 31, 1961.

A. GILMORE FLUES,
Assistant Secretary of the Treasury.

[F.R. Doc. 61-5202; Filed, June 5, 1961; 8:50 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerance for Residues of Sodium o-Phenylphenate

A petition was filed with the Food and Drug Administration by Dow Chemical Company, Midland, Michigan, requesting the establishment of a tolerance for residues of sodium o-phenylphenate, expressed as o-phenylphenol, at 5 parts per million in or on nectarines.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities are amended by adding to § 120.129 (21 CFR 120.129; 25 F.R. 6667, 10454) the following tolerance:

§ 120.129 Tolerances for residues of sodium *o*-phenylphenate.

* * * * *

5 parts per million in or on nectarines.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: May 29, 1961.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 61-5200; Filed, June 5, 1961; 8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Animal Feed or Animal Feed Supplements

ETHOXYQUIN

The Federal Food, Drug, and Cosmetic Act provides that the ingredients of foods, when required to be named on the label, shall be designated by their common or usual names. Data in possession of the Food and Drug Administration indicates that the name "ethoxyquin" has become generally adopted for the term "1,2-dihydro-6-ethoxy-2,2,4-trimethylquinoline." Therefore, §§ 121.201 and 121.202 of the food additive regulations (21 CRF 121.201, 121.202; 26 F.R. 644) are amended, as follows:

1a. In § 121.201, the term "1,2-Dihydro-6-ethoxy- 2,2,4 - trimethylquinoline" in the section heading is changed to read "Ethoxyquin".

b. In the introduction to the section, the word "Ethoxyquin" is inserted at the beginning of the literary paragraph and parentheses are inserted around the chemical name.

c. Paragraph (f)(1) is changed to read:

(1) "Ethoxyquin, a preservative," or "Ethoxyquin added to retard the oxidative destruction of carotent and vitamin E."

2a. Section 121.202(c)(1) is amended by deleting the term "(1,2-dihydro-6-ethoxy-2,2,4-trimethylquinoline)".

b. Section 121.202 is further amended by adding thereto a new paragraph reading as follows:

(d) The label of any animal feed containing the additive shall, in addition to the other information required by the act, bear the statement "Ethoxyquin, a preservative" or "Ethoxyquin added to retard the oxidative destruction of carotene, xanthophylls, and vitamins A and E."

The amendments in this order do not require notice and public procedure and delayed effective date. The changes are solely editorial in nature and are made for the purpose of bringing about consistency with existing regulations.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: May 29, 1961.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 61-5199; Filed, June 5, 1961; 8:49 a.m.]

SUBCHAPTER C—DRUGS

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

Antibiotic Drugs for Use in Medicated Animal Feed

It has been concluded that the regulations dealing with the use of antibiotic drugs in medicated animal feed should be amended to make it clear that, depending upon the facts in any specific case, one of two procedures will apply. In some cases, it is possible for the scientific evidence to demonstrate that compliance with a permit issued by the Commissioner to a drug manufacturer will suffice and that those who use the drug in mixing the feeds need do no more than follow the directions. In other cases, however, safety of the finished feed will require the operator of each mixing establishment using the drug to obtain a permit setting forth the conditions with which he must comply. The considerations here are the same as are involved in determining whether a new-drug application must be obtained by the operator of a mixing establishment who is adding a new-drug substance to his production.

Therefore, under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the general regulations for the certification of antibiotic and antibiotic-containing drugs (21 CFR 146.25) are amended as follows:

Section 146.25 is amended in the following respects:

1. The section heading is changed to read:

§ 146.25 Antibiotic drugs for use in medicated animal feed (antibiotic medicated feed premixes; antibiotic medicated feed concentrates that must be diluted with feed ingredients before they are fed).

2. A new paragraph (c) is added, reading as follows:

(c) It contains no substance for which § 146.26 requires exemptions from certification of the medicated feeds in which it is used as an ingredient, unless prior to shipment in commerce:

(1) The manufacturer obtained a permit from the Commissioner issued under the provisions of § 146.22 authorizing shipment for manufacturing use to such establishment, or

(2) The operator of the establishment where such drug is to be mixed or diluted meets all the conditions for exemption from certification of the medicated feed established by the applicable provisions of § 146.26, including when required, the submission to, and acceptance by the Commissioner of adequate information of the kind required by § 146.7, to establish the safety and efficacy of the finished medicated feed and to guarantee its identity, strength, quality, and purity.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the amendments ordered are interpretative in nature and are intended to clarify existing regulations.

Effective date. This order shall become effective 30 days from the date of publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: May 29, 1961.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 61-5198; Filed, June 5, 1961; 8:49 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—CHILD LABOR REGULATIONS, ORDERS, AND STATEMENTS OF INTERPRETATIONS

Subpart D—Procedure Governing Hazardous Occupation Determinations

Pursuant to authority in section 3(l) of the Fair Labor Standards Act of 1938 (52 Stat. 1061 as amended; 29 U.S.C. 203), and Reorganization Plan No. 2 of 1946 (3 CFR, 1943-1946 Comp., p. 1064), 29 CFR, Part 4, Subpart D is amended as hereinbelow set out. The purposes of this revision of the procedures whereby the appropriate occupations are found and by order declared to be particularly hazardous for the employment of children between 16 and 18 years of age pursuant to section 3(l) of the Act, are: (1) To make it possible to establish and amend hazardous occupation orders upon written public participation, where there appears to be no adequate reason for the delay, inconvenience, and expense which a hearing requires and (2) to interpret and apply procedure which has developed and statutes which have been enacted since these regulations were first codified.

Because these amendments are concerned only with procedure, public participation is deemed unnecessary, and they shall become effective upon filing for publication in the FEDERAL REGISTER.

Subpart D—Procedure Governing Hazardous Occupation Determinations

Sec.
4.41 Administrative responsibility.
4.42 Reports of investigation.
4.43 Initiating proceedings.
4.44 Notice of proceedings.
4.45 Procedure governing oral participation.
4.46 Certification of the record.
4.47 Finding and order.
4.48 Special requests.
4.49 Amendments.

AUTHORITY: §§ 4.41 to 4.49 issued under sec. 3, 52 Stat. 1061, as amended; 29 U.S.C. 203. Interpret or apply sections 3, 4, and 6, 60 Stat. 238 and 240; 5 U.S.C. 1002, 1003, and 1005.

§ 4.41 Administrative responsibility.

The Secretary of Labor shall be assisted by the Bureau of Labor Standards in making studies and investigations to discover the occupations which appear to be particularly hazardous for the employment of children between 16 and 18 years of age or detrimental to their health or well-being. All interested persons and organizations are invited to cooperate with the Secretary and the Bureau by making suggestions and requests and providing pertinent information to the Bureau concerning employment hazards to minors. Submissions should be mailed to the Director of the Bureau of Labor Standards, Department of Labor, Washington 25, D.C. In addition, the Director of the Bureau of Labor Standards shall have authority to obtain information by holding conferences to which he may invite various persons who have had experience or expert knowledge concerning occupational hazards to children.

§ 4.42 Reports of investigations.

The Director of the Bureau shall from time to time prepare and submit to the Secretary of Labor reports of investigations with respect to any occupations or group of occupations which he has reason to believe should be added to, or deleted from, the list of those found and declared to be particularly hazardous for the employment of children between 16 and 18 years of age or detrimental to their health or well-being (Subpart E of this part). Each such report shall contain an explanation of the hazards involved and the reasons why children under 18 are, or are not, particularly susceptible to them. Copies of such reports shall be made available to the public at the offices of the Bureau.

§ 4.43 Initiating proceedings.

The Secretary, on recommendation of the Bureau or on his own motion, shall

initiate proceedings to make, amend, or revoke a hazardous occupation order.

§ 4.44 Notice of proceedings.

Notice of the initiation of the proceedings shall be published in the FEDERAL REGISTER. Such notice will (1) refer to section 3(l) of the Fair Labor Standards Act of 1938 (52 Stat. 1061, as amended; 29 U.S.C. 203) and Reorganization Plan No. 2 of 1946 (3 CFR, 1943–1948 Comp., p. 1064) as authority for the proposal and direct attention to this Subpart D governing the procedure, (2) contain the terms or substance of the proposed order or the proposed change in an existing order, (3) invite interested persons to participate in the proceedings through the submission of pertinent written data, views, and arguments, specifying the time and place for such submissions. If it is decided that the opportunity for public written participation is to be supplemented with an opportunity for oral participation, a time and place shall also be specified for oral submissions of data, views, and arguments.

§ 4.45 Procedure governing oral participation.

Such oral submissions as may be invited by the notice shall be heard at proceedings presided over by examiners appointed under section 11 of the Administrative Procedure Act and assigned by the Chief Hearing Examiner of the Department of Labor. Such proceedings shall be reported, and transcripts made available to interested persons on such terms as the hearing examiner may provide. Any pertinent investigations or studies made by the Bureau of Labor Standards and the support of any suggestions it may make shall be presented, through witnesses supplied by the Bureau, by an attorney assigned by the Solicitor of Labor, who may call and examine such other witnesses and undertake such cross examination of witnesses called by others, as may seem appropriate. Subject to such limitations as the hearing examiner may impose to expedite the proceedings, limit the record, and confine it to pertinent matter, every interested person in attendance or represented at the proceedings shall have the opportunity to give evidence through witnesses he may produce, cross examine witnesses produced by others, and make argument based on all of the evidence received. The hearing examiner shall regulate the course of the proceeding and dispose of procedural requests, objections, and comparable matters. He shall have power, in his discretion, to call and examine witnesses, to administer oaths and affirmations, to enforce his decisions by governing the content of the record and by excluding persons from the hearing room, and to keep the record open for a reasonable stated time after the proceeding to receive written proposals and supporting reasons, based on the record of the proceedings, from those who have participated in making it.

§ 4.46 Certification of the record.

Following the close of the record of any oral proceeding held pursuant to §§ 4.44 and 4.45 the hearing examiner shall certify to the Secretary of Labor the transcript of the proceeding, all exhibits received in evidence, and any proposals and supporting reasons that may have been filed pursuant to leave granted at the proceeding, together with any comments he may deem helpful concerning any issue as to credibility of witnesses that may have developed at the proceeding.

§ 4.47 Finding and order.

Following receipt of all written data, views, or argument submitted in accordance with the notice provided in § 4.44 and certification of the record pursuant to § 4.46 of any oral proceedings held pursuant to §§ 4.44 and 4.45, the Secretary of Labor shall give careful consideration to all relevant matter and will, thereafter, make a final finding and order adopting, rejecting, or modifying a hazardous occupation order. The Secretary's final decision will be expressed in a document signed by him and published in the FEDERAL REGISTER making any necessary amendment to this Title 29. Such document will incorporate a concise general statement of its basis and purpose, and except to the extent that it relieves restriction, shall provide an effective date for the change not less than thirty days after the date of publication in the FEDERAL REGISTER, unless a shorter time is provided for good cause found and expressed in the document.

§ 4.48 Special requests.

Any person may at any time file with the Director of the Bureau of Labor Standards a written application, petition or other requests in connection with any proceeding to make, amend, or revoke a hazardous occupation order. In the event his petition is denied, he will be advised promptly with a simple statement of reasons.

§ 4.49 Amendments.

Any interested person adversely affected or aggrieved by the procedure provided in §§ 4.41 through 4.48 may file a petition for a change with the Bureau of Labor Standards, United States Department of Labor, Washington 25, D.C., expressing the change desired with supporting reasons.

Signed at Washington, D.C., this 29th day of May 1961.

ARTHUR J. GOLDBERG,
Secretary of Labor.

[F.R. Doc. 61–5178; Filed, June 5, 1961; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

[Circular 2061]

CHANGES IN REGULATIONS NOMENCLATURE BECAUSE OF REORGANIZATION

Wherever the titles "Area Administrator," "Area Range and Forestry Officer," "Area Cadastral Engineering Officer," "Area Cadastral Engineer," or "State Supervisor," appear in the following listed parts, the title "State Director" is substituted therefor. Wherever the title "Eastern States Supervisor" appears in any of these parts, the title "Director" is substituted therefor.

61	152	197	255
62	160	198	256
63	161	199	257
78	165	205	259
79	167	210	272
80	176	217	280
106	185	232	281
115	192	234	284
146	194	244	289
148	195	250	

STEWART L. UDALL,
Secretary of the Interior.

MAY 31, 1961.

[F.R. Doc. 61–5175; Filed, June 5, 1961; 8:46 a.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2339]

[Idaho 012026]

IDAHO

Restoration Under Section 24 of the Federal Power Act (Power Site Reserve No. 8, and Power Project No. 2273)

1. In DA–545 and DA–553–Idaho, the Federal Power Commission determined that the value of the following-described lands would not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and subject to the condition that in the event the said lands are required for power purposes, any improvements or structures placed thereon which shall be found to interfere with such development shall be removed or relocated as may be necessary to eliminate interference with power development at no cost to the United States, its permittees or licensees:

BOISE MERIDIAN

T. 26 N., R. 1 E.,
Sec. 2, lots 2, 3, 4, and 8;
Sec. 13, lots 2 and 5.
(Containing 157.40 acres).

2. The lands are situated on the east bank of the Salmon River some 50 miles upstream from its confluence with the Snake River, and about 15 miles south of Cottonwood, Idaho.

3. Subject to the provisions of the said section 24 of the Federal Power Act, and the condition recited in Paragraph 1, hereof, the lands are hereby restored to operation of the public land laws, subject to valid existing rights and equitable claims, the requirements of applicable law, rules, and regulations, and the provisions of any existing withdrawals, provided that until 10:00 a.m. on October 18, 1961, the State of Idaho shall have a preferred right to apply to select the lands in accordance with subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852). During

this period, the State may also apply for the reservation to it or to any of its political subdivisions, under any statute or regulation applicable thereto, of any of the lands required for rights-of-way or for materials sites, in accordance with the provisions of section 24 of the Federal Power Act, supra.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

APRIL 19, 1961.

[F.R. Doc. 61-5176; Filed, June 5, 1961; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[MI 214.3]

[19 CFR Parts 3, 18, 19, 21, 24]

NAVIGATION AND CUSTOMS FEES

Notice of Proposed Rule Making

The Bureau of Customs has determined that certain navigation and customs fees are no longer adequate to recover the cost of the services provided. The services provided are of the types described in 5 U.S.C. 140 as intended by Congress to be self-sustaining to the fullest extent possible. To give full effect to the expressed intent of Congress, it is proposed to increase certain navigation and customs fees required to be collected in connection with applications for the following actions:

(1) For registering a house flag or funnel mark, or both, of a vessel, from $25 to $35.

(2) For recording a renewal or change of ownership of a trademark or copyright, from $25 to $35.

(3) For designating a common carrier as a carrier of customs bonded merchandise, from $35 to $45.

(4) For the establishment of a customs bonded warehouse, from $50 to $65.

(5) For issuing a customs cartage or lighterage license, from $35 to $45.

(6) For furnishing, for 60 days, the names and addresses of importers of articles appearing to infringe a registered patent, from $100 to $120.

Notice is hereby given pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that, under the authority of section 161 of the Revised Statutes, as amended, section 251 of the Revised Statutes, section 624 of the Tariff Act of 1930, and title V, section 501 of the Act of August 31, 1951 (5 U.S.C. 22, 140, 19 U.S.C. 66, 1624), it is proposed to amend §§ 3.82, 18.1(c), 19.2(a), 21.1 (a), 24.12(a)(1), and 24.12(a)(3), Customs Regulations, to provide for the increase in fees shown above. The amendment in tentative form is as follows:

Section 3.82 is amended by substituting "$35" for "$25" in the first sentence.

Section 18.1(c) is amended by substituting "$45" for "$35" in the first sentence.

Section 19.2(a) is amended by substituting "$65" for "$50" in the first sentence.

Section 21.1(a) is amended by substituting "$45" for "$35" in the third sentence.

Section 24.12(a)(1)(i) is amended by substituting "$35" for "$25".

Section 24.12(a)(1)(ii) is amended by substituting "$45" for "$35".

Section 24.12(a)(1)(iii) is amended by substituting "$65" for "$50".

Section 24.12(a)(1)(iv) is amended by substituting "$45" for "$35".

Section 24.12(a)(3) is amended by substituting "$120" for "$100" in the first and second sentences.

Prior to final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington 25, D.C., and received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

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

Approved: May 26, 1961.

A. GILMORE FLUES,
Assistant Secretary of the Treasury.

[F.R. Doc. 61-5203; Filed, June 5, 1961; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 102]

GRAIN WAREHOUSES UNDER UNITED STATES WAREHOUSE ACT

Notice of Proposed Rule Making

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that the Agricultural Marketing Service, U.S. Department of Agriculture, under authority of the United States Warehouse Act (7 U.S.C. 241 et seq.) is considering amendments to the regulations (7 CFR Part 102) relating to grain warehouses under the act as follows:

1. It is proposed to amend § 102.57 to read:

§ 102.57 Licensee fees.

There shall be charged and collected a fee of $20 for each original warehouseman's license, and a fee of $10 for each amended or reinstated warehouseman's license applied for by a warehouseman, and a fee of $6 for each license or amendment thereto issued to an inspector and/or weigher, except that no fee shall be charged for issuance of a license to an inspector who holds an unsuspended and unrevoked license under the United States Grain Standards Act and regulations thereunder to inspect and grade any grain and to certificate the grade thereof.

§ 102.65 [Amendment]

2. It is proposed to amend § 102.65(a) to read:

(a) Except as provided in paragraph (b) of this section, each inspection certificate issued under the act by an inspector shall be in a form approved for the purpose by the Department, and shall embody within its written or printed terms: (1) The caption "United States Warehouse Act, Grain Inspection Certificate", (2) whether it is an original, a duplicate, or other copy, and that it is not negotiable, (3) the name and location of the warehouse in which the grain is or is to be stored, (4) a statement showing whether the inspection covers grain moving into or out of the warehouse, (5) the date of the certificate, (6) the consecutive number of the certificate, (7) the approximate amount of grain covered by the certificate, (8) the kind of grain covered by the certificate, (9) the grade of the grain, as determined by such licensed inspector, in accordance with Section 102.76, and, in the case of grain for which no official grain standards of the United States are in effect, the standard or description in accordance with which such grain is graded, (10) that the certificate is issued by an inspector licensed under the United States Warehouse Act and the regulations thereunder, (11) a statement conspicuously placed to the effect that the certificate is not valid for the purposes of the United States Grain Standards Act, and (12) the signature of the inspector who inspected and graded the grain. In addition, the inspection certificate may include any other matter not inconsistent with the act or the regulations in this part, provided the approval of the Service is first secured.

3. It is proposed to amend § 102.67 to read:

§ 102.67 Weight certificate.

Each weight certificate issued under the act by a weigher shall be in a form approved for the purpose by the Service, and shall embody within its written or printed terms: (a) The caption "United States Warehouse Act, Grain Weight Certificate", (b) whether it is an original a duplicate, or other copy, and that it is not negotiable, (c) the name and location of the warehouse in which the grain is or is to be stored, (d) a statement showing whether the grain is weighed into or out of the warehouse, (e) the date of the certificate, (f) the consecutive number of the certificate, (g) the net weight, including dockage, if any, of the grain, (h) that the certificate is issued by a weigher licensed under the United States Warehouse Act and the regulations thereunder, and (i) the signature of the weigher. In addition, the weight certificate may include any other matter not inconsistent with the act or the regulations in this part, provided the approval of the Service is first secured.

