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**TITLE 6—AGRICULTURAL CREDIT**

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

**Subchapter C—Loans, Purchases, and Other Operations**

[1948 C. C. C. Barley Bulletin 1, Amdt. 4]

**PART 602—BARLEY**

**SUBPART—1948 BARLEY LOAN PROGRAM**

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration (13 F. R. 3998, 4913, 5524, and 14 F. R. 2041) governing the making of loans on eligible barley produced in 1948, are hereby amended as follows:

In § 602.24 (formerly § 264.224) *Loan rates, under paragraph (a) Basic loan rates at terminal markets*, the following terminal and rate therefor are added:

	Loan rate per bushel
Market: Sioux City, Iowa.....	\$1.34

Issued this 8th day of July 1949.

(Sec. 4 (d), Pub. Law 806, 80th Cong. Interpret or apply secs. 4 (g), (l), 5 (a), Pub. Law 806, 80th Cong., sec. 1, Pub. Law 897, 80th Cong.)

[SEAL]                      **ELMER F. KRUSE,**  
*Manager,*  
*Commodity Credit Corporation.*

Approved:

**RALPH S. TRIGG,**  
*President,*  
*Commodity Credit Corporation.*

[F. R. Doc. 49-5680; Filed, July 12, 1949; 9:02 a. m.]

[1948 C. C. C. Grain Sorghums Bulletin 1, Amdt. 7]

**PART 621—GRAIN SORGHUMS**

**SUBPART—1948 GRAIN SORGHUMS LOAN PROGRAM**

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration (13 F. R. 3880, 4659, 5524, 5807, 6949 and 14 F. R. 517 and 2042) governing the making of

loans on eligible 1948-crop grain sorghums are amended as follows:

§ 621.24 (formerly § 263.224) *Loan rates, under paragraph (a) Basic loan rates at terminal markets*, the following terminal and rate therefor are added:

	Loan rate per 100 pounds
Market: Sioux City, Iowa.....	\$2.77

Issued this 8th day of July 1949.

(Sec. 4 (d), Pub. Law 806, 80th Cong. Interpret or apply secs. 4 (g), (l), 5 (a), Pub. Law 806, 80th Cong., sec. 1, Pub. Law 897, 80th Cong.)

[SEAL]                      **ELMER F. KRUSE,**  
*Manager,*  
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Approved:

**RALPH S. TRIGG,**  
*President,*  
*Commodity Credit Corporation.*

[F. R. Doc. 49-5681; Filed, July 12, 1949; 9:02 a. m.]

[1948 C. C. C. Rye Bulletin 1, Amdt. 7]

**PART 636—RYE**

**SUBPART—1948 RYE LOAN AND PURCHASE AGREEMENT PROGRAM**

The regulations issued by Commodity Credit Corporation and Production and Marketing Administration (13 F. R. 4989, 5525, 7291, and 14 F. R. 405, 1732, 2043 and 3277), governing loans and purchase agreements made available on 1948-crop rye, are amended as follows:

In § 656.24 (formerly § 266.224), *Rates at which loans and purchases will be made, under paragraph (a) Rates at terminal markets*, subparagraph (1) of this section, *Terminal rates for eligible rye*, the following terminal and rate therefor are added:

	Loan rate per bushel
Market: Sioux City, Iowa.....	\$1.47

Issued this 8th day of July 1949.

(Sec. 4 (d), Pub. Law 806, 80th Cong. Interpret or apply secs. 4 (g), (l), 5 (a), (Continued on p. 3829)

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Pub. Law 806, 80th Cong., sec. 1, Pub. Law 897, 80th Cong.)

[SEAL] **ELMER F. KRUSE,**  
*Manager,*  
*Commodity Credit Corporation.*

Approved:

**RALPH S. TRIGG,**  
*President,*  
*Commodity Credit Corporation.*

[F. R. Doc. 49-5682; Filed, July 12, 1949;  
9:03 a. m.]

**TITLE 7—AGRICULTURE**

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

**Subchapter D—Warehouse Regulations**

**PART 107—NUTS WAREHOUSES**

**PART 111—COTTONSEED WAREHOUSES**

**MISCELLANEOUS AMENDMENTS**

On December 29, 1948, there was published in the FEDERAL REGISTER (13 F. R. 8713) a notice of intention to amend the regulations relating to nuts warehouses (7 CFR Part 107) and cottonseed warehouses (7 CFR Part 111) under the United States Warehouse Act, as amended (7 U. S. C. 241-273) so as to delete therefrom provisions that nothing in said regulations shall be construed to conflict with state warehouse laws.

After due consideration of all relevant material presented pursuant to the notice, including the proposals set forth therein, and under the authority vested in the Secretary of Agriculture by section 28 of the United States Warehouse Act (7 U. S. C. 268), the above mentioned regulations are hereby amended as follows:

1. For the purpose of conforming said regulations with the United States Warehouse Act, as amended, by deleting obsolete requirements in the regulations that warehousemen shall perform their

obligations under State laws, § 107.53 is amended to read as follows:

§ 107.53 *Compliance with contracts.* Each warehouseman shall faithfully perform such obligations as a warehouseman as may be assumed by him under contracts with depositors of nuts in his warehouse.

2. For the aforesaid purpose, § 111.54 is amended to read as follows:

§ 111.54 *Compliance with contracts.* Each warehouseman shall faithfully perform such obligations as a warehouseman as may be assumed by him under contracts with depositors of cottonseed in his warehouse.

3. For the purpose of conforming said regulations with the United States Warehouse Act by eliminating obsolete provisions that the regulations shall not be construed to conflict with State laws, and for the purpose of eliminating superfluous provisions that the regulations shall not be construed to limit the operation of certain Federal laws, present §§ 107.84 and 111.85 are deleted.

4. Present §§ 107.85 and 111.86 are renumbered, respectively, as §§ 107.86 and 111.87.

5. For the purpose of incorporating into the regulations relating to nuts warehouses and cottonseed warehouses, provisions which have heretofore been issued as general regulations applicable to all warehouses under the United States Warehouse Act and which are now in effect but which have not been published in the Code of Federal Regulations as a part of regulations applicable to nuts warehouses and cottonseed warehouses, the following two paragraphs are hereby incorporated into the regulations relating to nuts warehouses as §§ 107.84 and 107.85, respectively, and are hereby incorporated into the regulations relating to cottonseed warehouses as §§ 111.85 and 111.86, respectively:

*One document and one license to cover several products.* A license may be issued for the storage of two or more agricultural products in a single warehouse. Where such a license is desired, a single application, inspection, bond, record, report or other paper, document or proceeding relating to such warehouse, shall be sufficient unless otherwise directed by the Administrator.

*Bond, assets, and fees for combination warehouse.* Where such license is desired, the amount of the bond, net assets, and inspection and license fees shall be determined by the Administrator in accordance with the regulations applicable to the particular agricultural product which would require the largest bond and the greatest amount of net assets and of fees if the full capacity of the warehouse was used for its storage.

*Effective date.* The foregoing amendments shall be effective upon publication hereof in the FEDERAL REGISTER.

Insofar as the amendments made by this order were not proposed in the notice of rule making mentioned above, they merely make editorial changes to harmonize certain sections of the regulations with the amendments proposed in said notice and conform said sections

with the United States Warehouse Act, delete from the regulations certain provisions which are of no real effect since they impose no different requirements than are imposed by a specific provision in the Act itself, incorporate into the regulations for nuts and cottonseed warehouses presently effective general regulations not heretofore published in the Code of Federal Regulations as a part of regulations applicable to such warehouses, and make minor formal changes in the numbering of certain sections of the regulations. For this reason it is found upon good cause under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that further notice and public procedure upon this order are impracticable and unnecessary. It is further found, because of the nature of the amendments as set forth herein, that good cause exists for issuing the amendments effective less than 30 days after their publication in the FEDERAL REGISTER.

Done at Washington, D. C. this 8th day of July 1949. Witness my hand and the seal of the United States Department of Agriculture.

(Sec. 28, 39 Stat. 490; 7 U. S. C. 268)

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

[F. R. Doc. 49-5684; Filed, July 12, 1949;  
9:03 a. m.]

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

[Plum Order 8, Amdt. 1]

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

**REGULATION BY GRADES AND SIZES**

*Plum Order 8, Amendment 1—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), 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, 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 Gaviota plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of

1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Gaviota plums grown in the State of California.

(b) *Order, as amended.* During the period beginning at 12:01 a. m., P. s. t., July 9, 1949, and ending at 12:01 a. m., P. s. t., October 11, 1949, the provisions in paragraph (b) of § 936.353 (Plum Order 8, 14 F. R. 3302) shall read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 9, 1949, and ending at 12:01 a. m., P. s. t., October 11, 1949, no shipper shall ship from any shipping point during any day any package or container of Gaviota plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) At least thirty-three and one-third ( $33\frac{1}{3}$ ) percent, by number of packages, of such plums are of a size not smaller than a size that will pack a 4 x 4 standard pack in a standard basket and the remainder of such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket: *Provided*, That, if such shipper, during any two (2) consecutive days, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped only during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack such 4 x 4 standard pack that such shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days. The aforesaid 4 x 4 standard pack and 4 x 5 standard pack are defined more specifically in subparagraphs (2) and (3), respectively, of this paragraph.

(2) As used in this section, the aforesaid 4 x 4 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than  $1\frac{1}{16}$  inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than  $1\frac{1}{16}$  inches in diameter; and (iii) no plums contained in such pack measure less than  $1\frac{1}{16}$  inches in diameter.

(3) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than  $1\frac{1}{16}$  inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than  $1\frac{1}{16}$  inches in diameter; and (iii) no plums contained in such pack measure less than  $1\frac{1}{16}$  inches in diameter.

(4) Each shipper, prior to making each shipment of Gaviota plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and

each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the Gaviota plums contained in each such shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, and such shipper shall comply with all grade and size regulations applicable to such shipment.

(5) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of § 828.1 of the Agricultural Code of California.

(c) Nothing contained herein shall be construed (1) as affecting or waiving any right or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provisions of said Plum Order 8, or (2) as releasing or extinguishing any violation of said Plum Order 8 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936; 14 F. R. 2684)

Done at Washington, D. C., this 8th day of July 1949.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Marketing Administration.

[F. R. Doc. 49-5677; Filed, July 12, 1949; 9:02 a. m.]

[Plum Order 10, Amdt. 1]

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

REGULATION BY GRADES AND SIZES

Plum Order 10, Amendment 1—(a)  
*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No.

36, as amended (7 CFR Part 936; 14 F. R. 2684), 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, 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 Burbank plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Burbank plums grown in the State of California.

(b) *Order, as amended.* During the period beginning at 12:01 a. m., P. s. t., July 9, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, the provisions in paragraph (b) of § 936.356 (Plum Order 10, 14 F. R. 3611) shall read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 9, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, no shipper shall ship any package or container of Burbank plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) Such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket. The aforesaid 4 x 5 standard pack is defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than  $1\frac{1}{16}$  inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than  $1\frac{1}{16}$  inches in diameter; and (iii) no plums contained in such pack measure less than  $1\frac{1}{16}$  inches in diameter.

(3) Each shipper, prior to making each shipment of Burbank plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the Burbank plums contained in each such shipment:

Provided, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of § 828.1 of the Agricultural Code of California.

(c) Nothing contained herein shall be construed (1) as affecting or waiving any right or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provisions of said Plum Order 10, or (2) as releasing or extinguishing any violation of said Plum Order 10 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq; 7 CFR Part 936; 14 F. R. 2684)

Done at Washington, D. C., this 8th day of July 1949.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Marketing  
Administration.

[F. R. Doc. 49-5676; Filed, July 12, 1949;  
8:56 a. m.]

[Plum Order 13, Amdt. 1]

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

REGULATION BY GRADES AND SIZES

Plum Order 13, Amendment 1—(a)  
Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), 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 Agree-

ment Act of 1937, as amended, 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 Late Santa Rosa plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Late Santa Rosa plums grown in the State of California.

(b) Order, as amended. During the period beginning at 12:01 a. m., P. s. t., July 9, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, the provisions in paragraph (b) of § 936.359 (Plum Order 13, 14 F. R. 3739) shall read as follows:

(b) Order. (1) During the period beginning at 12:01 a. m., P. s. t., July 9, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, no shipper shall ship from any shipping point during any day any package or container of Late Santa Rosa plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of fifteen (15) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) At least eighty (80) percent, by number of packages, of such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket and the remainder of such plums are of a size not smaller than a size that will pack a 5 x 5 standard pack in a standard basket: Provided, That, if such shipper, during any two (2) consecutive days, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped only during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack such 4 x 5 standard pack that such shipper could have shipped on such succeeding calendar day if there had been no undershipment during the two (2) preceding days. The aforesaid 4 x 5 standard pack and the 5 x 5 standard pack are defined more specifically in subparagraphs (2) and (3), respectively, of this paragraph.

(2) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1<sup>1</sup>/<sub>16</sub> inches in diameter; (ii) at least sixty (60) percent, by count, of the

plums contained in such pack measure not less than 1<sup>9</sup>/<sub>16</sub> inches in diameter; and (iii) no plums contained in such pack measure less than 1<sup>7</sup>/<sub>16</sub> inches in diameter.

(3) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than 1<sup>9</sup>/<sub>16</sub> inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than 1<sup>7</sup>/<sub>16</sub> inches in diameter; and (iii) no plums contained in such pack measure less than 1<sup>5</sup>/<sub>16</sub> inches in diameter.

(4) Each shipper, prior to making each shipment of Late Santa Rosa plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the Late Santa Rosa plums contained in each such shipment: Provided, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(5) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of § 828.1 of the Agricultural Code of California.

(c) Nothing contained herein shall be construed (1) as affecting or waiving any right or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provisions of said Plum Order 13, or (2) as releasing or extinguishing any violation of said Plum Order 13 which has occurred or which, prior to

the effective time of the provisions hereof, may occur.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936; 14 F. R. 2684)

Done at Washington, D. C., this 8th day of July 1949.

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

[F. R. Doc. 49-5678; Filed, July 12, 1949;  
9:02 a. m.]

[Plum Order 16, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS,  
AND ELBERTA PEACHES GROWN IN CALI-  
FORNIA

REGULATION BY GRADES AND SIZES

*Plum Order 16, Amendment 1—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), 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, 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 Late Tragedy plums, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of Late Tragedy plums grown in the State of California.

(b) *Order, as amended.* During the period beginning at 12:01 a. m., P. s. t., July 9, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, the provisions in paragraph (b) of § 936.362 (Plum order 16, 14 F. R. 3741) shall read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., July 9, 1949, and ending at 12:01 a. m., P. s. t., November 1, 1949, no shipper shall ship any package or container of Late Tragedy plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of twenty-five (25) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 5 x 6 standard pack in a standard basket. The aforesaid 5 x 6 standard pack is

defined more specifically in subparagraph (2) of this paragraph.

(2) As used in this section, the aforesaid 5 x 6 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than  $1\frac{7}{16}$  inches in diameter; (ii) at least sixty (60) percent, by count, of the plums contained in such pack measure not less than  $1\frac{5}{16}$  inches in diameter; and (iii) no plums contained in such pack measure less than  $1\frac{3}{16}$  inches in diameter.

(3) Each shipper, prior to making each shipment of Late Tragedy plums, shall, during the period set forth in subparagraph (1) of this paragraph, have the plums included in each such shipment inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Plum Commodity Committee Federal-State shipping point inspection certificates stating the grades and sizes of the Late Tragedy plums contained in each such shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(4) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of § 828.1 of the Agricultural Code of California.

(c) Nothing contained herein shall be construed (1) as affecting or waiving any right or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provisions of said Plum Order 16, or (2) as releasing or extinguishing any violation of said Plum Order 16 which has occurred or which, prior to the effective time of the provisions hereof, may occur.

(48 Stat. 31, as amended, 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936; 14 F. R. 2684)

Done at Washington, D. C., this 8th day of July 1949.

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

[F. R. Doc. 49-5679; Filed, July 12, 1949;  
9:02 a. m.]

PART 988—MILK IN KNOXVILLE,  
TENNESSEE, MARKETING AREA

ORDER REGULATING HANDLING

Sec.	
988.0	Findings and determinations.
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AUTHORITY: §§ 988.0 to 988.13, issued under 48 Stat. 31, as amended; 7 U. S. C. 601 et seq., § 102 Reorg. Plan 1 of 1947, 12 F. R. 4534.

§ 988.0 *Findings and determinations—*  
(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supps. 900.1 et seq.), a public hearing was held upon a proposed marketing agreement and a proposed order regulating the handling of milk in the Knoxville, Tennessee, marketing area. Upon the basis of evidence introduced at such hearings and the record thereof, it is found that:

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

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect the market supply of and demand for such milk, and the minimum prices specified in the order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing

agreement upon which hearings have been held; and

(4) All milk and milk products, handled by handlers, as defined herein, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products.

(b) *Additional findings.* (1) It is hereby found and proclaimed in connection with the execution of a tentative marketing agreement and the issuance of this order regulating the handling of milk in the said marketing area, that the purchasing power of such milk during the prewar period of August 1909–July 1914 cannot be satisfactorily determined from available statistics of the Department of Agriculture, but the purchasing power of such milk for the period August 1919–July 1929 can be satisfactorily determined from available statistics of the Department of Agriculture, and the period August 1919–July 1929 is the base period to be used in connection with the said marketing agreement and this order in determining purchasing power of such milk.

(2) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will require the payment by (i) each handler, as his pro rata share of such expenses, 4 cents per hundred-weight or such lesser amount as the Secretary may prescribe, with respect to receipts, during the delivery period, of (a) milk from producers (including such handler's own production), and (b) other source milk received at a fluid milk plant, and (ii) each cooperative association as its pro rata share of such expenses, 4 cents per hundredweight or such lesser amount as the Secretary may prescribe on only that milk of producers for which it is a handler.

(3) It is necessary, in the public interest, to make the several provisions of this order effective as hereinafter set forth. Any further delay in the effective dates of the order will seriously threaten the orderly marketing and supply of milk in the Knoxville, Tennessee, marketing area. The need for the order is also disclosed by the decision (14 F. R. 3499) which was executed on June 23, 1949. The provisions of the order are well known to handlers—the public hearing having been held on July 21 to 23, and July 26 to 28, 1948, the recommended decision having been published in the FEDERAL REGISTER (14 F. R. 2716) on May 24, 1949, and the final decision (14 F. R. 3499) having been executed by the Secretary on June 23, 1949. Handlers have requested in view of the fact that this order will constitute the original imposition of a regulatory program of this nature for the market, that the provisions of such order other than those relating to prices and payments to producers be put into effect for a sufficient time prior to the effective date of the provisions relating to prices and payments to producers to enable them to make necessary adjustments in their accounting and other operational procedures to conform with all provisions of the order. Therefore, reasonable times are permitted, under the circumstances, for preparation for the effective dates specified below. It is hereby found and determined, in view of the aforementioned facts and circum-

stances that good cause exists for making §§ 988.1, 988.2, 988.3, 988.4, 988.6, 988.9, 988.11, 988.12, 988.13, of this order effective on July 16, 1949, and §§ 988.5, 988.7, 988.8 and 988.10 effective on August 1, 1949; and that it would be contrary to the public interest to delay such effective dates to dates later than those specified.

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

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

(2) The issuance of this order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of this order, and who during the determined representative period (April 1949) were engaged in the production of milk for sale in the said marketing area.

*Order relative to handling.* It is hereby ordered, that on and after the effective date hereof, the handling of milk in the Knoxville, Tennessee, marketing area shall be in conformity to and in compliance with the following terms and conditions:

§ 988.1 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

(b) "Secretary" means the Secretary of Agriculture or any officer or employee of the United States authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(c) "Department of Agriculture" means the United States Department of Agriculture or any other Federal agency as may be authorized by act of Congress or by Executive order to perform the price reporting functions of the United States Department of Agriculture.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Knoxville, Tennessee, marketing area" hereinafter called the "marketing area" means all the territory within the corporate limits of the City of Knoxville, Tennessee.

(f) "Cooperative association" means any cooperative marketing association of producers which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and is authorized by its members to make collective sales or to market milk or its products for the producers thereof.

(g) "Producer-handler" means any person who produces milk under a dairy

farm inspection permit issued by the appropriate health authority in the marketing area and who processes milk from his own production, distributing all or a portion of such milk within the marketing area as Class I milk, but who receives no milk from producers.

(h) "Delivery period" means a calendar month, or the portion thereof during which this order is in effect.

(i) "Fluid milk plant" means the premises and the portions of the building and facilities, approved by the appropriate health authority in the marketing area, which are used in: (1) The receipt and processing or packaging of producer milk, all, or a portion, of which is disposed of from such plant on wholesale or retail routes within the delivery period as Class I milk in the marketing area or (2) the receipt and cooling of producer milk for shipment to a plant described in subparagraph (1) of this paragraph: *Provided*, That any portion of such building or facilities, used for receiving or processing milk or any milk product, required by the appropriate health authority in the marketing area to be kept physically separate from the receiving and processing or packaging of milk for disposition as Class I milk in the marketing area shall not be included.

(j) "Producer" means any person, except a producer-handler, who produces milk under a dairy farm inspection permit issued by the appropriate health authority in the marketing area, and whose milk conforms to the appropriate health standards for milk for fluid consumption, which milk is: (1) Received at a fluid milk plant, or (2) diverted from a fluid milk plant to any milk distributing or milk manufacturing plant: *Provided*, That any such milk so diverted shall be deemed to have been received by the handler for whose account it was diverted.

(k) "Handler" means (1) any person in his capacity as operator of a fluid milk plant, (2) a producer-handler, or (3) any cooperative association of producers with respect to producer milk diverted by it from a fluid milk plant to a nonfluid milk plant for the account of such association.

(l) "Nonfluid milk plant" means any milk manufacturing, processing, or bottling plant other than a fluid milk plant described in paragraph (i) of this section.

(m) "Other source milk" means all skim milk and butterfat received in any form from a producer-handler or from a source other than producers or other handlers except any nonfluid milk product received and disposed of in the same form.

(n) "Producer milk" means milk produced by one or more producers.

§ 988.2 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have the following powers with respect to this order:

(1) To administer its terms and provisions;

(2) To receive, investigate, and report to the Secretary complaints of violations;

(3) To make rules and regulations to effectuate its terms and provisions; and

(4) To recommend amendments to the Secretary.

(c) *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this order, including, but not limited to, the following:

(1) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(3) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(4) Pay, out of the funds provided by § 988.9: (i) The cost of his bond and of the bonds of his employees, (ii) his own compensation, and (iii) all other expenses, except those incurred under § 988.10, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(5) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(6) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 5 days after the day upon which he is required to perform such acts, has not made (i) reports pursuant to § 988.3 (a), or (ii) payments pursuant to § 988.8;

(7) Submit his books and records to examination by the Secretary and furnish such information and reports as may be required by the Secretary;

(8) Prepare and make available for the benefit of producers, consumers, and handlers such general statistics and information concerning the operation hereof as are necessary and essential to the proper functioning of this marketing order;

(9) Verify all reports and payments by each handler by audit, if necessary, of such handler's records and the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends; and

(10) Publicly announce and notify each handler in writing the prices and butterfat differentials determined for each delivery period as follows: (i) On or before the 6th day after the end of such delivery period the prices and butterfat differentials for each class computed pursuant to § 988.5; and (ii) on or before the 10th day after the end of such delivery period, the uniform price

computed pursuant to § 988.7 (b), and the butterfat differentials to be paid pursuant to § 988.8 (f).

§ 988.3 *Reports, records, and facilities*—(a) *Delivery period reports of receipts and utilization.* On or before the 6th day after the end of each delivery period each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator:

(1) The quantities of skim milk and butterfat contained in (i) all receipts at his fluid milk plant(s) within such delivery period of (a) producer milk, (b) skim milk and butterfat in any form from other handlers, and (c) other source milk; and (ii) milk diverted pursuant to § 988.1 (j) (2); and

(2) The utilization of all skim milk and butterfat required to be reported under subparagraph (1) of this paragraph.

(b) *Other reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator as follows, except that each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may request:

(1) On or before the 20th day after the end of each delivery period, if requested by the market administrator, his producer pay roll for such delivery period which shall show: (i) The total pounds of milk received from each producer or cooperative association, with the average butterfat test thereof, and (ii) the net amount of such handler's payment to each producer or cooperative association, together with the price, deductions, and charges involved.

(2) On or before the first day other source milk is received, his intention to receive such milk and on or before the last day such milk is received, his intention to discontinue such receipts.

(c) *Records and facilities.* Each handler shall keep adequate records of receipts and utilization of skim milk and butterfat and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to (1) verify the receipts and utilization of all skim milk and butterfat and, in case of errors or omissions, ascertain the correct figures; (2) weigh, sample, and test for butterfat content all milk and milk products handled; (3) verify payments to producers; and (4) make such examinations of operations, equipment, and facilities, as are necessary and essential to the proper administration of this order or any amendments thereto.

§ 988.4 *Classification of milk*—(a) *Basis of classification.* All skim milk and butterfat contained in (i) receipts at a fluid milk plant(s), within such delivery period, of (a) producer milk, (b) skim milk and butterfat in any form from other handlers, and (c) other source milk, and (ii) milk diverted pursuant to § 988.1 (j) (2) shall be classified by the market administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in paragraphs

(c), (d), (e), and (f) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be all skim milk and butterfat (i) disposed of in fluid form (except for livestock feed) as milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream and any cream product, except ice cream mix and (ii) not specifically accounted for as Class II milk.

(2) Class II milk shall be all skim milk and butterfat: (i) Used to produce any item other than those specified in subparagraph (1) of this paragraph; (ii) in inventory variation; (iii) disposed of for livestock feed; (iv) in actual plant shrinkage of skim milk and butterfat received in producer milk, but not in excess of 2.5 percent of such receipts of skim milk and butterfat, respectively, and (v) in actual plant shrinkage of skim milk and butterfat, respectively, in other source milk received: *Provided*, That if producer milk and other source milk are both received in a fluid milk plant during the same delivery period the shrinkage of skim milk and butterfat, respectively, allocated to producer milk and other source milk shall be computed pro rata according to the proportions of the volumes of skim milk and butterfat, respectively, received from such sources to their total.