The United States Grain Standards Act (7 U.S.C. 71 et seq.) authorizes the Secretary of Agriculture to issue a license to any person to inspect and grade grain and to certificate the grade thereof for shipment or delivery for shipment in

interstate or foreign commerce under the act. Under the United States Warehouse Act (7 U.S.C. 252) the Secretary may issue a license to any person, upon satisfactory proof of competency, to inspect and grade grain and to certificate the grade thereof for purposes of that act. Further, the United States Warehouse Act (7 U.S.C. 256) provides that fungible agricultural products stored in a warehouse licensed under the act shall be inspected and graded by a person duly licensed under said act. Therefore, for inspection and grade certificates issued by an inspector licensed under the Grain Standards Act to be valid for purposes of the Warehouse Act the inspector must also be licensed under the latter act. Regulations under the Warehouse Act (7 CFR 102.61(c)) provide that a license may be issued to an inspector who holds an effective license under the Grain Standards Act without further proof of competency. Since further examination and investigation as to competency is waived by the regulations, there is ample justification for issuance of such licenses in these circumstances without assessing and collecting fees.

The proposed amendments add a requirement to §§ 102.65(a) and 102.67 that certificates indicate whether the grain inspected or weighed was moved into or out of the warehouse. It is also proposed to add a provision to § 102.67 that weight certificates be consecutively numbered. The primary purpose of these amendments is to simplify record keeping, auditing and the issuance of warehouse receipts. Inspection and weight certificates form the basis for maintaining warehouse stock and storage records and for the issuance of warehouse receipts. For these purposes, it is imperative to know whether the grain covered by a certificate moved into or out of the warehouse. This information can be obtained, in most instances, by referring to other documents, but this is cumbersome and causes difficulty when auditing warehouse records. The consecutive numbering of certificates is necessary for proper record control. There is a requirment in the regulations that inspection certificates be so numbered but there is no such specific requirement with respect to weight certificates. Certificates used by many warehousemen show the above specified information even though it is not now specifically required by regulation.

Any interested person who wishes to submit data, views, or arguments on the proposals may do so by filing them in writing with the Director, Special Services Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C., within 30 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 1st day of June 1961.

GEORGE A. DICE,
Director,
Special Services Division.

[F.R. Doc. 61-5217; Filed, June 5, 1961; 8:52 a.m.]

[7 CFR Parts 109, 114]

DRIED FRUIT WAREHOUSES AND CHERRIES-IN-SULPHUR-DIOXIDE-BRINE WAREHOUSES UNDER UNITED STATES WAREHOUSE ACT

Proposed Revocations

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that the Agricultural Marketing Service, U.S. Department of Agriculture, under authority of the United States Warehouse Act (7 U.S.C. 241 et seq.) is considering revoking the regulations (7 CFR Part 109) relating to Dried Fruit Warehouses and the regulations (7 CFR Part 114) relating to Cherries-in-Sulphur-Dioxide-Brine Warehouses under said act.

The regulations relating to Dried Fruit Warehouses were originally promulgated under the act on October 14, 1924, as Service and Regulatory Announcement No. 88. A total of only 13 applications for licensing under these regulations has been received, the last being in 1936. The last license thereunder was canceled in 1944 at the request of the warehouseman. There has been no licensing activity under these regulations since that date.

The regulations relating to Cherries-in-Sulphur-Dioxide-Brine Warehouses were originally promulgated under the act on May 3, 1932, as Service and Regulatory Announcement No. 134. A total of only 9 applications for licensing under these regulations has been received, the last being in 1939. The last license thereunder was canceled on March 25, 1960, at the request of the warehouseman. There has been no licensing activity under these regulations since that date.

Revocation of these two sets of regulations is being considered because of their limited use, and apparent lack of future interest by warehousemen in them.

Any interested person who wishes to submit data, views, or arguments on the proposals may do so by filing them in writing with the Director, Special Services Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C., within 30 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 1st day of June 1961.

GEORGE A. DICE,
Director,
Special Services Division.

[F.R. Doc. 61-5216; Filed, June 5, 1961; 8:52 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 499) has been filed by Elanco Products Company, Division of Eli Lilly and Company, Indianapolis 6, Indiana, proposing the issuance of a regulation to provide for the safe use in chicken feed of hygromycin B in combination with penicillin, streptomycin, and bacitracin for growth promotion; and of hygromycin B in combination with penicillin, streptomycin, bacitracin, and chlortetracycline for the prevention or treatment of certain diseases of chickens, as an aid in maintaining or increasing egg production and hatchability of eggs, and as an aid in the prevention of early mortality of chickens.

Dated: May 29, 1961.

[SEAL] J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 61-5196; Filed, June 5, 1961; 8:48 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 493) has been filed by Union Carbide Corporation, 270 Park Avenue, New York 17, New York, proposing the issuance of a regulation to provide for the safe use of dimethylpolysiloxane-β-phenyl methylpolysiloxane copolymer as an ingredient of lubricants or release agents used in the manufacture of paper for food packaging.

Dated: May 29, 1961.

[SEAL] J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 61-5197; Filed, June 5, 1961; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 600, 601]

[Airspace Docket No. 61-FW-40]

FEDERAL AIRWAYS AND CONTROLLED AIRSPACE

Alteration of Federal Airway and Associated Control Areas

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 600.6017 and 601.6017 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 17 extends in part from the Austin, Tex., VOR direct to the Waco, Tex., VOR including an east alternate via the intersection of the Austin VOR 031° and the Waco VOR 173° True radials. The Federal Aviation Agency has under consideration the alteration of Victor 17 east alternate by realigning it to extend from the Austin VOR to the Waco VOR via

the intersection of the Austin VOR 046° and the Waco VOR 173° True radials. This would facilitate the movement of air traffic by providing adequate separation between Victor 17 east alternate and the Austin VOR holding pattern area and thus reduce the necessity to impose altitude restrictions on departures from the Austin Airport and the Bergstrom Air Force Base.

In addition, to implement in part, Civil Air Regulations, Part 60 Air Traffic Rules, Amendment 60–21 (26 F.R. 570), it is proposed to designate the control areas associated with Victor 17 between Austin and Waco and Victor 17 east alternate to extend upward from 1,200 feet above the surface.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 31, 1961.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 61–5167; Filed, June 5, 1961; 8:45 a.m.]

[14 CFR Parts 600, 601]

[Airspace Docket No. 60–FW–113]

FEDERAL AIRWAYS AND CONTROLLED AIRSPACE

Alteration of Federal Airway and Associated Controlled Areas

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 600.6455, 600.6875, and 601.6455 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 455 extends in part from New Orleans, La., to Hattiesburg, Miss. Low altitude VOR Federal airway No. 875 which is a preferred route extends in part from the Meridian, Miss., VORTAC via the McComb, Miss., VOR to the intersection of the McComb VOR 177° and the Picayune, Miss., VOR 267° True radials.

The Federal Aviation Agency has under consideration a proposal by the Air Transport Association of America to designate a west alternate to Victor 455 from New Orleans to Hattiesburg via the intersection of the New Orleans VORTAC 357° and the Hattiesburg VOR 221° True radials (Madison Instersection). This would improve air traffic management by providing an alternate route for air traffic inbound from the northeast which would not conflict with the route of northeast bound departure from New Orleans proceeding via VOR Federal airway No. 20 north alternate to Picayune and VOR Federal airway No. 70 to Evergreen, Ala. In addition to the above, the Federal Aviation Agency proposes to redesignate the segment of Victor 875 from the Meridian VORTAC via the Hattiesburg VOR to the Madison Intersection. This would provide a more direct route for inbound traffic operating via Victor 875 proceeding to the New Orleans terminal area from the northeast. In addition, to implement in part, Civil Air Regulations, Part 60, Air Traffic Rules, Amendment 60–21 (26 F.R. 570), it is proposed to designate the control areas associated with Victor 455 and its west alternate from New Orleans to Hattiesburg to extend upward from 1,200 feet above the surface.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 31, 1961.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 61–5168; Filed, June 5, 1961; 8:45 a.m.]

Notices

DEPARTMENT OF JUSTICE

Office of the Attorney General

[Tax Division Directive 3]

CHIEF OF COMPROMISE SECTION ET AL.

Redelegation of Authority to Compromise, Settle, and Close Claims

MAY 26, 1961.

Under authority of subsection (*l*) of section 23 of Order No. 175–59 of January 19, 1959, redelegations of authority to compromise, administratively settle, and close civil cases assigned to the Tax Division are hereby made as indicated below:

1. Subject to the limitations and conditions set forth in paragraph 3 hereof, the Chief of the Compromise Section shall have authority to—

(a) Accept offers in compromise of claims in behalf of the United States in all cases in which the gross amount of the original claim does not exceed $100,000, and of claims against the United States in all cases in which the amount of the refund does not exceed $50,000;

(b) Approve administrative settlements not exceeding $10,000;

(c) Close (other than by compromise or by entry of judgment) civil claims asserted by the Government in all cases in which the gross amount of the original claim does not exceed $10,000;

(d) Reject offers in compromise, regardless of amount.

Provided, That the proposed disposition of the claim is unopposed by the agency or the United States Attorney concerned or by the chief of the section to which the claim is assigned.

2. Subject to the limitations and conditions set forth in paragraph 3, the First Assistant and the Second Assistant each shall have authority to—

(a) Accept offers in compromise of claims in behalf of the United States in all cases in which the gross amount of the original claim does not exceed $100,000, and of claims against the United States in all cases in which the amount of the refund does not exceed $100,000;

(b) Approve administrative settlements not exceeding $100,000;

(c) Close (other than by compromise or by entry of judgment) civil claims asserted by the Government in all cases in which the gross amount of the original claim does not exceed $100,000;

(d) Reject offers in compromise, or disapprove administrative settlements or closings, regardless of amount.

3. The authority redelegated in paragraphs 1 and 2 shall be subject to the following limitations and conditions:

(a) When, for any reason, the compromise or administrative settlement or closing of a particular claim, as a practical matter, will control or adversely influence the disposition of other claims totaling more than the respective amounts designated in paragraphs 1 and 2, the case shall be forwarded for review at the appropriate level.

(b) When because of a question of law or policy presented, or because of opposition by the agency or agencies involved, or for any other reason, the proposed disposition should, in the opinion of the person otherwise authorized herein to take final action thereon, receive a review at a higher level, the case shall be forwarded for such review.

4. Nothing in this directive shall be interpreted as altering any provision of section 23 of Order No. 175–59 requiring the submission of cases to the Attorney General or the Solicitor General.

5. The provisions of this directive with respect to administrative settlements shall apply to cases pending on appeal in which the Government confesses error.

6. In each case in which a compromise or administrative settlement is approved, or a claim is closed, under this directive, the person taking such action shall execute and place in the file a description of the claim and a full statement of the reasons for such action.

7. Tax Division Directive No. 1 of June 1, 1959, is superseded.

8. This directive shall be effective on the date of its publication in the FEDERAL REGISTER.

LOUIS F. OBERDORFER,
Assistant Attorney General.

Approved:

ROBERT F. KENNEDY,
Attorney General.

[F.R. Doc. 61–5177; Filed, June 5, 1961; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

ARKANSAS AND INDIANA

Designation of Areas for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a–2(a)), as amended, it has been determined that in the following counties in the States of Arkansas and Indiana a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

ARKANSAS

Izard.	Sharp.

INDIANA

Jennings.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after December 31, 1961, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 31st day of May 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61–5193; Filed, June 5, 1961; 8:48 a.m.]

IDAHO

Designation and Extension of Areas for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a–2(a)), as amended, it has been determined that in the following counties in the State of Idaho a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

IDAHO

Blaine.	Jefferson.
Cassia.	Lemhi.
Custer.	Lincoln.
Elmore.	Owyhee.
Gooding.	Twin Falls.

It has also been determined that the production disaster for which the following counties were designated (25 F.R. 7109) has resulted in a continuing need in those counties for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources:

Bannock.	Clark.
Bear Lake.	Franklin.
Bonneville.	Oneida.
Butte.	Power.
Caribou.	Teton.

Pursuant to the authority set forth above, production emergency loans will not be made in any of the counties listed herein after June 30, 1962, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 31st day of May 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61–5194; Filed, June 5, 1961; 8:48 a.m.]

OKLAHOMA

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a–2(a)), as amended, it has been determined that in the following

counties in the State of Oklahoma a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

OKLAHOMA

Kiowa.	Tillman.
Nowata.	Washington.
Ottawa.	

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after December 31, 1961, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 31st day of May 1961.

ORVILLE L. FREEMAN.
Secretary.

[F.R. Doc. 61-5195; Filed, June 5, 1961; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Document No. 242]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The Department of Agriculture, U.S. Forest Service, has filed application, Serial No. AR-030575, for the withdrawal of lands described below from all forms of appropriation, including location and entry under the general mining laws, subject to valid existing claims. The applicant desires the lands for the prevention of the location of additional mineral claims in conjunction with the administration of the area for National Forest purposes.

For a period of thirty (30) 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 Interior, P.O. Box 148, Phoenix, Arizona.

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:

GILA AND SALT RIVER MERIDIAN

T. 8 S., R. 24 E.,
Sec. 35, W½SE¼.
Total area—80 acres.

The area is within the Mt. Graham Experimental Forest and is being used for research work.

Dated: May 29, 1961.

FRED J. WEILER,
State Director.

[F.R. Doc. 61-5173; Filed, June 5, 1961; 8:46 a.m.]

[Document No. 243]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The Department of Agriculture, U.S. Forest Service, has filed application, Serial No. AR-030576, for the withdrawal of lands described below from all forms of appropriation, including location and entry under the general mining laws, subject to valid existing claims. The applicant desires the lands for the prevention of the location of additional minerals claims, in conjunction with the administration of the area for National Forest purposes.

For a period of thirty (30) 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 Interior, P.O. Box 148, Phoenix, Arizona.

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:

GILA AND SALT RIVER MERIDIAN

TONTO NATIONAL FOREST

T. 6 N., R. 5 E.,
Sec. 31—Lots 7 and 8.
T. 5 N., R. 6 E.,
Sec. 25, 26, 27, 28, and 29;
Sec. 31—Lot 3;
Sec. 32 and 36.

Total area: Approximately 4,539.39 acres.

Dated: May 29, 1961.

FRED J. WEILER,
State Director.

[F.R. Doc. 61-5174; Filed, June 5, 1961; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

ROUND - THE - WORLD WESTBOUND SERVICE AND ROUND-THE-WORLD EASTBOUND SERVICE

Notice of Tentative Conclusions and Determinations Regarding the Essentiality and United States Flag Service Requirements

Notice is hereby given that on May 26, 1961, the Maritime Administrator, acting pursuant to section 211 of the Merchant Marine Act, 1936, as amended, found and determined the essentiality of Round-the-World Westbound Service and Round-the-World Eastbound Service and in accordance with his action of July 27, 1956, ordered that the following tentative conclusions and determinations reached by the Maritime Administrator with respect to said services be published in the FEDERAL REGISTER.

ROUND-THE-WORLD WESTBOUND SERVICE

1. Round-the-World Westbound Service as redescribed below is reaffirmed as an essential service in the foreign trade of the United States: From United States Atlantic ports via the Panama Canal to California and thence to ports in the Far East (Japan, Taiwan, the Philippines and the Continent of Asia from Union of Soviet Socialist Republics to Thailand, inclusive), Indonesia-Malaya (including Singapore), Southwest Asia (Suez to Burma, inclusive, and in Africa on the Red Sea and Gulf of Aden), and the Mediterranean returning to United States Atlantic ports. Combination ships may call at Hawaiian Islands.

NOTE: The carrying of intercoastal and noncontiguous passengers and cargo on the above service is subject to compliance with all applicable statutory provisions and requirements.

2. United States flag sailing requirements are not more than 5 sailings monthly, such sailings to complement U.S. flag liner sailings on Trade Routes Nos. 10, 12, 17, 18, 28, and 29.

3. Freight ships of the Mariner type are suitable for long-range operation to the full range of Round-the-World Westbound ports. C3 type freight ships, C3P combination ships, C2 and Victory type ships are considered suitable for interim operation on the service. Replacement ships for this service should be comparable in speed, bale cubic and deadweight capacity to the Mariner type ships with accommodations for 12 passengers and adequate refrigerator and deep tank capacity.

ROUND-THE-WORLD EASTBOUND SERVICE

1. Round-the-World Eastbound Service as redescribed below is reaffirmed as an essential service in the foreign trade of the United States: From United States Atlantic ports to ports in the Mediterranean (including Atlantic approaches), Southwest Asia (Suez to Burma, inclusive, and in Africa on the Red Sea and Gulf of Aden), Indonesia-Malaya (including Singapore), and the Far East (Japan, Taiwan, the Philippines and the Continent of Asia from Union of Soviet Socialist Republics to Thailand, inclusive) returning to California ports and via the Panama Canal to United States Atlantic ports. Ships may call at Puerto Rico.

NOTE: The carrying of intercoastal and noncontiguous passengers and cargo on the above service is subject to compliance with all applicable statutory provisions and requirements.

2. United States flag sailing requirements are not more than 3 sailings monthly, such sailings to complement U.S. flag liner sailings on Trade Routes Nos. 10, 12, 17, 18, 28, and 29.

3. Freight ships of the Mariner type are suitable for long-range operation to the full range of Round-the-World Eastbound ports. C3, C2, and Victory type

ships are considered suitable for interim operation on the service. Replacement ships for this service should be comparable in speed, bale cubic and deadweight capacity to the Mariner type ships with accommodations for 12 passengers and adequate refrigerator and deep tank capacity.

Any person, firm or corporation having any interest in the foregoing who desires to offer comments and views or request a hearing thereon should submit same in writing, in triplicate, to the Chief, Office of Government Aid, Maritime Administration, Department of Commerce, Washington 25, D.C., by close of business June 21, 1961. In the event a hearing is requested a statement must be included giving the reasons therefor. Any hearing thereby afforded will be before an Examiner on an informal basis only. The Maritime Administrator will consider these comments and views and take such action with respect thereto as in his discretion he deems warranted.

Dated: June 1, 1961.

By order of the Maritime Administrator.

THOMAS LISI,
Secretary.

[F.R. Doc. 61-5206; Filed, June 5, 1961; 8:51 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-99]

BABCOCK & WILCOX CO.

Notice of Issuance of Utilization Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 2, set forth below, to Facility License No. R-47, as amended, authorizing The Babcock & Wilcox Company to operate its Lynchburg Pool Reactor at power levels not exceeding 450 kilowatts (thermal) and to make certain modifications in the reactor design and operating procedures to accommodate operations at the increased power levels. The Commission has found that the conduct of the proposed activities in accordance with License No. R-47, as amended, will not present any undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has further found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the operation of the reactor in accordance with the terms of the license as amended does not present any substantial change in the hazards to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operation of the reactor.

In accordance with the Commission's rules of practice (10 CFR Part 2), the Commission will direct the holding of a formal hearing on the matter of the issuance of Amendment No. 2 to Facility License No. R-47 upon receipt of a request therefor from the licensee or an intervener within thirty days after the issuance of the license amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Md., or the AEC's Public Document Room, 1717 H Street NW., Washington, D.C.

For further details see (a) the application for license amendment submitted by The Babcock & Wilcox Company and (b) a related hazards analysis prepared by the Research & Power Reactor Safety Branch of the Division of Licensing and Regulation, both on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (b) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 25th day of May 1961.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[License No. R-47; Amdt. No. 2]

License No. R-47, as previously amended, issued to The Babcock & Wilcox Company for the operation of its Lynchburg Pool Reactor is hereby further amended in the following respects:

1. Paragraph 1 is hereby amended to read as follows:

"1. This license applies to the nuclear reactor designated by the licensee, The Babcock & Wilcox Company, as the 'Lynchburg Pool Reactor' (hereinafter referred to as 'the reactor') which is owned by the licensee and located at Lynchburg, Virginia, and described in the application for license dated March 27, 1958, and amendments thereto dated May 26, 1958, June 26, 1958, July 16, 1958, November 23, 1959, March 3, 1961, and April 5, 1961 (hereinafter collectively referred to as 'the application')."

2. Paragraph 4.A. is hereby amended to read as follows:

"A. The Babcock & Wilcox Company shall, unless previously authorized otherwise by the Commission, neither:

a. Operate the reactor at any time at power levels in excess of 450 kilowatts (thermal), nor

b. Operate the reactor at levels of 450 kilowatts (thermal) or less in such manner that the integrated thermal power for any one hundred and sixty-eight consecutive hours exceeds 840 kilowatt hours, nor

c. Operate the reactor continuously at power levels between 200 kilowatts (thermal) and 450 kilowatts (thermal) for more than one hour, nor

d. Conduct at power levels in excess of 1000 watts (thermal) any of the experiments authorized by Amendment No. 1 to License No. R-47 dated January 9, 1960."

3. A new paragraph 4.D. is added as follows:

"D. The Babcock & Wilcox Company shall follow the procedures described in Item 8 of the section 'Lynchburg Pool Reactor R-47' contained in the licensee's report entitled 'Survey of B&W Reactor Facilities Operated Under AEC License, January 1961'."

4. A new paragraph 4.E. is added as follows:

"E. The Babcock & Wilcox Company shall include in the reactor the positive mechanical means to prevent the inadvertent lifting of fuel elements through movement of control or safety rods described in the licensee's letter dated January 26, 1961."

5. A new paragraph 4.F. is added as follows:

"F. The Babcock & Wilcox Company shall promptly submit a written report to the Commission whenever, during operation of the reactor, any of the operating conditions or characteristics of the reactor which might affect nuclear safety varies significantly from its predicted value."

This amendment is effective as of the date of issuance.

Date of issuance: May 25, 1961.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 61-5164; Filed, June 5, 1961; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 12291]

ALLEGHENY AIRLINES, INC.; FARE CASE

Notice of Hearing

In the matter of a routing between Hartford/Springfield and Washington proposed by Allegheny Airlines, Inc.

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on June 20, 1961, at 10:00 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

Is (or will) routing No. 30, a rule or regulation affecting fares between Hartford and Washington on 18th Revised Page 26 of Agent C. C. Squire's C.A.B. No. 44 be (1) unjust or unreasonable, (2) unjustly discriminatory, (3) unduly preferential, (4) unduly prejudicial, or (5) otherwise unlawful?

If the routing is found to be unlawful, to determine and prescribe the lawful routing.

Dated at Washington, D.C., June 1, 1961.

[SEAL] WILLIAM J. MADDEN,
Hearing Examiner.

[F.R. Doc. 61-5207; Filed, June 5, 1961; 8:51 a.m.]

[Docket 11879; Order No. E-16877]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 31st day of May 1961.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic

Regulations, an agreement between various air carriers, foreign air carriers and other carriers, embodied in the resolutions of Joint Conference 1-2 of the International Air Transport Association (IATA), adopted at a meeting of the Atlantic Specific Commodity Rates Board held in Montreal in May 1961.

The agreement names additional specific commodity rates from Montreal and points in Canada to points in Europe for Item 0300, Fish and Seafood, and parts thereof, N.E.S. Under the terms of the basic agreement, rates to/from Montreal may be applied to/from New York.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement, which is incorporated in IATA Memorandum JT12/Rates 2586, to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

1. That Agreement C.A.B. 15339 is approved, provided that such approval, insofar as transportation to and from the United States may be concerned, shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

2. Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service, submit statements in writing containing reasons deemed appropriate together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statement filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 61-5208; Filed, June 5, 1961; 8:51 a.m.]

[Docket 12522, etc.; Order No. E-16881]

UNITED AIR LINES; CERTIFICATE AMENDMENT PROCEEDING

Statement of Tentative Findings and Conclusions and Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 1st day of June 1961.

By Order E-16605, dated April 3, 1961, the Board approved the merger of United Air Lines, Inc., and Capital Airlines, Inc., subject to certain conditions stated in ordering paragraph 2 of the order, including condition (d) quoted in the footnote below.[1] In the opinion accompanying the order, the Board stated (mimeo. op., page 33, footnote 69) that contemporaneously with the transfer of Capital's certificates to United, it would issue a show cause order as to why United's certificates should not be modified insofar as they would authorize United to engage in the operations which were being stayed. By an order issued simultaneously herewith, the Board is transferring Capital's certificates to United. Accordingly, it is appropriate also to issue this order to show cause.

As more fully set forth in the Board's opinion accompanying Order E-16605, supra, it appears:

1. That Capital presently provides no east-west service at Harrisburg, Pa., on Route 51; that on July 11, 1960, Capital filed an application in Docket 11614, requesting, inter alia, termination of its authority to serve Harrisburg on Route 51; that Allegheny Airlines, Inc., provides Harrisburg with 23 daily departures; that Harrisburg is the third most important city on Allegheny's route with respect to passengers originated; that Allegheny's on-line O&D traffic totaled 58,572 passengers a year in Harrisburg's major east-west markets and that Allegheny forecasts 74,942 passengers and $1,218,000 in revenue for 1961 in these markets; that the Harrisburg-New York and Harrisburg-Pittsburgh markets generate 44,000 passengers a year for Allegheny which estimates that these markets will produce 1961 passenger revenues of $700,000 for the carrier; and that Trans World Airlines, Inc., provides the Harrisburg-New York and Harrisburg-Pittsburgh markets with 3 daily round trips each.

2. That Capital presently provides no service in the Philadelphia-Pittsburgh market; that this market is Allegheny's top market, accounting for 60,784 Allegheny passengers per year, or about ⅛ of Allegheny's system passenger revenue; that Allegheny estimates that this market in 1961 will generate 91,400 passengers for its system, 24.4 million revenue passenger-miles, and $1,489,000 in passenger revenues; that Allegheny provides reduced fare "no reservation" service in this market which convenienced 22,000 passengers during the year ended September 30, 1960; that Allegheny and TWA each provide the market with nine nonstop round trips daily; and that United has authority to serve the market, subject to a long-haul restriction, and provides the market with only one daily round trip;

3. That Capital presently provides no service in the Buffalo-Detroit market; that Mohawk Airlines, Inc., operates three daily one-stop round trips in this market; that this market produced 10,312 on-line O&D passengers and 33,252 local and connecting passengers ($589,053 in revenue) for the year ended June 30, 1960; that Mohawk's service between Buffalo and Detroit accounts for 8 percent of its yearly revenue passenger-miles and 7 percent of its annual passenger revenue; and that American Airlines, Inc., provides the market with 4½ daily nonstop round trips.

In view of these considerations, we tentatively find and conclude:

1. That frequent and convenient east-west service is now being provided at Harrisburg by Allegheny and TWA; that to permit United to serve Harrisburg on Route 51 would cause excessive diversion from Allegheny and increased subsidy expenditure; and consequently that the public convenience and necessity require, and the Board should order, the deletion of Harrisburg from the certificate for Route 51 reissued to United;[2]

2. That frequent and convenient service is now being provided in the Philadelphia-Pittsburgh market by Allegheny and TWA; that to permit United to provide unrestricted service in this market would cause excessive diversion from Allegheny and increased subsidy expenditure; and consequently that the public convenience and necessity require, and the Board should order, that the certificates for Routes 14 and 51 reissued to United be amended by including a condition that all flights operated by United between Philadelphia and Pittsburgh should originate or terminate at Omaha, Nebr., or a point west thereof;

3. That frequent and convenient service is now being provided in the Buffalo-Detroit market by Mohawk and American; that to permit United to provide single-plane service in this market would cause excessive diversion from Mohawk and increased subsidy expenditures; and consequently that the public convenience and necessity require, and the Board should order, that the certificate for Route 14 reissued to United be amended by including a condition prohibiting the operation of single-plane service between Buffalo and Detroit.

Accordingly, it is ordered:

1. That there be and hereby is instituted a proceeding to be identified as the United Air Lines Certificate Amendment Proceeding, Docket 12522 et al.;

2. That that portion of the application of Capital Airlines, Inc., in Docket 11614 which seeks deletion of the intermediate point Harrisburg, Pa., from Route 51, be and it hereby is severed therefrom, assigned Docket 12523, and consolidated for hearing and decision with the proceeding instituted herein;

3. That all interested persons be and they hereby are ordered to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and amending the certificates of public convenience and necessity reissued to United Air Lines, Inc., by Order E-16880, so as to (1) delete the intermediate point Harrisburg, Pa., on Route 51; (2) require that all flights serving Pittsburgh, Pa., and Philadelphia, Pa., on Routes 14 and 51 shall originate or terminate at Omaha, Nebr., or a point west thereof; and (3) prohibit the operation of single-plane service between Buffalo, N.Y., and Detroit, Mich., on Route 14;

4. That any interested persons having objections to the issuance of an order making final the proposed findings, con-

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[1] "(d) That United shall not (i) serve Harrisburg, Pa., on Route 51; (ii) serve between Philadelphia, Pa., and Pittsburgh, Pa., except on flights which originate or terminate at Omaha, Nebr., or a point west thereof; and (iii) operate single-plane service between Buffalo, N.Y., and Detroit, Mich.;".

[2] We will sever that portion of Capital's application in Docket 11614 which seeks deletion of Harrisburg from Route 51, and consolidate the severed portion for hearing and decision with the show cause proceeding instituted herein.

clusions, and certificate amendments set forth herein shall, within 15 days from the date hereof, file with the Board and serve upon all persons hereafter made parties written notice of objection;

5. That if no objections are filed, further procedural steps shall be deemed waived and the matter submitted to the Board for issuance of a final order;

6. That if objections are filed, further consideration will be accorded any matters or issues raised by the objections, before further action is taken by the Board;

7. That copies of this order shall be served on United Air Lines, Inc., Allegheny Airlines, Inc., Mohawk Airlines, Inc., American Airlines, Inc., Trans World Airlines, Inc., and the Cities and Chambers of Commerce of Harrisburg, Philadelphia, and Pittsburgh, Pa., Buffalo and New York, N.Y., and Detroit, Mich., all hereby made parties to the proceeding in Docket 12522 et al.; and

8. That a copy of this order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 61-5209; Filed, June 5, 1961; 8:51 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 61-NY-6]

PROPOSED RADIO ANTENNA STRUCTURE

Notice of No Airspace Objection

The Federal Aviation Agency has circularized the following proposal to interested persons for aeronautical comment and has conducted a study to determine its effect upon the utilization of airspace: Southern Bell Telephone and Telegraph Company, Atlanta, Georgia, proposes to erect a radio antenna structure near Hazard, Kentucky, at latitude 37°15'21" north, longitude 83°10'29" west. The overall height of the structure would be 1841 feet above mean sea level (283 feet above ground).

No aeronautical objections were made in response to the circularization. The study revealed that the proposed structure would be located 2.8 miles southeast of the Hazard Airport and would exceed the inner conical surface of the "Joint Industry/Government Tall Structures Committee" criteria as applied to that airport by 651 feet. The terrain at the proposed site exceeds this criteria by 368 feet. There is an existing tower, 1,805-feet MSL between the proposed site and the Hazard Airport which exceeds the JIGTSC criteria by 692 feet. Therefore, the proposed structure would, in effect, be shielded with respect to the airport by an existing structure of a permanent and substantial character, and the penetration of the conical surfaces would not adversely affect air traffic operations at the Hazard Airport.

No other aeronautical operations, procedures or minimum flight altitudes would be affected by the proposed structure.

Therefore, I find that this proposed structure at the location and mean sea level elevation specified herein would have no adverse effect upon aeronautical operations, procedures or minimum flight altitudes and conclude that no objection thereto from an airspace utilization standpoint be interposed by this Agency, provided that the structure be obstruction marked and lighted in accordance with applicable rules and standards.

This finding will be effective upon publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on May 29, 1961.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 61-5166; Filed, June 5, 1961; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1409]

NORTHEASTERN WATER CO.

Notice of Filing of Application for Order Exempting Proposed Transaction

MAY 29, 1961.

Notice is hereby given that Northeastern Water Company, Wilmington, Delaware ("Applicant"), a Delaware corporation, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") requesting an order of the Commission exempting from the provisions of section 17(a) of the Act the proposed sale by Applicant of $4,000,000 principal amount of 5½ percent Collateral Trust Bonds ("Bonds") to Investors Mutual, Inc. ("Investors"), a registered open-end investment company. Applicant, as described herein, is an affiliated person of an affiliated person of Investors.

Applicant has negotiated a proposed aggregate sale of $15,000,000 of Bonds at 100 percent of their principal amount to a group of twelve institutional purchasers, including Investors. It is stated that the Bonds will mature on May 1, 1986, and will have a sinking fund, with annual payments beginning in 1963, in the aggregate sufficient to retire 50 percent of the issue prior to maturity. It is stated that the Bonds will be secured initially by a pledge of all the common stock owned by Applicant of American Water Works Company, Inc. ("American") and 22 operating water and sewer companies. In the case of American, which is listed on the New York Stock Exchange, the pledged stock amounts to 60.48 percent of the outstanding common stock of that company and the market value of such stock as of May 5, 1961, was $49,312,837.50. The stock of the other 22 companies to be pledged is in each case the entire amount of the common stock of these companies outstanding. According to the application the total book value of the 22 companies as reflected in the audited books of account of the respective companies, as at December 31, 1960, is $7,421,132.

It is stated that the net proceeds received by Applicant on the sale of the Bonds will be used to redeem all of its outstanding 5 percent Sinking Fund Collateral Trust Bonds, due January 1, 1968, and also for general corporate purposes, including advances to subsidiaries to permit retirement of bank loans, additional investments in securities of subsidiaries and payment of dividends out of earned surplus.

According to the application Investors owns approximately 5.5 percent of the outstanding common stock of American and by virtue of this fact, these companies are affiliated persons of each other. Section 2(a)(3) of the Act defines an "affiliated person" of another person as, among other things, any person directly or indirectly owning, controlling, or holding with power to vote, five percent or more of the outstanding voting securities of such other person, or any person five percent or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by such other person. Section 17(a) of the Act prohibits an affiliated person of a registered investment company or any affiliated person of such a person, from selling to, or purchasing from such registered investment company or a company controlled by it any securities or property, subject to certain exceptions not pertinent here. The Commission upon application pursuant to section 17(b) may grant an exemption from the provisions of section 17(a) if it finds that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the Act, and is consistent with the general purposes of the Act.

In support of the application it is pointed out that the fairness and reasonableness of the transaction is demonstrated by the fact that eleven other nonaffiliated institutional investors are purchasing the Bonds on the identical terms and conditions as proposed in the case of Investors. Among such institutional investors, those purchasing more than $1,000,000 principal amount of Bonds are The First National City Bank of New York, as Trustee for Various Pension Trusts, Northwestern Mutual Life Insurance Company, Massachusetts Mutual Life Insurance Company, Continental Assurance Company, and Lincoln National Life Insurance Company.

Notice is hereby given that any interested person may, not later than June 15, 1961, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commis-

sion, Washington 25, D.C. At any time after said date, as provided by Rule O–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

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

[F.R. Doc. 61–5180; Filed, June 5, 1961; 8:47 a.m.]

[File No. 24SF–2873]

YARBROUGH PETROLEUM CORP.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor and Notice of Opportunity for Hearing

MAY 31, 1961.

I. Yarbrough Petroleum Corporation (issuer), a Nevada corporation, filed with the Commission on April 18, 1961, a notification and offering circular relating to an offering of 300,000 shares of its $1 par value capital stock at $1 per share for an aggregate of $300,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A.

II. The Commission has reason to believe that:

A. The geological reports filed by the issuer as Exhibits 5 and 6 to the notification and the offering circular, filed as Exhibit 2 therewith, contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The estimate of the gross oil reserves of the issuer's Towle lease at 1,204,640 barrels, before reduction for royalties;

2. The estimate of reserves in possible production formations of the issuer's Reedy lease and the basis used in arriving at such estimate;

3. The use of projections of estimated income in future years from the Towle lease as well as the Reedy lease which cannot be justified on the basis of information known at present;

4. The failure to disclose that the information on the map of the Towle lease and the well data accompanying such map are not subject to correlation;

5. The failure to disclose that, based on information known at present, the possibility of obtaining profitable commercial production from the Towle lease is very remote;

6. The failure to disclose with respect to the Reedy lease the decline in pressure which normally occurs in any producing oil field with the passage of years and the adverse effect of such decline on production from the field;

7. The failure to disclose with respect to the Reedy lease that the accumulated production set forth for the wells reasonably close to the Reedy lease has been estimated rather than being actual production data, and therefore subject to error;

8. The statement made in connection with the Reedy lease that many wells near such lease had initial production rates of thousands of barrels per day when the initial production rate of the largest well near the issuer's lease did not amount to thousands of barrels per day.

III. *It is ordered,* Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

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

[F.R. Doc. 61–5181; Filed, June 5, 1961; 8:47 a.m.]

TARIFF COMMISSION

[7–105]

CREEPING RED FESCUE SEED

Notice of Termination of Investigation and Cancellation of Hearing

At the request of the Chewings and Creeping Red Fescue Commission of the State of Oregon and the Northwest Chewings and Creeping Red Fescue Association, the United States Tariff Commission has terminated prior to completion the investigation instituted pursuant to section 7 of the Trade Agreements Extension Act of 1951, as amended, with respect to Creeping Red Fescue Seed, and cancelled the hearing heretofore scheduled in connection therewith. (26 F.R. 2064 and 26 F.R. 2495.) The termination of the investigation is without prejudice to the institution of another investigation respecting Creeping Red Fescue Seed upon proper application of an interested party.

Issued: June 1, 1961.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 61–5205; Filed, June 5, 1961; 8:51 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Narcotics

EXCEPTED NARCOTIC PHARMACEUTICAL PREPARATIONS

Notice is hereby given pursuant to the provisions of section 4702(a) of the Internal Revenue Code of 1954, as amended by section 4(c) of the Narcotics Manufacturing Act of 1960 (74 Stat. 58), and section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003) and after considering the advice and recommendations of an advisory committee, that a finding is proposed to be made that pharmaceutical preparations in liquid form containing not more than 2.5 mgs. diphenoxylate and not less than 25 micrograms atropine sulfate per dosage unit do not possess an addiction-forming or addiction-sustaining liability sufficient to warrant imposition of all the requirements of the Federal narcotic laws and do not permit recovery of a narcotic drug having an addiction-forming or addiction-sustaining liability, with such relative technical simplicity and degree of yield as to create a risk of improper use. It is proposed therefore to designate such pharmaceutical preparations as Class "X" products to be subjected to such requirements as are indicated for Class "X" products in 26 CFR 151.421–151.428.

Consideration will be given to any written data, views, or arguments pertaining to the exception proposed for these preparations, which are received by the Commissioner of Narcotics prior to July 7, 1961. Any person desiring to be heard on the proposed exception for the named pharmaceutical preparations will be accorded the opportunity of a hearing in the office of the Commissioner of Narcotics, 1300 E Street NW., Washington 25, D.C., at 10:00 o'clock a.m., July 7, 1961, provided that such person furnishes written notice of his desire to be heard, to the Commissioner of Narcotics, Washington 25, D.C., not later than 20 days from the publication of this notice in the FEDERAL REGISTER. If no written notice of a desire to be heard shall be received within 20 days from the date of publication of this notice in the FEDERAL REGISTER, no hearing shall be held.

[SEAL] H. J. ANSLINGER, *Commissioner of Narcotics.*

Approved: May 31, 1961.

A. GILMORE FLUES, *Assistant Secretary of the Treasury.*

[F.R. Doc. 61–5204; Filed, June 5, 1961; 8:50 a.m.]