(c) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat shall be classified as Class I milk, unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified in Class II.

(2) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

(d) *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(1) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to a fluid milk plant of another handler (except a producer-handler), unless utilization in Class II is mutually indicated in writing to the market administrator by both handlers on or before the 6th day after the end of the delivery period within which such transaction occurred, but in no event shall the amount classified in any class exceed the total use in such class by the transferee-handler: *Provided*, That if either or both handlers have received other source milk, such milk so disposed of shall be classified at both plants so as to return the higher class utilization to producer milk.

(2) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to a producer-handler.

(3) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to a nonfluid milk plant, except that of a producer-handler, unless (i) the handler claims Class II on the basis of a utilization mutually indicated in writing to the market administrator by both the operator of the nonfluid milk plant and the handler on or before the 6th day after the end of the delivery period within which such transfer oc-



curred, (ii) the operator of the nonfluid milk plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and (iii) not less than an equivalent amount of skim milk and butterfat was actually utilized in such plant in the use indicated in such statement: *Provided*, That if upon inspection of the records of such plant it is found that an equivalent amount of skim milk and butterfat was not actually used in such indicated use the remaining pounds shall be classified as Class I.

(e) *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler.

(f) *Allocation of skim milk and butterfat classified.* (1) The pounds of skim milk remaining in each class after making the following computations for each handler for each delivery period shall be the pounds in such class allocated to producer milk received by such handler:

(i) Subtract the shrinkage of skim milk, computed pursuant to paragraph (b) (2) (iv) of this section, from the total pounds of skim milk in Class II milk;

(ii) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II milk, the pounds of skim milk in other source milk;

(iii) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from other handlers and assigned to such class pursuant to paragraph (d) (1) of this section;

(iv) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subdivision (i) of this subparagraph; or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with Class II.

(2) Allocate the pounds of butterfat in each class to producer milk in the same manner prescribed for skim milk in subparagraph (1) of this paragraph.

(3) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, respectively, as computed pursuant to subparagraphs (1) and (2) of this paragraph, and determine the percentage of butterfat in each class.

§ 988.5 *Minimum prices*—(a) *Basic formula price.* The basic formula price per hundredweight (computed to the nearest tenth of a cent) to be used in determining the price for Class I milk pursuant to paragraph (b) of this section shall be the highest of the prices per hundredweight for milk of 4.0 percent butterfat content computed pursuant to subparagraph (1), (2), or (3) of this paragraph, or paragraph (b) (2) of this section.

(1) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies listed below:

*Company and Location*

Borden Co., Black Creek, Wis.  
 Borden Co., Greenville, Wis.  
 Borden Co., Mount Pleasant, Mich.  
 Borden Co., New London, Wis.  
 Borden Co., Orfordville, Wis.  
 Carnation Co., Berlin, Wis.  
 Carnation Co., Jefferson, Wis.  
 Carnation Co., Chilton, Wis.  
 Carnation Co., Oconomowoc, Wis.  
 Carnation Co., Richland Center, Wis.  
 Carnation Co., Sparta, Mich.  
 Pet Milk Co., Belleville, Wis.  
 Pet Milk Co., Cooperville, Mich.  
 Pet Milk Co., Hudson, Mich.  
 Pet Milk Co., New Glarus, Wis.  
 Pet Milk Co., Wayland, Mich.  
 White House Milk Co., Manitowoc, Wis.  
 White House Milk Co., West Bend, Wis.

add an amount computed by multiplying the butterfat differential computed pursuant to § 988.8 (f) by 5.

(2) The price per hundredweight computed as follows:

(i) Multiply by 6 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period;

(ii) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on such Exchange the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

(3) The price per hundredweight computed as follows: Multiply by 4.0 the arithmetical average of daily wholesale prices per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, add 20 percent thereof, and add to such sum 3¾ cents for each full ½ cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids (not including that specifically designated animal feed), spray and roller process, f. o. b. Chicago area manufacturing plants, as reported by the Department of Agriculture during the delivery period, is above 5 cents: *Provided*, That if such f. o. b. manufacturing plant prices of nonfat dry milk solids are not reported there shall be used for the purpose of such computation the arithmetical average of the carlot prices of nonfat dry milk solids delivered at Chicago, Illinois, as reported by the Department of Agriculture during the delivery period; and in the latter event the "5 cents" shall be increased by 1 cent.

(b) *Class prices.* Subject to the provisions of paragraph (c) of this section, each handler shall pay producers, at the time and in the manner set forth in

§ 988.8, not less than the prices per hundredweight computed as follows for the respective quantities of Class I milk and Class II milk computed pursuant to § 988.4 (f):

(1) *Class I milk.* The price for Class I milk shall be the basic formula price plus the following amounts per hundredweight: \$1.30 for the delivery periods of December through March; \$1.10 for the delivery periods of April through July; and \$1.50 for the delivery periods of August through November: *Provided*, That for the delivery periods of August through November 1949 the price for Class I milk shall not be less than \$5.40 per hundredweight.

(2) *Class II milk.* The price for Class II milk shall be the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies indicated below:

*Company and Location*

Pet Milk Co., Mayfield, Ky.  
 Pet Milk Co., Bowling Green, Ky.  
 Pet Milk Co., Greenville, Tenn.  
 Pet Milk Co., Abingdon, Va.  
 Carnation Co., Murfreesboro, Tenn.  
 Carnation Co., Statesville, N. C.  
 Carnation Co., Galax, Va.  
 Borden Co., Lewisburg, Tenn.  
 Borden Co., Chester, S. C.  
 Scott Cheese Co., Sweetwater, Tenn.

(c) *Butterfat differential to handlers.* If the weighted average butterfat test of that portion of producer milk which is classified, respectively, in any class of utilization for a handler, pursuant to § 988.4 (f), is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization, for each one-tenth of 1 percent that such weighted average butterfat test is above or below, respectively, 4.0 percent, a butterfat differential (computed to the nearest 10th of a cent), calculated for each class of utilization as follows:

(1) *Class I milk.* Multiply by 1.4 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

(2) *Class II milk.* Multiply by 1.2 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

§ 988.6 *Application of provisions*—(a) *Producer-handlers.* Sections 988.4, 988.5, 988.7, 988.8, 988.9, and 988.10 shall not apply to a producer-handler.

§ 988.7 *Determination of uniform price*—(a) *Computation of value of milk.* The value of producer milk received during each delivery period by each handler shall be a sum of money computed by the market administrator by multiplying the pounds of such milk in each class for the delivery period by the applicable class

price adjusted by the butterfat differential to handlers specified in § 988.5 (c) and adding together the resulting amounts: *Provided*, That if a handler, after subtracting receipts of other source milk and receipts from other handlers, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which has been credited to producers as having been received from them, there shall be added any plus amount computed by multiplying the pounds in each class as subtracted pursuant to subparagraphs (1) (iv) and (2) of § 988.4 (f) by the applicable class price adjusted by the butterfat differentials to handlers specified in § 988.5 (c).

(b) *Computation of the uniform price.* For each delivery period, the market administrator shall compute the uniform price per hundredweight for producer milk, on the basis of 4.0 percent butterfat content, as follows:

(1) Combine into one total the value computed pursuant to paragraph (a) of this section for all handlers who made the reports prescribed by § 988.3 (a) for such delivery period, except those in default of payments required pursuant to § 988.8 (c) for the preceding delivery period;

(2) Subtract if the average butterfat content of producer milk represented by the values included under subparagraph (1) of this paragraph is greater than 4.0 percent, or add, if such average butterfat content is less than 4.0 percent, an amount computed as follows: Multiply the amount by which the average butterfat content of such milk varies from 4.0 percent by the butterfat differential computed pursuant to § 988.8 (f), and multiply the result by the total hundredweight of such milk;

(3) Add an amount representing the cash balance on hand in the producer-settlement fund, less the total amount of contingent obligations to handlers pursuant to § 988.8 (d);

(4) Divide the resulting amount by the total hundredweight of producer milk included in these computations; and

(5) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash balance to provide against delinquencies in payments by handlers. This result shall be known as the "uniform price" per hundredweight for such delivery period for producer milk containing 4.0 percent butterfat, f. o. b. fluid milk plant.

(c) *Notification of handlers.* On or before the 10th day after the end of each delivery period, the market administrator shall mail to each handler, at his last known address, a statement showing:

(1) The amount and value of his producer milk in each class and the total thereof;

(2) The uniform price computed pursuant to paragraph (b) of this section and the butterfat differentials computed pursuant to § 988.8 (f); and

(3) The amounts to be paid by such handler pursuant to §§ 988.8 (c), 988.9, and 988.10.

§ 988.8 *Payments to producers—(a) Time and method of payment.* (1) On or before the last day of each delivery period

each handler shall make payment to each producer for milk received from him during the first 15 days of such delivery period at not less than 75 percent of the uniform price per hundredweight for the preceding delivery period: *Provided*, That for the first delivery period under this order such payment shall not be less than 75 percent of the price per hundredweight for 4.0 percent milk paid to producers by such handler for milk delivered during the last half of the immediately preceding month: *And provided further*, That with respect to producers whose milk was caused to be delivered to such handler by a cooperative association which is authorized to collect payment for such milk, the handler shall pay such cooperative association on or before the 2nd day before the end of each delivery period an amount equal to the sum of the individual payments otherwise payable to such producers in accordance with this subparagraph.

(2) On or before the 15th day after the end of each delivery period each handler shall make payment to each producer for milk which was received from him during the delivery period at not less than the uniform price computed pursuant to § 988.7 (b), subject to the following adjustments: (i) The butterfat differential pursuant to paragraph (f) of this section, (ii) less payment made pursuant to subparagraph (1) of this paragraph, (iii) less marketing service deductions pursuant to § 988.10, (iv) less deductions authorized in writing by the producer, and (v) any error in calculating payment to such individual producer for past delivery periods: *Provided*, That if such handler has not received full payment for such delivery period pursuant to paragraph (d) of this section, he may reduce uniformly per hundredweight for all producers his payments pursuant to this paragraph by an amount not in excess of the per hundredweight reduction in payment from the market administrator: *Provided further*, That the handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from the market administrator: *And provided further*, That with respect to producers whose milk was caused to be delivered to such handler by a cooperative association which is authorized to collect payment for such milk, the handler shall pay such cooperative association, on or before the 13th day after the end of each delivery period, an amount equal to the sum of the individual payments otherwise payable to such producers in accordance with this subparagraph.

(b) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraphs (c) and (e) of this section, and out of which he shall make all payments pursuant to paragraphs (d) and (e) of this section: *Provided*, That payments due to any handler shall be offset by payments due from such handler.

(c) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator any amount by which the total value of his milk computed pursuant to § 988.7 (a) for such delivery period is greater than an amount computed by multiplying the hundredweight of milk received from producers during the delivery period by the uniform price adjusted for the butterfat differential provided for in paragraph (f) of this section.

(d) *Payments out of the producer-settlement fund.* On or before the 13th day after the end of each delivery period, the market administrator shall pay to each handler, for payment to producers, or a cooperative association, any amount by which the total value of his milk computed pursuant to § 988.7 (a) for such delivery period is less than an amount computed by multiplying the hundredweight of milk received from producers during the delivery period by the uniform price adjusted for the butterfat differential provided for in paragraph (f) of this section. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

(e) *Adjustment of errors in payment.* Whenever verification by the market administrator of payments by any handler discloses errors made in payments to the producer-settlement fund pursuant to paragraph (c) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 15 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, pursuant to paragraph (d) of this section, the market administrator shall, within 15 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer or cooperative association for milk received by such handler discloses payment of less than is required by this section, the handler shall pay such balance due such producer or cooperative association not later than the time of making payment to producers or cooperative associations next following such disclosure.

(f) *Butterfat differential to producers.* If, during the delivery period, any handler has received, from any producer or cooperative association, milk having an average butterfat content other than 4.0 percent, such handler, in making payments prescribed in paragraph (a) (2) of this section, shall add to the uniform price per hundredweight paid to such producer or cooperative association for each one-tenth of 1 percent that the average butterfat content of such milk is above 4.0 percent not less than, or may deduct from the uniform price per hundredweight for each one-tenth of 1 percent that the average butterfat content of such milk is below 4.0 percent not more than, an amount computed as follows: Multiply by 1.2 the average daily wholesale price per pound of 92-score butter

in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10, and then adjust to the nearest one-tenth of a cent.

(g) *Statement to producers.* In making payments required by paragraph (a) of this section each handler shall furnish each producer or cooperative association with a supporting statement in such form that it may be retained by the producer or cooperative association which shall show:

(1) The delivery period and the identity of the handler and of the producer;

(2) The total pounds and the average butterfat content of milk delivered by the producer;

(3) The minimum rate or rates at which payment to the producer is required under the provisions of paragraphs (a) and (f) of this section;

(4) The rate which is used in making the payment if such rate is other than the applicable minimum;

(5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deduction made pursuant to § 988.10, together with a description of the respective deductions; and

(6) The net amount of payment to the producer or cooperative association.

§ 988.9 *Expense of administration.* As his pro rata share of the expense of the administration hereof, each handler shall pay to the market administrator, on or before the 15th day after the end of each delivery period, 4 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to receipts, during the delivery period, of (a) milk from producers (including such handler's own production), and (b) other source milk received at a fluid milk plant: *Provided*, That each cooperative association shall pay such pro rata expense on only that milk of producers for which it is a handler.

§ 988.10 *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler in making payments to producers pursuant to § 988.8 (a) (2), shall deduct 6 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to all milk received by such handler from producers, excepting such handler's own farm production, during the delivery period, and shall pay such deductions to the market administrator not later than the 15th day after the end of the delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from such producers during the delivery period and to provide such producers with market information. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative associations.* In the case of producers for whom a cooperative association is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in par-

agraph (a) of this section, such deductions as are authorized by such producers and, on or before the 15th day after the end of each delivery period, pay over such deductions to the association rendering such services.

§ 988.11 *Effective time, suspension, and termination*—(a) *Effective time.* The provisions hereof, or any amendments hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

(b) *Suspension or termination.* The Secretary shall suspend or terminate any or all of the provisions hereof, whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all of the provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate shall (i) continue in such capacity until discharged by the Secretary; (ii) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct; and (iii) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator or such person as the Secretary may designate shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 988.12 *Separability of provisions.* If any provision hereof, or its application to any person or circumstances, is held

invalid, the application of such provision, and of the remaining provisions hereof, to other persons or circumstances shall not be affected thereby.

§ 988.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 6th day of July, 1949.

Sections 988.1, 988.2, 988.3, 988.4, 988.6, 988.9, 988.11, 988.12, and 988.13 to be effective on and after the 16th day of July 1949, and §§ 988.5, 988.7, 988.8, 988.10 to be effective on and after the 1st day of August 1949.

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

[F. R. Doc. 49-5648; Filed, July 12, 1949; 8:48 a. m.]

## TITLE 15—COMMERCE AND FOREIGN TRADE

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

#### Subchapter C—Office of International Trade [Fourth General Revision of Export Regs., Amdt. 17<sup>1</sup>]

<sup>1</sup> By this amendment the following changes have been made in paragraph (b):

Commodities in the following categories have been added to the list of commodities exportable under general license GRO: leather; leather manufactures; naval stores, gums, and resins; cotton semimanufactures; cotton manufactures; vegetable fibers and manufactures; wool manufactures; silk and manufactures; synthetic fibers and manufactures; miscellaneous textile products; wood, unmanufactured; sawmill products; wood manufactures; cork and manufactures; paper base stocks; iron and steel manufactures; coal-tar products; medicinal and pharmaceutical preparations; chemical specialties; and industrial chemicals.

The entries for Schedule B Nos. 319900, 379900, and 482700 are revised.

The industrial chemical borontrifluoride, classified under Schedule B No. 836220, is deleted.

The list of commodities exportable under general license GRO, as first incorporated in the Fourth General Revision, was published in 14 F. R. 2994. Subsequent amendments thereof were published in 14 F. R. 3047.

#### PART 371—GENERAL LICENSES

##### GENERAL LICENSE GRO

Section 371.8 *General license GRO* is amended to read as follows:

§ 371.8 *General license GRO*—(a) *Scope of license.* A general license designated GRO is hereby established authorizing the exportation to all destinations of certain commodities not included on the Positive List of Commodities (Part 399 of this chapter) but set forth in paragraph (b) of this section.

(b) *Commodity list.* The following specified commodities may be exported under the provisions of this general license GRO to all destinations:

RULES AND REGULATIONS

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of Commerce Schedule B No.	Commodity
069200-069300--	Leather manufactures—Continued Cardcases, change purses, wallets, and similar articles of leather and of other materials.
069510-----	Leather and related articles of leather.
069590-----	Luggage and related articles of materials other than leather.
069710, 069790--	Belts worn on the person, of leather and of other materials.
069880-----	Leather wearing apparel, except belts, gloves, and footwear.
069900-----	Leather manufactures, n. e. s.
071100-074998--	Furs and manufactures: Furs, undressed, dressed or dyed.
075300-----	Fur wearing apparel.
075800-----	Fur waste, fur pieces, and damaged fur skins.
075900-----	Fur manufactures, n. e. s.
090000-----	Other inedible animals and animal products: Horses, for breeding.
090100-----	Other horses.
090300-----	Mules, asses, and burros.
090900-----	Live animals, n. e. s.
092300-----	Feathers, crude, not dressed, except down and waterfowl feathers, 3 inches in length and under.
094205-094298--	Casein glue and other glue of animal origin.
099200-----	Shells, unmanufactured.
099998-----	Animal products, inedible, n. e. s.: Bird skeletons (museum); bird skins (museum); cuttlefish bone; dried lizards; egg albumen; fish eggs; hatching; fish essence; fish for bait; fish offal for glue manufactures; fish scale essence; fish scales; fish skeletons (museum); fish sounds; halibut viscera; pearl essence; pearls; pearl paste; poultry feet; salmon milk for breeding; squid bait, frozen; tanners' albumen; tanners' egg yolk; trout eggs, hatching.
101300-----	Grains and preparations: Barley malt.
102100-----	Buckwheat seed.
103700-----	Corn cereal foods, ready to eat.
104400-----	Oatmeal, groats, and rolled oats, in packages, cases, or cartons.
107810-----	Bakery products.
107900-----	Prepared mixes.
108000-----	Wheat cereal foods, ready to eat.
108100-----	Wheat cereal foods, to be cooked.
109500-----	Cereal foods, n. e. s. (Report corn cereal foods, ready to eat, in 103700; oatmeal, groats, and rolled oats in 104300 and 104400; wheat cereal foods in 108000 and 108100; and wheat semolina in 109000).
109900-----	Grains and preparations, n. e. s., except all preparations containing wheat flour classified under Schedule B No. 109900. (Report barley, pearl barley, barley malt, buckwheat, corn in 101100-103170; corn meal in 103200; hominy and corn grits in 103300; grain sorghums in 103500; oats in 104100; rice in 105500-105750; rice flour, meal and polish in 105800; rye in 106100; wheat in 107100; wheat flour in 107300 and 107400; macaroni and macaroni products in 107700; bakery products in 107810; prepared mixes in 107900; and wheat cereal foods, wheat semolina and cereal foods, n. e. s. in 108000-109500.)
110100-----	Fodders and feeds, n. e. s.:
118000-----	Hay.
118200-----	Mixed dairy and poultry feeds, with crude protein content of 25% or less.
118500-----	Oyster shells and other shells, for feed.
118800-----	Other prepared and mixed feeds, except: Dried, powdered, or condensed milk or buttermilk products for feed regardless of protein content; and other prepared and mixed feeds with crude protein content above 25%.
119000-----	Corn feeds.
119900-----	Wheat feeds.

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO

Department of Commerce Schedule B No.	Commodity
001900-----	Animals, edible: Poultry, live.
002200-----	Meat products: Horse meat (all kinds).
003901-----	Chicken, canned.
003909-----	Other canned meats: Duck, game, goose livers, poultry, except chicken and turkey. (Report beef, canned, in 003600; pork, canned in 003700; sausage, bologna, and frankfurters, canned, in 003800; chicken, canned, in 003901, and canned baby food, meat or chief value meat, in 003908.)
004000-----	Poultry and game, fresh or frozen.
004500-----	Other meats, except canned: Roast chicken, frozen; smoked game, and smoked poultry. (Report poultry and game (fresh or frozen) in 004000; kidneys and livers, fresh, frozen, or cured, except canned, in 004300; tongues, fresh, frozen, pickled or cured, except canned, in 004300; sausage ingredients, salted or otherwise cured, except canned in 004400.)
004600, 004800--	Sausage casings, natural; bladders, bungs, middles, rounds or weasands.
004998-----	Sausage casings, artificial.
007000-007109--	Fish and fish products: Fish, fresh or frozen, whether or not whole (include fillets).
007200-007609--	Shellfish, fresh or frozen (include raw and fresh-cooked shellfish and shellfish meats).
007700-007998--	Fish, salted, pickled, or dry-cured.
008001, 008005--	Shellfish, pickled, salted, or dry-cured.
008101-----	Fish, smoked or kippered.
008400-008650--	Fish, canned.
008700-008898--	Shellfish, canned.
008995-----	Fish, prepared or preserved, n. e. s. (include cakes, balls, paste, sauce, caviar, and roe).
008998-----	Shellfish, prepared or preserved, n. e. s.
009200-----	Other edible animal products: Eggs, in the shell.
009305-009398--	Egg products, dried, frozen or otherwise preserved.
009900-----	Edible animal products, n. e. s.: Cheese rennet; rennet extract, dry; rennet liquid, powder and tablets; chicken fat; edible terrapin; frog legs; goose grease; junket; poultry feet; poultry scrap meat; snails; turtle meat; Alg-Ait; fish foods, aquarium; gelatin capsules, empty; ham casings; lecithin (animal origin), marrow; whale meat; wild bird dyners.
030700-----	Leather: Upper leather except lining and patent: Sheep and lamb.
030850, 030870--	Goat and kid:
030950, 030970--	Suede finish, black and other.
031190-----	Except suede finish, black and other.
031210, 031950--	Upper leather except lining and patent, n. e. s.
032100, 032300--	Patent upper leather, cattle side, and other.
033210-----	Lining leather, sheep and lamb, and other.
033650-033950--	Sole, wetting, and belting leather offal.
035650-----	Glove and garment leather (hat leather included), sheep and lamb, pig and hog, and other.
035700-----	Case, bag, and strap leather (including handbag leather except reptilian, aquatic, and fancy).
035900-----	Reptilian and aquatic leather for all purposes.
065900-----	Leather and tanned skins, n. e. s.
067200-----	Leather manufactures: Boots, shoes, and other footwear: discontinued models, old styles, and second-hand.
068800, 068900--	Leather gloves and mittens. Women's and children's handbags, pocketbooks, and purses of leather and of other materials.

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Naval stores, gums, and resins—Continued  
Wood turpentine.  
Other terpene hydrocarbons derived from naval stores.  
Pine oil, products, and derivatives.  
Tar and pitch of wood except Vinsol resin.  
Tall oil (liquid sulfate wood resin), crude and refined.  
Chicle, and chewing-gum bases.  
Natural gums and resins, refined or modified in condition.  
Natural gums and resins, crude (gums and resins, imported crude and reexported in the same condition, included).  
Drugs, herbs, leaves, and roots, crude:  
Cascara bark.  
Ginseng.  
Mandrake root.  
Hyoscyamus (henbane).  
Rotenone-bearing roots, crude, ground, or powdered.  
Crude drugs, herbs, leaves, and roots, n. e. s., except: Benadonna leaves and roots, and pyrethrum roots. (Report cascara bark in 220100, cinchona bark in 220904, hyoscyamus (henbane) in 220911, pyrethrum (insect flowers) in 220919, and rotenone-bearing roots in 220939.)  
Vegetable oils and fats, inedible and/or crude:  
Essential oils, natural (distilled or expressed included).  
Blended, compounded, or mixed perfume-flavor oils, except synthetic aromatic compounds.  
Seeds, except oilseeds:  
Flower seeds.  
Vegetable seeds:  
Spinach seed.  
Vegetable seeds, n. e. s. (Report carrot seed in 246850; beet seed, except sugar beet seed in 246891; onion seed in 246892; radish seed in 246893; rutabaga and turnip seed in 246894; spinach seed in 246895; and sweet corn seed in 246896.)  
Seeds, except oilseeds, n. e. s. (Report grass and field seeds in 240100—241990; vegetable seeds in 249850—246898.)  
Nursery and greenhouse stock:  
Bulbs, corms, pips, tubers, rhizomes and roots, except vegetables.  
Fruit trees.  
Nursery and greenhouse stock, n. e. s.  
Nursery and manufactures.  
Tobacco and manufactures.  
Miscellaneous vegetable products, inedible:  
Broomcorn.  
Brooms.  
Vegetable ivory or tagua nuts.  
Cotton semimanufactures:  
Cotton batting, unglazed wadding, carded cotton and roving.  
Cotton mill waste, including cotton hard wastes of yarn and threads, cotton card strips, comber waste, and other soft wastes.  
Carded yarn only (include carded yarn, gray, bleached, colored, and novelty).  
Cotton manufactures:  
Cotton cloth (gray), medium and coarse yarn fabrics, all widths, including drills, twills, and warp satens, sheetings and osenaburgs.  
Print cloth yarn (gray) fabrics (all widths):  
Tobacco and cheesecloth, 36 x 32 count and lower construction.  
Other print cloth yarn fabric constructions, above 36 x 32 count.  
Gray cloth, n. e. s., except: Airplane cloth (in the piece), balloon fabric, mosquito netting, and typewriter ribbon cloth over 12 inches wide.