Office of the Secretary

[Dept. Circ. 570; 1961 Revision]

COMPANIES HOLDING CERTIFICATES OF AUTHORITY AS ACCEPTABLE SURETIES ON FEDERAL BONDS AND AS ACCEPTABLE REINSURING COMPANIES

Companies Holding Certificates of Authority From Secretary of the Treasury Under Act of Congress Approved July 30, 1947 (6 U.S.C. 6–13) as Acceptable Sureties on Federal Bonds [a]

MAY 1, 1961.

This circular is published solely for the information of Federal bond-approving officers and persons required to give bonds to the United States. Information contained in this circular was formerly published as Treasury Department Form 356—Revised.

The following companies, except where otherwise noted, have complied with the law and the regulations of the Treasury Department and are acceptable as sureties on Federal bonds, to the extent and with respect to the localities indicated opposite their respective names.

[SEAL]

ROBERT V. ROOSA,
Under Secretary of the Treasury for Monetary Affairs.

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk) see footnote (b)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
The Aetna Casualty and Surety Co., Hartford, Conn.	$22,945,000	All except Canal Zone, Virgin Islands	CONN.—All except Virgin Isiands.
Aetna Insurance Company, Hartford, Conn.	9,409,000	All except Canal Zone, Virgin Islands	CONN.—All except Canal Zone, Hawaii, Virgin Islands.
Allegheny Mutual Casualty Co., Meadville, Pa.	98,000	Fla., Ill., Ind., Md., Mich., N.J., Ohio, Pa., Wis.	PA.—D.C., sFla., nIll., Md., eMich., N.J., Ohio, eWis.
American Automobile Insurance Co., Newark, N.J.	5,082,000	All except Canal Zone, Puerto Rico, Virgin Islands	MO.—All except Canal Zone, Puerto Rico, Virgin Islands.
American Casualty Co. of Reading, Pennsylvania, Reading, Pa.	2,238,000	All except Canal Zone, Virgin Islands	PA.—All except Virgin Islands.
American Central Insurance Co., New York, N.Y.	919,000	All except Canal Zone, Del., Hawaii, Idaho, La., Oreg., Puerto Rico, S.C., Tenn., Virgin Islands.	MO.—All except Alaska, Ariz., Canal Zone, Del., Hawaii, Idaho, La., Miss., N. Mex., Oreg., Puerto Rico., S.C., Tenn., wTex., Utah, Virgin Islands.
American Credit Indemnity Company of New York, Baltimore, Md.	1,736,000	Cal., Colo., Conn., Del., Iil., Ind., Iowa, Ky., Md., Mass., Mich., Minn., Mo., N.J., N. Mex., N.Y., N.C., Ohio, Okla., Pa., R.I., Vt., Wash., W. Va., Wis.	N.Y.—D.C.
American Employers' Insurance Co., Boston, Mass.	2,522,000	All except Canal Zone	MASS.—All.
American Fidelity Co., Manchester, N.H.	296,000	Conn., Me., Mass., Miss., N.H., R.I., Vt	VT.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
American General Insurance Co., Houston, Tex.	2,837,000	Ala., Ariz., Ark., Colo., D.C., La., Miss., N. Mex., Okla., Pa., Tex.	TEX.—All except Conn., Del., Hawaii, Ill., eKy., Me., Md., Mass., Mich., N.H., N.J., N.Y., Ohio, Puerto Rico, R.I., eTenn., Vt., Virgin Islands, W. Va.
American Guarantee and Liability Insurance Co., Chicago, Ill.	805,000	All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—Alaska, Cal., Conn., D.C., nFla., nsGa., nsIll., nInd., Me., Md., Mass., eMich., Minn., Mo., N.H., N.J., N. Mex., Ohio, Pa., nswTex., Vt.
American Home Assurance Co., New York, N.Y.	2,110,000	All except Canal Zone, Idaho, N. Dak., Oreg., Puerto Rico, Tenn., Virgin Islands.	N.Y.—D.C.
American Indemnity Co., Galveston, Tex.	505,000	All except Alaska, Ariz., Canal Zone, Conn., Del., Hawaii, Idaho, Me., Md., Mass., Mont., Nebr., Nev., N.H., N.J., N. Mex., N.Y., N. Dak., Oreg., Pa., Puerto Rico, R.I., S. Dak., Utah, Vt., Virgin Islands, Wash., W. Va., Wyo.	TEX.—All except Alaska, wArk., Canal Zone, Hawaii, wMich., nOkla., Puerto Rico, Virgin Islands, wVa.
The American Insurance Co., Newark, N.J.	11,477,000	All except Canal Zone, Puerto Rico, Virgin Islands	N.J.—All except Canal Zone, Puerto Rico, Virgin Islands.
American Motorists Insurance Co., Chicago, Ill.	1,050,000	All except Alaska, Ark., Del., Hawaii, Idaho, Oreg., Puerto Rico, Utah, Virgin Islands, Wyo.	ILL.—All except Alaska, Ark., Canal Zone, Del., nFla., Hawaii, Idaho, Nev., N. Mex., Oreg., Puerto Rico, Tenn., Virgin Islands, Wyo.
American Mutual Liability Insurance Co., Wakefield, Mass.	3,686,000	All except Canal Zone, Puerto Rico, Virgin Islands	MASS.—D.C.
American National Fire Insurance Co., New York, N.Y.	799,000	All except Alaska, Ariz., Ark., Canal Zone, Conn., Del., Fla., Ga., Idaho, Kans., La., Me., Mass., Mich., N.J., N.C., N. Dak., Pa., Puerto Rico, S.C., S. Dak., Tenn., Va., Virgin Islands, Wis.	N.Y.—
American Re-Insurance Co., New York, N.Y.	3,144,000	All except Canal Zone, Del., D.C., Fla., Idaho, Mont., N. Mex., Puerto Rico, Virgin Islands, W. Va., Wyo.	N.Y.—All.
American States Insurance Co., Indianapolis, Ind.	1,498,000	Colo., Ill., Ind., Ky., Mich., Ohio, Pa	IND.—D.C., Ill., Ky., Mich., Ohio.
American Surety Co. of New York, New York, N.Y.	2,313,000	All	N.Y.—All.
Anchor Casualty Co., St. Paul, Minn.	696,000	All except Alaska, Canal Zone, Conn., Del., Ga., Hawaii, Ky., Me., Md., Mass., Miss., N.H., N.J., N.Y., Pa., Puerto Rico, R.I., Tenn., Vt., Virgin Islands, W. Va.	MINN.—mnAla., Ariz., Ark., Cal., Colo., D.C., Fla., Idaho, nIil. Iowa, Kans., La., eMich., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., Ohio, wOkla., Oreg., S. Dak., Tex., Utah, Wash., Wis.
Argonaut Insurance Company, Menlo Park, Cal.	367,000	Ariz., Ark., Cal., Colo., Hawaii, Idaho, Iowa, La., Mass., Minn., Miss., Mont., Nev., N. Mex., N. Dak., Okla., Oreg., S.C., Tex., Utah, Vt., Wash., Wyo.	CAL.—D.C., nGa., Idaho.
Associated Indemnity Corporation, Newark, N.J.	1,311,000	All except Canal Zone, Ga., La., Puerto Rico, S.C., Virgin Islands.	CAL.—nAla., Ariz., D.C., sFla., eMo., Mont., Nebr., Nev., sN.Y., wOkla., Oreg., nwTex., Utah, Wash.
Atlantic Mutual Insurance Co., New York, N.Y.	3,354,000	All except Ala., Canal Zone, Del., Fla., Hawaii, Kans., La., Me., Mass., Pa., Puerto Rico. S.C., S. Dak., Tenn., Tex., Va., Virgin Islands, Wash.	N.Y.—D.C.
Auto-Owners Insurance Co., Lansing, Mich.	1,089,000	Ala., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., Mich., Minn., Mo., Nebr., N.C., N. Dak., Ohio, Pa., S.C., S. Dak., Tenn., Wis.	MICH.—D.C., Fla., Ill., Ind., Iowa, Minn., Mo., N. Dak., Ohio., S. Dak.
Bankers and Shippers Insurance Company of New York, New York, N.Y.	1,019,000	All except Alaska, Canal Zone, Ga., Hawaii, Idaho, Kans., La., Me., Mont., N.H., Oreg., Puerto Rico, Utah, Virgin Islands, Wash., W. Va., Wis.	N.Y.—
Beneficial Fire and Casualty Insurance Co., Los Angeles, Cal. (Auth. Aug. 18, 1960).	162,000	Cal., Colo., Nev., N. Mex., Wash	CAL.—D.C.
Birmingham Fire Insurance Company of Pennsylvania, Pittsburgh, Pa.	531,000	All except Ark., Canal Zone, Del., Ga., Hawaii, Idaho, Mass., N.H., N.J., Oreg., Puerto Rico, S.C., Tex., Virgin Islands.	PA.—D.C.
Boston Insurance Co., Boston, Mass.	3,493,000	All except Canal Zone, Hawaii, Idaho, Oreg	MASS.—All except Alaska, Canal Zone, Hawaii, Idaho, N. Dak., Oreg., Puerto Rico, Virgin Islands.
The Buckeye Union Casualty Co., Columbus, Ohio.	1,437,000	Ill., Ind., Ky., Md., Mich., Mo., Ohio, Pa., Va., W. Va.	OHIO.—D.C., Ill., Ind., Ky., Mich., Pa., eTenn., Wash., W. Va.
The Camden Fire Insurance Association, Camden, N.J.	2,161,000	Alaska, Ariz., Colo., Conn., Ind., Iowa, Ky., La., Md., Nev., N.J., N. Mex., N.Y., N. Dak., Ohio, Okla., Oreg., Pa., R.I., S.C., Vt., Wyo.	N.J.—D.C.
Capitol Indemnity Corporation, Madison, Wis. (Auth. Oct. 18, 1960).	42,000	Wis	WIS.—

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk) see footnote (b)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
Capitol Indemnity Insurance Co., Indianapolis, Ind.	$51,000	Ill., Ind., Ky., Mo., Tenn	IND.—All except Alaska, Hawaii, Puerto Rico, Virgin Islands.
Carolina Casualty Insurance Co., Jacksonville, Fla.	160,000	All except Canal Zone, Conn., Hawaii, N.H., N.Y., Oreg., Puerto Rico, R.I., Tex., Virgin Islands.	N.C.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Cascade Insurance Company, Tacoma, Wash.	162,000	Idaho, Mont., Nev., Oreg., Utah, Wash	WASH.—All except Canal Zone, Puerto Rico, Virgin Islands.
The Celina Mutual Insurance Company, Celina, Ohio.	273,000	Colo., D.C., Ill., Ind., Ky., Md., Mich., Ohio, Pa., Va., W. Va.	OHIO.—D.C.
Centennial Insurance Company, New York., N.Y.	764,000	All except Ala., Canal Zone, Del., Fla., Kans., La., Me., Mass., Pa., Puerto Rico, S.C., S. Dak., Tenn., Tex., Va., Virgin Islands, Wash.	N.Y.—D.C.
Central Mutual Insurance Company, Van Wert, Ohio.	1,418,000	Alaska, Ariz., Cal., Colo., D.C., Ind., Iowa, Md., Mo., Nev., N. Mex., Ohio, Pa., R.I., Utah, Vt., Wash., W. Va., Wyo.	OHIO.—
Central Surety and Insurance Corporation, Kansas City, Mo.	908,000	All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.	MO.—All except Virgin Islands.
The Cincinnati Insurance Co., Cincinnati, Ohio.	146,000	Fla., Ind., Ky., Ohio	OHIO.—D.C., sFla., sInd., Ky.
Citizens Casualty Company of New York, New York, N.Y.	224,000	All except Canal Zone, Hawaii, Virgin Islands	N.Y.—All except Canal Zone, Hawaii, Virgin Islands.
Citizens Insurance Company of New Jersey, Hartford, Conn.	661,000	All except Canal Zone, Ohio, Puerto Rico, Tenn., Virgin Islands.	N.J.—All except Ala., Alaska, Ark., Canal Zone, Del., D.C., Fla., Hawaii, Ind., Kans., Ky., La., Me., Md., Miss., Nebr., N.H., N. Dak., Ohio, Puerto Rico, R.I., S.C., S. Dak., Tenn., Vt., Va., Virgin Islands, W. Va., Wyo.
Columbia Casualty Co., New York, N.Y.	926,000	All except Alaska, Ariz., Canal Zone, Miss., Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Miss., Virgin Islands.
Commercial Insurance Company of Newark, New Jersey, Newark, N.J.	1,415,000	All except Puerto Rico	N.J.—All.
Commercial Standard Insurance Co., Fort Worth, Tex.	397,000	Ala., Ark., Cal., Colo., D.C., Ind., Iowa, Kans., Ky., Minn., Miss., Mo., Mont., Nebr., Nev., N. Mex., N.C., N. Dak., Okla., S. Dak., Tex., Utah, Va., Wyo.	TEX.—All except Alaska, Canal Zone, Hawaii, Minn., Miss., Puerto Rico, S. Dak., Virgin Islands.
The Commonwealth Insurance Co., of New York, New York, N.Y.	859,000	All except Canal Zone, Conn., Del., Idaho, N.J., Oreg., Puerto Rico, Virgin Islands.	N.Y.—All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
The Connecticut Fire Insurance Company, Hartford, Conn.	5,248,000	All except Canal Zone, Puerto Rico, Virgin Islands	CONN.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
The Connecticut Indemnity Company, New Haven, Conn.	577,000	All except Alaska, Canal Zone, Del., Hawaii, Oreg., Puerto Rico, S.C., Va., Virgin Islands.	CONN.—All except Alaska, Ariz., Cal., Canal Zone, Hawaii, Idaho, Mont., Nev., Oreg., Puerto Rico, Utah, Virgin Islands, Wash.
Consolidated Mutual Insurance Co., Brooklyn, N.Y. (Auth. May 1, 1961).[1]	695,000	N.Y	N.Y.—D.C.
Continental Casualty Co., Chicago, Ill.	22,654,000	All	ILL.—All except Canal Zone, Virgin Islands.
The Continental Insurance Company, New York, N.Y.	79,903,000	All except Ala., Ark., Del., Fla., Ga., Idaho, Kans., La., Me., Mass., Mich., Mo., Ohio, Oreg., Puerto Rico, S.C., S. Dak., Tenn., Tex., Va., Virgin Islands.	N.Y.—nCal., Del., D.C., Hawaii, nIll., Mont., wWash.
Cosmopolitan Mutual Insurance Co., New York, N.Y.	756,000	Conn., D.C., Md., Mass., N.H., N.J., N.Y., Pa., R.I., Vt.	N.Y.—
Employers Casualty Co., Dallas, Tex.	779,000	Ariz., Cal., Colo., Ind., Iowa, Miss., Mo., Mont., Nebr., Nev., N. Mex., Okla., Tex., Utah, Wyo.	TEX.—D.C.
The Employers' Fire Insurance Co., Boston, Mass.	1,344,000	All except Canal Zone, Puerto Rico, Virgin Islands	MASS.—All except Canal Zone, Puerto Rico, Virgin Islands
Employers Mutual Casualty Co., Des Moines, Iowa.	1,333,000	All except Ala., Canal Zone, Conn., Del., Fla., Ga., Hawaii, Ky., La., Me., Mass., Mont., Nev., Puerto Rico, R.I., Tenn., Utah, Virgin Islands.	IOWA.—Alaska, Colo., D.C., Ill., Ind., Kans., Md., Minn., Miss., Mo., Nebr., N.C., N. Dak., Ohio, Okla., Oreg., Pa., S.C., S. Dak., Wis.
Employers Mutual Liability Insurance Co. of Wisconsin, Wausau, Wis.	5,366,000	All except Canal Zone, Virgin Islands	WIS.—D.C.
Employers Reinsurance Corporation, Kansas City, Mo.	3,050,000	All except Canal Zone, Del., Fla., Hawaii, Idaho, Kans., N.H., Puerto Rico, S. Dak., Virgin Islands, Va.	MO.—All.
Equitable Fire and Marine Insurance Company, Providence, R.I.	1,646,000	All except Alaska, Ark., Canal Zone, Idaho, La., Oreg., Puerto Rico, S.C., Virgin Islands.	R.I.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Farmers Elevator Mutual Insurance Co., Des Moines, Iowa.	306,000	Colo., Ill., Iowa, Kans., Minn., Nebr., Okla., S. Dak., Tex., Wyo., Wis.	IOWA.—Colo., D.C., Ill., Kans., Nebr., Okla., S. Dak.
Federal Insurance Co., New York, N.Y.	12,265,000	All	N.J.—All.
The Fidelity and Casualty Co. of New York, New York, N.Y.	9,751,000	All except Puerto Rico, Virgin Islands	N.Y.—All except Hawaii, Puerto Rico, Virgin Islands.
Fidelity and Deposit Co. of Maryland, Baltimore, Md.	5,206,000	All except Virgin Islands	MD.—All.
Fidelity-Phenix Insurance Company, New York, N.Y.	2,715,000	All except Ala., Ark., Canal Zone, Del., Fla., Ga., Idaho, Kans., La., Me., Mass., Mich., Mo., Ohio, Oreg., Puerto Rico., S.C., S. Dak., Tenn., Tex., Va., Virgin Islands.	N.Y.—All except Virgin Islands
Fireman's Fund Insurance Company, San Francisco, Cal.	18,828,000	All except Canal Zone, Virgin Islands	CAL.—All.
Firemen's Insurance Company of Newark, New Jersey, Newark, N.J.	8,806,000	All except Puerto Rico	N.J.—All except Canal Zone
Florida Home Insurance Co., Miami, Fla.	186,000	Fla	FLA.—D.C.
Founders' Insurance Co., Los Angeles, Cal.	181,000	Ariz., Cal., Colo., Hawaii, La., Miss., Nev., N. Mex., N.Y., Tex., Wash., Wyo.	CAL.—Colo., D.C., Mont., Nebr., sOhio., Oreg., sTex.
The Fulton Insurance Co., New York, N.Y.	219,000	All except Ala., Del., Ga., Hawaii, Idaho	N.Y.—All except Ala., Canal Zone, Del., Ga., Hawaii, Idaho, Puerto Rico, Virgin Islands, eWash.
General Fire and Casualty Company, New York, N.Y.	596,000	All except Ala., Alaska, Ariz., Ark., Canal Zone, Conn., Del., Ga., Hawaii, Idaho, Kans., Me., Mont., N. Mex., N.C., N. Dak., Oreg., Puerto Rico, S.C., S. Dak., Tenn., Virgin Islands, Wash., Wyo.	N.Y.—D.C.
General Insurance Co. of America, Seattle, Wash.	9,344,000	All except Puerto Rico, Virgin Islands	WASH.—All except Puerto Rico, Virgin Islands.
General Insurance Corporation, Fort Worth, Tex.	221,000	Ala., Ariz., Cal., Colo., Fla., Ind., Kans., Ky., La., Minn., Nev., N. Mex., N. Dak., Okla., Tex.	TEX.—D.C.
General Reinsurance Corporation, New York, N.Y.	5,702,000	All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—All except Canal Zone, Virgin Islands.
Glens Falls Insurance Co., Glens Falls, N.Y.	6,071,000	All except Canal Zone, Puerto Rico, Virgin Islands	N.Y.—All except Puerto Rico, Virgin Islands.
Globe Indemnity Co., New York, N.Y.	5,185,000	All except Canal Zone, Puerto Rico, Virgin Islands	N.Y.—All except Alaska, Virgin Islands.
Grain Dealers Mutual Insurance Co., Indianapolis, Ind., (Auth. Feb. 9, 1961)	1,218,000	Col., Conn., Ind., Iowa., Mass., Minn., Miss., Mo., Mont., Nebr., N.H., N. Mex., N.Y., R.I., Tex., Vt., W. Va., Wis., Wyo.	IND.—D.C.
Granite State Insurance Co., Manchester, N.H.	543,000	All except Canal Zone, Del., Hawaii, Idaho, Oreg., Puerto Rico, Virgin Islands.	N.H.—All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Great American Insurance Co., New York, N.Y.	20,849,000	All except Canal Zone	N.Y.—All except Canal Zone, Virgin Islands.

[1] Formerly qualified with Treasury as a reinsurer only. Authority extended to that of direct insurer May 1, 1961.

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk) see footnote (b)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
Gulf American Fire and Casualty Co., Montgomery, Ala.	$95,000	Ala., Fla., Ga., Miss., S.C., Tenn	ALA.—D.C., mnGa., sMiss.
The Hanover Insurance Co., New York, N.Y	2,332,000	All except Canal Zone, Hawaii, Idaho, Puerto Rico, Virgin Islands.	N.Y.—All except Ala., Canal Zone, Ga., Hawaii, Idaho, Puerto Rico, Virgin Islands.
Hardware Mutual Casualty Co., Stevens Point, Wis.	1,262,000	All except Ark., Canal Zone, Conn., Del., Fla., Ga., Hawaii, Idaho, Kans., Me., Mass., Mich., Ohio, Oreg., Pa., Puerto Rico, S.C., S. Dak., Va., Virgin Islands, Wash.	WIS.—
Hartford Accident and Indemnity Co., Hartford, Conn.	15,855,000	All except Virgin Islands	CONN.—All except Virgin Islands.
Hartford Fire Insurance Co., Hartford, Conn.	41,846,000	All except Canal Zone, Puerto Rico, Tenn., Virgin Islands	CONN.—Ariz., Cal., D.C., La., N.Y.
Hawkeye-Security Insurance Co., Des Moines, Iowa.	448,000	Colo., D.C., Fla., Idaho, Ill., Ind., Iowa, Kans., Md., Mich., Minn., Mo., Mont., Nebr., Nev., N. Mex., Ohio, Pa., S. Dak., Utah, Va., Wyo.	IOWA.—Colo., D.C., Fla., Ill., sInd., Kans., wMich., Mo., Nebr., N. Mex., S. Dak., Wyo.
The Home Indemnity Co., New York, N.Y.	1,947,000	All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Hawaii, Puerto Rico, Virgin Islands.
The Home Insurance Co., New York, N.Y.	28,648,000	All	N.Y.—D.C.
Home Insurance Company of Hawaii, Limited, Honolulu, Hawaii.	475,000	Guam, Hawaii, Oreg	HAWAII.—D.C.
Houston Fire and Casualty Insurance Co., Fort Worth, Tex.	576,000	Ala., Ariz., Cal., Colo., Ill., Ind., Kans., La., Minn., Miss., Mo., Nev., N. Mex., N. Dak., Okla., Pa., Tenn., Tex.	TEX.—D.C., N. Mex., neOkla., emTenn.
Hudson Insurance Company, New York, N.Y.	300,000	N.Y	N.Y.—D.C.
Industrial Indemnity Co., San Francisco, Cal.	1,067,000	Alaska, Ariz., Cal., Colo., Fla., Guam, Hawaii, Idaho, Ill., Mont., Nev., N. Mex., Okla., Oreg., Tex., Utah, Wash., Wyo.	CAL.—Alaska, Ariz., Colo., D.C., Hawaii, Idaho, Mont., Nev., N. Mex., Oreg., Tex., Utah, Wash., Wyo.
Inland Insurance Company, Lincoln, Nebr.	175,000	Nebr	NEBR.—Ariz., Ark., Colo., D.C., Ill., Iowa, Kans., Ky., Minn., eMo., Mont., Nev., N. Mex., N. Dak., Ohio, Okla., Oreg., S. Dak., Tex., Utah., Wash., Wyo.
Insurance Company of North America, Philadelphia, Pa.[1]	54,164,000	All except Canal Zone	PA.—All except Canal Zone.
The Insurance Company of the State of Pennsylvania, Philadelphia, Pa.	882,000	All except Alaska, Ariz., Canal Zone, Hawaii, Idaho, Mont., Nev., N. Mex., N. Dak., Oreg., Puerto Rico, S. Dak., Tenn., Virgin Islands.	PA.—D.C.
International Fidelity Insurance Co., Jersey City, N.J.	214,000	Md., Mass., Mich. (Fidelity only), N.J., N.Y., Pa	N.J.—All except Alaska, Virgin Islands.
Iowa Mutual Insurance Co., DeWitt, Iowa.	220,000	Ala., Colo., Fla., Ga., Ill., Iowa, Kans., La., Minn., Mont., Nebr., N.C., N. Dak., Okla., Oreg., S.C., S. Dak.	IOWA.—nAla., Colo., sIll., Kans., Minn., Mont., Nebr., wN.C., wOkla., Oreg., S. Dak.
Jersey Insurance Company of New York, New York, N.Y.	671,000	All except Alaska, Ariz., Canal Zone, Del., D.C., Ga., Hawaii, Idaho, Kans., La., Me., Mont., Nev., N.H., N. Mex., N. Dak., Oreg., Puerto Rico, S. Dak., Utah, Vt., Virgin Islands, Wash., W. Va., Wis., Wyo.	N.Y.—
The Kansas Bankers Surety Co., Topeka, Kans.	78,000	Kans	KANS.—D.C.
Kansas City Fire and Marine Insurance Co., Kansas City, Mo.	268,000	Ala., Ark., Colo., Ind., Iowa, Ky., Miss., Mo., Mont., Nev., N. Mex., Okla., Pa., R.I., Vt.	MO.—D.C.
Liberty Mutual Insurance Co., Boston, Mass.	10,455,000	All except Virgin Islands	MASS.—All except Canal Zone.
Lumbermens Mutual Casualty Co., Chicago, Ill.	4,500,000	All except Canal Zone, Puerto Rico, Virgin Islands	ILL.—All except Alaska, Canal Zone, Hawaii, La., Puerto Rico, Virgin Islands.
Maine Bonding and Casualty Co., Portland, Me.	218,000	Ariz., Cal., Colo., Fla., Ky., Me., N.H., N.J., N. Mex., Okla., Oreg., Tenn., Tex., Vt., Va., Wash.	ME.—Conn., D.C., Mass., N.H., R.I., Vt.
Maryland Casualty Co., Baltimore, Md.	8,016,000	All	MD.—All.
Massachusetts Bonding and Insurance Co., Boston, Mass.	2,225,000	All except Canal Zone, Puerto Rico, Virgin Islands	MASS.—All.
The Mercantile Insurance Company of America, New York, N.Y.	756,000	All except Canal Zone, Conn., Del., Ga., Idaho, La., N.J., Oreg., Puerto Rico, Virgin Islands.	N.Y.—All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Merchants Fire Assurance Corporation of New York, New York, N.Y.	5,539,000	All except Alaska, Ark., Canal Zone, Del., Fla., Ga., Hawaii, Idaho, Kans., La., Me., Nev., N. Dak., Oreg., Puerto Rico, S.C., S. Dak., Tex., Vt., Va., Virgin Islands, Wyo.	N.Y.—Cal., D.C., Fla., nIll., eLa., Me., Md., Mass., Mich., Minn., wN.C., N. Dak., Oreg., ePa., eS.C., wsTex., Vt., eVa., wWash.
Merchants Indemnity Corporation of New York, New York, N.Y.	2,350,000	Cal., Conn., D.C., Ill., Ind., Iowa, Md., Mich., Mo., Nebr., N.J., N.Y., Ohio, Pa., Utah, Wash., Wis.	N.Y.—D.C., nGa., N.J., Ohio, wWash.
Michigan Millers Mutual Insurance Co., Lansing, Mich. (Auth. Mar. 10, 1961).	806,000	Mich	MICH.—
Mid-Century Insurance Co., Los Angeles, Cal.	816,000	Ariz., Ark., Cal., Colo., Idaho, Ill., Ind., Iowa, Kans., Mich., Minn., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., Ohio, Okla., Oreg., S. Dak., Tex., Utah, Vt., Wash., Wis., Wyo.	CAL.—Ariz., Colo., D.C., Idaho, Mont., Nebr., Nev., N. Mex., Utah, Wash., Wyo.
The Millers Mutual Fire Insurance Company of Texas, Fort Worth, Tex. (Auth. Jan. 23, 1961).	525,000	N.Y., Okla., Tex	TEX.—D.C.
Millers' Mutual Insurance Association of Illinois, Alton, Ill. (Auth. Sept. 27, 1960).	1,007,000	Ark., Colo., Ill., Iowa, Mich., Mo., N.C., Tex., Vt., Wyo.	ILL.—
Millers National Insurance Co., Chicago, Ill.	422,000	Alaska, Ariz., Colo., Ill., Ind., Iowa, Nev., N. Mex., Utah, Wyo.	ILL.—D.C., Ind.
Milwaukee Insurance Company of Milwaukee, Wis., Milwaukee, Wis.	1,983,000	All except Canal Zone, Puerto Rico, Virgin Islands	WIS.—All.
National Automobile and Casualty Insurance Co., Los Angeles, Cal.	285,000	Alaska, Ariz., Ark., Cal., Colo., Idaho, Ill., Ind., Kans., Ky., La., Mich., Mo., Mont., Nev., N. Mex., Okla., Oreg., Tenn., Tex., Utah, Wash., Wyo.	CAL.—All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
National-Ben Franklin Insurance Co. of Pittsburgh, Pa., Pittsburgh, Pa.	882,000	Alaska, Pa	PA.—D.C.
National Casualty Co., Detroit, Mich.	700,000	All except Alaska, Ariz., Ark., Canal Zone, Fla., Ga., Hawaii, Idaho, Mass., Oreg., Puerto Rico, S.C., Virgin Islands.	MICH.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
National Fire Insurance Company of Hartford, Hartford, Conn.	7,440,000	All except Canal Zone, Hawaii, Idaho, Va., Virgin Islands.	CONN.—All except Alaska, Ariz., Canal Zone, Hawaii, Idaho, Nev., nN.Y., Vt., Virgin Islands.
National Grange Mutual Insurance Co., Keene, N.H.	1,149,000	Conn., D.C., Ill., Ind., Me., Md., Mass., Mich., Minn., N.H., N.J., N.Y., N.C., Ohio, Pa., R.I., S.C., Vt., Va., W. Va., Wis.	N.H.—All except Alaska, Canal Zone, Hawaii, Idaho, Virgin Islands.
National Indemnity Company, Omaha, Nebr.	275,000	All except Ark., Canal Zone, Conn., Fla., Ga., Hawaii, La., Me., Mass., N.H., N.J., N.Y., Ohio, Oreg., Pa., Puerto Rico, R.I., S.C., Tenn., Vt., Virgin Islands.	NEBR.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Vt., Virgin Islands.
National Standard Insurance Co., Houston, Tex.	221,000	Cal., La., Nebr., Okla., Tex	TEX.—D.C.
National Surety Corporation, Principal Off.: New York, N.Y.; Home Off.: San Francisco, Cal.	3,894,000	All except Puerto Rico, Virgin Islands	N.Y.—All.

[1] Company acquired the assets, assumed the liabilities and reinsured all the business of Indemnity Insurance Comapny of North America, effective Jan. 1, 1961.

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk) see footnote (b)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
National Union Fire Insurance Company of Pittsburgh, Pa., Pittsburgh, Pa.	$3,690,000	All except Canal Zone, Hawaii, Idaho, Puerto Rico, Virgin Islands.	PA.—All except Alaska, Canal Zone, Puerto Rico, Virgin Islands.
National Union Indemnity Co., Pittsburgh, Pa.	460,000	All except Alaska, Ark., Canal Zone, Hawaii, Idaho, Me., Oreg., Puerto Rico, Virgin Islands.	PA.—All except Alaska, Canal Zone, Puerto Rico, Virgin Islands.
New Amsterdam Casualty Co., Baltimore, Md.	2,576,000	All except Canal Zone, Idaho, Virgin Islands	N.Y.—All except Canal Zone, Virgin Islands.
New England Insurance Co., Springfield, Mass.	1,424,000	All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.	MASS.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
New Hampshire Insurance Co., Manchester, N.H.	3,207,000	All except Canal Zone, Hawaii, Puorto Rico, Virgin Islands.	N.H.—All except Canal Zone, Hawaii, Virgin Islands.
New York Underwriters Insurance Co., New York, N.Y.	1,630,000	All except Canal Zone, Ohio, Puerto Rico, Tenn., Virgin Islands.	N.Y.—Alaska, Ariz., Cal., Colo., Fla., Ga., Idaho, Ill., Iowa, Mich., Mo., Mont., Nebr., Nev., N. Mex., Okla., Oreg., Pa., Tex., Utah, Wash., Wis.
Newark Insurance Co., Milford, N.J.	1,490,000	All except Canal Zone, Idaho, Oreg., Puerto Rico, Virgin Islands.	N.J.—All except Alaska, nCal., Canal Zone, Hawaii, Idaho, Nebr., Virgin Islands, Wyo.
Niagara Fire Insurance Company, New York, N.Y.	18,287,000	All except Ala., Ark., Canal Zone, Del., Fla., Ga., Hawaii, Idaho, Kans., La., Me., Mass., Mich., Mo., Ohio, Oreg., S.C., S. Dak., Tenn., Tex., Va., Virgin Islands.	N.Y.—D.C.
North American Reinsurance Corporation, New York, N.Y.	3,154,000	All except Ala., Alaska, Canal Zone, D.C., Ga., Hawaii, Mont., N.C., N. Dak., Puerto Rico, R.I., S.C., S. Dak., Tenn., Va., Virgin Islands.	N.Y.—All except Canal Zone, Puerto Rico, Virgin Islands.
The North River Insurance Company, New York, N.Y.	4,975,000	All except Alaska, Canal Zone, Hawaii, Puerto Rico	N.Y.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Northeastern Insurance Company of Hartford, Des Moines, Iowa.	652,000	Cal., Colo., Conn., Ill., Iowa, Mich., N.H., N.J., N.Y., Ohio. Tex.	CONN.—D.C.
Northern Insurance Company of New York, New York, N.Y.	3,330,000	All except Ark., Canal Zone, Conn., Del., Fla., Ga., Hawaii, Idaho, Kans., La., Minn., Miss., Mo., N.H., Oreg., Puerto Rico, S.C., Tenn., Va., Virgin Islands, Wis.	N.Y.—D.C., Me.
The Ohio Casualty Insurance Co., Hamilton, Ohio.	2,300,000	All except Alaska, Canal Zone, Hawaii, Idaho, Me., N.Y., Puerto Rico, Virgin Islands.	OHIO.—All except Canal Zone, Hawaii, Virgin Islands.
Ohio Farmers Insurance Co., Leroy, Ohio.	1,318,000	All except Ala., Alaska, Canal Zone, Fla., Ga., Hawaii, Idaho, Ky., La., Me., Miss., Mont., Nebr., N.H., Puerto Rico, S.C., Tenn., Tex., Vt., Virgin Islands, Wyo.	OHIO.—Ariz., Ark., Cal., Colo., Conn., D.C., Fla., Idaho, Ill., Ind., Iowa, Ky., Md., Mass., wMich., Minn., Nev., N.J., N. Mex., nsN.Y., N.C., Okla.. Oreg., emPa., Tex., Utah, eVa., Wash., W. Va., Wis.
Old Colony Insurance Co., Boston, Mass.	913,000	All except Canal Zone, Hawaii, Idaho, Oreg., Puerto Rico, S. Dak., Virgin Islands.	MASS.—All except Alaska, Canal Zone, Hawaii, Idaho, Nev., N. Dak., Oreg., Puerto Rico, Virgin Islands.
Pacific Employers Insurance Co., Los Angeles, Cal.	935,000	All except Ala., Ark., Canal Zone, Conn., D.C., Fla., Ga., Hawaii, Ky., La., Me., Md., Mass., Mich., N.H., N.Y., N.C., N. Dak., Pa., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va., Wis.	CAL.—Ariz., Conn., Del., D.C., sFla., wKy., Md., Mass., N. Mex., N.Y., Ohio, R.I., wTex., W. Va., Wis.
Pacific Indemnity Co., Los Angeles, Cal.	1,974,000	All except Canal Zone, Puerto Rico, Virgin Islands	CAL.—All except Conn., Me., N.H., Vt., Virgin Islands.
Pacific Insurance Company, Limited, Honolulu, Hawaii.	201,000	Hawaii	HAWAII.—D.C.
Pacific Insurance Company of New York, New York, N.Y.	1,437,000	All except Alaska, Canal Zone, D.C., Ga., Hawaii, Idaho, Kans., La., Me., Mont., N.H., N. Dak., Oreg., Puerto Rico, S. Dak., Utah, Vt., Virgin Islands, Wash., W. Va., Wis.	N.Y.—
Pacific National Fire Insurance Co., San Francisco, Cal.	2,427,000	All except Canal Zone, Puerto Rico, Virgin Islands	CAL.—All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Peerless Insurance Co., Keene, N.H.	718,000	All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands.	N.H.—All except Hawaii, Virgin Islands.
The Pennsylvania Insurance Company, Philadelphia, Pa.	1,894,000	All except Canal Zone, Del., Idaho, Puerto Rico, Virgin Islands.	PA.—All except Canal Zone, Hawaii, Puerto Rico, Virgin Islands, eWash.
Pennsylvania Threshermen & Farmers' Mutual Casualty Insurance Co., Harrisburg, Pa.	781,000	D.C., Ill., Ind., Kans., Ky., Md., Mich., Miss., Mo., N.J., N.C., Okla., Pa., R.I., S.C., Tenn., Utah, Vt., Va., W. Va.	PA.—D.C., Kans., Md., Mo., N.J., N.C., Okla., Tenn., Va.
Phoenix Assurance Company of New York, New York, N.Y.	1,749,000	All except Canal Zone, Puerto Rico, Virgin Islands	N.Y.—All except Alaska, Canal Zone, Puerto Rico, Virgin Islands.
The Phoenix Insurance Company, Hartford, Conn.[3]	13,385,000	All except Canal Zone, Puerto Rico, Virgin Islands	CONN.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Progressive Mutual Insurance Co., Cleveland, Ohio.	316,000	Ohio	OHIO.—D.C.
Providence Washington Insurance Company, Providence, R.I.	1,489,000	All except Ark., Canal Zone, Del., Fla., Idaho, La., Oreg., Puerto Rico, Virgin Islands.	R.I.—Conn., D.C., Mass., N.H., N.J., N.Y., Pa., Vt.
Provident Insurance Co. of New York, New York, N.Y.	299,000	All except Ala., Alaska, Ariz., Canal Zone, Conn., Del., Ga., Hawaii, Idaho, Kans., La., Me., Miss., Nev., Okla., Oreg., Puerto Rico, Tenn., Tex., Utah. Vt., Virgin Islands.	N.Y.—Cal., D.C., eN.C., mTenn., Va., W. Va.
The Prudential Insurance Co. of Great Britain Located in New York, New York, N.Y.	828,000	N.Y., Pa	N.Y.—D.C.
Public Service Mutual Insurance Company, New York, N.Y.	837,000	Conn., Del., D.C., Fla., Ga., Me., Md., N.H., N.J., N.Y., N.C., Pa., W. Va.	N.Y.—D.C., sFla., ePa.
Queen Insurance Company of America, New York, N.Y.	3,793,000	All except Canal Zone, Idaho, Oreg., Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Hawaii, Idaho, Virgin Islands, Wyo.
The Reinsurance Corporation of New York, New York, N.Y.	2,073,000	Alaska, Cal., Colo., Ga., Ill., Ind., Iowa, Mich., Mont., Nebr., Nev., N.J., N.Y., N. Dak., Ohio, Okla., W. Va., Wyo.	N.Y.—D.C.
Reliance Insurance Company, Philadelphia, Pa.	5,303,000	All except Canal Zone, Puerto Rico, Virgin Islands	PA.—All except Canal Zone, Virgin Islands.
Republic Insurance Company, Dallas, Tex.	2,045,000	Ariz., Ark., Cal., Colo., Conn., D.C., Ill., Ind., Iowa, Kans., La., Md., Mich., Minn., Miss., Mo., N.J., N. Mex., N.Y., N.C., Ohio, Okla., Pa., Tex., Utah, Va., Wash., W. Va., Wis.	TEX.—
Royal Indemnity Co., New York, N.Y.	4,018,000	All except Virgin Islands	N.Y.—All except Virgin Islands.
Safeguard Insurance Co., Hartford, Conn.	1,196,000	All except Canal Zone, Del., Idaho, La., Puerto Rico, Virgin Islands.	CONN.—All except Ark., Canal Zone, Ga., Ky., La., Miss., N.C., Okla., Puerto Rico, S.C., Tenn., nweTex., Vt., Virgin Islands, wVa., W. Va.
St. Paul Fire and Marine Insurance Co., St. Paul, Minn.	16,934,000	All except Canal Zone, Virgin Islands	MINN.—All
St. Paul Mercury Insurance Co., St. Paul, Minn.	2,111,000	All except Canal Zone, Puerto Rico, Virgin Islands	MINN.—All.
Seaboard Surety Co., New York, N.Y.	1,818,000	All	N.Y.—All.
Secured Insurance Company, Indianapolis, Ind.	275,000	Ark., Ga., Ill., Ind., Iowa, Mich., Ohio, Pa., Wis	IND.—D.C., Ga.
Security Insurance Company of New Haven, New Haven, Conn.	1,706,000	All except Canal Zone, Del., Hawaii, Miss., Puerto Rico, S.C., Virgin Islands.	CONN.—All except Alaska, Ariz., Cal., Canal Zone, Hawaii, Idaho, Mont., Nev., Oreg., Puerto Rico, Utah, Virgin Islands, Wash.
Security Mutual Casualty Co., Chicago, Ill.	1,625,000	All except Alaska, Ariz., Canal Zone, Hawaii, Idaho, N. Mex., N. Dak., Puerto Rico, Tenn., Virgin Islands.	ILL.—D.C.
Security National Insurance Co., Dallas, Tex.	308,000	Ark., Cal., Ill., Ind., Mich., Okla., Tex., Wis	TEX.—All except Canal Zone, Mont.