211510-----  
211610-----  
211710-----  
211800-----  
212510, 212550--  
218000-----  
218995-----  
218998-----  
220100-----  
220500-----  
220600-----  
220911-----  
220939-----  
220988-----  
226800-227998--  
228000-----  
246700-----  
246895-----  
246898-----  
247500-----  
259903-----  
259907-----  
259998-----  
260110-262950--  
283100-----  
293500-----  
299993-----  
300900-----  
301030-301060--  
301110, 301120--  
301600-----  
303110-303400--  
303600-----  
303700-----  
303900-----

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Fodders and feeds, n. e. s.—Continued  
Feeds, n. e. s., except: Fish meal, meat meal, bone meal, corn gluten meal, corn grits and corn meal, cracked corn, gluten corn feed, stimufow, and tankage.  
Vegetables and preparations, edible:  
Beans and peas, dry, ripe, including cowpeas, chick-peas, and seed beans and seed peas except Austrian winter peas.  
Vegetables, fresh or frozen.  
Vegetables, dehydrated.  
Soups, dehydrated.  
Vegetables, and vegetable juices, canned.  
Pickles, cucumber.  
Ketchup, chili sauce, and other tomato table sauces.  
Mayonnaise and salad dressings.  
Olives.  
Sauces and relishes, n. e. s.  
Vinegar.  
Yeast, except liquid.  
Vegetable preparations, n. e. s. (Report soybean flour, edible, in 125911.)  
Fruits and preparations.  
Nuts and preparations.  
Table beverage materials.  
Spices:  
Capsicum (ground or unground).  
Cinnamon (ground or unground).  
Cassia (ground and unground).  
Cloves, unground.  
Nutmegs, unground.  
Vanilla beans (ground or unground).  
Spices, n. e. s. (Report pepper, unground, in 154911.)  
Sugar and related products:  
Sugar (include raw sugar).  
Molasses, not for human consumption.  
Confectionery:  
Chocolate candy.  
Other candy.  
Confections and desserts, n. e. s.  
Chewing gum.  
Honey; glucose, liquid and dry (not pharmaceutical dextrose or glucose); sirup for table use, and edible molasses. (Report pharmaceutical dextrose or glucose in 813595.)  
Beverages:  
Malt extract and malt sirup, except medicated. (Report malt extract and malt sirup, medicated, in 816000.)  
Other beverages:  
Rubber (natural, allied gums, and synthetics and manufactures):  
Rubber soles, heels, and top lift sheets.  
Water bottles, fountain syringes, and other druggists' sundries.  
Rubber toys and balls, except dolls, golf and tennis balls and toy balloons. (Report golf balls in 943300, tennis balls in 943400, rubber dolls in 940000, and toy balloons in 204500.)  
Rubber erasers, except pencil plugs. (Report pencil plugs in 209990.)  
Combs, finished.  
Rubber mats, matting, flooring, and tiling.  
Rubber thread, bars, uncovered and textile-covered.  
Naval stores, gums, and resins:  
Gum rosin.  
Wood rosin, except B wood rosin.  
Gum spirits of turpentine.

119900-----  
120110-120250--  
120710-122600--  
123000-----  
123500-----  
124100-124990--  
125000-----  
125100-----  
125210-----  
125295-----  
125298-----  
125300-----  
125600-----  
125998-----  
130100-135098--  
137400-137995--  
150100-151390--  
154901-----  
154902-----  
154903-----  
154905-----  
154907-----  
154915-----  
154998-----  
161905-----  
162910-----  
163400-----  
163500-----  
163600-163700--  
163900-----  
164200-164710--  
170100-----  
170200-178000--  
203600-203800--  
204000, 204200--  
204600-----  
204900-----  
205800-----  
209400-----  
209510, 209520--  
211000-----  
211100-----  
211400-----

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Vegetable fibers and manufactures:  
Other jute manufactures: Bale coverings of jute cuttings; batts; baskets; cap peaks; burlap; carpeting; casement cloth; coil packing; croppings; dust collector bags, burlap; felt made of waste burlap bags; mats; matting; packing; pads; rawl plugs of compressed jute fiber; rugs; sailor brims, burlap, sized; shoddy; stanco baskets; waste; waste bagging; waste sackcloth, sugar; webbing. (Report jute yarn, cordage, and twine in 321100; jute bags or sacks in 322402-322408; and jute burlaps, except when used as a covering for other merchandise or as a component part of other products, in 322905.)  
Handkerchiefs, linen.  
Flax, hemp, and ramie yarns, and manufactures, n. e. s., except: Fishing nets; gum core packing (chief value flax); hose yarns, flax; machinery belts and belting; packing; selines; and thread. (Report flax and hemp cordage in 341998; flax fabrics (linen), wide and narrow in 339916; and handkerchiefs, linen, in 339935.)  
Vegetable fibers and manufactures, n. e. s., except: Bags, sisal and jute mixed (sisal chief value); belts, machinery; boot lacings; cobr yarns; cushions, kapok; hinoki chip rope; hose, for liquid or gases; kapok fiber, matted; kapok manufactures; life jackets, kapok; life-saving appliances, kapok; marine oakum, oakum, plumbers' oakum; sisal rugs; spun oakum; sunn yarn; tarred oakum; upholstery pads, kapok.

Wool manufactures:  
Fabrics, wholly or chiefly of wool: Woolcloth and dress goods, mohair cloth and other wool fabrics except: Felt cloth, filter-press cloth, and roller cloth.  
Carpets and rugs of wool.  
Wool wearing apparel.  
Wool or mohair manufactures, n. e. s., except: Polishing cloths, chemically treated; polishing mittens; polishing pads; polishing wheels, wool felt.  
Hair and manufactures:  
Carpet linings, crash padding, pads, and rug cushions.  
Silk and manufactures:  
Sewing, embroidery, and crochet silk.  
Broad silks (other than parachute cloth) except stencil cloth. (Report silk parachute cloth in 372006.)  
Silk wearing apparel.  
Silk manufactures, n. e. s., except: Belting; fishing line, unfinished; fish line, braided; oiled silk; typewriter ribbon cut, except inked, not over 12 inches wide; varnished silk cloth.  
Synthetic fibers and manufactures:  
Thread and yarn for sewing, embroidering, hand-knitting, and crocheting.  
Piece goods wholly or chiefly of synthetic fibers: Pile; knit fabric in the piece; upholstery and drapery fabrics, wider than 42 inches, woven; woven filament yarn fabrics, n. e. s., except cord-tire and fuel-cell fabrics; woven spun yarn fabrics, n. e. s.; remnants and mill ends less than 10 yards in length; and house furnishings. (Report cord-tire and fuel-cell fabrics in 384925 and 384926.)  
Outerwear, women's and children's.  
Women's and children's hosiery, nylon.  
Women's and children's socks.  
Underwear and sleeping and lounging garments, knit or woven (men's, women's and children's included).  
Ribbons.

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Cotton manufactures—Continued  
Finished cloth, bleached, dyed, printed, stiffened, or otherwise converted, and colored yarn fabrics:  
Drills, twills, and warp sateens, not over 40 inches wide, bleached, dyed in the piece, and printed.  
Sheeting, not over 40 inches wide, bleached, dyed in the piece, and printed.  
Drills, twills, and warp sateens over 40 inches wide.  
Sheeting, over 40 inches wide, bleached, dyed, and printed.  
Carded broadcloth, all widths, bleached, dyed in the piece, and printed.  
Print cloth, all widths, bleached, dyed in the piece, and printed.  
Napped fabrics: Cotton flannels, bleached or colored, and other mapped fabrics in the piece.  
Colored yarn fabrics: Denims, suitings, twill-coverts, cottonades, chambrays, chevrons, shirtings, and colored yarn fabrics, n. e. s.  
Fine goods and combed cotton fabrics, bleached, dyed, printed, flockdot, or clipped: Voiles, organdies, lawns, and batistes combed; plaques, combed; and combed and carded goods, n. e. s. (Report marquisettes, combed in 307300.)  
Cotton and wool mixtures (cotton chief value, not less than 80 percent cotton by weight).  
Cotton and rayon mixtures (cotton chief value).  
Other cotton fabrics:  
Knit fabric in the piece (except mosquito netting tricot knitted; net and netting, tricot knitted); table damask, in the piece; tapestry, and other upholstery materials, plain, jacquard, and dobby-woven; plushes; other pile fabrics, n. e. s., sold by the pound.  
Cotton wearing apparel, except:  
Work gloves, mitts, and gauntlets, Schedule B No. 309110.  
Laces, embroideries and articles, thereof, n. e. s., except: Bobbinet machine mosquito bars and netting; levers machine mosquito bars and netting; nets; and Nottingham machine mosquito bars and netting.  
Cotton narrow fabrics, nonelastic, not over 12 inches wide:  
Braids, ribbons, trimmings, bindings, lacings, tape labels, and webbing, except: Surgical webbing and webbing for binding field coils.  
Narrow fabrics, n. e. s., except: Cartridge belt material; hose fabric, except rubberized; hose jackets; and typewriter ribbon, cut, except inked.  
Cotton house furnishings:  
Blankets; quilts; comfortables; quilted bed pads; bedspreads; bed sheets; pillow cases; curtains and draperies (except lace); terry-woven towels, wash cloths, and bath mats; huck, damask, and plain-woven towels and toweling; and cotton house furnishings, n. e. s.  
Cotton manufactures, n. e. s., except: Belting other than canvas belting, over 12 inches wide; box toe board, colloid-treated; buffing wheels; cleaning cloths, chemically treated; condensers; decating cloth; endless belts, over 12 inches wide; extractor filter cloths; felt padding; felts; filter bags, for all types of machinery; filter pulp, for filtration of beer; filtering disks; filtermass, cotton base, fish netting, tarred or not tarred (not a finished product); flotation blankets; Kleeno cloth; Kozak auto dry-wash cloths; laminated sheets, rods, and tubes; mask filter pads; mottle-ton padding; mosquito bars, cut and sewn; mosquito canopies, cut and sewn; multiple woven fabric, over 12 inches wide, for use on machinery; polishing cloths, flannel, chemically treated; saddle girths; shoe buckram, colloid-treated; sleeping bag covers, water repellent; straps, woven, metal buckles, plastic tips; varnished cotton cable yarn; acid wiping cloths.

322998-----  
339935-----  
339988-----  
349998-----  
364210-364900--  
366200-----  
367500-368950--  
368998-----  
369700-----  
371900-----  
372098-----  
374100-375900--  
379900-----  
384200-----  
384500-384921--  
384930-385000--  
385201-385320--  
385430-385450--  
385470-385480--  
385600-----  
385710-385770--  
385810-----

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Cotton manufactures—Continued  
Finished cloth, bleached, dyed, printed, stiffened, or otherwise converted, and colored yarn fabrics:  
Drills, twills, and warp sateens, not over 40 inches wide, bleached, dyed in the piece, and printed.  
Sheeting, not over 40 inches wide, bleached, dyed in the piece, and printed.  
Drills, twills, and warp sateens over 40 inches wide.  
Sheeting, over 40 inches wide, bleached, dyed, and printed.  
Carded broadcloth, all widths, bleached, dyed in the piece, and printed.  
Print cloth, all widths, bleached, dyed in the piece, and printed.  
Napped fabrics: Cotton flannels, bleached or colored, and other mapped fabrics in the piece.  
Colored yarn fabrics: Denims, suitings, twill-coverts, cottonades, chambrays, chevrons, shirtings, and colored yarn fabrics, n. e. s.  
Fine goods and combed cotton fabrics, bleached, dyed, printed, flockdot, or clipped: Voiles, organdies, lawns, and batistes combed; plaques, combed; and combed and carded goods, n. e. s. (Report marquisettes, combed in 307300.)  
Cotton and wool mixtures (cotton chief value, not less than 80 percent cotton by weight).  
Cotton and rayon mixtures (cotton chief value).  
Other cotton fabrics:  
Knit fabric in the piece (except mosquito netting tricot knitted; net and netting, tricot knitted); table damask, in the piece; tapestry, and other upholstery materials, plain, jacquard, and dobby-woven; plushes; other pile fabrics, n. e. s., sold by the pound.  
Cotton wearing apparel, except:  
Work gloves, mitts, and gauntlets, Schedule B No. 309110.  
Laces, embroideries and articles, thereof, n. e. s., except: Bobbinet machine mosquito bars and netting; levers machine mosquito bars and netting; nets; and Nottingham machine mosquito bars and netting.  
Cotton narrow fabrics, nonelastic, not over 12 inches wide:  
Braids, ribbons, trimmings, bindings, lacings, tape labels, and webbing, except: Surgical webbing and webbing for binding field coils.  
Narrow fabrics, n. e. s., except: Cartridge belt material; hose fabric, except rubberized; hose jackets; and typewriter ribbon, cut, except inked.  
Cotton house furnishings:  
Blankets; quilts; comfortables; quilted bed pads; bedspreads; bed sheets; pillow cases; curtains and draperies (except lace); terry-woven towels, wash cloths, and bath mats; huck, damask, and plain-woven towels and toweling; and cotton house furnishings, n. e. s.  
Cotton manufactures, n. e. s., except: Belting other than canvas belting, over 12 inches wide; box toe board, colloid-treated; buffing wheels; cleaning cloths, chemically treated; condensers; decating cloth; endless belts, over 12 inches wide; extractor filter cloths; felt padding; felts; filter bags, for all types of machinery; filter pulp, for filtration of beer; filtering disks; filtermass, cotton base, fish netting, tarred or not tarred (not a finished product); flotation blankets; Kleeno cloth; Kozak auto dry-wash cloths; laminated sheets, rods, and tubes; mask filter pads; mottle-ton padding; mosquito bars, cut and sewn; mosquito canopies, cut and sewn; multiple woven fabric, over 12 inches wide, for use on machinery; polishing cloths, flannel, chemically treated; saddle girths; shoe buckram, colloid-treated; sleeping bag covers, water repellent; straps, woven, metal buckles, plastic tips; varnished cotton cable yarn; acid wiping cloths.

304000-304120--  
304210-304300--  
304510-----  
304610-304710--  
304800-304920--  
305110-305220--  
305510-305590--  
305700-306100--  
306700-307000,  
307400-----  
307600-----  
307900-----  
308000-308950--  
309000-309120--  
312900-----  
313200-----  
316000-----  
316100-----  
317100-318900--  
319900-----

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

385850----- Synthetic fibers and manufactures—Continued  
385900----- Braids, fringes, and narrow trimmings, except hat braids. (Report hat  
braids of synthetic textiles in 394000.)  
390100-391300-- sheeting (glass fiber piece goods); nets, fabricated; netting, fabricated;  
and press cloth.  
391800----- Miscellaneous textile products:  
392100-395900-- Linoleum, felt-base floor coverings, oilcloth for shelf, table, and wall, and  
window-shade cloth (all types).  
Waterproof outer garments, except rubber and rubberized. (Report rub-  
ber and rubberized outer garments in 204300.)  
396300----- Corsets, brassieres, girdles, except rubber and rubberized (report rub-  
ber or rubberized corsets, etc., in 204300); neckties, mufflers; hats, caps,  
etc.; and hat braids, strips and sheets, except hat braids, strips and  
sheets wholly or partly of synthetic textiles, Schedule B No. 394000.  
397000----- Artificial or ornamental flowers, fruits, vegetables, grasses, grains, leaves,  
stems or parts thereof (all materials).  
399400----- Mattresses; cotton, kapok, moss, and hair.  
399900----- Garters, arm bands, suspenders, and braces.  
Second-hand clothing for resale.  
Wood, unmanufactured:  
400100-400998-- Logs, bolts, and hewn timber:  
Hardwoods:  
401200----- Douglas fir.  
401900----- Softwood logs, bolts, and hewn timber, n. e. s. (Report Port Orford  
cedar (including Lawson's cypress) in 401700.)  
402610-402920-- Railroad cross ties and mine ties, hewn, treated and untreated.  
Piling:  
403100----- Creosoted or otherwise treated.  
403200----- Untreated.  
403410, 403420-- Telephone, telegraph, trolley, electric light, and other utility-line poles,  
treated and untreated.  
403900----- Unmanufactured wood, n. e. s. (including fuel wood).  
Sawmill products:  
Softwood lumber (including rough-sawn, dressed, and worked or pat-  
terned lumber and also including softwood flooring):  
405116-405170-- Douglas fir (including "Oregon pine").  
405216-405270-- Southern pine.  
405346-405370-- Ponderosa pine (including California Ponderosa and Western yellow  
pine).  
405446-405470-- White pine.  
405546-405570-- Redwood (including California redwood).  
405616-405670-- Western hemlock.  
405716-405719-- Spruce.  
405734-405737-- Other cedar. (Report Port Orford cedar in 405720.)  
405740----- Cypress, except Lawson's. (Report Lawson's cypress in 405720.)  
405906-405909-- Softwood lumber, n. e. s. (Report Port Orford cedar lumber in 405720.)  
409070-409890-- Hardwood lumber (rough-sawn, dressed, or worked, or patterned, except  
flooring and dimension).  
Hardwood flooring.  
413100, 413200-- Small hardwood dimension stock.  
413550-413590-- Railroad cross ties and mine ties, sawed, treated and untreated.  
415613-415927-- Wood manufactures:  
Box, crates, and package shooks:  
416114-416228-- Sawed-lumber shooks, softwood and hardwood.  
417024, 417028-- Plywood shooks.  
417070----- Tea chest shooks.  
418000----- Wood shooks, n. e. s.

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

419104-419708-- Wood manufactures—Continued  
Boxes, crates, and packages (assembled) of wood, plywood, or veneer.  
Cooperage and cooperage stock:  
420110-420600-- Staves, heading and shooks (tight and slack).  
420910, 420950-- Tight empty barrels, new and used.  
420990----- Cooperage and cooperage stock, n. e. s. (Report staves, heading, and  
shooks, tight and slack, in 420110-420600; and tight empty barrels,  
new and used in 420910 and 420950.)  
421601-421607-- Veneers, except Port Orford cedar veneers. (Report battery separator  
veneers in 429450-429480.)  
421741-421870-- Plywood: Softwood, hardwood, and special.  
422500----- Shingles.  
422620-422800-- Millwork: Wood or wood frame doors; window sash; window and door  
frames; trim and moldings; and millwork and house fixtures, n. e. s.  
423990----- Venetian blinds and venetian blind slats.  
423000-423100-- Laminated and built-up timbers and structural members and structures.  
424050----- Wood pipe and conduit, tanks, and cooling towers (including cut com-  
ponents).  
424070----- Office furniture and store fixtures and parts, chief value wood.  
424300----- Other furniture and parts, n. e. s., chief value wood or upholstery and  
wood.  
424500----- Furniture, chief value rattan, reed, cane, willow, grass, or fiber, except  
furniture parts.  
424600----- Handles (including pulls, knobs, helms, hafts, grips, and backs).  
428500-428900-- Pencil slats: Eastern red cedar and incense cedar.  
429100, 429200-- Battery separator veneers, except Port Orford cedar.  
429480----- Woodenware (kitchen and household).  
429850----- Wood manufactures, n. e. s., except gun stock blanks.  
429900----- Cork and manufactures:  
430200----- Disks, washers, and wafers.  
430500----- Stoppers.  
430700----- Manufactures of artificial composition or compressed cork, n. e. s. (Report  
disks, washers, and wafers in 430200; stoppers in 430500; and cork  
insulation in 430600.)  
Paper base stocks:  
460000----- Pulpwood.  
460200----- Wood pulp:  
Bleached sulfite wood pulp other than rayon and special chemical  
grades.  
460400----- Sulfite wood pulp, unbleached.  
460600----- Soda wood pulp.  
460800-461100-- Sulfate wood pulp, unbleached, bleached, and semibleached.  
461800-461900-- Groundwood pulp and other wood pulp and screenings.  
462000----- Pulp, except wood pulp and cotton pulp.  
Rags for paper stock:  
469000----- Valued \$100 or over per ton.  
469100----- Valued under \$100 per ton.  
Waste paper:  
469803----- Over-issue and old newspapers.  
469809----- Other waste paper.  
469998----- Other paper stock (except wood pulp, rags, and waste paper).  
Paper, related products, and manufactures:  
Paper:  
480300-480400-- Groundwood paper, printing and converting, uncoated and coated.  
480600-480700-- Book paper, printing and converting, uncoated and coated, except: Un-  
coated cypher paper for military code books and uncoated field book  
paper.  
Fine paper:  
480900----- Writing paper.  
481000----- Bristol, except rag index or bogus.

## COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GEO—Continued

Department of Commerce Schedule B No.	Commodity
481100	Paper, related products, and manufactures—Continued
481200	Paper—Continued
481500	Fine paper—Continued
481600-481800	Cigarette paper.
481900-482100	Other fine thin paper, except: Capacitor tissue paper, kraft; condenser tissue; kraft condenser tissue; and tissue not indexed under a specific name.
482200	Other fine paper.
482300-482500	Coarse paper:
482700	Wrapping paper.
482900	Bag paper, except shell packing.
483000	Shipping sack paper.
483100	Converting paper.
483200	Special industrial paper, except: Ammunition; blasting; cable electrical filling; cartridge; dynamite; gun wadding; and shell paper.
483400	Sanitary tissue paper stock.
483500	Tissue paper, except tissue not indexed under a specific name.
483600	Absorbent paper, except filter paper.
483700	Building paper.
483800	Paperboard, except wet machine and building board:
483900	Container board:
484000	Liners, except V and W jute container board meeting military specifications.
484100	Corrugating materials.
484200	Bending boards, except ammunition container board.
484300	Nonbending boards.
484400	Cardboard, coated and uncoated.
484500	Other paperboards, except: Munition board and tube stock for ammunition and shell containers.
484600-484700	Wet machine board.
484800	Building board (vegetable fiber), except masonite which is classified under Schedule B No. 484600.
484900	Flexible wood and vegetable fiber insulation.
485100-487200	Converted paper and board products except: Tinfoil, 486100; and electrical conduit twine, 489200. (Report shipping containers in 487300.)
487400-489400	Paper, paperboard, and products, n. e. s.
489500	Stone, hydraulic cement, and lime:
510100, 512700	Marble and other building and monumental stone, rough or dressed, and manufactures of stone, n. e. s. except crushed stone.
517000	Concrete and cement manufactures.
517100	Glass and products:
521500	Cylinder, crown, and sheet glass.
522000	Rolled, cylinder, crown, and sheet glass, obscured by coloring prior to solidification, not less than 1/4 inch in thickness.
523098	Other flat glass and products. (Report plate glass in 521200; cylinder, crown, and sheet glass in 521500; laminated glass and manufactures, except ophthalmic and eye protective, in 521700; rolled glass, except colored, in 521800; rolled, cylinder, crown and sheet glass, obscured by coloring prior to solidification, not less than 1/4 inch in thickness, in 522000; optical instrument glass and glass blanks in 523110; and ophthalmic glass and glass blanks in 523130.)
523130	Ophthalmic glass and glass blanks.
523150	Glass bricks and blocks.
523210-523600	Unfilled glass containers.
523710-526100	Tumblers, drinking glasses, stemware, and table and kitchen glassware, n. e. s.
529100	Chemical glassware, except tubing.
529400	Electric light bulb blanks.
529900	Glass and products—Continued
529100	Glass products, n. e. s. (Report chemical glassware except tubing in 529100; glass insulators in 529200; glass tubes in 529300; electric light bulb blanks in 529400; and glass fiber and glass fiber products in 529500).
530912	Clay and products:
532010-532050	Other clays, except items used in petroleum products for refining. (Report fire clay in 530300; and kaolin in 530907.)
532010-532050	Pottery table and kitchen articles and utensils for use in cooking, preparing, serving and storing food and drink.
533300	Lavatories, sinks and other sanitary articles. (Report closet bowls and water-closet sets in 533200.)
533400	Sanitary fittings and fixtures, and parts, n. e. s.
533800	Other pottery. (Report china and porcelain in 532010-532050; sanitary articles in 533200-533400; electrical porcelain in 533500; and chemical and industrial pottery, n. e. s. in 533700.)
536900-537600	Structural clay products: building and paving brick; earthen floor and wall tiles; hollow building tile, including conduits; sewer pipes and drain tiles and structural clay products, n. e. s.
537800	Nonstructural clay products, n. e. s. (Report refractories in 536100-536890; and structural clay products in 536900-537600.)
540600	Other nonmetallic minerals (precious included):
540990	Grindstones and pulpstones.
547000	Natural abrasives, n. e. s.: Diatomaceous earth, infusorial earth, Kieselsguhr, and Tripoli.
547100	Asphalt and bitumen, natural (except petroleum asphalt), unmanufactured.
547100	Asphalt and bitumen (natural) manufactures, n. e. s. (Report asphalt and bitumen, natural, unmanufactured in 547000.)
548350	Gypsum, crude and crushed, except calcined.
548500	Gypsum plasterboard, wallboard, and tile.
548700	Gypsum manufactures, n. e. s.
596025	Mineral wax, natural: Amorphous, except paraffin; ceresin, orange and white; Montan and Ozokerite.
596098	Other nonmetallic mineral products, except precious, except: Iceland spar, calcspar, and crystal calcite. (Schedule B No. 596098 includes only those commodities not classified in 540600-596095.)
611200-611900	Iron and steel manufactures:
612000	Cutlery, except machine knives, 611820.
612000	Iron and steel table, household, kitchen and hospital utensils, except enameled.
612100	Tin and galvanized hollow ware.
612100	Enameled ware:
612400, 612500	Bathtubs, lavatories, sinks, and other plumbing fixtures, iron and steel.
612600	Table, household, kitchen, and hospital utensils, and hollow or flat ware.
613000	Sheet-metal storage cabinets, medicine cabinets, and lockers.
613100-613250	Sheet-metal shelving and wall bins.
613100-613250	Sheet-metal filling cases, with exposed drawers, not insulated and insulated.
613350-613500	Fire-resistant safes and vault doors, insulated; bank vaults, doors, and interior equipment; and other office and store fixtures, and parts.
613600, 613700	Metal beds and bedsprings; and other metal furniture, and parts (whether or not upholstered).
613900-614700	Cooking and heating stoves, except electric: Coal and wood cooking and room-heating stoves; gas stoves, ranges, and room and water heaters; kerosene cooking stoves, room and water heaters; pressure gasoline stoves; and parts of cooking and heating stoves, except electric.
615280	Other cooking and heating equipment and parts, except vacuum pressure gauges.



COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Electrical machinery and apparatus—Continued  
Electric interior lighting fixtures, and parts:  
Fluorescent fixtures.  
Parts for fluorescent fixtures.  
All types, and ball pumps, except fluorescent.  
Hand and windmill pumps.  
Self-contained household water systems (with or without tanks).  
Domestic sewing machines.  
Parts for domestic sewing machines.  
Commercial scales, including computing and noncomputing.  
Household scales.  
Cash registers and parts.  
Typewriters, and parts, except automatic.  
Staples, and staples, for office use.  
Mail-handling machines, and parts.  
Check-handling machines, and parts.  
Agricultural machinery and implements:  
Cream separators, capacity under 2,000 pounds milk per hour.  
Other dairy equipment for farm use, except milk shipping cans.  
Incubators and brooders.  
Poultry equipment, n. e. s.  
Hand sprayers and dusters.  
Implements of cultivation:  
Plows (including listers), animal-drawn.  
Cultivators, animal-drawn.  
Planters, animal-drawn.  
Drills and seeders, animal-drawn only.  
Other cultivating implements. (Report plows in 781010, 781020; harrows, disk, in 781410; other harrows in 781420; cultivators in 781810, 781820; planters in 782410, 782420; and drills, and seeders in 782700.)  
Harvesting machinery:  
Mowers, except lawn mowers, animal-drawn.  
Lawn mowers, hand and power.  
Hayrakes and tedders.  
Grain harvesters and binders, except power-driven. (Report mowers in 784110, 784120; lawn mowers, hand and power in 784200; hayrakes and tedders in 784400; grain harvesters and binders in 784700; combines or reaper-threshers in 784900; and pickup balers in 784950.)  
Seed separators:  
Threshers.  
Corn shellers and other separators.  
Feed cutters, grinders, and crushers.  
Windmills, not including towers for windmills.  
Hay presses, hand only.  
Agricultural machinery and implements, n. e. s., except: Coffee hullers; sprayers and dusters in 780800; implements of cultivation in 781010-783900; harvesting machinery in 784110-785910; seed separators in 786100-786910; feed cutters, grinders, and crushers in 787000; hay presses in 787130; parts for agricultural machinery in 787190; and tractors, parts and accessories in 787310-788905.)  
Automobile, parts, accessories, and service equipment:  
Automobile horns, hand and electric.  
Automobile accessories, n. e. s.  
Other vehicles and parts:  
Bicycles.  
Bicycle parts and accessories, except tires, tubes, and bearings.  
Wagons and drays.  
Wheelbarrows.

709605-----

709607-----

709608-----

736500-----

736800-----

755105-----

755107-----

774330-----

774340-----

776400-776700--

777000-777500--

777700-----

777915-----

777925-----

780100-----

780200-----

780400-----

780600-----

780700, 780900--

781010-----

781810-----

782410-----

782700-----

783900-----

784110-----

784200-----

784400-----

784700-----

785910-----

786100-----

786910-----

787000-----

787110-----

787130-----

787190-----

782600-----

792700-----

795000-----

795300-----

797500-----

799100-----

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Iron and steel manufactures—Continued  
Tools (iron and steel chief value):  
Axes, adzes and hatchets.  
Agricultural hand tools, edged.  
Crosscut, hand, band, and other saws, and parts, n. e. s. (Report circular saws, not metal-cutting, except diamond in 615517; steel band, pit, drag, and mill saws, woodworking in 615520; and diamond saws, except circular in 615605.)  
Files and rasps, all sizes.  
Hammers; hand hoes, rakes, and forks, n. e. s.; and shovels, spades, scoops, and drainage tools.  
Pliers, pincers, nippers, and splicing clamps.  
Hand-operated planes, chisels, gouges, and other cutting tools, and parts, except metal-cutting.  
Screwdrivers only.  
Padlocks, iron, steel, brass, and bronze.  
Door, cabinet, and other locks and lock sets, iron, steel, brass, and bronze; hinges and butts, iron and steel; other builders' hardware; furniture castors, other furniture hardware, iron and steel; and hardware, n. e. s., except car and marine hardware.  
Wood screws, iron and steel only.  
Aluminum and manufactures:  
Table, kitchen and hospital utensils, except candlesticks and flower vases.  
Aluminum or aluminum-bronze powders and pastes, aluminum content.  
Brass and bronze manufactures:  
Plumbers' brass goods.  
Hardware, brass and bronze, n. e. s.  
Other nonferrous ores, metals, and alloys, except precious:  
Plate ware, except cutlery (plated with nonprecious metals only).  
Sterling and other solid silver manufactures, n. e. s. (include flatware); silver-plated manufactures, n. e. s. (include flatware).  
Electrical machinery and apparatus:  
Electric household refrigerators and home freezers, complete with cabinets, net storage capacity not more than 16 cubic feet.  
Hermetically sealed mechanical condensing units up to ½ horsepower for electric household refrigerators and home freezers.  
Parts for electric household refrigerators and home freezers.  
Flashlights.  
Electric fans. (Report exhaust and ventilating fans over 16 inches in diameter used as parts for blowers and ventilating machinery under 764100.)  
Electric lamps. (Report projection lamps in 802700; photoflash and photoflood lamps in 914000.)  
Electric household laundry equipment and parts.  
Electric household vacuum cleaners and parts.  
Electric household mixers and blenders.  
Electric razors.  
Electric household motor-driven appliances, n. e. s. (Report electric razors in 707030).  
Electric flatirons.  
Electric household cooking ranges, over 2½ kilowatts.  
Electric household coffee percolators, toasters, and waffle irons.  
Electric household storage water heaters and electric household heating or cooking appliances and utensils and parts, n. e. s. (Report electric flatirons in 707100 and electric household coffee percolators, toasters, and waffle irons in 707305.)  
Loud speakers.  
Starting, lighting, and ignition equipment, except spark plugs.  
Wiring devices, including sockets, outlets, fuse blocks, lighting switches, and parts, n. e. s.

615310-----

615350-----

615608-----

615810, 615850--

616050-616200--

617300-----

617810-----

617898-----

617900-----

618000-618490,

618800-----

620000-----

630700-----

630850-----

645600-----

646900-----

665000-----

685550-685900--

705770-----

705790-----

705765-----

706000-----

706100-----

706305-706590--

706812-706820--

706910, 706930--

707010-----

707030-----

707040-----

707100-----

707200-----

707305-----

707310, 707390--

708000-----

709200-----

709500-----

## RULES AND REGULATIONS

## COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of Commerce Schedule B No.	Commodity
823300	Chemical specialties: Dextrine or British gum.
823850	Textile specialty compounds: Alkyl aromatic sulfonates; Aquafen KE conc.; Bleach 36-A; Desafen AMS (sodium silicate of beta naphthol); Desafen MT (meta tolylene diamine); Developer AMS; DuPont Product BC; Fenopon CR Cone; Hydro B; Hydro R; Iguafen O; Maypon K; Mordofen W; Rodol PBT; Solvofen NB conc.; Suifoxite S; Teikanol O.
826800	Nitro and aceto cellulose in solution (collodion, etc., except lacquers): Lacquer chips only.
827200	Vulcanized fiber sheets, strips, rods, and tubes.
827300	Cement for sealing cans, Dewaloo Seam Dope No. 964.
827400	Liquid cement.
828950	Drill cleaning compound.
829000	Metal and stove polishes.
829800	Floor wax, wood and furniture polishes.
829550	Flavoring extracts, natural.
829590	Synthetic flavoring extracts.
829950	Licorice extract and mass.
829990	Chemical specialty compounds, n. e. s.; Dry X rosin size; carbo wax; beer stabilizers—chillproofing compound ("Stayclear").
830200	Industrial chemicals: Tartaric acid.
830300	Other organic acids and anhydrides: Oxalic acid only.
830980	Arsenic trioxide (white arsenic).
831500	Dimethylamine propanol.
832600	Synthetic flavors and perfume materials, n. e. s., not of coal-tar origin except: Aromatic compounds, synthetic; artificial oils; and imitation oils.
832990	Organic chemicals not of coal-tar origin, n. e. s.: Undecylic aldehyde, methyl nonyl aldehyde, and morpholine.
833600	Aluminum sulfate.
833900	Aluminum compounds, n. e. s.: Chlorhydrol (aluminum chlorhydroxide complex).
834300	Calcium chloride.
835900	Potassium compounds, except fertilizers, n. e. s.: Potassium thiocyanate; cream of tartar.
836220	Boric acid and borates, crude and refined, except borontrifluoride.
836400	Sodium silicate or water glass.
836500	Sodium carbonate, calcined or soda ash.
836600	Cauticized soda ash.
836700	Sodium bicarbonate or baking soda.
837700	Sodium biphosphate.
837990	Sodium compounds, n. e. s.: Sodium iron pyrophosphate, sodium salicylate, and sodium silicate.
839500	Nitrous oxide.
840100-840500	Pigments, paints, and varnishes: Mineral-earth pigments, dry.
841400	Lithopone.
842900	Chemical pigments, n. e. s., except: All pigments containing lithopone; all chrome pigments; and zinc pigments, radioactivated. (Report zinc oxide in 841100; lithopone in 841400; lampblack in 841900; carbon black in 842310-842350; red lead in 842400-842450; litharge in 842500; white lead in 842600-842700; titanium dioxide and titanium pigments in 842800.)
843000	Bituminous coatings, liquid and plastic.
843110-843250	Artists' colors; paste and semi-paste paint colors in oil, putty and paste wood fillers, n. e. s.; and water paints.
843410	Lacquers.
843600	Beeswax driers and flattening oil (drier).

## COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of Commerce Schedule B No.	Commodity
801000	Coal-tar products: Creosote or dead oil.
802490	Betaoxynaphthoic acid, amino benzoic acid, and para aminosalicylic acid.
802590	Propyl hydroxybenzoate, dianisidine base, and dinitro anisole.
805903	Coal-tar dyes, stains, color lakes, and toners: Sulfur black.
805905	Synthetic indigo (all forms).
806100	Synthetic flavors and perfume materials of coal-tar origin except aromatic chemicals and aromatic compounds.
806915	Methyl salicylate, technical grade.
806925	Sodium benzoate, technical grade.
806998	Benzyl acetate, methyl-parahydroxy-benzoate.
811300	Medicinal and pharmaceutical preparations: White mineral oil, medicinal grade.
811910-811990	Vitamins and vitasterols.
812000	Biologics (all forms): For animal and veterinary use.
812100	Serums, antitoxins, and toxoids, for human use.
812200	Vaccines for human use.
812330	Cholesterol; culture media, glucoesa bacteriological.
812390	Glandular products, n. e. s. (Report insulin in 812340; and enzymes, ferments, and culture media in 812330.)
812400-812790	Druggists' nonproprietary preparations, except: Belladonna; bismuth carbonate; bismuth subgallate; bismuth subnitrate; chemicals containing radioactive isotopes; cinchona salts; ergot; ipecac; jimson weed; quinidine alkaloids, salts and compounds; quinine hydrochloride; quinine sulfate; radium salts and compounds; radon (radium emanations); stramonium.
813520	Menthol (bulk). (Shippers report dosage forms in 812400 for liquids, 812790 for solids.)
813576	Pendimul.
813579	Antibiotics, n. e. s.: Aureomycin hydrochloride; tyrothricin.
813580	Antipyretics and analgesics (bulk). (Shippers report dosage forms in 812400 for liquids, 812790 for solids): Acetylsalicylic acid or aspirin (bulk).
813581	Antipyretics and analgesics, n. e. s. (bulk).
813583	Bismuth tribromophenate.
813585	Barbituric acids, salts, compounds, and all forms of derivatives (exclusive of ampoules).
813586	Narcotics (all forms) (bulk). <sup>1</sup>
813587, 813588	Alkaloids of cinchona bark, their salts, derivatives, and preparations, bulk, except quinidine alkaloids and quinidine salts and compounds.
813589	Alkaloids, their salts, derivatives, and preparations, medicinal, n. e. s. (except ampoules).
813591	Parenteral solutions, inclusive of ampoules (exclusive of biologics, glandular products, antidiotics, and narcotics).
813593	Inorganic medicinal chemicals, n. e. s.: Calcium phosphate; iron, reduced in bulk; potassium sulfate (anhydrous low nitrogen).
813595	Organic medicinal chemicals, n. e. s.: Acetylcholine; acid pyrogallic; aluminum acetotartrate; betaine hydrochloride; bromoisovaleryl urea (bromural); calcium gluconate; calcium glucoheptonate; cinchopen; chloral hydrate; choline chloride; diiodact concentrated solution; ephedrine; glutamic acid; histidine hydrochloride; iodophthalin; prostigmine ampoules; rivanol; sodium benzoate, U. S. P.; Strophanthin (K); theophylline; tubocurarine chloride; vasodilator.
814300	Veterinary medicinal and preparations, except biologics.
814800-818000	Proprietary medicinal preparations for human use.

<sup>1</sup> All narcotics are licensed by the Treasury Department.

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Miscellaneous commodities, n. e. s.—Continued  
Jewelry and other personal ornaments:  
Of metals other than solid gold or platinum, silver, gold-filled, rolled-  
gold plate, and base metal (whether or not electroplated):  
Men's and women's jewelry and other articles.

962100, 962300,  
962600  
962700, 962800,  
962900  
963500  
968000  
968501, 968509--

All materials, except metal:  
Men's and women's jewelry and other articles.

Jewelry findings, and parts.  
Bottle and container closures, n. e. s. (except cork, glass, and rubber).  
Thermoplastic bottles, carafes, jars, jugs, and other thermoplastic con-  
tainers, and parts.  
Composition roofing, except asbestos (100 square feet coverage) (report  
asbestos roofing in 545960):  
Asphalt roofing, and other roofing, except asbestos.

969300, 969900--  
971100  
971200  
971300  
979100-979900--  
980000  
980700

Buttons, and parts:  
Buttons of cellulose compounds, galalith, and other compounds.  
Pearl or shell buttons.

Button parts, backs, blanks, or molds (all materials).  
Nonelectric lamp and illuminating devices, except incandescent mantles,  
Matches.

Fire-fighting equipment, except automotive fire engines. (Automotive fire  
engines are reported according to gross vehicle weight in motor truck  
and truck chassis classifications, 790010-790060, if new; and 790600, if  
used.)

982300  
982400  
982610  
982700  
982800-982900--

Toothbrushes.  
Toilet brushes, except toothbrushes.  
Household brushes.

Combs, except wholly of rubber.  
Tobacco pipes (all materials), and other smokers' articles except pocket  
and electric lighters. (Report pocket lighters of all materials except  
metal in 962900; pocket lighters of metal except solid gold or platinum  
in 962600; pocket lighters of gold or platinum in 962000; and electric  
lighters in 707390.)

Plates and cuts, electrotype, stereotype, halftone, lithographic or en-  
graved.  
Umbrellas and parasols, and parts.  
Candles.  
Beads and bead articles.  
Snap fasteners.  
Zippers (including slide fasteners), and parts.  
Notions, cheap novelties, n. e. s. (Report zippers in 984015.)  
Household and commercial refrigerators, except electric: Mechanical.  
Soda-fountain equipment and bar supplies.  
Fishing tackle and equipment suitable only for commercial fishing.  
Shoe findings, except leather and rubber. (Report shoe findings of leather  
and rubber under appropriate leather classifications (060000-069900)  
or appropriate rubber classifications (201400-209990) according to type  
of findings.)  
Coin-operated commodity-vending machines and other coin-operated  
machines except musical.  
Household and personal effects.  
Record compounds, phonograph.

983000  
983100, 983150--  
983200  
984005  
984008  
984015  
984098  
984100  
984600  
984900  
985300

987100, 987200--  
990000  
999990

NOTE: Only the commodities classified under the Schedule B numbers in the left-hand  
column, and as restricted in the commodity descriptions, may be exported under general  
license GRO.

COMMODITIES EXPORTABLE UNDER GENERAL LICENSE GRO—Continued

Department of  
Commerce  
Schedule  
B No.

Commodity

Pigments, paints, and varnishes—Continued  
Ready-mixed paints, stains, and enamels, except paints containing radio-  
activated material.  
Varnishes.  
Printing and lithographic ink.  
Soap and toilet preparations:  
Dental creams and other dentrifices.  
Talcum powder, in packages, and face and compact powder.  
Creams, rouges, lipsticks, and other cosmetics.  
Manicuring preparations.  
Deplatories and deodorants.  
Hair preparations.  
Perfumes, liquid and solid, bulk and packaged.  
Toilet waters, bulk and packaged.  
Other toilet preparations.  
Photographic and projection goods:  
Cameras, box type, set focus.  
Motion-picture screens.  
Projection lamps.  
Motion-picture films, exposed or developed—negative or positive.  
Photoflash and photoflood lamps.  
Scientific and professional instruments, apparatus, and supplies, n. e. s.:

843800  
844210  
844500  
873400, 873500--  
874000, 874200--  
875000-875700--  
875900  
876200  
876510, 876590--  
876650  
876690  
877000

Optical goods:  
Ophthalmic lenses, except blanks.  
Sun glasses and goggles, and parts.  
Ophthalmic spectacles, and parts.  
Teeth.  
Dental supplies, n. e. s. (Report dental instruments in 915000; teeth in  
915200; precious metals for dentistry, except silver alloys and amalgams  
in 915300; and dental office equipment in 915550.)  
Safety equipment, apparatus, and parts except: Diving apparatus; diving  
suits, with or without hose; life-saving apparatus; and resuscitation  
apparatus.  
Scientific laboratory equipment, n. e. s. (Report laboratory, analytical,  
and pharmaceutical scales, including balances and weights, in 917500.)  
Musical instruments, parts, and accessories:  
Pianos, new, used, or rebuilt; and pipe organs and other organs.  
Phonographs, and parts; coin-operated and other.

914200  
914350  
914380  
915200  
915590  
917300  
917900

Band instruments.  
Stringed instruments.  
Other musical instruments.  
Musical instruments, parts, and accessories, n. e. s.  
Miscellaneous office supplies.  
Toys, athletic and sporting goods:  
Toys.  
Athletic and sporting goods.  
Miscellaneous commodities, n. e. s.:

923100-923200--  
923500, 923600,  
923900  
924500-924800--  
929300  
929500  
929700  
930310-939900--  
940000-941800--  
942010-945000--  
957000  
957100  
957900

Clocks, n. e. s., except electric:  
1-day alarm clocks.  
Other clocks and parts (parts of electric clocks included).  
Watches and watch movements:  
Watches without jewels.  
Watches with jewels.  
Parts, except jewel bearings and movements.  
Paintings, etchings, engravings, statuary, and antiques (except plaster-  
of-paris statuary).

958000  
958100  
958950  
961000

This amendment shall become effective July 1, 1949, except that with respect to the deletion of borontrifluoride, Schedule B No. 836220, it shall become effective July 8, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: June 23, 1949.

W. S. THOMAS,  
Acting Assistant Director,  
Office of International Trade.

[F. R. Doc. 49-5661; Filed, July 12, 1949;  
8:53 a. m.]

[Fourth General Revision of Export Regs.,  
Amdt. 18]

#### PART 371—GENERAL LICENSES

##### GENERAL LICENSE RLS

Section 371.22 *Exportation of relief shipments RLS* is revised to read as follows:

§ 371.22 *General license RLS.*—(a) *General provisions.* A general license designated RLS is hereby established authorizing the exportation of certain commodities for relief purposes by private relief agencies registered with and recommended to the Department of Commerce by the Advisory Committee on Voluntary Foreign Aid. All commodities listed in paragraph (b) below may be exported under the general license RLS to all destinations: *Provided*, That:

(1) The relief agency making the exportation is registered with and recommended by the Advisory Committee on Voluntary Foreign Aid;

(2) The agency is recognized by the Committee as being qualified to carry on a program of relief or charity in the country to which the shipment is made and is in position to receive and assume full responsibility for the noncommercial distribution of such commodities in specified countries free of cost to the persons ultimately receiving them;

(3) Shipment is made by such relief agencies to specifically designated consignees in countries where the respective agencies have programs recognized by the committee;

(4) The general license symbol RLS is placed on the outside of the package or container and on the shipper's export declaration when the material is ready to be shipped. The use of this symbol is a certification by the exporter that the provisions of this general license have been met.

(b) *Commodities exportable.* The following specified commodities may be exported under this general license:

Sched. B No.	Commodity
999810	Food, except:
999810	Meat Products on the Positive List (processing code MEAT 1, Schedule B Nos. 002000-004500).
999820	Clothing (new and used).
999830	Blankets and bedding.
999840	Drugs and biological supplies, except: Medicinal and pharmaceutical preparations on the Positive List.
999850	New and used surgical, sanitary, and hospital supplies and equipment, except:

Sched. B No.	Commodity
999850	X-ray tubes and apparatus.
999850	Electrotherapeutic apparatus.
999850	Microscopes.
999850	Precious metals for dentistry.
999850	Dental operating equipment.
999850	Electrocardiographs.
999850	Cystoscopes.
999850	Scientific instruments, Schedule B. No. 919098.
999890	Textiles, wool and cotton.
999890	Yarns, knitting and darning wool.
999890	Thread, sewing.
999890	Pins and needles.
999890	Sewing machines, domestic.
999890	Shoe repair equipment for manual operation.
999890	Animal oils and fats, inedible.
999890	Vegetable oils and fats, inedible.
999890	Seeds, except oilseeds.
999890	Soap.

NOTE: (1) *Schedule B numbers.* All exports for relief or charity must be reported on the export declaration under the Schedule B numbers established for reporting shipments for relief or charity by individuals and private agencies, Schedule B Nos. 999810-999890. For information concerning commodities requiring an individual export license, see § 372.17 of Comprehensive Export Schedule No. 27.

(2) *Authorized agencies.* Collectors of customs have been furnished with a list of the agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid, together with a list of the specifically designated consignees in the countries for which these agencies have programs recognized by the Committee. Also, collectors of customs have been instructed to refuse clearance of shipments if the name of the agency or the consignee in the approved country does not conform with such list. As changes are made in the list, it will be revised accordingly.

(3) *Inquiries.* Inquiries concerning the Advisory Committee on Voluntary Foreign Aid, or agencies registered, should be directed to that agency, State Department, Old State Building, Room 597, Washington 25, D. C. However, inquiries concerning export licenses should be addressed to the Office of International Trade, Washington 25, D. C.

This amendment shall become effective July 1, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: June 23, 1949.

W. S. THOMAS,  
Acting Assistant Director,  
Office of International Trade.

[F. R. Doc. 49-5662; Filed, July 12, 1949;  
8:53 a. m.]

[Fourth General Revision of Export Regs.,  
Amdt. 19]

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

##### PART 375—BLT (BLANKET) LICENSES

##### PART 376—MULTIPLE CONSIGNEE (MCL) LICENSES

##### WEIGHT AND VOLUME TOLERANCE; EXPORT CLEARANCE

1. At the end of § 372.5 *Weight and volume tolerance* the following note is inserted:

NOTE: When shipments are cleared against a BLT or MCL license, the applicable tolerance may be applied to the quantity approved

for export to each single consignee: *Provided, however*, That the total amount shipped against the license does not exceed the total amount approved for export plus 10%.

2. In § 375.4 *Export clearance*, Paragraph (a) *Presentation of license to Customs* is amended to read as follows:

(a) *Presentation of license to Customs.*<sup>1</sup> When clearing shipments for export under any BLT (Blanket) license, the licensee must present the license to the collector of customs at the port of exit. The total amount shipped against such license shall not exceed the total quantity approved for export, and the total quantity shipped to a single consignee must not exceed the quantity specified for the respective consignee.

3. Section 376.3 *Export clearance* is amended to read as follows:

§ 376.3 *Export clearance.*<sup>1</sup> When clearing shipments for export under any multiple consignee (MCL) license, the licensee must present the license to the collector of customs at the port of exit.

The total amount shipped against such licensee shall not exceed the total quantity approved for export, and the total quantity shipped to a single consignee must not exceed the quantity specified for the respective consignee.

This amendment shall become effective July 1, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: June 22, 1949.

W. S. THOMAS,  
Acting Assistant Director,  
Office of International Trade.

[F. R. Doc. 49-5663; Filed, July 12, 1949;  
8:53 a. m.]

[Fourth General Revision of Export Regs.,  
Amdt. 20]

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

##### COMMODITY QUOTAS AND TIME FOR SUBMISSION OF LICENSE APPLICATIONS

Section 372.9 *Commodity quotas and time for submission of license applications* is amended in the following particulars:

1. The following commodity and related submission dates are deleted from the table Time Schedules for Submission of Applications for the Exportation of Certain Commodities, for the third quarter, 1949:

Sched. B No.	Commodity	Third quarter, 1949
630301	Aluminum and aluminum base alloys: Sheets, plates, and strips (0.006 inch in thickness and over), except venetian blind stock, baked enameled, not exceeding 29½ inches in width nor 0.015 inch in thickness.	May 23 to June 20.

<sup>1</sup> See note under § 372.5 for application of tolerance provisions.

2. The following commodities and related submission dates are added to the table Time Schedules for Submission of Applications for the Exportation of Certain Commodities, for the third quarter, 1949:

Sched. B No.	Commodity	Third quarter, 1949
603350	Galvanized iron culvert sheets, 18 gauge and heavier only.	July 1 to July 15.
603390	Other galvanized iron sheets, 18 gauge and heavier only.	
603450	Galvanized steel culvert sheets, 18 gauge and heavier only.	
603490	Other galvanized steel sheets, 18 gauge and heavier only.	

This amendment shall become effective July 1, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: June 27, 1949.

W. S. THOMAS,  
Acting Assistant Director,  
Office of International Trade.

[F. R. Doc. 49-5664; Filed, July 12, 1949; 8:53 a. m.]

[Fourth General Revision of Export Regs., Amdt. P. L. 6]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

DELETIONS FROM LIST

Section 399.1 Appendix A—Positive List of Commodities is amended in the following particulars:

The following commodities are deleted from the Positive List:

Dept. of Comm. Sched. B No.	Commodity
009400	Other edible animal products: Meat extracts, <sup>1</sup> except bouillon cubes; beef extracts; Bovril meat extract; and saucenwerfel (meat extract). Wood, unmanufactured: Logs, bolts, and hewn timber: Softwoods:
401700	Port Orford cedar (including Lawson's cypress).
	Sawmill products: Softwood lumber (including rough-sawed, dressed, and worked or patterned lumber, and also including softwood flooring):
405720	Port Orford cedar (including Lawson's cypress) (formerly 406500, 408500, and 410720).
	Wood manufactures:
421603	Port Orford cedar veneers only, utility or commercial grade (report Port Orford cedar battery separator veneers and blanks in 429450).