[3] Minneapolis Fire and Marine Insurance Company merged with this company, effective May 31, 1960.

Names of companies and locations of principal executive offices	Underwriting limitations (net limit on any one risk) see footnote (b)	States and other areas in which licensed to transact a fidelity and surety business. See footnote (c)	State in which incorporated and judicial districts in which process agents have been appointed. (State of incorporation in capitals. Letters preceding names of States indicate judicial districts.) See footnote (d)
Springfield Insurance Co., Springfield, Mass.[4]	$9,010,000	All except Canal Zone, Puerto Rico, Virgin Islands	MASS.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Standard Accident Insurance Co., Detroit, Mich.	3,215,000	All except Canal Zone, Virgin Islands	MICH.—All except Canal Zone, Virgin Islands.
The Standard Insurance Company, Tulsa, Okla.	199,000	Alaska, Colo., Idaho, Ill., Ind., Iowa, Kans., Minn., Miss., Nev., N. Dak., Okla., Tex., Wyo.	OKLA.—Ala., Alaska, Ark., Colo., Del., D.C., Fla., Ga., Idaho, Ill., Ind., Iowa, Kans., Ky., La., Mass., Mich., Miss., Mo., Mont., Nebr., Nev., N.J., N. Mex., esN.Y., N. Dak., ePa., R.I., S. Dak., Tenn., Tex., Utah, Wis., Wyo.
State Automobile Mutual Insurance Company, Columbus, Ohio.	2,339,000	Ala., Fla., Ga., Ind., Ky., Md., Mich., Miss., Mo., N.C., Ohio, Pa., Tenn., W. Va.	OHIO.—D.C., Ky., Md., Mich., Tenn., W. Va.
State Fire and Casualty Company, Miami, Fla.	81,000	Del., Fla., Ill. (surety only), La., Md. (surety only)	FLA.—D.C.
The Stuyvesant Insurance Co., Allentown, Pa.	604,000	All except Canal Zone, Hawaii, Idaho, Virgin Islands	N.Y.—All except Alaska, Canal Zone, Hawaii, Idaho, N. Mex., Virgin Islands.
The Summit Fidelity and Surety Co., Chicago, Ill.	78,000	All except Ark., Cal., Canal Zone, Conn., D.C., Ga., Hawaii, Idaho, Me., Mass., Mont., N.H., N.Y., N.C., Oreg., Puerto Rico, R.I., S.C., S. Dak., Tex., Virgin Islands, W. Va.	OHIO.—All except Alaska, Virgin Islands.
Sun Insurance Co. of New York, New York, N.Y.	960,000	All except Alaska, Ark., Canal Zone, Hawaii, Idaho, La., Miss., Oreg., Puerto Rico, S.C., Tex., Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Superior Risk Insurance Company, LeRoy, Ohio.	576,000	All except Ala., Alaska, Canal Zone, Fla., Ga., Hawaii, Idaho, La., Me., Miss., Mont., Nebr., N.H., Oreg., Puerto Rico, S.C., Tenn., Tex., Vt., Virgin Islands, Wyo.	OHIO.—All except Ala., Alaska, Canal Zone, Fla., Ga., Hawaii, Kans., La., Me., Miss., Mo., Mont., Nebr., N.H., eN.Y., N. Dak., Ohio, Puerto Rico, R.I., S.C., S. Dak., Tenn., Tex., Vt., wVa., Virgin Islands, Wyo.
Traders & General Insurance Co., Dallas, Tex.	222,000	Ark., Cal., Colo., Kans., La., Miss., Mo., N. Mex., Okla., Tex.	TEX.—D.C.
Transcontinental Insurance Co., Hartford, Conn.	2,391,000	All except Canal Zone, Del., Hawaii, La., Oreg., Va., Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Del., msGa., Hawaii, La., Miss., Oreg., Puerto Rico, S.C., Vt., Virgin Islands.
Transit Casualty Co., St. Louis, Mo.	534,000	Cal., Ind., Miss., Mo., Nebr., Okla., Utah, Wash.	MO.—D.C
Transportation Insurance Co., Chicago, Ill.	661,000	All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.	ILL.—All except Alaska, nCal., Canal Zone, Conn., sFla., Hawaii, eKy., Minn., wMo., Nev., N.H., wN.Y., Ohio, ePa., Puerto Rico, S. Dak., Virgin Islands, wWash., nW. Va., Wis.
The Travelers Indemnity Co., Hartford, Conn.	13,500,000	All	CONN.—All.
Trinity Universal Insurance Co., Dallas, Tex.	1,421,000	All except Alaska, Canal Zone, Conn., Del., Hawaii, Idaho, Me., Md., Mass., Mont., Nev., N.H., N.J., N.Y., Puerto Rico, R.I., Tenn., Utah, Vt., Va., Virgin Islands, W. Va., Wyo.	TEX.—All.
Tri-State Insurance Co., Tulsa, Okla.	226,000	Ala., Alaska, Ariz., Ark., Colo., Fla., Idaho, Ill., Ind., Iowa, Kans., Ky., La., Minn., Miss., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., Okla., S. Dak., Tenn., Tex., Utah, Wash., Wyo.	OKLA.—Ala., Ariz., Ark., Colo., D.C., Fla., Ga., Idaho, Ill., Ind., Iowa, Kans., Ky., La., Minn., Miss., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., S. Dak., Tenn., Tex., Utah, Wash., Wyo.
United Benefit Fire Insurance Co., Omaha, Nebr.	160,000	All except Ark., Cal., Canal Zone, Conn., Ga., Md., N.J., N.Y., N.C., Pa., S.C., Virgin Islands, D.C.	NEBR.—D.C., Puerto Rico.
United Bonding Insurance Co., Indianapolis, Ind.	66,000	Ala., Alaska, Ariz., Ark., Cal., Colo., Del., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., La., Md., Mich., Minn., Miss., Mo., Nev., N.H., N.J., N. Mex., N.C., Ohio, Okla., Oreg. (surety only), Pa., Tenn. (bail bonds only), Tex., Utah, Va., Wash. (surety only), Wis., Wyo.	IND.—All except nsAla., wArk., Canal Zone, Conn., nGa., Hawaii, Ind., Me., Mass., Mont., N.Y., mN.C., N. Dak., eOkla., Puerto Rico, R.I., S.C., S. Dak., meTenn., Vt., wVa., Virgin Islands, eWash., Wis.
United Pacific Insurance Co., Tacoma, Wash.	940,000	All except Ala., Canal Zone, Conn., Del., Fla., Ga., Hawaii, La., Me., Md., Mass., N.J., N.C., Pa., Puerto Rico., R.I., S.C., Vt., Virgin Islands, Va., W. Va.	WASH.—All except Canal Zone, Puerto Rico, Virgin Islands.
United States Casualty Co., New York, N.Y.	517,000	All except Canal Zone, Hawaii	N.Y.—All except Alaska, Canal Zone, Hawaii, wLa.
United States Fidelity and Guaranty Co., Baltimore, Md.	20,307,000	All	MD.—All.
United States Fire Insurance Company, New York, N.Y.	8,602,000	All except Canal Zone, Hawaii, Virgin Islands	N.Y.—All except Alaska, Canal Zone, Hawaii, Virgin Islands.
Universal Surety Co., Lincoln, Nebr.	95,000	Ariz., Colo., Iowa, Kans., Ky., Minn., Mo., Mont., Nebr., Nev., N. Mex., N. Dak., Ohio, Okla., S. Dak., Tex., Wyo.	NEBR.—Ariz., Ark., Colo., D.C., Ill., Iowa, Kans., Ky., Minn., Mo., Mont., Nev., N. Mex., N. Dak., Ohio, Okla., Oreg., S. Dak., Tex., Utah, Wash., Wyo.
Valley Forge Insurance Co., Reading, Pa.	898,000	Ala., Ark., Colo., Ga., Ill., Iowa, Md., Mass., Mich., Minn., Mo., Mont., Nev., N.J., N.Y., N. Dak., Ohio, Pa., Tex., Utah, Vt., Va., Wash., W. Va., Wis.	PA.—All except Virgin Islands, Wis.
Vigilant Insurance Co., New York, N.Y.	1,596,000	All except Alaska, Canal Zone, Puerto Rico	N.Y.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Virginia Surety Co., Incorporated, Toledo, Ohio.	142,000	Alaska, D.C., Ind., Iowa, Ky., Md., Minn., Mo., Mont., Nev., N. Mex., N. Dak., Pa., R.I., Vt., Va., W. Va., Wis.	VA.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Wabash Fire and Casualty Insurance Co., Indianapolis, Ind.	291,000	All except Ala., Alaska, Ark., Canal Zone, Ga., Hawaii, Idaho, Kans., La., Me., Mass., Miss., N.H., N.J., N.C., Oreg., Puerto Rico, R.I., S.C., S. Dak., Tex., Utah, Vt., Virgin Islands, W. Va.	IND.—All except Ala., Alaska, Ark., Canal Zone, Conn., Del., Ga., Hawaii, Idaho, Kans., La., Me., Md., Mass., Miss., N.H., N.J., eN.Y., N.C., Oreg., Puerto Rico, R.I., S.C., S. Dak., Utah, Vt., Virgin Islands, W. Va.
West American Insurance Co., Los Angeles, Calif.	319,000	Ark., Calif., Colo., D.C., Ill., Ind., Iowa, Kans., Ky., La., Md., Mich., Minn., Mo., Nebr., Nev., N. Mex., N. Dak., Ohio, Okla., Oreg., Pa., Utah, Va., Wash., Wis., Wyo.	CALIF.—Ala., Colo., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., eLa., Md., Mich., Minn., Mo., Nev., N. Mex., N. Dak., Ohio, nOkla., Oreg., Pa., mTenn., Tex., Utah, Va., Wash., Wis., Wyo.
Westchester Fire Insurance Company, New York, N.Y.	5,024,000	All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
The Western Casualty and Surety Co., Fort Scott, Kans.	1,952,000	All except Alaska, Canal Zone, Conn., Del., D.C., Hawaii, Maine, Mass., N.H., N.Y., N.C., Pa., Puerto Rico, R.I., Vt., Virgin Islands, Va., W. Va.	KANS.—All except Puerto Rico, Virgin Islands.
The Western Fire Insurance Company, Fort Scott, Kans.	850,000	Ariz., Ark., Calif., Colo., Fla., Ill., Ind., Iowa, Kans., Ky., Mich., Minn., Miss., Mo., Nebr., Nev., N. Mex., N.Y., N. Dak., Ohio, Okla., S. Dak., Tenn., Utah, Wash., Wis., Wyo.	KANS.—All except Puerto Rico, Virgin Islands.
Western Surety Co., Sioux Falls, S. Dak.	463,000	All except Ala., Alaska, Canal Zone, D.C., Fla., Ga., Hawaii, Me., N.H., N.Y., N.C., Puerto Rico, R.I., S.C., Vt., Va., Virgin Islands, W. Va.	S. DAK.—All except Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands.
Wolverine Insurance Company, Battle Creek, Mich.	487,000	Alaska, Ark., Cal., Fla., Ga., Ill., Ind., Iowa, Kans., Mich., Minn., Nebr., Nev., N. Mex., N. Dak., Ohio, S. Dak., W. Va., Wyo.	MICH.—D.C., Ga., Ill., Ind., Iowa, Minn., Ohio, S. Dak.
The Yorkshire Insurance Co. of New York, New York, N.Y.	462,000	All except Ark., Canal Zone, Idaho, La., Puerto Rico, Virgin Islands.	N.Y.—All except Alaska, Puerto Rico, Virgin Islands.

[4] Formerly Springfield Fire and Marine Insurance Company, Name change, effective December 31, 1960.

Companies Holding Certificates of Authority From the Secretary of the Treasury as Acceptable Reinsuring Companies Under Treasury Circular No. 297, Dated July 5, 1922, as Amended

Names of companies	Underwriting limitations (net limit on any one risk)	Judicial districts in which process agents have been appointed
Accident and Casualty Insurance Co. of Winterthur, Switzerland (U.S. Office, New York, N.Y.)	$952,000	D.C.
Alliance Assurance Co., Ltd., London, England (U.S. Office, New York, N.Y.)	480,000	D.C.
Constellation Insurance Company, New York, N.Y	248,000	D.C.
The Employers' Liability Assurance Corporation, Ltd., London, England (U.S. Office, Boston, Mass.)	4,428,000	D.C.
General Security Assurance Corp. of New York, New York, N.Y	150,000	D.C.
The Guarantee Co. of North America, Montreal, Canada (U.S. Office, New York, N.Y.)	180,000	D.C.
The London Assurance, London, England (U.S. Office, New York, N.Y.)	1,061,000	D.C.
London Guarantee and Accident Co., Ltd., London, England (U.S. Office, New York, N.Y.)	1,322,000	D.C.
The London & Lancashire Insurance Company, Ltd., London, England (U.S. Office, Hartford, Conn.)	578,000	D.C.
The Marine Insurance Co., Ltd., London, England (U.S. Office, New York, N.Y.)	605,000	D.C.
Munich Reinsurance Company, Munich, Germany (U.S. Office, New York, N.Y.)	800,000	D.C.
The Netherlands Insurance Company, Est. 1845, The Hague, Holland (U.S. Office, Keene, N.H.)	460,000	
North British and Mercantile Insurance Company, Ltd., London, England and Edinburgh, Scotland (U.S. Office, New York, N.Y.)	1,224,000	D.C.
The Ocean Accident and Guarantee Corporation, Ltd., London, England (U.S. Office, New York, N.Y.)	1,611,000	D.C.
The Royal Exchange Assurance, London, England (U.S. Office, New York, N.Y.)	341,000	
Royal Insurance Company, Ltd., Liverpool, England (U.S. Office, New York, N.Y.)	2,843,000	D.C.
The Sea Insurance Co., Limited, of Liverpool, England (U.S. Office, New York, N.Y.)	618,000	D.C.
The Skandia Insurance Company, Stockholm, Sweden (U.S. Office, New York, N.Y.)	819,000	D.C.
Sun Insurance Office, Limited, London, England (U.S. Office, New York, N.Y.)	918,000	D.C.
Swiss Reinsurance Co., Zurich, Switzerland (U.S. Office, New York, N.Y.)	2,410,000	D.C.
Transatlantic Reinsurance Company, New York, N.Y	188,000	D.C.
The Unity Fire and General Insurance Company, New York, N.Y	344,000	D.C.

NOTES

(a) All certificates of authority expire April 30, and are renewable May 1, annually.

(b) Treasury regulations do not limit the penal sum of bonds which surety companies may execute. The net retention, however, cannot exceed the underwriting limitation and excess risks must be protected by reinsurance or co-insurance in accordance with Treasury regulations. When excess risks on bonds in favor of the United States are protected by reinsurance, such reinsurance is to be effected by use of Treasury Form 369 to be filed with the bond or within 45 days thereafter. Risks in excess of limit fixed herein must be reported for quarter in which they are executed. In protecting such excess, the rating in force on the date of the execution of the risk will govern absolutely. This limit applies until a new rating is established by the Treasury Department.

(c) The term "other areas" includes Canal Zone, Puerto Rico and Virgin Islands.

(d) Abbreviated capital letters preceding judicial districts indicate State in which the company is incorporated. Process agents are required in the following districts: Where principal resides; where obligation is to be performed; and where bond is returnable or filed. No process agent required in State wherein company is incorporated. Letters "n, s, e, m, and w" preceding names of States indicate respectively the Northern, Southern, Eastern, Middle, and Western judicial districts of States indicated. If letters do not precede names of States, process agents have been appointed in all judicial districts of such States.

[F.R. Doc. 61-5107; Filed, June 5, 1961; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI61-514]

KERR-McGEE OIL INDUSTRIES, INC.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

MAY 26, 1961.

On April 28, 1961, Kerr-McGee oil Industries, Inc. (Kerr-McGee)[1] tendered for filing a proposed change in a presently effective rate schedule for its jurisdictional sales of natural gas to American Louisiana Pipe Line Company in the Cameron Field, Cameron Parish, Louisiana. The proposed change is as follows:

Description: Notice of change dated April 27, 1961.

Rate schedule designation: Supplement No. 4 to Kerr-McGee's FPC Gas Rate Schedule No. 27.

Effective date: [2] June 1, 1691.

Rate in effect: [3] 19.75 cents per Mcf.

Proposed increased rate: [3] 23.0 cents per Mcf.

Annual increase: $113,396.00.

The filed contract provides that the base price for the five year period beginning June 1, 1961, shall be the higher of (1) 20.75 cents per Mcf or (2) the arithmetical average of the three highest determinable prices payable to producers in a specified area in southern Louisiana.

A letter from American Louisiana dated April 24, 1961, establishes such redetermined price to be 23.8333 cents per Mcf. Kerr-McGee's proposed increased rate thus does not equal either the minimum 20.75 cents contract price (22.25 cents including 1.5 cents tax reimbursement) or the 23.8333 cents redetermined price.

The proposed change 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 hearings concerning the lawfulness of the proposed change and that the above-designated supplement be suspended and use deferred as hereinafter ordered.

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 Ch. I), public hearings shall be held upon the dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in the above-designated supplement.

(B) Pending hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until November 1, 1961, 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 the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention 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 and 137(f)) on or before July 17, 1961.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-5169; Filed, June 5, 1961; 8:45 a.m.]

[1] Kerr-McGee Building, Oklahoma City 2, Okla.

[2] The stated effective date is the date proposed by Kerr-McGee.

[3] The pressurebase is 15.025 psia.

[Docket No. RI61-500 etc.]

SKELLY OIL CO. ET AL.

Order Accepting Filing, and Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

MAY 25, 1961.

Skelly Oil Company (Operator), et al., Docket No. RI61-500; Skelly Oil Company, Docket No. RI61-501; Anadarko Production Company, Docket No. RI61-502; Brown and Key, Inc., Docket No. RI61-503; Forsythe Gas Conservation Company, Inc. (Operator), Docket No. RI61-504; Limpia Royalties, Inc., Docket No. RI61-505.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. All of the sales are made at a pressure measurement base of 14.65 psia.

The proposed changes are designated as follows:

[1] This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Annual increase	Date tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI61-500	Skelly Oil Co. (Operator), et al. P.O. Box 1650, Tulsa, Okla.	10	8	Tennessee Gas Transmission Co. (Bay City Field, Matagorda County, Tex.).	$38,116	4-27-61	5-28-61	10-28-61	13.49751	[1] 16.16947	
RI61-501	Skelly Oil Co.	11	7	Tennessee Gas Transmission Co. (East Bay City Field, Matagorda County, Tex.).	89,921	4-27-61	5-28-61	10-28-61	13.49751	[1] 16.16947	
RI61-501	do	99	2	Tennessee Gas Transmission Co. (North Columbus Field, Colorado County, Tex.).	7,601	4-27-61	5-28-61	10-28-61	13.2782	[1] 15.95016	
RI61-502	Anadarko Production Co., P.O. Box 351, Liberal, Kans.	19	1	Panhandle Eastern Pipeline Co. (Camrick Field, Texas County, Okla.).	3,292	4-27-61	8-1-61	1-1-62	16.4	[2] 16.6	
RI61-503	Brown and Key, Inc., c/o Patrick A. Flynn, attorney, P.O. Box 913, Midland, Tex.	2	1	El Paso Natural Gas Co. (Jalmat Field, Lea County, N. Mex.).	7,413	4-28-61	5-30-61	10-30-61	10.5388	[3] 15.5581	
RI61-504	Forsythe Gas Conservation Co., Inc. (Operator), 211 North Broadway, Wichita 2, Kans.	1	2	Cities Service Gas Co. (North Medicine Lodge Field, Barber County, Kans.).	2,419	5-1-61	6-1-61	11-1-61	12.0	[3] 13.0	
RI61-505	Limpia Royalties, Inc., c/o Patrick A. Flynn, attorney, P.O. Box 913, Midland, Tex.	2	2	El Paso Natural Gas Co. (Wemac Field), Andrews County, Tex.).	222	5-1-61	6-2-61	11-2-61	8.108	[4] 13.6823	

[1] Redetermined increase per contract.
[2] Periodic increase per contract.
[3] Includes 0.4467 cent per Mcf for compression deducted by buyer, where applicable. Periodic increase plus applicable tax reimbursement.
[4] Renegotiated increase.

Anadarko Production Company tendered for filing the above-listed proposed increased rate more than 90 days prior to its proposed effective date and is therefore in conflict with § 154.94(b) of the regulations. However, the tender is premature only by 5 days and Commission action will occur less than 90 days prior to the proposed effective date.

The proposed rates contained in the above-designated supplements are above the applicable area price level set forth in the statement of General Policy No. 61-1. The increased rates and charges so proposed 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 proposed rate increase in Docket No. RI61-502 be accepted for filing, and that the Commission enter upon hearings concerning the lawfulness of the several proposed changes in the above-listed proceedings, and that the above-designated supplements be suspended and the use deferred as hereinafter ordered.

The Commission orders:

(A) The proposed periodic rate increase designated as Supplement No. 1 to Anadarko Production Company's FPC Gas Rate Schedule No. 19 is accepted for filing, and its effectiveness is suspended as provided below.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 5 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon the dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

(C) Pending hearings and decisions thereon, the above-designated supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention 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 and 1.37(f)) on or before July 7, 1961.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-5170; Filed, June 5, 1961; 8:46 a.m.]

[Docket No. CP61-260]

SOUTHERN NATURAL GAS CO.

Notice of Application and Date of Hearing

MAY 25, 1961.

Take notice that on April 3, 1961, Southern Natural Gas Company (Applicant), Watts Building, Birmingham, Alabama, filed an application in Docket No. CP61-260, pursuant to Section 7(b) of the Natural Gas Act, for permission and approval to abandon its Selma Compressor Station, consisting of 2,000 compressor horsepower, and its Ben Hill Compressor Station, consisting of 2,800 compressor horsepower,[1] all as more fully set forth in the application on file with the Commission and open to public inspection.

The application shows that both of the subject compressor stations are located on laterals connecting with Applicant's North line. The Selma Station is located on a lateral extending south from a connection with the North line toward Selma and Montgomery, Alabama; the Ben Hill Station is located on the North line near Atlanta and has been used to compress gas entering a lateral extending south toward Macon, Georgia. Applicant states that the subject stations were used prior to construction of the South line to deliver gas to the aforementioned communities and other nearby towns, and that they are neither used nor needed for such service since the utilization of the South line.

The application indicates that with the exception of the 800 horsepower unit to be moved from Ben Hill to Wrens, Applicant has no need for any part of the equipment proposed to be abandoned. The equipment as well as such portions of the compressor station sites not needed will be offered for sale by Applicant.

This matter is one that should be disposed of as promptly as possible 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 29, 1961, at 9:30 a.m., e.d.s.t., in a

[1] Of the 2,800 horsepower at Ben Hill, 800 was conditionally authorized by the examiner in Docket No. G-19632 to be moved to Wrens Compressor Station.

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: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

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 19, 1961. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-5171; Filed, June 5, 1961; 8:46 a.m.]

[Project No. 2149]

PUBLIC UTILITY DISTRICT NO. 1 OF DOUGLAS COUNTY, WASHINGTON

Notice of Amended Application for License

MAY 26, 1961.

Public notice is hereby given that an amended application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Public Utility District No. 1 of Douglas County, Washington, having its principal place of business at Bridgeport Washington, for license for proposed water power Project No. 2149 on the Columbia River in Douglas, Chelan, and Okanogan Counties, Washington, affecting navigable waters and lands of the United States including tribal lands within the Colville Indian Reservation. The proposed project known as the Wells Hydroelectric Project would consist of: A dam about 4,150 feet long at approximately River Mile 516 comprising impervious-core earth-fill embankments connecting both abutments to a central concrete structure which incorporates (a) two outboard fish ladders, (b) eleven gated spillway openings, (c) ten generator structures (alternating with the spillway openings), each of seven such structures to have initial installation of a vertical shaft, Kaplan turbine rated at 112,000 hp at 64.4 feet net head connected to a generator rated at 74,300 kva (0.95 pf) (total initial installed capacity of 494,095 kw for the seven units) and three additional such structures each to have provisions for future installation of a similar generating unit, and (d) a switchyard, and transmission lines as required. The reservoir would extend approximately 30 miles upstream from the Columbia River to Chief Joseph Dam, about 14 miles upstream from the mouth of the Okanogan River, and approximately two miles upstream from the mouth of the Methow River, with surface area of about 9,700 acres and total storage capacity of approximately 230,000 acre-feet at normal maximum reservoir elevation 779. The market for project power is proposed to be the customers of the applicant in Douglas County, Washington, Public Utility District No. 1 of Okanogan County, Washington, and other potential customers in the Pacific Northwest.

Protests and petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 17, 1961. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-5172; Filed, June 5, 1961; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

ALLIED SPECIALTIES CO.

Notice of Additional Company Accepting Request To Participate in a Small Business Production Pool

Pursuant to section 11 of the Small Business Act (P.L. 85-536), the name of the following company which has accepted the request to participate in the operations of Allied Specialties Company is herewith published. The original list of companies accepting such request was published on August 1, 1953, in 18 F.R. 4529.

Hall Planetary Co. of Philadelphia, 5561 Baynton Street, Philadelphia 44, Pa.

Dated: May 26, 1961.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 61-5187; Filed, June 5, 1961; 8:48 a.m.]

[Delegation of Authority 4-5 (Rev. 1)]

DIRECTOR, OFFICE OF FINANCE AND ACCOUNTS

Delegation Relating to Finance and Accounts

I. Pursuant to the authority delegated to the Assistant Administrator (Controller), (Delegation of Authority No. 4, Revision 4), (26 F.R. 3845) there is hereby redelegated to the Director, Office of Finance and Accounts, the authority:

A. *Specific.* 1. To release, or consent to the release of, collateral documents held in connection with loans transferred as a result of Reorganization Plan No. 1 of 1957, dated April 29, 1957, effective at the close of June 30, 1957.

2. To release Promissory notes, debentures, and other obligating instruments on all loans or investments made or serviced by SBA when paid in full and loans or investments when transferred to the Department of Justice for liquidation.

3. To approve advance of funds for official travel and to take appropriate actions to assure that amounts advanced are deducted from allowable expenses or are otherwise recovered.

4. To approve and issue accounting and fiscal instructions.

5. To make payments to the Department of Labor for employee's compensation accounts as required by section 6(b) of the Small Business Act.

6. To request the designation of cashiers operating under E.O. No. 6166, and to make such certifications to the Treasury Department as may be required in connection therewith.

B. *Administration.* 1. To authorize or approve his personal travel and the travel of employees under his supervision.

2. To approve for employees under his supervision (a) annual and sick leave, (b) leave without pay not in excess of 30 days, and (c) overtime work.

II. The specific authority delegated in paragraphs I.A.4, I.B.1, and I.B.2(c) may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Director, Office of Finance and Acocunts.

IV. All previous authority delegated by the Controller to the Assistant Controller for Fiscal Operations by Delegation of Authority No. 4-5 is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Dated: May 8, 1961.

K. L. HANNA,
Assistant Administrator (Controller).

[F.R. Doc. 61-5183; Filed, June 5, 1961; 8:47 a.m.]

[Delegation of Authority 4-6 (Rev. 1)]

DIRECTOR, OFFICE OF BUDGET

Delegation Relating to Budget

I. Pursuant to the authority delegated to the Assistant Administrator (Controller) (Delegation of Authority No. 4, Revision 4) (26 F.R. 3845) there is hereby redelegated to the Director, Office of Budget the authority:

A. *Specific.* 1. To approve the allotment of funds provided SBA for specific programs, functions, activities, and organizational units.

2. To determine amounts due for payment to the Department of Labor for employee's compensation accounts as required by Section 6(b) of the Small Business Act.

B. *Administration.* 1. To authorize or approve his personal travel and the travel of employees under his supervision.

2. To approve for employees under his supervision, (a) annual and sick leave, (b) leave without pay not in excess of 30 days, and (c) overtime work.

II. The specific authority delegated in paragraphs I.A. 1 and 2, I.B.1, and I.B. 2(c) may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Director, Office of Budget.

IV. All previous authority delegated by the Controller to the Assistant Controller for Budget and Reports by Delegation of Authority No. 4–6, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Dated: May 8, 1961.

K. L. HANNA,
Assistant Administrator (Controller).

[F.R. Doc. 61–5184; Filed, June 5, 1961; 8:47 a.m.]

[Delegation of Authority 4–7 (Rev. 2)]

DIRECTOR, OFFICE OF AUDITS

Delegation Relating to the Audit Program

I. Pursuant to the authority delegated to the Assistant Administrator (Controller) (Delegation of Authority No. 4, Revision 4) (26 F.R. 3845) there is hereby redelegated to the Director, Office of Audits the authority:

A. *Specific.* 1. To act as liaison representative for the Assistant Administrator (Controller) with audit representatives of the General Accounting Office.

2. To approve and issue audit instructions (audit programs) to employees under his supervision and to otherwise implement the audit policy of the Agency.

3. To approve and issue audit reports to operating and policy officials of the Small Business Administration.

B. *Administration.* 1. To authorize or approve his personal travel and the travel of employees under his supervision.

2. To approve for employees under his supervision (a) annual and sick leave, (b) leave without pay not in excess of 30 days, and (c) overtime work.

II. The specific authority delegated in paragraphs I.A. 1, 2, 3, and I.B.1, and I.B.2(c) may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Director, Office of Audits.

IV. All previous authority delegated by the Controller to the Assistant Controller for Audit by Delegation of Authority No. 4–7 (Revision 1), is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Dated: May 8, 1961.

K. L. HANNA,
Assistant Administrator (Controller).

[F.R. Doc. 61–5185; Filed, June 5, 1961; 8:48 a.m.]

[Declaration of Disaster Area 339]

MISSOURI

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1961, because of the effects of certain disasters, damage resulted to residences and business property located in Benton County in the State of Missouri;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from flood and accompanying conditions occurring on or about May 6, 1961.

Office—
Small Business Administration Regional Office,
Home Savings Building, Fifth Floor,
1006 Grand Avenue,
Kansas City 6, Mo.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1961.

Dated: May 25, 1961.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 61–5251; Filed, June 5, 1961; 8:53 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 524 (24 F.R. 9274) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Altamont Shirt Corp., Altamont, Tenn.; effective 5–19–61 to 5–18–62 (men's and boys' dress shirts).

Bellaire Garment Co., Bellaire, Ohio; effective 5–23–61 to 5–22–62. Learners may not be paid special minium wage rates in the production of separate skirts and/or lined jackets (women's dresses and sportswear).

Blue Bell, Inc., Coalgate, Okla.; effective 5–4–61 to 5–3–62 (men's and boys' dungarees and work pants; ladies' ranch pants).

Blue Ridge Manufacturers, Inc., Petersburg, Va.; effective 5–4–61 to 5–3–62. Ten percent of the total number of factory production workers engaged in the production of men's work pants.

Blue Ridge Manufacturers, Inc., Petersburg, Va.; effective 5–4–61 to 5–3–62. Ten percent of the total number of factory production workers engaged in the production of women's dungarees.

Carol Ann Apparel Corp., Municipal Building, Cherry Tree, Pa.; effective 5–16–61 to 5–15–62 (women's dresses).

Carolina Industrial Manufacturing Corp., 364 Ashe Street, Greensboro, N.C.; effective 5–16–61 to 5–15–62 (children's dresses).

Carwood Manufacturing Co., No. 2, 119 Ivie Street, Cornelia, Ga.; effective 5–17–61 to 5–16–62 (men's cotton woven work pants).

Carwood Manufacturing Co., No. 3, 107 Chattahoochee Street, Cornelia, Ga.; effective 5–17–61 to 5–16–62 (sport, western and work shirts).

Claymore Manufacturing Co. of Arkansas, Inc., Huntsville, Ark.; effective 5–17–61 to 5–16–62 (boys' cotton pants and walking shorts).

Cluett, Peabody & Co., Inc., 433 River Street, Troy, N.Y.; effective 5–21–61 to 5–20–62 (men's dress shirts).

Daro Manufacturing Corp., No. 1, Kirmar Park, Wanamie, Pa.; effective 5–6–61 to 5–5–62 (women's and children's blouses and dusters).

Diane Co., Inc., d/b/a Clinton Garment Co., 1058 South Fourth Street, Clinton, Ind.; effective 5–18–61 to 5–17–62. Learners may not be employed at special minimum wage rates in the production of separate skirts (women's dresses and blouses).

Durant Sportswear, Inc., Durant, Miss.; effective 5–15–61 to 5–14–62 (men's and boys' outerwear jackets).

Edmonton Manufacturing Co., Edmonton, Ky.; effective 5–11–61 to 5–10–62 (men's single pants, shirts, overalls and jackets).

Freeland Sportswear Co., Inc., 246–250 Centre Street, Freeland, Pa.; effective 5–18–61 to 5–17–62 (men's outerwear jackets).

Glen Lyon Brassiere & Corset Co., 44 Carey Avenue, Wilkes-Barre, Pa.; effective 5–6–61 to 5–5–62 (corsets and allied garments).

Glen Manufacturing Co., Colquitt Division, Colquitt, Ga.; effective 5–15–61 to 5–14–62 (women's dresses).

Greene Manufacturing Co., Inc., Greeneville, Tenn.; effective 5–2–61 to 8–14–61 (ladies' dresses) (replacement certificate).

Griffin Garment Co., 123 Experiment Street, Griffin, Ga.; effective 5–16–61 to 5–15–62 (brassieres and girdles).

Helco, Inc., 333 North Pleasantburg Drive, Greenville, S.C.; effective 5–12–61 to 5–11–62 (children's playwear and pajamas).

Imperial Shirt Corp., LaFollette Division, LaFollette, Tenn.; effective 5–7–61 to 5–6–62 (men's dress shirts).

H. D. Lee Co., Inc., 405 East Madison Street, South Bend, Ind.; effective 5–15–61 to 5–14–62 (men's work clothing).

Lee-Mar Shirt Co., Inc., Pulaski, Tenn.; effective 5–13–61 to 5–12–62 (boys' sport shirts).

Londontown Manufacturing Co., 3600 Clipper Mill Road, Baltimore, Md.; effective 2–7–

61 to 2–6–62 (raincoats and jackets) (corrected certificate).

Lyons Manufacturing Co., Inc., Lyons, Ga.; effective 5–18–61 to 5–17–62 (men's shirts and ladies' blouses).

Mantachie Manufacturing Co., Inc., Itawamba Co., Mantachie, Miss.; effective 5–8–61 to 5–7–62 (men's sport and dress shirts).

Monticello Manufacturing Co., Inc., Monticello, Ky.; effective 5–20–61 to 5–19–62 (men's sport shirts and ladies' blouses).

Nelly Don, Inc., Nevada, Mo.; effective 5–8–61 to 5–7–62 (women's dresses).

Oberman Manufacturing Co., Valdosta, Ga.; effective 5–27–61 to 5–26–62 (men's dungarees and trousers and boys' dungarees).

Phillips-Van Heusen Corp., Patton, Pa.; effective 6–2–61 to 6–1–62 (dress shirts).

Rappahannock Manufacturing Co., Inc., 2301 Airport Avenue, Fredericksburg, Va.; effective 5–15–61 to 5–14–62 (men's dress trousers; women's slacks and shorts).

Regina Manufacturing Co., 44 Carey Avenue, Wilkes-Barre, Pa.; effective 5–18–61 to 5–17–62 (misses' and juniors' dresses).

Reliance Manufacturing Co., Magnolia Factory, Laurel, Miss.; effective 5–1–61 to 4–30–62 (men's sport shirts).

Reliance Manufacturing Co., Factory No. 43, Adams & Commercial, Lebanon, Mo.; effective 5–5–61 to 5–4–62 (men's and boys' work clothing and leisure wear).

Rivera, Inc., Pontotoc, Miss.; effective 5–15–61 to 5–14–62 (Men's dress shirts).

Philip Rothenberg & Co., Inc., McAlisterville, Pa.; effective 5–11–61 to 5–10–62 (men's and boys' shirts).

Scranton Pants Manufacturing Co., 614 Wyoming Avenue, Scranton, Pa.; effective 5–23–61 to 5–22–62 (men's pants and shorts).

Trousdale Manufacturing Co., Inc., Hartsville, Tenn.; effective 5–9–61 to 5–8–62 (women's blouses).

Twin Cities Manufacturing Co., Inc., White Hall, Ill.; effective 5–19–61 to 5–18–62 (women's dresses and sportswear).