<sup>1</sup> Formerly on general license to the Philippine Islands and to all destinations in North and South America as listed in Schedule C of the Bureau of the Census. By this amendment all commodities classified under Schedule B No. 009400 are now on general license for exportation to all destinations in Country Group O.

Dept. of Comm. Sched. B No. 429450

Commodity—Continued  
Port Orford cedar battery separators (formerly 429900), and Port Orford cedar battery separator veneers and blanks (formerly 421603) (report separator veneers on basis of four separators to one square foot of veneers).

609500	Steel mill products: Cut shoe nails. <sup>1</sup>
630600	Aluminum and manufactures: Aluminum woven wire insect screen cloth (formerly 608610).
609500	Nails: Asbestos shingle; roofing, lead headed; shingle; siding, zinc coated; smooth, flat head, cement-coated; and cut nails, except cut shoe nails.

<sup>1</sup> By this amendment the description of the commodities remaining on the Positive List is revised to read as follows:

This amendment shall become effective July 1, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: June 28, 1949.

W. S. THOMAS,  
Acting Assistant Director,  
Office of International Trade.

[F. R. Doc. 49-5660; Filed, July 12, 1949; 8:52 a. m.]

[Fourth General Revision of Export Regs., Amdt. 21]

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 374—PROJECT LICENSES

PART 379—EXPORT CLEARANCE

MISCELLANEOUS AMENDMENTS

1. Part 374 SP (Special) Licenses is amended to read as follows:

Sec.	Text
374.1	Project licenses.
374.2	Application requirements.
374.3	Filing of quarterly requirements statements by licensees.
374.4	Amendments to licenses.
374.5	Extension of validity period.
374.6	Export clearance.
374.7	Other applicable provisions.

AUTHORITY: §§ 374.1 to 374.7 issued under Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59.

§ 374.1 Project licenses—(a) General. Under the provisions of this part, there is established a procedure for the exportation of commodities required for a specific project or program. Pursuant to this procedure application may be made for a project license which, if issued, can be used to effect export clearance of commodities requiring validated license to export and which are described in SP (Special) License Application Materials Requirements Lists (Form IT 375) approved by the Office of International Trade for the project or program.

(1) A "project" is a new foreign operation, or the expansion of an existing foreign operation, for which commodi-

ties are required; in other words, a capital expenditure.

(2) A "program" is the maintenance, repair, operation (MRO), and production requirements of commodities for a foreign operation.

A project license may cover the total requirements for a project or the requirements of a program for one year. Two types of project licenses have been established: The Special Project (SP) license and the Foreign Enterprise (FE) license.

(b) Bases for consideration of project license applications. Save for exceptional circumstances, applications for project licenses will be granted only for commodities not intended for resale.

(1) SP licenses. In order to be considered for an SP license, a foreign operation must meet one of the following conditions: (i) It will contribute significantly to supporting, maintaining, or increasing the production of materials strategic to or in short supply in the United States, and will benefit supply conditions of these materials in the United States or in areas in which the United States has a significant interest; or (ii) It is certified as meriting preferred status by an appropriate U. S. Government agency.

(2) FE licenses. Project license applications will be considered for FE licenses which are suited administratively to the project licensing technique, but where the foreign operation does not possess elements of United States interest to justify the approval of an SP license. Annual requirements for materials must be sufficient in quantity and variety to justify the use of the project license procedure rather than individual license applications or unit-process license applications.

NOTE: If a project license is issued, it will be given a license number either with the prefix "SP" (if approved as a "Special Project" license) or with the prefix "FE" (if approved as a "Foreign Enterprise" license).

§ 374.2 Application requirements—

(a) Application form and materials list. Applications for project licenses for projects or programs shall be submitted on Form IT 419, in triplicate, and must be accompanied by Form IT 375, SP (Special) License Application Materials Requirements Lists, in triplicate, and the additional statements and documents described in this section.

(b) Preparation of application form. In preparing application Form IT 419, the applicant shall enter: (1) Under item 9 (c) (the commodity description column), the following legend:

Articles and materials set forth on the attached Form IT 375, constitute the total known requirements for (insert name of project) or requirements for one year for (insert name of program) beginning (insert date, beginning with a calendar quarter). The materials exported will be used only in accordance with the approval granted.

(2) Under item 9 (d) (the value column), the total or aggregate dollar value of the commodities to be exported, as shown on the IT 375.

(c) Form IT 375. A copy of Form IT 375 must accompany each copy of application Form IT 419 and should be at-

tached thereto. In addition to furnishing all the other information requested on Form IT 375, the applicant must list thereon an estimate of the quantity of each commodity required. Such estimates must cover (1) the total requirements thereon, in the case of projects, set forth by calendar quarter; and (2) the requirements for a full 12-months period, in the case of programs, set forth by calendar quarter.

Commodities which do not require a validated license to export to the country in question should not be listed on Form IT 375.

(d) *Authorizations required by other government agencies.* The applicant must also submit with the application any special authorization forms which may be required by other agencies of the United States Government as to the commodities or matters covered by the application.

(e) *Letter of explanation.* A letter, in triplicate, must be submitted with the application giving full details as to urgency of need of the commodities and as to the nature of the operation for which they are required.

**NOTE:** The degree of adequacy of the information submitted in justification of the project has a direct bearing upon the period of time required for processing the application and the action taken. Additional information, if needed, will be requested by the Office of International Trade.

(f) *Quarterly programming requirements.* In order to schedule commodity requirements by calendar quarters, the following information must accompany each application:

(1) *Requirements for beginning calendar quarter.* A statement of firm requirements for the beginning calendar quarter. This statement should be submitted on Form IT 375, in triplicate, separate forms being used (i) for commodities included on the Positive List of Commodities (§ 399.1) and (ii) for commodities not on the Positive List which require a validated license to export to the country in question. A separate Form IT 375, in triplicate, must be submitted for each group of commodities classified under a single processing code. Commodities having different processing codes may not be included on the same Form IT 375.

(2) *Requirements for succeeding calendar quarter.* As to commodities included on the Positive List, a statement of estimated requirements thereof for the calendar quarter immediately following the calendar quarter covered by the statement provided for in subparagraph (1) of this paragraph. This statement should be submitted on Form IT 375, in triplicate. All Positive List commodities, regardless of processing codes, may be submitted on the same form.

(3) *Estimated date of availability.* A statement of the estimated date on which each category of commodities referred to in subparagraphs (1) and (2) of this paragraph will become available to the applicant.

**NOTE:** This information is required in addition to a statement of a year's requirements in the case of programs, and total requirements in the case of projects, set forth in paragraph (c) of this section.

Material requirements for projects granted SP licenses will be made available out of a "Special Projects" quota, within the limits of such quota. Material requirements for projects granted FE licenses will be made available out of quotas established for commercial requirements (against which quotas materials are licensed on individual license applications) within the limits of such quotas.

§ 374.3 *Filing of quarterly requirements statements by licensees.* Holders of outstanding licenses must submit quarterly, not later than 30 days before the first of each new calendar quarter after the beginning quarter, the statements of quarterly requirements as provided in § 374.2 (f).

§ 374.4 *Amendments to licenses—(a) Conditions under which amendments will be made.* Subject to the provisions of § 374.1 (b) and of the other provisions of this section, amendments to project licenses may be granted to provide for special requirements of commodities by reason of changes in specifications, omissions, or unforeseen contingencies arising from emergencies or breakdowns.

(b) *Information required on requests for amendments.* (1) A supplementary materials requirements list (Form IT 375) in triplicate, showing in detail the additional necessary commodities;

(2) The statements of quarterly requirements as provided in § 374.2 (f), and

(3) A letter, in triplicate, setting forth a complete statement of the unforeseen contingencies and justifying the request for additional commodities.

§ 374.5 *Extension of validity period—*

(a) *Extensions.* Extensions of the validity period of project licenses will not be granted unless the extension is justified under the provisions of § 374.1 (b).

(b) *Submission of requests.* Requests for extension should be submitted by letter, in triplicate, and should set forth (1) the approximate percentage of completion of the project, (2) the approximate unshipped balances of commodities included on the Positive List which are covered by the license, and (3) the approximate date shipment will be completed.

(c) *Notification.* If the request is granted, a notification letter will be sent to the licensee for attachment to the license.

§ 374.6 *Export clearance—(a) Presentation of license.* When clearing shipments for export under any project license, the licensee must present, upon demand of the collector of customs at the port of exit, either the original or a photostatic copy of the license.

(b) *Exportations by mail.* When making exportations by mail, the licensee shall include on the export declaration (Commerce Form 7525-V) a signed statement substantially as follows:

The commodities described on this export declaration are to be shipped to (destination), under project license number (SP or FE), and will be used by (name of consignee) for the development, construction, maintenance, repair and/or operation of the consignee's properties located at (destination).

In addition, the license number of the SP or FE license must be endorsed on the

wrapper of the parcel. The customs declaration (Form 2966) must be completed by the sender and the contents of the parcel as described in this form must agree with the description contained in the license.

§ 374.7 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399 of this chapter shall apply equally to applications for and licenses issued under this part.

2. Paragraph (a) of § 372.8; paragraph (b) of the Note following paragraph (a) of § 372.8; and subparagraph (2) of paragraph (a) of § 379.1 are each amended in the following particulars:

The words "project license(s)" are substituted for the words "SP (Special) license(s)" appearing in each of these provisions.

This amendment shall become effective July 1, 1949.

(Pub. Law 11, 81st Cong.; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Dated: June 8, 1949.

FRANCIS MCINTYRE,  
Assistant Director,  
Office of International Trade.

[F. R. Doc. 49-5665; Filed, July 12, 1949;  
8:53 a. m.]

## TITLE 24—HOUSING AND HOUSING CREDIT

### Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg.,<sup>1</sup> Amdt. 128]

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

KANSAS AND OKLAHOMA

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respects:

1. Schedule A, Item 116, is amended to describe the counties in the Defense-Rental Area as follows:

Finney.

This decontrols from §§ 825.1 to 825.12 (1) the City of Dodge City in Ford County, a portion of the Dodge City, Kansas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Ford County and all of Gray County in the said Dodge City, Kansas, Defense-Rental Area, on the Housing Expediter's own initiative, in accordance with section 204 (c) of said act.

<sup>1</sup> 13 F. R. 5706, 5788, 5789, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8218, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 682, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441, 2545, 2605, 2607, 2608, 2695, 2746, 2761, 2796, 2897, 3079, 3120, 3152, 3200, 3234, 3280, 3311, 3353, 3399, 3451, 3467, 3494, 3556, 3617, 3672, 3673, 3704, 3705.

2. Schedule A, Item 242c, is amended to describe the counties in the Defense-Rental Area as follows:

Garvin; and Seminole, except that portion east of the line between Ranges 6 and 7.

This decontrols from §§ 825.1 to 825.12 (1) the City of Ada in Pontotac County and the City of Wewoka in Seminole County, all being portions of the Ada, Oklahoma, Defense-Rental Area, based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of Pontotac County and the remaining portion of Seminole County which is east of the line between Ranges 6 and 7, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

3. Schedule A, Item 243, is amended to describe the counties in the Defense-Rental Area as follows:

Mayes, Rogers and Wagoner.

This decontrols from §§ 825.1 to 825.12 (1) Vinita City in Craig County, a portion of the Choteau, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Craig County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

4. Schedule A, Item 249a, is amended to describe the counties in the Defense-Rental Area as follows:

Kay, except Ponca City.

This decontrols from §§ 825.1 to 825.12 the City of Ponca City in the Ponca City, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

5. Schedule A, Item 251, is amended to describe the counties in the Defense-Rental Area as follows:

Osage and Tulsa.

This decontrols from §§ 825.1 to 825.12 (1) the City of Sapulpa in Creek County, a portion of the Tulsa, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Creek County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

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

This amendment shall become effective July 8, 1949.

Issued this 8th day of July 1949.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 49-5668; Filed, July 12, 1949; 8:54 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 123]

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

KANSAS AND OKLAHOMA

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

1. Schedule A, Item 116, is amended to describe the counties in the Defense-Rental Area as follows:

Finney.

This decontrols from §§ 825.81 to 825.92 (1) the City of Dodge City in Ford County, a portion of the Dodge City, Kansas, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Ford County and all of Gray County in the said Dodge City, Kansas, Defense-Rental Area on the Housing Expediter's own initiative, in accordance with section 204 (c) of said act.

2. Schedule A, Item 242c, is amended to describe the counties in the Defense-Rental Area as follows:

Garvin; and Seminole, except that portion east of the line between Ranges 6 and 7.

This decontrols from §§ 825.81 to 825.92 (1) the City of Ada in Pontotac County and the City of Wewoka in Seminole County, all being portions of the Ada, Oklahoma, Defense-Rental Area, based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of Pontotac County and all that part of Seminole County which is east of the line between Ranges 6 and 7, on the Housing Expediter's own initiative, in accordance with section 204 (c) of said act.

3. Schedule A, Item 243, is amended to describe the counties in the Defense-Rental Area as follows:

Mayes, Rogers, and Wagoner.

This decontrols from §§ 825.81 to 825.92 (1) Vinita City in Craig County, a portion of the Choteau, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Craig County on the Housing Expediter's own initiative, in accordance with section 204 (c) of said act.

4. Schedule A, Item 249a, is amended to describe the counties in the Defense-Rental Area as follows:

Kay County, except Ponca City.

13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8219, 8328, 8388; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1759, 1869, 1932, 2061, 2062, 2085, 2176, 2237, 2413, 2440, 2441, 2545, 2607, 2608, 2695, 2746, 2761, 2796, 3079, 3121, 3153, 3201, 3234, 3280, 3311, 3353, 3400, 3451, 3463, 3494, 3555, 3617, 3675, 3705.

This decontrols from §§ 825.81 to 825.92 the City of Ponca City in Kay County, a portion of the Ponca City, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

5. Schedule A, Item 251, is amended to describe the counties in the Defense-Rental Area as follows:

Osage and Tulsa.

This decontrols from §§ 825.81 to 825.92 (1) the City of Sapulpa in Creek County, a portion of the Tulsa, Oklahoma, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Creek County on the Housing Expediter's own initiative, in accordance with section 204 (c) of said act.

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

This amendment shall become effective July 8, 1949.

Issued this 8th day of July 1949.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 49-5667; Filed, July 12, 1949; 8:54 a. m.]

TITLE 31—MONEY AND FINANCE

Chapter I—Monetary Offices, Department of the Treasury

[1949 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

QUARTER BEGINNING JULY 1, 1949

JULY 1, 1949.

§ 129.12 Calendar year 1949. \* \* \*

(c) Quarter beginning July 1, 1949.

Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning July 1, 1949, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

The value of foreign monetary units, as shown below in terms of United States money, is the ratio between the legal gold content of the foreign unit and the legal gold content of the United States dollar. It should be noted that this value, with respect to most countries, varies widely from the present exchange rates. Countries not having a legally defined gold monetary unit, or those for which current information is not available, are omitted.]

Country	Monetary unit	Value in terms of U. S. money	Remarks
Canada and Newfoundland.	Dollar.....	\$1.6931	Redemption of notes into gold suspended. Export of gold prohibited except under license.
Colombia.....	Peso.....	.5128	Monetary Law No. 90 of Dec. 16, 1948, effective Dec. 18, 1948, content of peso 0.50637 gram of gold 9/10 fine. Obligation to sell gold suspended Sept. 24, 1931.
Costa Rica.....	Colon.....	.1781	Parity of 0.158267 fine gram gold established by decree law effective Mar. 22, 1947.
Denmark.....	Krone.....	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Dominican Republic.....	Peso.....	1.0000	By Monetary Law No. 1528 effective October 9, 1947, gold content of peso equal to 0.888671 gram fine.
Ethiopia.....	Dollar.....	.4025	New unit established by Proclamation of the Emperor on May 25, 1945, effective July 23, 1945.
Finland.....	Markka.....	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
Guatemala.....	Quetzal.....	1.0000	Decree No. 203 of Dec. 10, 1945, defined the monetary unit as 15 5/21 grains gold 9/10 fine. Conversion of notes into gold suspended Mar. 6, 1933.
Haiti.....	Gourde.....	.2000	National bank notes redeemable on demand in U. S. dollars.
Hungary.....	Forint.....	.0852	New unit based on 13,210 forint per kilogram fine gold effective July 1946.
Ireland.....	Pound.....	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Peru.....	Sol.....	.4740	Conversion of notes into gold suspended May 18, 1932; exchange control established Jan. 23, 1945.
Philippines.....	Peso.....	.5000	Act of Mar. 16, 1935; agreement between U. S. and Philippines concerning trade and related matters based on Philippine Trade Act of 1946.
Sweden.....	Krona.....	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Union of Soviet Socialist Republics.....	Ruble.....	.1981	On basis of 5.6807 rubles per gram of fine gold.
Uruguay.....	Peso.....	.6583	Present gold content of 0.585018 gram fine established by law of Jan. 18, 1934. Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931.
Venezuela.....	Bolivar.....	.3267	Exchange control established Dec. 12, 1936.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U. S. C. 372) July 1, 1949.

[SEAL] E. H. FOLEY, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 49-5675; Filed, July 12, 1949;  
8:55 a. m.]

### TITLE 33—NAVIGATION AND NAVIGABLE WATERS

#### Chapter II—Corps of Engineers, Department of the Army

##### PART 203—BRIDGE REGULATIONS

###### ALLOWAY AND OLDMANS CREEKS, N. J., AND SANDUSKY BAY, OHIO

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.707 is hereby revoked, § 203.225 (f) is hereby amended to include the Salem County highway bridges across Alloway Creek at Hancocks Bridge and at Upper Hancocks Bridge, New Jersey, and the Salem County highway bridge across Oldmans Creek at Pedricktown, New Jersey, and § 203.706 is hereby amended to include the New York Central Railroad Company bridge and Ohio Department of Highways bridge across Sandusky Bay, Ohio, as follows:

§ 203.225 *Navigable waters in the State of New Jersey; bridges where constant attendance of draw tenders is not required.*

(f) The bridges to which this section applies, and the regulations applicable in each case, are as follows.

Alloway Creek; Salem County highway bridges at Hancocks Bridge and at Upper Hancocks Bridge, and New Jersey State Highway Department bridge at Quinton.

At least 24 hours' advance notice required.

Oldmans Creek; New Jersey State Highway Department bridge near Nortonville, Pennsylvania-Reading Seashore Lines railroad bridge near Pedricktown, and Salem County highway bridge at Pedricktown. At least 24 hours' advance notice required.

§ 203.706 *Sandusky Bay, Ohio—(a) New York Central Railroad Company bridge between Baybridge and Danbury.* (1) The owner of or agency controlling this bridge shall keep a draw tender in constant attendance except when ice prevents navigation.

(2) The call signal for opening of the draw shall be three long blasts of a whistle or horn, sounded at such distance from the bridge as to permit the vessel to stop if the draw cannot be opened, and repeated if not acknowledged.

(3) If the draw can be opened immediately, the call signal shall be acknowledged by one long blast of a whistle or horn. If the draw cannot be opened immediately, the draw tender shall sound a warning or danger signal of five short, rapid blasts of a whistle or horn, and the vessel shall change its course or stop and shall not proceed toward the bridge until the draw tender sounds one long blast.

(4) The draw shall be opened to full open position with the least possible delay on receiving the call signal.

(5) Trains shall not be stopped on or near the bridge for the purpose of delaying its opening, nor shall watercraft be navigated so as to hinder or delay the operation of the draw, but all passage over or through the bridge shall be prompt to prevent delay to either rail or water traffic.

(6) The owner of or agency controlling the bridge shall keep conspicuously posted on both the east and west sides

thereof, in such manner that they can be easily read from approaching vessels, signs showing the call and acknowledging signals prescribed in subparagraphs (2) and (3) of this paragraph.

(b) *Ohio Department of Highways bridge between Martin Point and Danbury.* (1) The owner of or agency controlling this bridge shall keep a draw tender in constant attendance except when ice prevents navigation.

(2) The call signal for opening of the draw and the acknowledging signals shall be those prescribed in paragraphs (a) (2) and (3) of this section.

(c) *New York Central Railroad Company bridge across East Cove at the foot of Washington Street, Sandusky.* (1) The draw shall be in full open position at all times when ice does not prevent navigation, except that it may be closed five minutes in advance of the time a train crosses the bridge. The cycle of the draw from open position through closed position to open position shall not exceed 20 minutes.

(2) Five minutes in advance of the start of closing, the draw tender shall signal boat operators that the draw is to be closed by hoisting a four-foot by six-foot white pennant on a staff located at the northerly end of the bridge, clearly visible from Sandusky Bay and East Cove, and by sounding five short blasts of a whistle, horn, or megaphone or by ringing a bell continuously for five seconds.

(3) A train shall not be stopped on the bridge for the purpose of delaying its opening, nor shall watercraft be navigated so as to hinder or delay the operation of the draw, but all passage over or through the bridge shall be prompt to prevent delay to either rail or water traffic.

(4) The owner of or agency controlling the bridge shall keep a copy of the regulations in this paragraph conspicuously posted on both sides thereof in such manner that it can be easily read at any time.

§ 203.707 *Sandusky Bay, Ohio; Ohio Department of Highways bridge between Baybridge and Danbury, Ohio.* (Revoked.)

[Regs. June 22, 1949, 823.01—ENGWR] (28 Stat. 362; 33 U. S. C. 499)

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

[F. R. Doc. 49-5642; Filed, July 12, 1949;  
8:47 a. m.]

### TITLE 34—NATIONAL MILITARY ESTABLISHMENT

#### Chapter V—Department of the Army

##### Subchapter D—Military Reservations and National Cemeteries

##### PART 555—MOTION PICTURE SERVICE MISCELLANEOUS AMENDMENTS

Section 555.8 and paragraph (b) of § 555.9 are amended to read as follows:

§ 555.8 *Admission charges.* (a) The charges for admission in the zone of interior and Alaska will be 20 cents, plus 4 cents admissions tax, total 24 cents, for adults and 15 cents, plus 3 cents admis-



sions tax, total 18 cents, for children under 12 years of age. The admissions tax is not applicable in areas outside of the zone of interior and Alaska enumerated in § 555.1; therefore, the admission rates in those areas will be 20 cents for adults and 15 cents for children under 12 years of age.

(b) Children 12 years and over will be charged the adult admission rate. If considered advisable by the commanding officer, and the seating capacity of the theater permits, children under 6 years of age may be admitted free of charge.

§ 555.9 Patronage eligibility. . . .

(b) Members of the households of military personnel on active duty may attend showings at Army theaters located at the installations to which the military personnel are assigned although not in the company of such military personnel, provided proper identification is presented. Proper identification will be presented at all times by members of the households of the military personnel, whether or not they are in the company of such military personnel. The term "proper identification" contemplates the use of Patronage Eligibility Identification Card for Authorized Civilians (A&AFMPS Form 282b) or a properly authorized substitute identification card.

[C5, AR-210-390, June 24, 1949] (R. S. 161; 5 U. S. C. 22)

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

[F. R. Doc. 49-5641; Filed, July 12, 1949; 8:47 a. m.]

Chapter VII—Department of the Air Force

PART 855—MOTION PICTURE SERVICE  
MISCELLANEOUS AMENDMENTS

CROSS REFERENCE: For amendment of regulations with respect to motion picture service, see Part 555 of Chapter V, *supra*, which was made applicable to the Department of the Air Force at 13 F. R. 8751.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 9244]

PART 3—RADIO BROADCAST SERVICES

AMENDMENT TO THE STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING STANDARD BROADCAST STATIONS

On March 11, 1949, the Commission released a notice of proposed rule making in Docket No. 9244, looking toward the amendment of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations. It was proposed to add a map of ground conductivity in Canada and to make certain textual changes to indicate its use.

The period in which interested parties were afforded an opportunity to submit comments expired April 18, 1949, and no comments were received either before or since that date.

It therefore appears proper for the reasons set forth in the release of March 11, 1949, to make final the adoption of the

proposed amendment of the standards as described in said notice.

Accordingly it is ordered, This 29th day of June 1949, that pursuant to sections 303 (b), (c), (e), (f), (g), and (r) of the Communications Act of 1934, as amended, the Commission's Standards of Good Engineering Practice Concerning Standard Broadcast Stations, be and are hereby amended effective August 8, 1949, as set forth below:

(a) Add the Canadian conductivity map as Figure 3a.