Wildman Manufacturing Co., 920 Washington Avenue, St. Louis, Mo.; effective 5–10–61 to 5–9–62 (ladies' cotton dresses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Barad Lingerie Co. of Salem, Salem, Mo.; effective 5–4–61 to 5–3–62; 10 learners (ladies' sleepwear).

Blue Bell, Inc., Ada, Okla.; effective 5–15–61 to 9–16–61; 10 learners (men's and boys' dungarees) (replacement certificate).

Great Falls Sportswear, Inc., Great Falls, S.C.; effective 5–22–61 to 5–21–62; 10 learners (ladies' slacks and shorts).

Groux Fashions, 212 North Walnut Street, Clarksville, Tex.; effective 5–3–61 to 5–2–62; five learners (women's dresses).

Irene Sportswear Co., Inc., Wyoming Co., Nicholson, Pa.; effective 5–18–61 to 5–17–62; 10 learners (ladies' blouses).

Juniata Garment Co., 322 South Juniata Street, Mifflin, Pa.; effective 5–6–61 to 5–5–62; 10 learners (women's dresses).

Kreditor Manufacturing Co., Inc., Hubbard, Tex.; effective 5–19–61 to 5–18–62; 10 learners (ladies' dresses).

H. D. Lee Co., Inc., Sulphur Springs, Tex.; effective 5–20–61 to 5–19–62; 10 learners (men's pants, Western style).

McTague Manufacturing Co., Inc., 16 West Presqueisle Street, Philipsburg, Pa.; effective 5–22–61 to 5–21–62; 10 learners (boys' and girls' outerwear jackets).

Mode O'Day Corp., Plant No. 9, 419 East South Street, Hastings, Nebr.; effective 5–7–61 to 5–6–62; 10 learners (ladies' blouses).

Monroe Garment Co., Southerland Avenue, Monroe, N.C.; effective 5–14–61 to 5–13–62; five learners (men's cotton work shirts).

Panther Valley Dress Co., Inc., 114 East Kline Avenue, Lansford, Pa.; effective 5–15–61 to 5–14–62; five learners (children's dresses).

Styl-Mac Corp., Southerland Avenue, Monroe, N.C.; effective 5–12–61 to 5–11–62; 10 learners (boys' cotton pants).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Barad Lingerie Co. of Salem, Salem, Mo.; effective 5–8–61 to 11–7–61; 20 learners (ladies' cotton sleepwear).

Durant Sportswear, Inc., Durant, Miss.; effective 5–15–61 to 11–14–61; 100 learners (men's and boys' outerwear jackets).

Glenn Berry Manufacturers, Inc., 126 North River, Commerce, Okla.; effective 5–2–61 to 11–1–61; 60 learners (men's trousers; fatigue trousers for U.S. Army).

Heath Springs Manufacturing Co., Inc., Heath Springs, S.C.; effective 5–2–61 to 11–1–61; 50 learners (children's wear).

Hicks-Ponder Co., 18th and Maple Streets, Yuma, Ariz.; effective 5–3–61 to 11–2–61; 50 learners (men's and boys' casual slacks and work pants).

Landress-Smith Corp., Hoschton, Ga.; effective 5–2–61 to 11–1–61; 40 learners (men's and boys' sport slacks).

Liberty Manufacturing Corp., Liberty, Ky.; effective 5–2–61 to 11–1–61; 100 learners (men's and boys' dress shirts).

Supak and Sons Manufacturing Co.; Elizabeth City, N.C.; effective 5–3–61 to 11–2–61; 75 learners (children's car coats and snow suits).

Trousdale Manufacturing Co., Inc., Hartsville, Tenn.; effective 5–9–61 to 11–8–61; five learners (women's blouses).

Yunker Manufacturing Co., 315 Ann Street, Parkersburg, W. Va.; effective 5–10–61 to 11–9–61; 45 learners (children's wear).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.66, as amended).

The Boss Manufacturing Co., 107 North Boss Street, Kewanee, Ill.; effective 5–3–61 to 5–2–62; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

The Boss Manufacturing Co., Gregory and Harrington Streets, Cisco, Tex.; effective 5–22–61 to 5–21–62; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

N. Churchill Manufacturing Co., Inc., 544 North Pearl Street, Centralia, Wash.; effective 5–25–61 to 5–24–62; 10 learners for normal labor turnover purposes (work gloves).

Fairfield Glove Co., 603–7 West Stone Street, Fairfield, Iowa; effective 5–16–61 to 5–15–62; 10 learners for normal labor turnover purposes (work gloves).

Indianapolis Glove Co., Inc., Glenwood, Ark.; effective 5–11–61 to 5–10–62; 10 learners for normal labor turnover purposes (work gloves).

Jasper Glove Co., Inc., 611 Main Street, Jasper, Ind.; effective 5–5–61 to 5–4–62; 10 learners for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.44, as amended).

Betterwear Hosiery Mill, Inc., Central Avenue and East Third Street, Catawba, N.C.; effective 6–1–61 to 5–31–62; five learners for normal labor turnover purposes (seamless).

Betterwear Hosiery Mill, Inc., Central Avenue and East Third Street, Catawba, N.C.; effective 5–4–61 to 11–3–61; 15 learners for plant expansion purposes (seamless).

Black Mountain Hosiery Mills, Inc., Black Mountain, N.C.; effective 5–12–61 to 5–11–62; five learners for normal labor turnover purposes (men's seamless hosiery).

Mars Hosiery Co., Inc., Johnston School Road, W. Asheville, N.C.; effective 5–10–61 to 5–9–62; five learners for normal labor turnover purposes (full-fashioned and seamless).

Mars Hosiery Co., Inc., Johnston School Road, W. Asheville, N.C.; effective 5–10–61 to 11–9–61; five learners for plant expansion purposes (full-fashioned and seamless).

Rockwood Hosiery Co., Rockwood, Tenn.; effective 5–22–61 to 5–21–62; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Independent Telephone Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.70 to 522.75, as amended).

Fort Kent Telephone Co., Fort Kent, Maine; effective 5–22–61 to 5–21–62.

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Gloray Knitting Mills, Inc., Robesonia, Pa.; effective 5–6–61 to 5–5–62; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' sweaters).

Kayser-Roth Hosiery Co., Inc., Dayton Div., Dayton, Tenn; effective 5–23–61 to 11–22–61; 25 learners for plant expansion purposes (ladies' and children's tights).

Quitman Knitting Mills, Inc., Quitman, Miss.; effective 5–9–61 to 5–8–62; 5 percent of the total number of factory production workers for normal labor turnover purposes (children's sleepwear and underwear).

Quitman Knitting Mills, Inc., Quitman, Miss.; effective 5–16–61 to 11–15–61; 20 learners for plant expansion purposes (children's sleepwear and underwear).

Shoe Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.50 to 522.55, as amended).

Casey Manufacturing Co., East Main Street, Casey, Ill.; effective 5–5–61 to 5–4–62; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and misses' shoes).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

R. K. Barter Canneries, Inc., Stonington, Maine; effective 5–20–61 to 11–19–61; 10 percent of the total number of factory production workers for normal labor turnover purposes, in the occupation of sardine packer for a learning period of 160 hours at the rates of 85 cents an hour for the first 80 hours and 90 cents an hour for the remaining 80 hours (sardine packing).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Anasco Sports Co., Inc., Anasco, P.R.; effective 4–17–61 to 10–16–61; 52 learners for plant expansion purposes, in any productive factory occupation for a learning period of 480 hours at the rates of 53 cents an hour for the first 240 hours and 59 cents an hour for the remaining 240 hours (athletic shoes).

Angelo Manufacturing Co., Inc., Guayama, P.R.; effective 4–15–61 to 4–14–62; 17 learners

for normal labor turnover purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 70 cents an hour for the first 320 hours and 78 cents an hour for the remaining 160 hours; (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 70 cents an hour (brassieres).

Barry Corp., Santurce, P.R.; effective 4–24–61 to 4–23–62; 13 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 57 cents an hour for the first 240 hours and 66 cents an hour for the remaining 240 hours (fabric and leather gloves).

Barry Corp., Santurce, P.R.; effective 4–24–61 to 10–23–61; seven learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 57 cents an hour for the first 240 hours and 66 cents an hour for the remaining 240 hours (fabric and leather gloves).

Beatrice Needle Craft, Inc., Ponce, P.R.; effective 5–15–61 to 5–14–62; 25 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 70 cents an hour for the first 320 hours and 78 cents an hour for the remaining 160 hours (brassieres and girdles).

Caribe Princesa, Inc., Humacao, P.R.; effective 5–15–61 to 5–14–62; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 60 cents an hour for the first 240 hours and 70 cents an hour for the remaining 240 hours (women's underwear and sleepwear).

Caribe Princesa, Inc., Humacao, P.R.; effective 5–15–61 to 11–14–61; 16 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 60 cents an hour for the first 240 hours and 70 cents an hour for the remaining 240 hours (women's underwear and sleepwear).

Caribe Sports Co., Inc., San German, P.R.; effective 5–1–61 to 4–30–62; 10 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator and hand lacer, each for a learning period of 320 hours at the rates of 47 cents an hour for the first 160 hours and 55 cents an hour for the remaining 160 hours; (2) die and clicker machine operator, leather stamper (gloves), eyeletter, shell lay-off, turning machine operator, final glove lay-off, leather regrader, and final inspector, each for a learning period of 160 hours at the rate of 47 cents an hour (baseball gloves and mitts).

Caribe Sports Co., Inc., San German, P.R.; effective 5–1–61 to 10–31–61; 58 learners for plant expansion purposes, in the occupations of: (1) Sewing machine operator and hand lacer, each for a learning period of 320 hours at the rates of 47 cents an hour for the first 160 hours and 55 cents an hour for the remaining 160 hours; (2) die and clicker machine operator, leather stamper (gloves), eyeletter, shell lay-off, turning machine operator, final glove lay-off, leather regrader and final inspector, each for a learning period of 160 hours at the rate of 47 cents an hour (baseball gloves and mitts).

Caribe Staple Co., Calle Igualdad, Fajardo, P.R.; effective 4–25–61 to 4–24–62; 5 learners for normal labor turnover purposes, in the occupations of: (1) The single occupation of machine operator and inspector for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours; (2) inspector-packer for a learning period of 240 hours at the rate of 75 cents an hour (industrial staples).

Caribe Staple Co., Calle Igualdad, Fajardo, P.R.; effective 4–25–61 to 10–24–61; 12 learners for plant expansion purposes in the occupations of: (1) The single occupation of machine operator and inspector for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours; (2) inspector-packer for a learning period of 240 hours at the rate of 75 cents an hour (industrial staples).

Catherine Needle Craft, Inc., 60 Comercio Street, Mayaguez, P.R.; effective 4–22–61 to 4–21–62; 15 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 70 cents an hour for the first 320 hours and 78 cents an hour for the remaining 160 hours (brassieres).

Catherine Needle Craft, Inc., 60 Comercio Street, Mayaguez, P.R.; effective 4–22–61 to 10–21–61; 25 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 70 cents an hour for the first 320 hours and 78 cents an hour for the remaining 160 hours (brassieres).

Central Products Co., Mayaguez, P.R.; effective 5–15–61 to 5–14–62; five learners for normal labor turnover purposes, in the occupations of power press operator, pull-in operator, quality control (gage readers), final inspection, hi-speed hammer operator, cord winder, painting, assembly, and chalk line marker, each for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (measuring tape and chalk line markers).

Central Products Co., Mayaguez, P.R.; effective 5–15–61 to 11–14–61; 22 learners for plant expansion purposes, in the occupation of power press operator, pull-in operator, quality control (gage reader), final inspector, hi-speed hammer operator, cord winder, painting, assembly, and chalk line marker, each for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (measuring tape and chalk line markers).

Electronic Manufacturing Engineers, Inc., 333 Garrido Morales Street, Fajardo, P.R.; effective 4–20–61 to 10–19–61; 20 learners for plant expansion purposes, in the singe occupation of basic hand and/or machine production operations in winding of wire wound resistors for a learning period of 480 hours at the rates of 76 cents an hour for the first 240 hours and 86 cents an hour for the remaining 240 hours (wire wound resistors).

Evelyn Judith Products, Inc., Corozal, P.R.; effective 4–20–61 to 4–19–62; five learners for normal labor turnover purposes, in the occupation of machine stitcher (P. K. and Osann leather palm sewing) for a learning period of 480 hours at the rates of 57 cents an hour for the first 240 hours and 67 cents an hour for the remaining 240 hours (knitted gloves).

Flamingo Brassieres, Inc., 513 Carolina Street, Hato Rey, P.R.; effective 4–10–61 to 3–5–62; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 70 cents an hour for the first 320 hours and 78 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Gordonshire Knitting Mills, Inc., Cayey, P.R.; effective 4–15–61 to 10–14–61; 50 learners for plant expansion purposes, in the occupations of: (1) Sweater looper and knitter, each for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours; (2) machine stitcher (seaming) for a learning period of 320 hours at the rates of 75 cents an hour for the first 160 hours and 88 cents an hour for the remaining 160 hours (sweaters) (supplemental certificate).

Keystone Fabrics, Inc., Bayamon, P.R.; effective 4–24–61 to 4–23–62; five learners for normal labor turnover purposes, in the occupation of machine operator for a learning period of 240 hours at the rate of 55 cents an hour (manufacture of knitted fabrics on hand machines).

Keystone Fabrics, Inc., Bayamon, P.R.; effective 4–24–61 to 10–23–61; five learners for plant expansion purposes, in the occupation of machine operator for a learning period of 240 hours at the rate of 55 cents an hour (manufacture of knitted fabrics on hand machines).

Lighting, Inc., Carolina, P.R.; effective 4–12–61 to 10–11–61; 10 learners for plant expansion purposes, in the occupation of basic hand and/or machine production operations in assembly of fluorescent fixtures for a learning period of 480 hours at the rates of 80 cents an hour for the first 240 hours and 90 cents an hour for the remaining 240 hours (assembly of fluorescent fixtures).

Rizotex, Inc., Cayey, P.R.; effective 4–18–61 to 4–17–62; five learners for normal labor turnover purposes, in the occupations of winder and crimper and twister, each for a learning period of 240 hours at the rate of 56 cents an hour (yarn manufacturing).

Each learner certificate has been issued upon the representations of the employers which, among other things, were that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 26th day of May 1961.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 61–5179; Filed, June 5, 1961; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 1, 1961.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37167: *Substituted service—TP&W and Wab. for Spector Freight System, Inc.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 69), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars, between Peoria, Ill., on the one hand, and Buffalo, N.Y., and Detroit, Mich., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Central States Motor Freight Bureau tariff MF–I.C.C. 985.

FSA No. 37168: *Substituted Service—Wab. for Chicago Express, Inc., et al.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 70), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars, between Chicago, Decatur, and East St. Louis, Ill., on the one hand, and Buffalo, N.Y., and Detroit, Mich., on the other; between Chicago, Ill., and Toledo, Ohio; between Detroit, Mich., and Buffalo, N.Y., and between East St. Louis, Ill., on the one hand, and Fort Wayne, Ind., and Toledo, Ohio, on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Central States Motor Freight Bureau tariff MF–I.C.C. 985.

FSA No. 37169: *Substituted service—C&O for Chicago Express, Inc.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 65), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars, between Chicago and Cincinnati, Ohio, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Central States Motor Freight Bureau tariff MF–I.C.C. 985.

FSA No. 37170: *Boiler parts from Chicago, Ill., to Gulfport, Miss.* Filed by Illinois Freight Association, Agent (No. 142), for interested rail carriers. Rates on boiler parts, iron or steel, flues or tubes, in carloads, from Chicago, Ill., and points grouped with Chicago, Ill., to Gulfport, Miss.

Grounds for relief: Barge competition.

Tariff: Supplement 11 to Illinois Freight Association tariff I.C.C. 946.

FSA No. 37171: *Iron and steel articles to Missouri points.* Filed by Western Trunk Line Committee, Agent (No. A–2190), for interested rail carriers. Rates on iron and steel angles, bars, noibn, beams, channels (other than automobile), joists and plates structural, noibn, in carloads, from Chicago, Joliet and Sterling, Ill., to Jefferson City and North Jefferson, Mo.

Grounds for relief: Barge and market competition.

Tariff: Supplement 29 to Western Trunk Line Committee tariff I.C.C. A–4271.

FSA No. 37172: *Lime from Mosher and Ste. Genevieve, Mo.* Filed by O. W. South, Jr., Agent (No. A4101), for interested rail carriers. Rates on lime, common hydrated, quick or slack, in bulk or in packages, in carloads, from Mosher and Ste. Genevieve, Mo., to Natchez, Vicksburg, Miss., and Memphis, Tenn.

Grounds for relief: Short-line distance formula.

Tariff: Supplement 148 to Southern Freight Association tariff I.C.C. 1345.

FSA No. 37173: *Styrene from Baton Rouge, La.* Filed by O. W. South, Jr., Agent (No. A4102), for interested rail carriers. Rates on styrene, in tank-car loads, from Baton Rouge, La., to Hicksville, N.Y., and Jamesburg, N.J.

Grounds for relief: Rate relationship.

Tariff: Supplement 199 to Southern Freight Association tariff I.C.C. 452.

FSA No. 37174: *Substituted service—C&O and L&N for Hoover Motor Express Company, Inc.* Filed by Central and Southern Motor Freight Tariff Association, Incorporated, Agent (No. 59), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars, between Chicago, Ill., on the one hand, and Atlanta, Ga., and Knoxville, Tenn., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 10 to Central and Southern Motor Freight Tariff Association tariff MF–I.C.C. 228.

FSA No. 37175: *Glycols from Texas and Louisiana points to Chicago, Ill.* Filed by Southwestern Freight Bureau, Agent (No. B–8026), for interested rail carriers. Rates on ethylene glycol, diethylene glycol, propylene glycol, polypropylene and polyethylene glycol, in tank-car loads, from Freeport, Houston, North Seadrift, Orange, Port Neches, Texas City and Youens, Tex., also Lake Charles and West Lake Charles, La., to Chicago, Ill., and points grouped therewith.

Grounds for relief: Market competition.

Tariff: Supplement 198 to Southwestern Freight Bureau tariff I.C.C. 4064.

FSA No. 37176: *Motor fuel anti-knock compound from Chaison and Houston, Tex.* Filed by Southwestern Freight Bureau, Agent (No. B–8027), for interested rail carriers. Rates on motor fuel anti-knock compounds, in tank-car loads, from Chaison and Houston, Tex., to specified points in Delaware, Maryland, New Jersey, and Pennsylvania.

Grounds for relief: Market competition.

Tariff: Supplement 802 to Southwestern Freight Bureau tariff I.C.C. 4139.

FSA No. 37177: *Clay from Wyoming points to southwestern territory.* Filed by Southwestern Freight Bureau, Agent (No. B–8029), for interested rail carriers. Rates on clay, as described in the application, in carloads, from points in Wyoming, also Belle Fourche, S. Dak., and Olmsted, Ill., to specified points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Grounds for relief: Short-line distance formula.

Tariff: Supplement 329 to Southwestern Freight Bureau tariff I.C.C. 4423.

FSA No. 37178: *Silica sand from Guion, Ark., to Douglasville, Ga.* Filed by Southwestern Freight Bureau, Agent (No. B–8030), for interested rail carriers. Rates on silica sad, as described in the application, in carloads, from Guion, Ark., to Douglasville, Ga.

Grounds for relief: Short-line distance formula.

Tariff: Supplement 119 to Southwestern Freight Bureau tariff I.C.C. 4319.

By the Commission.

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

[F.R. Doc.–61–5188; Filed, June 5, 1961; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—JUNE

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