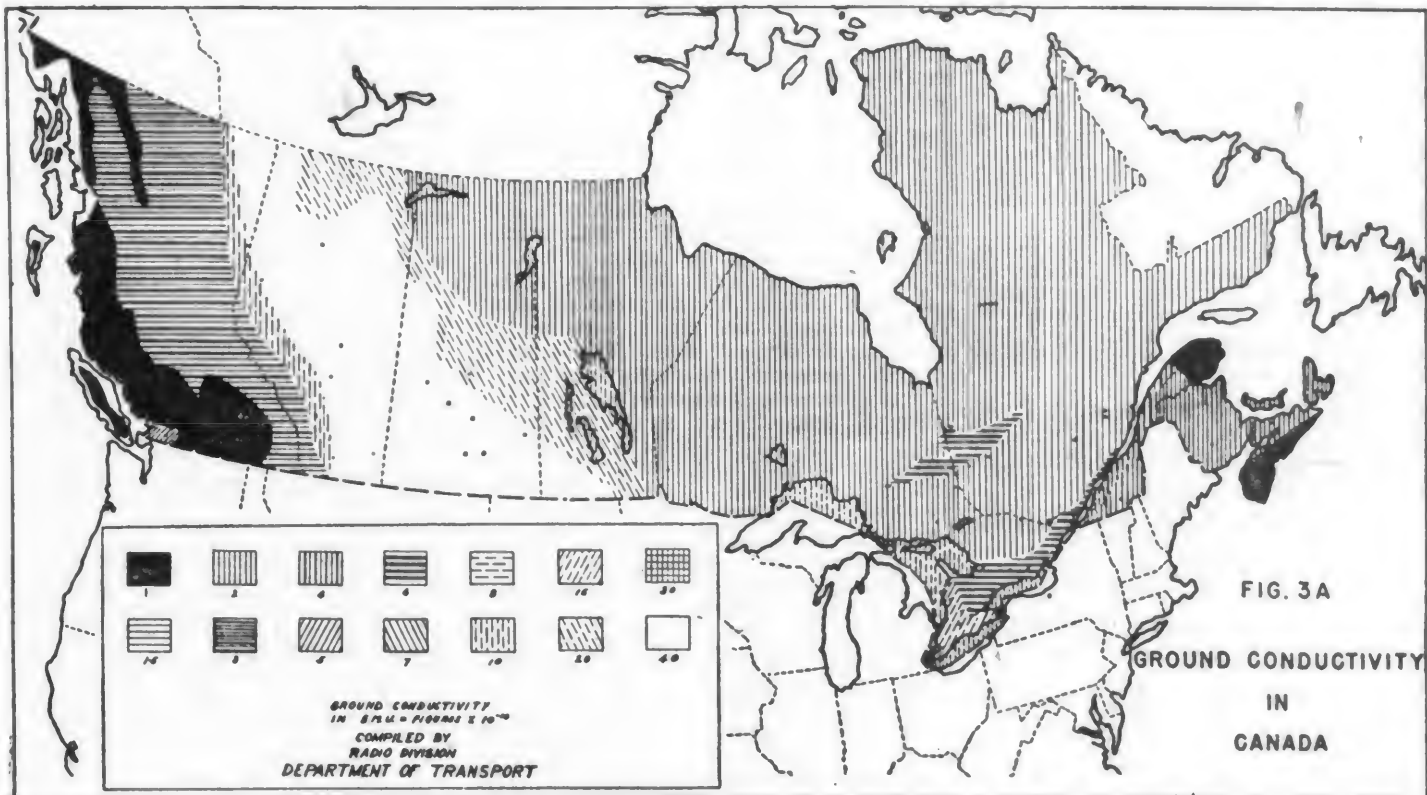
(b) Amend the text of Annex I of Part 1 of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations by the addition of the following, inserted at the end of the third paragraph thereof, (making it part of said paragraph): "Figure 3a is a similar map of ground conductivity in Canada prepared by the Canadian Department of Transport. It is considered to supersede Figure 3 as regards conductivity within the boundary of Canada. It is to be noted that at some locations there are differences in conductivity on either side of the border, which cannot be explained by geophysical cleavages. Pending adjustment in the maps for inconsistencies, all variations at the border will be treated as real."

(Sec. 303 (r), 50 Stat. 191; 47 U. S. C. sec. 303 (r); Applies sec. 303 (b), (c), (e), (f) and (g) 48 Stat. 1082; 47 U. S. C. sec. 303 (b), (c), (e), (f) and (g))

Released: June 30, 1949.

FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[SEAL]



[F. R. Doc. 49-5652; Filed, July 12, 1949; 9:06 a. m.]

## PART 3—RADIO BROADCAST SERVICES

## MISCELLANEOUS AMENDMENTS

In the matter of addition of footnotes to §§ 3.46 and 3.254 of the Commission's rules and regulations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of June 1949;

The Commission having before it a proposal to add footnotes to §§ 3.46 and 3.254 of the rules and regulations in order that initial compliance with these sections requiring equipment performance measurements may be effected in an orderly manner; and

It appearing, that under the present requirements of §§ 3.46 and 3.254 licenses are required after August 1, 1949, to make such performance measurements at yearly intervals and that one set of measurements be made during the four-month period preceding the date of filing an application for renewal of license; and

It further appearing, that the proposed amendment is procedural and compliance with the provisions of section 4 of the Administrative Procedure Act is not required; and

It further appearing, that authority for the proposed amendments is contained in sections 303 (e), (f), and (r) of the Communications Act of 1934, as amended.

*It is ordered*, That, effective immediately, § 3.46 is amended to include the following Footnote 17a placed after the word "license" just before the colon in the second sentence of § 3.46 (e):

"Applications for renewal of licenses expiring prior to February 1, 1950 are not required to indicate that these measurements have been made; applications for renewal of licenses expiring on or after February 1, 1950 shall indicate that the measurements have been made.

*It is further ordered*, That, effective immediately, § 3.254 is amended to include the following Footnote 14a placed after the word "license," the last word in the third sentence of § 3.254:

"Applications for renewal of licenses expiring prior to February 1, 1950 are not required to indicate that these measurements have been made; applications for renewal of licenses expiring on or after February 1, 1950 shall indicate that the measurements have been made.

(Sec. 303 (r), 50 Stat. 191; 47 U. S. C. Applies secs. 303 (e) and 303 (f) 48 Stat. 1082; 47 U. S. C. secs. 303 (e) and 303 (f))

Released: June 30, 1949.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 49-5653; Filed, July 12, 1949;  
8:48 a. m.]

[Docket No. 9210]

## PART 13—COMMERCIAL RADIO OPERATORS

## MISCELLANEOUS AMENDMENTS

In the matter of amendment of § 13.21, amendments of § 13.61 of the rules governing commercial radio operators; Docket No. 9210.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of June 1949;

The Commission having under consideration an amendment to §§ 13.21 and 13.61 of the Commission's rules governing commercial radio operators to make certain changes in the operator requirements for the operation of aircraft radiotelegraph stations for the purpose of conforming with the recommended standards of the Personnel Licensing Division of the International Civil Aviation Organization in respect to flight radio operators;

It appearing, that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, general notice of proposed rule making in the above-entitled matter was duly published in the FEDERAL REGISTER; and

It further appearing, that the only objection filed to the adoption of these amendments has been withdrawn;

It further appearing, that public interest, convenience and necessity will be served by the adoption of the proposed amendments and authority therefor is contained in section 303 (1) and (r) of the Communications Act of 1934, as amended;

*It is ordered*, That effective January 3, 1950, §§ 13.21 and 13.61 of the Commission's rules are amended to read as follows:

(a) Section 13.21 by adding a new examination element (7) as follows:

7. *Aircraft radiotelegraph*. Basic theory and practice in the operation of radio communication and radio navigational systems in general use on aircraft.

(b) Section 13.61 by adding a new subparagraph (4) to paragraph (a) thereof, as follows:

(4) On an aircraft employing radiotelegraphy, the holder of this class of license may not operate the radiotelegraph station during the course of normal rendition of service unless he has satisfactorily completed a supplementary examination qualifying him for that duty, or unless he has served satisfactorily as chief or sole radio operator on an aircraft employing radiotelegraph prior to January 3, 1950. The supplementary examination shall consist of:

(i) Written examination element: 7.

And by adding a new subparagraph (5) to paragraph (b) thereof, as follows:

(5) On an aircraft employing radiotelegraph, the holder of this class of license may not operate the radiotelegraph station during the course of normal rendition of service unless he is at least eighteen (18) years of age and has satisfactorily completed a supplementary examination qualifying him for that duty, or unless he has served satisfactorily as chief or sole radio operator on an aircraft employing radiotelegraphy prior to January 3, 1950. The supplementary examination shall consist of:

(i) Transmitting and receiving code test at twenty-five (25) words per minute plain language and twenty (20) code groups per minute.

(ii) Written examination element: 7. And by adding a new exception (6) to paragraph (c) thereof, as follows:

(6) Aircraft radio stations while employing radiotelegraphy.

Released: June 30, 1949.

(Sec. 303 (r), 50 Stat. 191, 47 U. S. C. sec. 303 (r). Applies sec. 303 (1), 48 Stat. 1082, 47 U. S. C. sec. 301 (1))

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 49-5650; Filed, July 12, 1949;  
8:48 a. m.]

[Docket No. 9296]

## PART 35—UNIFORM SYSTEM OF ACCOUNTS FOR WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

## MISCELLANEOUS AMENDMENTS

In the matter of amendment of Part 35 of the Commission's rules and regulations; uniform system of accounts for wire-telegraph and ocean-cable carriers; Docket No. 9296.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of June 1949;

The Commission having under consideration the matter of the amendment of Part 35 of the Commission's rules and regulations relating to the uniform system of accounts for wire-telegraph and ocean-cable carriers and also having under consideration its notice of proposed rule making adopted herein on April 20, 1949, and published in the FEDERAL REGISTER on May 4, 1949 (14 F. R. 2203) in accordance with section 4 (a) of the Administrative Procedure Act;

It appearing, that the period in which interested persons were afforded an opportunity to submit comments expired on May 23, 1949, and that the Commission has not received any comments in opposition to the said proposal; and

It further appearing, that under section 220 (g) of the Communications Act of 1934, as amended, notice of alterations by the Commission in the required manner or form of keeping accounts shall be given by the Commission at least six months before the same are to take effect;

*It is ordered*, That effective January 9, 1950, Part 35 of the Commission's rules and regulations is amended as follows:

(1) Delete § 35.41-7 (b) and substitute the following:

(b) The records supporting the entries in the operating-expense accounts including the maintenance-expense accounts, shall be so maintained that, in reports to the Commission, there may be shown separately the aggregate amounts of (1) direct payroll distributions of salaries and wages and (2) salaries and wages charged to clearing accounts, eventually allocated in whole or in part to operating expenses.

(2) Add the following new section:

§ 35.4101 *Supervision of maintenance*. This account shall include the compen-

sation and the office and other expenses of officers and employees engaged in supervising or directing the maintenance of the carrier's wire-telegraph and ocean-cable plant, as described in § 35.41-5.

Provided, however, That any carrier may adopt the modified accounting procedure set forth in such amendment with respect to the entire calendar year 1949.

Released: June 30, 1949.

(4 (1), 48 Stat. 1066; 47 U. S. C. 154 (1))

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 49-5651; Filed, July 12, 1949;  
8:48 a. m.]

**TITLE 49—TRANSPORTATION**

**Chapter I—Interstate Commerce  
Commission**

**Subchapter A—General Rules and Regulations**

**PART 110—DESTRUCTION OF RECORDS**

**SUBPART B—ELECTRIC RAILWAY COMPANIES**

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of May A. D. 1949.

The matter of "Regulations to Govern the Destruction of Records of Electric Railway Companies, Issue of 1946," being under consideration, pursuant to authority of section 20 (7) (b) of the Interstate Commerce Act, as amended, and certain modifications of those regulations, which are attached hereto and made a part hereof, being found necessary for administration of Part I of the act (34 Stat. 594, 35 Stat. 648, 54 Stat. 918, 49 U. S. C. 20); it is ordered, that:

(1) *Objections may be filed.* Any interested party may on or before August 12, 1949, file with the Commission a written statement of reasons why the said modifications should not become effective as hereinafter ordered and may request oral argument thereon.

(2) *Effective date.* Unless otherwise ordered after consideration of such objections, the said modifications shall become effective September 1, 1949.

(3) *Notice.* A copy of this order and the attached modifications shall be served upon every electric railway company subject to the act, and upon every trustee, receiver, executor, administrator, or assignee of any such electric railway company, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

1. Cancel § 110.20 Authority to destroy certain records, and paragraphs (a) and (b) of § 110.21 Preservation of other rec-

ords, in the place of those sections substituting the following provisions:

§ 110.20 *General authority to destroy records.* Electric railway companies subject to Part I of the Interstate Commerce Act may destroy accounts, records, or memoranda named or described in these regulations, if their permanent retention is not therein specifically required, after preservation for the respective periods of time hereinafter prescribed and upon compliance with requirements of these regulations. Authority contained in these regulations shall not, however, exempt an electric railway company from any statutory requirements other than the provisions of section 20 (7) (b) of the Interstate Commerce Act, as amended, relating to the destruction of carriers' accounts, records, and memoranda.

§ 110.20-1 *Special permission to destroy records.* The destruction of all accounts, records, and memoranda of electric railway companies, except as specifically provided in these regulations, is prohibited under penalties contained in section 20 (7) (b) of the Interstate Commerce Act, as amended. However, an electric railway company proposing to destroy accounts, records, or memoranda not hereinafter named or described, or proposing to photograph and destroy accounts, records, or memoranda specifically restricted by or excluded from the provisions of § 110.21, may apply to the Commission for special authority to accomplish either such purpose. Such applications shall state a full and detailed description of the accounts, records, or memoranda in question, clearly explaining their character, their use, and their purpose, and such special authority will not be granted except on a showing that the regulations impose an unreasonable burden.

§ 110.21 *Preservation by photography.* Accounts, records, and memoranda named or described in § 110.31, which have been photographed for preservation by any standard process meeting the requirements of § 110.21-2, may be destroyed after due certification of such disposition, subject to the exceptions and restrictions imposed by § 110.21-1.

§ 110.21-1 *Photographic copies.* (a) Photographic copies shall be preserved until the close of the period prescribed in § 110.31 for the retention of the account, record, or memorandum so photographed and the photographic copies shall not be destroyed without the same certification required for the originals thereof.

(b) This permission to destroy shall in no case apply to accounts, records, and memoranda which are required to be retained permanently by the following items under § 110.31:

- | Item | Description   |
|------|---|
| 1    | Minute books of directors', executive committees', stockholders', and other meetings. |
| 3    | Capital stock records.  |
| 4    | Long-term debt records.   |
| 7    | Ledgers.  |
| 9    | General and auxiliary journals.   |
| 10   | General and auxiliary cash books.   |
| 11   | General journal entries or vouchers and supporting papers.                            |

- 13 Deeds, charters, franchises, and other title papers.
- 14 Contracts and agreements.
- 16 Copies of applications to and authorities from regulating bodies for the issuance of stocks, bonds, and other securities.
- 46 Property records.
- 90 Reports to I. C. C. and other regulating bodies.
- 91 Annual reports to stockholders, file copies of.
- 95 Correspondence. (This exclusion shall apply only to correspondence which relates to excluded accounts and records.)

(c) All accounts, records, and memoranda included in the following items of § 110.31, other than those required by paragraph (b) of this section to be retained permanently, or those which may be destroyed at the carrier's option, shall be retained in their original form not less than two years, or not less than the period prescribed in § 110.31 where such prescribed period is shorter than two years:

- | Item  | Description  |
|-------|--|
| 2     | Code and cipher books, file copies of.   |
| 5     | Corporate elections.   |
| 8     | Records of securities owned.   |
| 12    | Records summarizing the results of operations other than electric railway operations.                    |
| 15    | Tax records.   |
| 21-22 | Bills collectible records.   |
| 30-31 | Revenue records pertaining to agents' and conductors' accounts.  |
| 32    | Interline revenue settlements.   |
| 40    | Vouchers.  |
| 41    | Pay roll records.  |
| 42    | Claim records.   |
| 44    | Labor records, if they pertain to transportation employees as defined in the Hours of Service Act.       |
| 45    | Material and supplies.   |
| 70    | Records pertaining to agents' accounts.  |
| 72-73 | Agency records.  |
| 75    | Conductors' original records and reports.  |
| 78-79 | Transportation records.  |
| 80    | Operating department records.  |
| 92    | Periodical statistical statements on operating results.  |
| 94    | Data relating to the destruction of records.   |
| 95    | Correspondence, if pertaining to accounts or records required to be retained two years in original form. |

§ 110.21-2 *Photographic processes.*

(a) Photographic processes used for preservation of accounts, records, or memoranda must produce copies without significant loss of clarity, and the material to be photographed shall be sorted in an orderly manner and shall be adequately indexed. Photographic copies shall be no less readily accessible than the original account, record, or memorandum as normally filed or preserved would be, and suitable means or facilities shall be available to locate, identify, read, or reproduce such photographic copies. Upon request by the Commission's representatives, carriers shall furnish prints, enlarged to original size, of any accounts, records, or memoranda which have been photographed for preservation.

(b) Any significant characteristic, feature, or other attribute of the original record or document, which photography in black and white will not preserve, shall

be clearly indicated before the photograph is made. The reverse side of printed forms need not be copied if nothing has been added to the printed matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(c) Film used for preservation of photographic copies shall be of permanent-record type meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer of such film shall be observed to protect it from deterioration or accidental destruction.

[F. R. Doc. 49-5658; Filed, July 12, 1949; 8:50 a. m.]

#### PART 110—DESTRUCTION OF RECORDS

##### SUBPART D—EXPRESS COMPANIES

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of May A. D. 1949.

The matter of "Regulations to Govern the Destruction of Records of Express Companies, issue of 1946," being under consideration, pursuant to authority of section 20 (7) (b) of the Interstate Commerce Act, as amended, and certain modifications of those regulations, which are attached hereto and made a part hereof, being found necessary for administration of Part I of the act (34 Stat. 594, 35 Stat. 648, 54 Stat. 918, 49 U. S. C. 20); it is ordered, that:

(1) *Objections may be filed.* Any interested party may on or before August 12, 1949, file with the Commission a written statement of reasons why the said modifications should not become effective as hereinafter ordered and may request oral argument thereon.

(2) *Effective date.* Unless otherwise ordered after consideration of such objections, the said modifications shall become effective September 1, 1949.

(3) *Notice.* A copy of this order and the attached modifications shall be served upon every express company subject to the act, and upon every trustee, receiver, executor, administrator, or assignee of any such express company, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,  
Secretary.

1. Cancel § 110.60 *Authority to destroy certain records*, and paragraphs (a) and (b) of § 110.61 *Preservation of other records*, in the place of those sections substituting the following provisions:

§ 110.60 *General authority to destroy records.* Express companies subject to Part I of the Interstate Commerce Act may destroy accounts, records, or memoranda named or described in these regulations, if their permanent retention is not therein specifically required, after preservation for the respective periods

of time hereinafter prescribed and upon compliance with requirements of these regulations. Authority contained in these regulations shall not, however, exempt an express company from any statutory requirements other than the provisions of section 20 (7) (b) of the Interstate Commerce Act, as amended, relating to the destruction of carriers' accounts, records, and memoranda.

§ 110.60-1 *Special permission to destroy records.* The destruction of all accounts, records, and memoranda of express companies, except as specifically provided in these regulations, is prohibited under penalties contained in section 20 (7) (b) of the Interstate Commerce Act, as amended. However, an express company proposing to destroy accounts, records, or memoranda not hereinafter named or described, or proposing to photograph and destroy accounts, records, or memoranda specifically restricted by or excluded from the provisions of § 110.61, may apply to the Commission for special authority to accomplish either such purpose. Such applications shall state a full and detailed description of the accounts, records, or memoranda in question, clearly explaining their character, their use, and their purpose, and such special authority will not be granted except on a showing that the regulations impose an unreasonable burden.

§ 110.61 *Preservation by photography.* Accounts, records, and memoranda named or described in § 110.70, which have been photographed for preservation by any standard process meeting the requirements of § 110.61-2, may be destroyed after due certification of such disposition, subject to the exceptions and restrictions imposed by § 110.61-1.

§ 110.61-1 *Photographic copies.* (a) Photographic copies shall be preserved until the close of the period prescribed in § 110.70 for the retention of the account, record, or memorandum so photographed and the photographic copies shall not be destroyed without the same certification required for the originals thereof.

(b) This permission to destroy shall in no case apply to accounts, records, and memoranda which are required to be retained permanently by the following items under § 110.70:

Item	Description
1	Minute books of directors', executive committees', stockholders', and other meetings.
3	Capital stock records.
4	Long-term debt records.
7	Ledgers.
9	General and auxiliary journals.
10	General and auxiliary cash books.
11	General journal entries and supporting papers.
13	Deeds, charters, franchises, and other title papers.
14	Contracts and agreements.
16	Copies of applications to and authorities from regulatory bodies for the issuance of stocks, bonds, and other securities.
61	Property records.
69	Special authorities for expenditures.
230	Reports to I. C. C. and other regulating bodies.
231	Annual reports or statements to stockholders, file copies of.

Item	Description
250	Correspondence. (This exclusion shall apply only to correspondence which relates to excluded accounts and records.)
254	Engineering records.

(c) All accounts, records, and memoranda included in the following items of § 110.70, other than those required by paragraph (b) of this section to be retained permanently, or those which may be destroyed at the carrier's option, shall be retained in their original form not less than two years, or not less than the period prescribed in § 110.70 where such prescribed period is shorter than two years:

Item	Description
2	Code and cipher books, file copies of.
5	Corporate elections.
8	Records of securities owned.
12	Records summarizing the results of auxiliary (outside) or holding company operations.
15	Tax records.
20	Miscellaneous records pertaining to agents' accounts.
40	Records of revenue from transportation.
42	Records, abstracts, and summaries of traffic, etc.
43	Express privileges records.
44	Records summarizing settlements with agents and others, etc.
60	Registers of fixed expenses.
62	Labor distribution sheets.
63	Pay roll records.
66	Material and supplies distribution details.
67	Vouchers.
68	Bills collectible.
70	Joint office statements of transactions.
90	Claim records.
110	Material ledgers.
111	Purchases and sales.
126	Car movements.
127	Car distribution.
140-172	Agency records.
190-194	Foreign operations records.
195	Correspondence, if pertaining to accounts or records required to be retained two years in original form.
208	Registers of exports and imports.
217	Valuable shipments for export or import.
218	Waybills covering export or import shipments.
232	Comparative statements of operating results.
250	Correspondence, if pertaining to accounts or records required to be retained two years in original form.
251	Data relating to the destruction of records.

§ 110.61-2 *Photographic processes.* (a) Photographic processes used for preservation of accounts, records, or memoranda must produce copies without significant loss of clarity, and the material to be photographed shall be sorted in an orderly manner and shall be adequately indexed. Photographic copies shall be no less readily accessible than the original account, record, or memorandum as normally filed or preserved would be, and suitable means or facilities shall be available to locate, identify, read, or reproduce such photographic copies. Upon request by the Commission's representatives, carriers shall furnish prints, enlarged to original size, of any accounts, records, or memoranda

which have been photographed for preservation.

(b) Any significant characteristic, feature, or other attribute of the original record or document, which photography in black and white will not preserve, shall be clearly indicated before the photograph is made. The reverse side of printed forms need not be copied if nothing has been added to the printed matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(c) Film used for preservation of photographic copies shall be of permanent-record type meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer of such film shall be observed to protect it from deterioration or accidental destruction.

[F. R. Doc. 49-5655; Filed, July 12, 1949; 8:50 a. m.]

**PART 110—DESTRUCTION OF RECORDS  
PIPE LINE COMPANIES**

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of May A. D. 1949.

The matter of "Regulations to Govern the Destruction of Records of Carriers by Pipe Lines, Issue of 1943," being under consideration, pursuant to authority of section 20 (7) (b) of the Interstate Commerce Act, as amended, and certain modifications of those regulations, which are attached hereto and made a part hereof, being found necessary for administration of Part I of the act (34 Stat. 594, 35 Stat. 648, 54 Stat. 918, 49 U. S. C. 20); it is ordered, that:

(1) *Objections may be filed.* Any interested party may on or before August 12, 1949, file with the Commission a written statement of reasons why the said modifications should not become effective as hereinafter ordered and may request oral argument thereon.

(2) *Effective date.* Unless otherwise ordered after consideration of such objections, the said modifications shall become effective September 1, 1949.

(3) *Notice.* A copy of this order and the attached modifications shall be served upon every carrier by pipe line subject to the act, and upon every trustee, receiver, executor, administrator, or assignee of any such carrier, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,  
Secretary.

1. Cancel § 110.81 *Authority to destroy certain records*, and § 110.82 *Preservation of other records; special permission to destroy*, as those sections were redesignated in the Secretary's notice dated November 3, 1947 (12 F. R. 7287), and substitute the following for them:

§ 110.81 *General authority to destroy records.* Carriers by pipe lines subject to Part I of the Interstate Commerce Act may destroy accounts, records, or memoranda named or described in these regulations, if their permanent retention is not therein specifically required, after preservation for the respective periods of time hereinafter prescribed and upon compliance with requirements of these regulations. Authority contained in these regulations shall not, however, exempt a carrier by pipe line from any statutory requirements other than the provisions of section 20 (7) (b) of the Interstate Commerce Act, as amended, relating to the destruction of carriers' accounts, records, and memoranda.

§ 110.81-1 *Special permission to destroy records.* The destruction of all accounts, records, and memoranda of carriers by pipe lines, except as specifically provided in these regulations, is prohibited under penalties contained in section 20 (7) (b) of the Interstate Commerce Act, as amended. However, a carrier by pipe line proposing to destroy accounts, records, or memoranda not hereinafter named or described, or proposing to photograph and destroy accounts, records, or memoranda specifically restricted by or excluded from the provisions of § 110.82, may apply to the Commission for special authority to accomplish either such purpose. Such applications shall state a full and detailed description of the accounts, records, or memoranda in question, clearly explaining their character, their use, and their purpose, and such special authority will not be granted except on a showing that the regulations impose an unreasonable burden.

§ 110.82 *Preservation by photography.* Accounts, records, and memoranda named or described in § 110.90, which have been photographed for preservation by any standard process meeting the requirements of § 110.82-2, may be destroyed after due certification of such disposition, subject to the exceptions and restrictions imposed by § 110.82-1.

§ 110.82-1 *Photographic copies.* (a) Photographic copies shall be preserved until the close of the period prescribed in § 110.90 for the retention of the account, record, or memorandum so photographed and the photographic copies shall not be destroyed without the same certification required for the originals thereof.

(b) This permission to destroy shall in no case apply to accounts, records, and memoranda which are required to be retained permanently by the following items under § 110.90 and shall not reduce any retention period prescribed by those items:

Item	Description
A-1	Incorporation and reorganization records.
A-2	Appointments of registered agents.
A-3	Minute books.
A-4	Authorizations for security issues.
A-6	Contracts and agreements.
B-1	Capital stock records.
B-2	Security bond records.
B-5	Cashbooks.
C-1	Ledgers.
C-2	Journals.

Item	Description
D-3	Reports to ICC and other regulating bodies.
F-1	Land titles.
F-2	Licenses, agreements, and permits.
G-1	Pipe-line property records.
G-2	Inventories of pipe-line property.
L-1	Field cashiers' records.
M-1	Basic data.
M-3	Specifications and engineering studies.
O-1	Annual reports.
P-2	General correspondence. (This item is excluded or restricted to the extent that the correspondence relates to excluded or restricted accounts and records.)

(c) All accounts, records, and memoranda included in the following items of § 110.90, other than those which may be destroyed at the carrier's option, shall be retained in their original form not less than two years, or not less than the period prescribed in § 110.90 where such prescribed period is shorter than two years:

Item	Description
A-5	Voting securities.
A-8	Telegraph and cable code books.
B-4	Records of securities owned.
C-3	Clearing or apportionment books.
C-4	Vouchers, cash and journal.
C-6	Transportation revenue and settlement records.
C-7	Storage and loading revenue and settlement records.
C-8	Miscellaneous revenue records.
D-1	Tax reports.
D-2	Oil transportation control records.
E-1	Pay roll records.
H-1	Material records.
H-2	Purchases and sales.
H-3	Invoices and bills payable.
I-1	Records of receipts, pumpings, stocks, etc.
I-2	Run tickets.
I-3	Run sheets.
I-14	Division orders.
I-15	Transfer orders.
I-16	Power of attorney.
I-17	Credentials of corporation agents.
I-18	Probate records.
I-20	Customers' ledgers.
K-1	Shipping records.
N-2	Claims records.
O-2	Monthly, quarterly, and semi-annual reports.
P-2	General correspondence, if pertaining to accounts or records required to be retained two years in original form.
P-5	Authorizations for destruction of records.

§ 110.82-2 *Photographic processes.* (a) Photographic processes used for preservation of accounts, records, or memoranda must produce copies without significant loss of clarity, and the material to be photographed shall be sorted in an orderly manner and shall be adequately indexed. Photographic copies shall be no less readily accessible than the original account, record, or memorandum as normally filed or preserved would be, and suitable means or facilities shall be available to locate, identify, read, or reproduce such photographic copies. Upon request by the Commission's representatives, carriers shall furnish prints, enlarged to original size, of any accounts, records, or memoranda which have been photographed for preservation.

(b) Any significant characteristic, feature, or other attribute of the original

record or document, which photography in black and white will not preserve, shall be clearly indicated before the photograph is made. The reverse side of printed forms need not be copied if nothing has been added to the printed matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(c) Film used for preservation of photographic copies shall be of permanent-record type meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer of such film shall be observed to protect it from deterioration or accidental destruction.

[F. R. Doc. 49-5656; Filed, July 12, 1949; 8:50 a. m.]

#### Subchapter C—Carriers by Water

### PART 325—PRESERVATION AND DESTRUCTION OF RECORDS

#### AUTHORITY FOR DESTRUCTION; PRESERVATION BY PHOTOGRAPHY

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of May A. D. 1949.

The matter of "Regulations to Govern the Destruction of Records of Carriers by Water, Issue of 1945," being under consideration, pursuant to authority of sections 20 (7) (b) and 313 (g) of the Interstate Commerce Act, as amended, and certain modifications of those regulations, which are attached hereto and made a part hereof, being found necessary for administration of Parts I and III of the act (34 Stat. 594, 35 Stat. 648, 54 Stat. 918 and 945, 49 U. S. C. 20 and 913); it is ordered, that:

(1) *Objections may be filed.* Any interested party may on or before August 12, 1949, file with the Commission a written statement of reasons why the said modifications should not become effective as hereinafter ordered and may request oral argument thereon.

(2) *Effective date.* Unless otherwise ordered after consideration of such objections, the said modifications shall become effective September 1, 1949.

(3) *Notice.* A copy of this order and the attached modifications shall be served upon every carrier by water subject to the act, and upon every trustee, receiver, executor, administrator, or assignee of any such carrier by water, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,  
Secretary.

1. Cancel § 325.1 *Authority to destroy certain records*, and paragraphs (a) and (b) of § 325.2 *Preservation of other records*, substituting for those sections the following provisions:

§ 325.1 *General authority to destroy records.* Carriers by water subject to Parts I or III of the Interstate Commerce

Act may destroy accounts, records, or memoranda named or described in these regulations, if their permanent retention is not therein specifically required, after preservation for the respective periods of time hereinafter prescribed and upon compliance with requirements of these regulations. Authority contained in these regulations shall not, however, exempt a carrier by water from any statutory requirements other than the provisions of sections 20 (7) (b) and 317 (d) of the Interstate Commerce Act, as amended, relating to the destruction of carriers' accounts, records, and memoranda.

§ 325.1-1 *Special permission to destroy records.* The destruction of all accounts, records, and memoranda of carriers by water, except as specifically provided in these regulations, is prohibited under penalties contained in sections 20 (7) (b) and 317 (d) of the Interstate Commerce Act, as amended. However, a carrier by water proposing to destroy accounts, records, or memoranda not hereinafter named or described, or proposing to photograph and destroy accounts, records, or memoranda specifically restricted by or excluded from the provisions of § 325.2, may apply to the Commission for special authority to accomplish either such purpose. Such applications shall state a full and detailed description of the accounts, records, or memoranda in question, clearly explaining their character, their use, and their purpose, and such special authority will not be granted except on a showing that the regulations impose an unreasonable burden.

§ 325.2 *Preservation by photography.* Accounts, records, and memoranda named or described in § 325.12, which have been photographed for preservation by any standard process meeting the requirements of § 325.2-2, may be destroyed after due certification of such disposition, subject to the exceptions and restrictions imposed by § 325.2-1.

§ 325.2-1 *Photographic copies.* (a) Photographic copies shall be preserved until the close of the period prescribed in § 325.12 for the retention of the account, record, or memorandum so photographed and the photographic copies shall not be destroyed without the same certification required for the originals thereof.

(b) This permission to destroy shall in no case apply to accounts, records, and memoranda which are required to be retained permanently by the following items under § 325.12:

Item	Description
1	Minute books of directors', executive committees', stockholders', and other meetings.
3	Capital stock records.
4	Long-term debt records.
7	Ledgers.
9	General and auxiliary journals.
10	General and auxiliary cash books.
11	General journal entries and supporting papers.
18	Deeds, charters, franchises, and other title papers.
14	Contracts and agreements.
16	Copies of applications to and authorities from regulating bodies for the issuance of stocks, bonds, and other securities.

Item	Description
45	Real property and equipment records.
46	Special authorities for expenditures.
100	Reports to I. C. C. and other regulating bodies.
101	Annual reports or statements to stockholders, file copies of.
110	Incorporation and historical records.
116	Correspondence. (This exclusion shall apply only to correspondence which relates to excluded accounts and records.)

(c) All accounts, records, and memoranda included in the following items of § 325.12, other than those required by paragraph (b) of this subsection to be retained permanently, or those which may be destroyed at the carrier's option, shall be retained in their original form not less than two years, or not less than the period prescribed in § 325.12 where such prescribed period is shorter than two years:

Item	Description
2	Code and cipher books, file copies of.
5	Corporate elections.
8	Records of securities owned.
12	Records summarizing the results of auxiliary (outside) or holding company operations.
15	Tax records.
20	Miscellaneous records pertaining to agents' accounts.
30	Freight revenue records.
31	Passenger revenue records.
32	Line service revenue records.
33	"Other" revenue records.
40	Labor distributions and summaries.
41	Payroll records.
42	Material distributions and summaries.
43	Vouchers.
44	Bills collectible.
50	Claim records.
61	Diversion of freight.
71	Material and supplies.
81	Pursers' and stewards' reports.
82	Operating department records.
90-92	Agency records.
94-99	
102	Statistical statements, statistical records, and supporting papers.
105	Ship records.
115	Data relating to the destruction of records.
116	Correspondence, if pertaining to accounts or records required to be retained two years in original form.

§ 325.2-2 *Photographic processes.* (a) Photographic processes used for preservation of accounts, records, or memoranda must produce copies without significant loss of clarity, and the material to be photographed shall be sorted in an orderly manner and shall be adequately indexed. Photographic copies shall be no less readily accessible than the original account, record, or memorandum as normally filed or preserved would be, and suitable means or facilities shall be available to locate, identify, read, or reproduce such photographic copies. Upon request by the Commission's representatives, carriers shall furnish prints, enlarged to original size, of any accounts, records, or memoranda which have been photographed for preservation.

(b) Any significant characteristic feature, or other attribute of the original record or document, which photography in black and white will not preserve, shall be clearly indicated before the photograph is made. The reverse side of printed forms need not be copied if nothing has been added to the printed

matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(c) Film used for preservation of photographic copies shall be of permanent-record type meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer of such film shall be observed to protect it from deterioration or accidental destruction.

[F. R. Doc. 49-5659; Filed, July 12, 1949; 8:50 a. m.]

**Subchapter D—Freight Forwarders**

**PART 450—RECORDS OF FREIGHT FORWARDERS**

**AUTHORITY FOR DESTRUCTION; PRESERVATION BY PHOTOGRAPHY**

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of May A. D. 1949.

The matter of "Regulations to Govern the Destruction of Records of Freight Forwarders, Issue of 1943," being under consideration, pursuant to authority of section 412 (c) of the Interstate Commerce Act, as amended, and certain modifications of those regulations, which are attached hereto and made a part hereof, being found necessary for administration of Part IV of the act (56 Stat. 294, 49 U. S. C. 1012); it is ordered, that:

(1) *Objections may be filed.* Any interested party may on or before August 12, 1949, file with the Commission a written statement of reasons why the said modifications should not become effective as hereinafter ordered and may request oral argument thereon.

(2) *Effective date.* Unless otherwise ordered after consideration of such objections, the said modifications shall become effective September 1, 1949.

(3) *Notice.* A copy of this order and the attached modifications shall be served upon every freight forwarder subject to the act, and upon every trustee, receiver, executor, administrator, or assignee of any such freight forwarder, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

1. Cancel § 450.1 *Authority to destroy certain records*, and § 450.2 *Preservation of other records; special permission to destroy* (as both sections were revised by order dated August 8, 1946, 11 F. R. 9039), substituting for those sections the following provisions:

§ 450.1 *General authority to destroy records.* Freight forwarders subject to Part IV of the Interstate Commerce Act may destroy accounts, records, or memoranda named or described in these regulations, if their permanent retention is not therein specifically required, after preservation for the respective periods of

time hereinafter prescribed and upon compliance with requirements of these regulations. Authority contained in these regulations shall not, however, exempt a freight forwarder from any statutory requirements other than the provisions of section 421 (d) of the Interstate Commerce Act, as amended, relating to the destruction of carriers' accounts, records, and memoranda.

§ 450.1-1 *Special permission to destroy records.* The destruction of all accounts, records, and memoranda of freight forwarders, except as specifically provided in these regulations, is prohibited under penalties contained in section 421 (d) of the Interstate Commerce Act, as amended. However, a freight forwarder proposing to destroy accounts, records, or memoranda not hereinafter named or described, or proposing to photograph and destroy accounts, records, or memoranda specifically restricted by or excluded from the provisions of § 450.2, may apply to the Commission for special authority to accomplish either such purpose. Such applications shall state a full and detailed description of the accounts, records, or memoranda in question, clearly explaining their character, their use, and their purpose; and such special authority will not be granted except on a showing that the regulations impose an unreasonable burden.

§ 450.2 *Preservation by photography.* Accounts, records, and memoranda named or described in § 450.11, which have been photographed for preservation by any standard process meeting the requirements of § 450.2-2, may be destroyed after due certification of such disposition, subject to the exceptions and restrictions imposed by § 450.2-1.

§ 450.2-1 *Photographic copies.* (a) Photographic copies shall be preserved until the close of the period prescribed in § 450.11 for the retention of the account, record, or memorandum so photographed and the photographic copies shall not be destroyed without the same certification required for the originals thereof.

(b) This permission to destroy shall in no case apply to accounts, records, and memoranda which are required to be retained permanently by the following items under § 450.11:

Item	Description
1	Minute books of directors' executive committees', stockholders', and other meetings.
2	Capital stock records.
3	Bond records.
6	Ledgers.
8	General and auxiliary journals.
9	General and auxiliary cash books.
10	Journal vouchers.
12	Deeds and other title papers, etc.
13	Contracts and agreements.
15	Copies of applications to and authorities from regulatory bodies for the issuance of capital stock, bonds, and other securities.
30	Property records.
31	Special authorities for expenditures.
48	Reports to I. C. C. and other regulating bodies.
49	Annual reports or statements to stockholders, file copies of.
57	Correspondence. (This exclusion shall apply only to correspondence which relates to excluded accounts and records.)

(c) All accounts, records, and memoranda included in the following items of § 450.11, other than those required by paragraph (b) of this section to be retained permanently, or those which may be destroyed at the carrier's option, shall be retained in their original form not less than two years, or not less than the period prescribed in § 450.11 where such prescribed period is shorter than two years:

Item	Description
4	Corporate elections.
7	Records of securities owned.
11	Records of nontransportation operation operations.
14	Tax records.
19	Miscellaneous records pertaining to agents' accounts.
22	Records of freight revenues.
24	Records of revenue from operations other than transportation.
25	Distribution and summary of labor expenditures.
26	Pay roll records.
27	Distribution of expenditures for material and supplies.
28	Vouchers.
29	Bills collectible.
32	Claims.
37	Diversion of freight.
38	Material ledgers.
39	Purchases and sales.
41-47	Agency records.
50	Statistical statements, statistical records, and supporting papers.
56	Data relating to the destruction of records.
57	Correspondence, if pertaining to accounts or records required to be retained two years in original form.

§ 450.2-2 *Photographic processes.* (a) Photographic processes used for preservation of accounts, records, or memoranda must produce copies without significant loss of clarity, and the material to be photographed shall be sorted in an orderly manner and shall be adequately indexed. Photographic copies shall be no less readily accessible than the original account, record, or memorandum as normally filed or preserved would be, and suitable means or facilities shall be available to locate, identify, read, or reproduce such photographic copies. Upon request by the Commission's representatives, carriers shall furnish prints, enlarged to original size, of any accounts, records, or memoranda which have been photographed for preservation.

(b) Any significant characteristic, feature, or other attribute of the original record or document, which photography in black and white will not preserve, shall be clearly indicated before the photograph is made. The reverse side of printed forms need not be copied if nothing has been added to the printed matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(c) Film used for preservation of photographic copies shall be of permanent-record type meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer of such film shall be observed to protect it from deterioration or accidental destruction.

[F. R. Doc. 49-5657; Filed, July 12, 1949; 8:50 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

BROKEN BOW AUCTION YARDS AND UNION  
LIVESTOCK SALES COMPANY, INC.

#### DEPOSTING AS A STOCKYARD

The Secretary of Agriculture has information that the Broken Bow Auction Yards at Broken Bow, Nebraska, originally posted on September 15, 1939, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), no longer comes within the definition of a stockyard under said act because it is no longer operated as a public market, and that the Union Livestock Sales Company, Inc., at Parkersburg, West Virginia, originally posted on September 6, 1935, as being subject to the provisions of said act, no longer comes within the definition of a stockyard under that act because the area in the stockyard normally available for handling livestock, exclusive of runs, alleys, or passageways, is less than 20,000 sq. ft.

Therefore, notice is hereby given that the Secretary of Agriculture proposes to issue a rule deposing said stockyards, after which they will no longer be subject to the provisions of said act. Any interested person who desires to do so may submit, within 15 days after the publication of this notice, any data, views, or argument, in writing, on the proposed rule to the Director of the Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

Done at Washington, D. C., this 7th day of July 1949.

[SEAL] H. E. REED,  
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 49-5683; Filed, July 12, 1949; 9:03 a. m.]

#### [ 7 CFR, Part 53 ]

#### GRADES OF CERTAIN CARCASS BEEF UNITED STATES STANDARDS

Notice is hereby given in accordance with section 4a of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to the Agricultural Marketing Act of 1946 (7 U. S. C. 1621-1627) and the so-called Farm Products Inspection Act consisting of the item for market inspection of farm products recurring each year in the annual appropriation act for the Department of Agriculture and currently found in the Department of Agriculture Appropriation Act, 1950 (7 U. S. C. Sup. 414) is considering amending the specifications for the official United States standards for grades of carcass beef (steer, heifer, and cow) (7 CFR 53.104) by deleting therefrom all references to color

of fat as a grade factor for such carcass beef.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Director of the Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., within 15 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 8th day of July 1949. Witness my hand and seal of the United States Department of Agriculture.

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

[F. R. Doc. 49-5647; Filed, July 12, 1949; 8:47 a. m.]

#### [ 7 CFR, Part 113 ]

#### SEEDS WAREHOUSES

#### STATE LAWS, CONTRACTS; COMPLIANCE

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture is considering amending the regulations relating to seeds warehouses (7 CFR, Part 113) under the United States Warehouse Act, as amended (7 U. S. C. 241-273) so as to delete therefrom § 113.50 reading as follows:

§ 113.50 *State laws, contracts; compliance.* Each warehouseman shall faithfully perform his obligations as a warehouseman under the laws of the State in which he is conducting his warehouse and such additional obligations as a warehouseman as may be assumed by him under contracts with the respective depositors of seeds in such warehouse.

Any person who wishes to submit written data, views or arguments concerning the proposed amendment may do so by filing them with the Director of the Marketing Facilities Branch, Production and Marketing Administration, United States Department of Agriculture, Washington, 25, D. C., within 15 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 8th day of July 1949. Witness my hand and the seal of the United States Department of Agriculture.

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

[F. R. Doc. 49-5685; Filed, July 12, 1949; 8:56 a. m.]

#### [ 7 CFR, Part 989 ]

[Docket Number AO-198]

#### HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

#### DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the rules of

practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Supps., 900.1 et seq.; 13 F. R. 8585), a public hearing was held at Fresno, California on December 13 through 16, 1948, upon a proposed marketing agreement and a proposed marketing order regulating the handling of raisins produced from raisin variety grapes grown in California.

Upon the basis of the evidence adduced at the aforementioned hearing, and the record thereof, the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, on June 3, 1949, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. Notice of such recommended decision, and opportunity to file written exceptions with respect thereto, was published in the FEDERAL REGISTER (14 F. R. 3083) on June 8, 1949, as corrected in the FEDERAL REGISTER (14 F. R. 3184) on June 11, 1949. The last day for filing such written exceptions has expired.

*Ruling on exceptions.* Exceptions to the recommended decision were filed by A. Setrakian for the Raisin Working Committee, proponent of the proposed marketing agreement and order; Henry Bopp and Lloyd Patigan for the Fresno County Farm Research and Legislative Committee under the California Farm Research and Legislative Committee; and Iener W. Nielsen, a producer of raisins. All of the exceptions have been considered carefully and fully in conjunction with the record evidence pertaining thereto in arriving at the findings and conclusions set forth in this decision. Rulings on certain of the exceptions are herein set forth in connection with the findings and conclusions to which the exceptions refer. To any extent that the findings and conclusions of this decision are at variance with the exceptions not otherwise specifically ruled upon, such exceptions are overruled.

*Finding and conclusion.* The material issues and the findings and conclusions of the aforesaid recommended decision (F. R. Doc. 49-4618; 14 F. R. 3083, 3184) are hereby approved and adopted as the material issues and the findings and conclusions of this decision as if set forth in full herein, except as they may be modified by the additional findings and conclusions hereinafter set forth.

(1) Exception was taken to the exclusion from the order of a provision which would preclude the committee from recommending, after October 15 of any crop year, the modification, suspension, or termination of the free, reserve, and surplus percentages. It was contended that the authority of the committee to make such a recommendation after that date would tend to impair the confidence of the trade in the order program. Inasmuch as the free tonnage could be increased under certain conditions by releases of raisins from the reserve tonnage, a prohibition against the changing of the percentages would not necessarily result in a rigid supply being available for disposition in commercial trade



channels. The future cannot be foretold with certainty and conditions might arise after October 15 of any crop year, which would make the increasing of the free tonnage percentage the most desirable method of augmenting the supply of free tonnage. However, the committee would not be required to recommend to the Secretary that the percentages be changed and would not be expected to do so unless such action was warranted. In the final analysis trade confidence would be based on successful operation of the program as a whole. It is concluded that the committee should be left free to make such recommendations at any time, as dictated by the then current circumstances. Therefore, the exception is denied.

(2) It was contended that the order provisions relating to the nomination and selection of the 36 producer members of the advisory board are unfair to producers generally, in that the order does not prescribe a definite method for the nomination and selection of members to represent the respective districts, and the way is left open for the producers in one district to nominate the representatives for other districts. Such exception apparently is predicated on the assumption that nomination voting is to be held on an area-wide basis. On the contrary, insofar as successor members are concerned, it is intended, and the order so provides, that voting relative to the nominations for each particular district is to be only by producers who produce raisin variety grapes in that district. With respect to the initial producer members of the advisory board, the order provides that nominations may be made by groups of producers and filed with the Secretary not later than 10 calendar days after the effective date of the order, but may be filed prior thereto. It further provides that the Secretary is to select a specified number of producers to represent each of the respective districts. It was indicated at the hearing that the need for prompt action in selecting the initial members would be so great that the order provisions should be more flexible in regard to their nomination than for the successor members. However, producers in each district, if they should so desire, may meet and nominate producers to represent that particular district on the initial board. While, in making his selection of producer members, the Secretary is to be free to exercise his discretion, it is not contemplated that he will ignore, without good reason, the preferences of the producers as expressed by their votes by districts. Therefore, the exception is denied.

(3) One exception was to the effect that producers should be given greater control of the program by changing the composition of the administrative committee so as to provide the same ratio or producer members to other members (packers, dehydrators, and processors) as is provided for in respect to the advisory board. The board is to consist of 46 members, of whom 36 are to represent producers, and the committee is to consist of 14 members, of whom eight are to represent producers. In both cases, the producer membership would predominate, and decisions of the board and

of the committee could, in the final analysis, be controlled by producers. However, if the order is to operate successfully, it must have the benefit of the support, effort, and experience of the packers, dehydrators, and processors as well as of the producers. The representation provided for the packers, dehydrators, and processors on the committee is now reduced to a minimum. That is, there would be only one member each to represent dehydrators, processors, and cooperative, small, medium, and large packers, a total of six. To increase the producer representation on the committee would, therefore, necessitate an increase in the total membership of the committee. The committee, however, should not be larger if it is to administer the order effectively and efficiently. The board, on the other hand, is not to be an administrative agency, but is to act in an advisory capacity to the committee and is to nominate to the Secretary from its own membership persons to serve on the committee. It is practicable, therefore, for the board to be of larger size than the committee. It is desirable that the board include 36 producer members so that the producers in all of the many districts of the area will be represented and the nominees elected by the producer members of the board to serve on the committee will reflect the desires of the producers. In view of the foregoing, the exception is denied.

(4) Another exception was to the effect that the producer representation for Fresno County on the advisory board should be increased to the proportion that the production of raisins in that County bears to the total production of raisins in the area. Of the 36 producer members, 15 are to represent Fresno County, and each of the other seven districts in the area are to be represented respectively by specified numbers of producers to comprise the balance of 21 members. As developed at the hearing, the producer representation on the board is not in accordance with any one factor alone but is the result of considered compromise among producers in different parts of the area. Such representation is based on the combination of several factors, including the production of raisins, the acres of raisin variety grapes, and the desire of producers to preclude the possibility that producers in any one district or county would dominate in the representation on the board. In view of the foregoing, the exception is denied.

(5) Exception was taken to the provision of the order which would permit a handler to substitute an equal quantity of natural (sun-dried) Muscat or Valencia raisins for any portion or all of the reserve or surplus tonnages referable to his acquisitions of Layer Muscat raisins. It was contended that this provision would encourage the production and sale of higher priced Layer Muscats at the expense of natural Muscat and Thompson Seedless raisins. The cost of producing Layer Muscat raisins is higher than that of other sun-dried Muscat raisins. Layer Muscat raisins are unimportant as to volume and are produced for a special, limited market, mostly being sold in distinctive packages for the Christmas holiday trade. If Layer Mus-

cat raisins should be set aside in the reserve and surplus pools, they probably could be sold for no more money than other sun-dried Muscat raisins. In view of the foregoing, the exception is denied.

(6) The exception that any raisins produced from Malaga grapes should be controlled by the order is denied. Red and White Malaga grapes are not classified as raisin variety grapes but are classified and used as table and juice grapes. The dried product is used as dried grapes and not raisins. Only insignificant quantities of Malaga grapes have been dried in the past and there is no reason to suspect that substantial quantities will be dried with the order in effect.

(7) Exception was taken to the conclusion that the committee should not be restricted to the disposition of surplus tonnage by sale alone. It was argued that, if all surplus tonnage should be given away, the committee would have to look to the proceeds from the free tonnage to obtain funds with which to pay handlers for the handling of the surplus tonnage, and the producers might, therefore, "receive red ink rather than cash payments for their free tonnage." There will be no authority under the order for the committee to take proceeds from the free tonnage and use such proceeds for that purpose. On the contrary, it is specifically provided that direct expenses, including payments due handlers for services, on surplus tonnage, shall be paid only from the proceeds derived from such tonnage. In this connection, it is expected that the committee will exert every effort to dispose of the surplus tonnage for the highest prices obtainable so long as such disposition is not made in channels which are competitive with the free tonnage and raisin variety grapes. It is contemplated that authority to the committee to dispose of surplus tonnage by gift is to be exercised judiciously and only with respect to limited quantities for use for such purposes as donations for local relief feeding, and research or promotional activities. Encouragement of such activities might result in expanding the market for raisins or in creating new uses, products, or markets for raisins. If either of these objectives should be attained, producers would be benefited by a lessening of their surplus burden. If such authority should be exercised at all, it should affect only a very small part of the surplus tonnage. Therefore, proceeds derived from sales should always be more than sufficient to cover handling charges on all of the surplus tonnage. In view of the foregoing, the exception is denied.

The aforementioned findings and conclusions are supplemented by the following general findings:

*General findings.* (1) The proposed marketing agreement and order, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The proposed marketing agreement and order will be applicable only to persons in the respective classes of industrial and commercial activities specified in the proposals upon which the hearing was held;

(3) There are no differences in the production and marketing of said com-

modity in the production area covered by the proposed marketing agreement and order which makes necessary different terms applicable to different parts of such area;

(4) The production area, as set forth in the proposed marketing agreement and order, is the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act;

(5) The handling of all raisins produced from raisin variety grapes grown in California is either in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce; and

(6) It is hereby found and proclaimed that the purchasing power of raisins during the period August 1909–July 1914 cannot be determined satisfactorily from available statistics of the United States Department of Agriculture, but the purchasing power of raisins for the period August 1919–July 1929 can be determined satisfactorily from available statistics of the United States Department of Agriculture, and the period last referred to is the base period to be used in connection with the determination of the parity price of raisins under this proposed marketing agreement and order.

*Marketing agreement and order.* Annexed hereto, and made a part hereof, are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Raisins Produced from Raisin Variety Grapes Grown in California," and "Order Regulating the Handling of Raisins Produced from Raisin Variety Grapes Grown in California," which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. The aforesaid marketing agreement and order shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders have been met.

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

Done at Washington, D. C., this 8th day of July 1949.

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

ORDER<sup>1</sup> REGULATING THE HANDLING OF  
RAISINS PRODUCED FROM RAISIN VARIETY  
GRAPES GROWN IN CALIFORNIA

Sec.	
989.0	Findings and determinations.
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989.5	Reports and records.
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<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders have been met.

Sec.	
989.7	Personal liability.
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AUTHORITY: §§ 989.0 through 989.14 issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 *et seq.*

§ 989.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 *et seq.*), and in accordance with the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Supps., 900.1 *et seq.*; 13 F. R. 8585), a public hearing was held at Fresno, California, December 13 through 16, 1948, upon a proposed marketing agreement and a proposed marketing order regulating the handling of raisins produced from raisin variety grapes grown in California. Upon the basis of the evidence adduced at such hearing, and the record thereof, it is found that:

(1) This order, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) This order is applicable only to persons in the respective classes of industrial and commercial activities specified in the proposals upon which the hearing was held;

(3) There are no differences in the production and marketing of raisins in the production area covered by this order which make necessary different terms applicable to different parts of such area;

(4) The production area, as set forth in this order, is the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act;

(5) The handling of all raisins produced from raisin variety grapes grown in California is either in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce; and

(6) It is hereby found and proclaimed that the purchasing power of raisins during the period August 1909–July 1914 cannot be determined satisfactorily from available statistics of the United States Department of Agriculture, but the purchasing power of raisins for the period August 1919–July 1929 can be determined satisfactorily from available statistics of the United States Department of Agriculture, and the period last referred to is the period to be used in connection with the determination of the parity price of raisins under this order.

*Order relative to handling.* It is, therefore, hereby ordered, that the handling of raisins produced from raisin variety grapes grown in California shall, from the effective time hereof, be in conformity to and in compliance with the terms and conditions of this order.

§ 989.1 *Definitions.* As used herein, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States, or any other officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(b) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 *et seq.*).

(c) "Person" means an individual, partnership, corporation, association, or any other business unit.

(d) "Area" means the State of California.

(e) "Raisin variety grapes" means grapes of the Thompson Seedless (or Sultanina), Muscat of Alexandria (or Muscat), Muscatel Gordo Blanco (or Muscat), Black Corinth (or Zante Currant), White Corinth (or Zante Currant), and Seedless Sultana (or Sultana), varieties grown in the area.

(f) "Raisins" means any raisin variety grapes from which a part of the natural moisture has been removed by sun-drying or artificial dehydration after such grapes have been removed from the vines.

(g) "Bleached raisins" means (1) any raisins which have been produced by soda dipping, with or without oil, whether sun-dried or artificially dehydrated, or (2) any raisins which have been produced by soda dipping, sulfuring, and sun-drying.

(h) "Golden bleached raisins" means raisins, the production of which includes soda dipping, sulfuring, and artificial dehydration.

(i) "Natural condition raisins" means raisins, the production of which includes sun-drying or artificial dehydration, with or without bleaching, but which have not been further processed to a point where they meet the conditions for "packed raisins" as defined in paragraph (j) of this section.

(j) "Packed raisins" means raisins which have been stemmed, graded, sorted, cleaned, or seeded, and placed in any container customarily used in the marketing of raisins or in any container suitable or usable for such marketing.

(k) "Varietal type" means natural (sun-dried) Thompson Seedless, natural (sun-dried) Muscat, natural (sun-dried) Sultana, natural (sun-dried) Zante Currant, artificially dehydrated Zante Currant, Layer Muscat, Golden Bleached, Sulfur Bleached, Soda Dipped, or Valencia raisins.

(l) "Producer" means any person engaged, in a proprietary capacity, in the production of raisin variety grapes.

(m) "Dehydrator" means any person who produces raisins by dehydrating raisin variety grapes by means of artificial heat.

(n) "Processor" means any person who acquires natural condition raisins and uses them within the area, with or without other ingredients, in the production of a product other than raisins, for market or distribution.

(o) "Packer" means any person who acquires natural condition raisins and within the area stems, grades, sorts,

cleans, or seeds them, and packages them for market as raisins.

(p) "Handler" means any person who ships natural condition raisins out of the area, or any processor or packer.

(q) "Acquire" means to obtain possession of raisins as the first handler thereof.

(r) "Board" means the Raisin Advisory Board established pursuant to § 989.2.

(s) "Committee" means the Raisin Administrative Committee established pursuant to § 989.3.

(t) "Ton" means a short ton of 2,000 pounds.

(u) "Crop year" means the 12-month period beginning with August 15 of any year and ending with August 14 of the following year; *Provided*, That the initial crop year shall begin with the effective time hereof.

(v) "District" means any one of the geographical areas referred to in subparagraph (1) of paragraph (a) of § 989.2 and specified in Exhibit A.

(w) "File" means transmit or deliver to the Secretary or committee, as the case may be, and such act shall be deemed to have been accomplished at the time: (1) Of actual receipt by the Secretary or committee in the event of personal delivery; (2) of receipt at the office of the telegraph company, in case submission is by telegram; or (3) shown by the postmark, in case submission is by mail.

§ 989.2 Raisin Advisory Board—(a) *Establishment, membership, and term of office.* (1) A Raisin Advisory Board is hereby established consisting of 46 members, of whom 36 shall represent producers, seven shall represent packers, two shall represent dehydrators, and one shall represent processors. The packer members of the board shall include the following: (i) One member selected from and representing packers doing business as cooperative marketing associations or cooperative organizations engaged in the business of packing raisins, but such member must be associated with a cooperative association or other cooperative organization which packed not less than 10 percent of the total raisin pack of the 12-month period preceding the then current crop year; (ii) two members selected from and representing packers other than cooperatives, each of whom packed not more than four percent of the total raisin pack of the 12-month period preceding the then current crop year; (iii) two members selected from and representing packers other than cooperatives, each of whom packed more than four percent, but not more than six and one-half percent, of the total raisin pack of the 12-month period preceding the then current crop year; and (iv) two members selected from and representing packers other than cooperatives, each of whom packed more than six and one-half percent of the total raisin pack of the 12-month period preceding the then current crop year. The 36 producer members shall be selected in the number and for the districts as set forth in Exhibit A, which is attached hereto and made a part hereof. For each member of the board, there shall be an alternate member, who shall have the same quali-

fications as the member for whom he is the alternate. No person shall be selected or continue to serve as a member or alternate member of the board, who is not actively engaged in the business of the group which he represents, either in his own behalf, or as an officer, agent, or employee of a business unit engaged in such business.

(2) One-third of the producer members and producer alternate members of the board initially selected hereunder by the Secretary shall hold office for a period beginning on a date to be designated by the Secretary and ending on April 30, 1950, and until the respective successors are selected and have qualified. One-third of the producer members and producer alternate members of the board initially selected hereunder by the Secretary shall hold office for a period beginning on a date to be designated by the Secretary and ending on April 30, 1951, and until the respective successors are selected and have qualified. One-third of the producer members and producer alternate members of the board initially selected hereunder by the Secretary shall hold office for a period beginning on a date to be designated by the Secretary and ending on April 30, 1952, and until the respective successors are selected and have qualified. The persons to hold office as producer members and producer alternate members for the respective terms of office specified above shall be determined by the drawing of lots by those persons selected by the Secretary as producer members and alternate members pursuant to paragraph (c) of this section, and the results of such drawings shall be filed promptly with the Secretary. The term of office of succeeding producer members and producer alternate members of the board shall be three years, but each such member and alternate member shall continue to serve until his respective successor is selected and has qualified.

(3) The term of office of the packer members, dehydrator members, and processor members, and their respective alternates, shall be three years, but each such member and alternate member shall continue to serve until his respective successor is selected and has qualified. The term of initial members and alternate members representing packers, dehydrators, and processors, shall begin on a date to be designated by the Secretary and end on April 30, 1952, but each such member and alternate member shall continue to serve until his respective successor is selected and has qualified.

(b) *Nomination.* (1) Nominations for each of the initial producer, packer, dehydrator, and processor members and alternate members of the board may be submitted to the Secretary by producers, packers, dehydrators, or processors, respectively; and such nominations may be made by means of meetings of groups of such persons. Such nominations shall be filed with the Secretary not later than 10 calendar days after the effective date hereof, but may be filed prior thereto. In the event nomination for a member or alternate member of the board is not filed pursuant hereto, and within the time specified herein, the Secretary may select such member or

alternate member without regard to nomination, but such selection shall be on the basis of the producer, packer, dehydrator, and processor representations set forth in subparagraph (1) of paragraph (a) of this section.

(2) Nominations for successor members and alternate members of the board shall be made as hereinafter set forth:

(i) The board shall give reasonable advance notice of a meeting, or meetings, of producers, packers, dehydrators, and processors, respectively, for the purpose of making nominations for member and alternate member positions to be filled on the board: *Provided*, That, with respect to producer members and producer alternate members, a meeting, or meetings, shall be held in each respective district for which nominations are to be made to fill producer member and producer alternate member positions on the board. Such notice shall be given through publication in newspapers having general circulation in the area, and may be given through other channels, if the board deems it desirable.

(ii) Only producers who produced raisin variety grapes during the then current crop year in the respective district for which nominations are to be made may nominate, or vote for, any producer member or producer alternate member for such district. Any producer who produced raisin variety grapes during the then current crop year in any of the districts may be nominated to represent any district as producer member or producer alternate member of the board. One or more eligible producers for each producer member position to be filled on the board may be proposed for nomination and one or more eligible producers for each alternate member position to be filled may be proposed for nomination. Each producer shall cast only one vote with respect to each position for which nomination is to be made. The person receiving the most votes with respect to each producer member or producer alternate member position shall be the person to be certified to the Secretary as the nominee for each such position.

(iii) Only packers who packed raisins during the then current crop year may nominate, or vote for, packer members or packer alternate members. One or more eligible packers for each packer member position to be filled may be proposed for nomination, and one or more eligible packers for each alternate member position to be filled on the board may be proposed for nomination. Each packer shall cast only one vote with respect to each position for which nomination is to be made: *Provided*, That only packers coming within the particular portion of the group, as specified in subparagraph (1) of paragraph (a) of this section, for which nomination is to be made, shall vote. The person receiving the most votes with respect to each packer member or packer alternate member position shall be the person to be certified to the Secretary as the nominee for each such position.

(iv) Only dehydrators who produced raisins by dehydrating raisin variety grapes during the then current crop year may nominate, or vote for, dehy-

drator members or dehydrator alternate members. One or more eligible dehydrators for each dehydrator member position to be filled on the board may be proposed for nomination, and one or more eligible dehydrators for each alternate member position may be proposed for nomination. Each dehydrator shall cast only one vote with respect to each position for which nomination is to be made. The person receiving the most votes with respect to each dehydrator member or dehydrator alternate member position shall be the person to be certified to the Secretary as the nominee for each such position.

(v) Only processors who processed raisins during the then current crop year may nominate, or vote for, the processor member or processor alternate member. One or more eligible processors for the processor member position to be filled on the board may be proposed for nomination, and one or more eligible processors for each alternate member position may be proposed for nomination. Each processor shall cast only one vote with respect to each position for which nomination is to be made. The person receiving the most votes with respect to the processor member or processor alternate member position shall be the person to be certified to the Secretary as the nominee for each such position.

(vi) Each vote cast shall be on behalf of the person voting, his agents, subsidiaries, affiliates, and representatives. Voting at each meeting shall be in person. The result of each ballot at each such meeting shall be announced at that meeting. Voting at each meeting of producers shall be by secret ballot, and at meetings of packers, dehydrators, and processors voting may be by secret ballot.

(vii) Each such nomination shall be certified by the board to the Secretary on or before April 5 immediately preceding the commencement of the term of office of the member or alternate member position for which the nomination is certified.

(c) *Selection.* The Secretary shall select producer, packer, dehydrator, and processor members and alternate members in the numbers and with the qualifications hereinabove specified. Such selections may be made from the nominations certified pursuant to paragraph (b) of this section, or from other producers, packers, dehydrators, and processors, but each such selection shall be made on the basis of the respective producer, packer, dehydrator, and processor representations and qualifications set forth in this section.

(d) *Failure to nominate.* In the event nomination for a member or alternate member position on the board is not certified pursuant to, and within the time specified in, this section, the Secretary may select such member or alternate member without regard to nomination, but such selection shall be on the basis of the respective producer, packer, dehydrator, and processor representations and qualifications set forth in this section.

(e) *Acceptance.* Each person selected by the Secretary as a member or as an alternate member of the board shall,

prior to serving on the board, qualify by filing with the Secretary a written acceptance within 10 calendar days after being notified of his selection.

(f) *Alternate members.* The alternate for a member of the board shall act in the place and stead of such member (1) during his absence, and (2) in the event of his removal, resignation, disqualification, or death, until a successor for such member's unexpired term has been selected and has qualified.

(g) *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as a member, or as an alternate member, of the board to qualify, or in the event of the removal, resignation, disqualification, or death of any member or alternate member, a successor for such person's unexpired term shall be nominated and selected in the manner set forth in this section, insofar as such provisions are applicable. If nomination to fill any vacancy is not filed within 20 calendar days after such vacancy occurs, the Secretary may fill such vacancy without regard to nomination, but on the basis of the applicable representations and qualifications set forth in this section.

(h) *Meetings.* The board shall meet on the first Monday in March of each year, and at other times at the call of its chairman. Reasonable advance notice of each meeting shall be given by mail addressed to each member and alternate member, and such notice shall be given as widespread publicity as is practicable. Notices of meetings shall specify the time, places, and general purposes thereof.

(i) *Duties.* The duties of the board shall consist of the conducting of meetings for the purpose of making nominations to fill vacancies on the board and the certifying of nominations made for such purpose to the Secretary, the making of nominations to the Secretary, as provided in § 989.3, for member and alternate member positions on the committee, the making of recommendations to the committee with respect to marketing policy, the free, reserve, and surplus percentages, and such other operational matters as it deems proper or as the committee may request.

(j) *Procedure.* (1) Except as otherwise provided herein, all decisions of the board shall be by majority vote of the members present. The presence of not less than 19 producer members and not less than five members other than producer members shall be required to constitute a quorum.

(2) The board shall give to the Secretary the same notice of meetings of the board as it gives to its members.

§ 989.3 *Raisin Administrative Committee—(a) Establishment.* A Raisin Administrative Committee is hereby established to administer the terms and provisions hereof. Such committee shall consist of 14 members, of whom eight shall represent producers (one of whom shall be a producer of raisin variety grapes used in the production of Golden Bleached raisins), four shall represent packers, one shall represent dehydrators, and one shall represent processors. Of the four packer members, one shall be

selected from and represent each of the four following divisions of packers: (1) Packers doing business as cooperative marketing associations or cooperative organizations engaged in the business of packing raisins, but such member must be associated with a cooperative association or other cooperative organization which packed not less than 10 percent of the total raisin pack of the 12-month period preceding the then current crop year; (2) packers other than cooperatives, each of whom packed not more than four percent of the total raisin pack of the 12-month period preceding the then current crop year; (3) packers other than cooperatives, each of whom packed more than four percent, but not more than six and one-half percent, of the total raisin pack of the 12-month period preceding the then current crop year; and (4) packers other than cooperatives, each of whom packed more than six and one-half percent of the total raisin pack of the 12-month period preceding the then current crop year. For each member of the committee, there shall be an alternate member, who shall have the same qualifications as the member for whom he is the alternate. No person shall be selected, or continue to serve, as a member or alternate member of the committee, who is not actively engaged in the business of the group which he represents, either in his own behalf, or as an officer, agent, or employee of a business unit engaged in such business.

(b) *Term of office.* Members and alternate members of the committee shall each serve for terms of one year, beginning on June 1, and ending on May 31 of the following year, but each such member and alternate member shall continue to serve until his respective successor is selected and has qualified: *Provided*, That the term of office of initial members and alternate members shall begin on a date to be designated by the Secretary.

(c) *Nomination.* The producer members of the board, and producer alternate members when acting as members, shall nominate from among the producer members and producer alternate members of the board eight persons for producer member positions on the committee and an alternate for each such person: *Provided*, That one of the persons nominated for a producer member position on the committee and his alternate shall be producers of raisin variety grapes used in the production of Golden Bleached raisins. The packer members of the board, and packer alternate members when acting as members, shall nominate from among the packer members and packer alternate members of the board four persons for packer member positions on the committee and an alternate for each such person: *Provided*, That such nominations shall be made on the basis of one member and one alternate member each for cooperative packers, and small, medium, and large packers, respectively, as provided in paragraph (a) of this section. The dehydrator members of the board, and dehydrator alternate members when acting as members, shall nominate from among the dehydrator members and dehydrator

alternate members of the board one person for the dehydrator member position on the committee and an alternate for such person. The processor member of the board, or the processor alternate member when acting as member, shall nominate from the processor member and processor alternate member of the board one person for the processor member position on the committee and an alternate for such person. Nominations for initial members and alternate members of the committee shall be certified by the board to the Secretary not later than 10 calendar days after the establishment of the board. Nominations for successor members and alternate members of the committee shall be certified by the board to the Secretary annually on or before May 5 preceding the term for which they are to be selected.

(d) *Selection.* The Secretary shall select producer, packer, dehydrator, and processor members and alternate members of the committee in the numbers and with the qualifications hereinabove specified. Such selections may be made by him from the nominations certified pursuant to paragraph (c) of this section, or from other eligible producers, packers, dehydrators, and processors, but such selections shall be made on the basis of the respective producer, packer, dehydrator, and processor representations and qualifications set forth in this section.

(e) *Failure to nominate.* In the event any of the groups entitled hereunder to submit nominations to the Secretary shall fail to do so within 20 calendar days after the time specified in paragraph (c) of this section, the Secretary may select the particular members or alternate members of the committee without regard to nominations, but such selections shall be on the basis of the applicable producer, packer, dehydrator, and processor representations and qualifications set forth in this section.

(f) *Acceptance.* Each person selected by the Secretary as a member, or as an alternate member, of the committee shall, prior to serving on the committee, qualify by filing with the Secretary a written acceptance within 10 calendar days after being notified of such selection.

(g) *Alternate members.* An alternate for a member of the committee shall act in the place and stead of such member (1) during his absence, and (2), in the event of his removal, resignation, disqualification, or death, until a successor for such member's unexpired term has been selected and has qualified.

(h) *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as a member, or as an alternate member, of the committee to qualify, or in the event of the removal, resignation, disqualification, or death of any member or alternate member, a successor for such person's unexpired term shall be nominated and selected in the manner set forth in this section, insofar as such provisions are applicable. If nomination to fill any such vacancy is not made within 20 calendar days after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, but on the basis of the appli-

cable representations and qualifications set forth in this section.

(i) *Compensation and expenses.* The members of the committee and the board, and the alternate members when acting as members, shall serve without compensation, but shall be allowed their necessary expenses as approved by the committee.

(j) *Powers.* The committee shall have the following powers:

(1) To administer the terms and provisions hereof;

(2) To make rules and regulations to effectuate the terms and provisions hereof;

(3) To receive, investigate, and report to the Secretary, complaints of violations hereof; and

(4) To recommend to the Secretary amendments hereto.

(k) *Duties.* The committee shall have, among others, the following duties:

(1) To act as intermediary between the Secretary and any producer, packer, dehydrator, or processor;

(2) To keep minutes, books, and other records, which shall clearly reflect all of its acts and transactions, and such minutes, books, and other records shall be subject to examination by the Secretary at any time;

(3) To make, subject to approval by the Secretary, scientific and other studies, and assemble data on the producing, handling, shipping, and marketing conditions relative to raisins and raisin variety grapes, which are necessary in connection with the performance of its official duties;

(4) To submit to the Secretary such available information with respect to raisins and raisin variety grapes as he may request, or as the committee may deem desirable and pertinent;

(5) To select, from among its members, a chairman and other officers, and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(6) To appoint or employ such other persons as it may deem necessary, and to determine the salaries and define the duties of each such person;

(7) Prior to the beginning of each crop year, and not later than July 15 prior to such crop year, to submit to the Secretary a budget of its anticipated expenses, and the proposed assessments for such crop year, together with a report thereon: *Provided*, That, with respect to the initial crop year hereunder, the committee shall file such recommendation and supporting data with the Secretary as soon as practicable after the effective date hereof;

(8) To cause the books of the committee to be audited by one or more certified public accountants at least once each crop year, and at such other times as the committee may deem necessary or as the Secretary may request, and the report of each such audit shall show, among other things, the receipts and expenditures of funds, and at least two copies of each such audit shall be submitted to the Secretary;

(9) To prepare monthly statements of its financial operations and make such statements, together with the minutes of

its meeting, available at the office of the committee for inspection by producers, packers, dehydrators, and processors; and

(10) To make advance public announcements of the times and places of its meetings.

(l) *Obligation.* Upon the removal, resignation, disqualification, or expiration of the term of office of any member or alternate member, such member or alternate member shall account for all receipts and disbursements and deliver to his successor, to the committee, or to a designee of the Secretary all property (including, but not limited to, all books and records) in his possession or under his control as member or alternate member, and he shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor, committee, or designee full title to such property and funds, and all claims vested in such member or alternate member. Upon the death of any member or alternate member of the committee, full title to such property, funds, and claims vested in such member or alternate member shall be vested in his successor, or, until such successor has been selected and has qualified, in the committee.

(m) *Procedure.* (1) All decisions of the committee shall be by majority vote of the members present. The presence of nine members shall be required to constitute a quorum.

(2) The committee shall give to the Secretary the same notice of its meetings as it gives to its members.

§ 989.4 *Regulation—(a) Marketing policy.* (1) The committee shall hold a meeting to formulate and adopt a marketing policy for the marketing of raisins for the ensuing crop year not later than July 5 preceding the beginning of such crop year: *Provided*, That, with respect to the initial crop year hereunder, the committee shall hold a meeting for such purpose as soon as practicable after the effective date hereof.

(2) Within 10 days after the holding of each such meeting, the committee shall prepare a report setting forth its marketing policy with respect to the marketing of raisins during the crop year, and shall file such report, together with all data and information used by the committee in the formulation of such policy, with the Secretary. Such report shall also include the recommendations of the board. In the event the committee subsequently deems it advisable to modify such marketing policy, because of changed demand or supply conditions, it should hold a meeting for that purpose, and file a report thereof with the Secretary within five days after the holding of such meeting, which report shall show each modification, the reasons and bases therefor, as well as the recommendation of the board. The committee shall file with its report to the Secretary a verbatim record of that portion of its meeting or meetings, relating to its marketing policy.

(3) The committee shall give reasonable advance notice to producers, dehydrators, and handlers of each meeting

to consider a marketing policy or any modifications thereof, and each such meeting shall be open to them. Such notice shall be given through publication in newspapers having general circulation in the area, and may be given through other channels, if the committee deems it desirable. The committee also shall give similar notice to producers, dehydrators, and handlers of each marketing policy report, or modification thereof, filed with the Secretary. Copies of all such reports shall be maintained in the office of the committee, where they shall be made available for examination by any producers, dehydrators, or handlers.

(b) *Recommendations for designation of percentages.* (1) If the committee concludes that the supply and demand conditions for raisins make it advisable to designate the percentages of raisins acquired by handlers in any crop year which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively, it shall recommend such percentages to the Secretary: *Provided*, That such percentages shall not apply to raisins produced prior to August 15, 1949. The committee may recommend such percentages separately for each varietal type. Together with any recommendation with respect to percentages, the committee shall also submit the information on the basis of which such recommendation was made, and the recommendations of the board. In the event the committee subsequently deems it desirable to modify, suspend, or terminate any designation by the Secretary of such percentages, it shall submit to the Secretary its recommendation in that regard along with the information on the basis of which such modification, suspension, or termination is recommended, and the recommendation of the board. The committee shall file with its recommendation to the Secretary, a verbatim record of that portion of its meeting or meetings, relating to the free, reserve and surplus percentages.

(2) In determining any recommendation referred to in subparagraph (1) of this paragraph, the committee shall consider and analyze the following pertinent estimated factors: (i) The supply of raisins, comprising any carryovers of raisins from preceding crop years held by producers and handlers and the tonnage of raisins to be produced in the crop year under consideration; (ii) the trade demand during the crop year for raisins in normal market channels, both domestic and foreign; (iii) the current prices being received for raisins by producers and handlers; (iv) the trend and level of consumer income; (v) present and prospective price trends for raisins; and (vi) other pertinent economic and marketing factors relative to raisins.

(3) The committee shall give reasonable advance notice to producers, dehydrators, and handlers of each meeting to consider the recommendation of the percentages to be fixed pursuant to this section or any recommendation to modify, suspend, or terminate such percentages, and each such meeting shall be open to them. Such notice shall be given through publication in newspapers hav-

ing general circulation in the area, and may be given through other channels, if the committee deems it desirable. The committee also shall give similar notice to producers, dehydrators, and handlers, of all such recommendations submitted to the Secretary.

(4) The original recommendation by the committee as to percentages with respect to any crop year shall be filed with the Secretary not later than the preceding July 15: *Provided*, That, with respect to the initial crop year hereunder, such recommendation shall be filed with the Secretary as soon as practicable after the effective date hereof.

(c) *Regulation by the Secretary.* (1) Whenever the Secretary finds from the recommendation and supporting information supplied by the committee, or from any other available information, that to designate the percentages of raisins acquired by handlers during any crop year which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively, would tend to effectuate the declared policy of the act, he shall so designate the percentages of raisins acquired by handlers during such crop year which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively: *Provided*, That such percentages shall not apply to raisins produced prior to August 15, 1949. In the event the Secretary subsequently finds from the recommendations and supporting information supplied by the committee, or from any other available information, that modification, suspension, or termination of any such designation will tend to effectuate the declared policy of the act, he shall so modify, suspend, or terminate such designation.

(2) The Secretary may designate separately for each varietal type of raisins acquired by handlers in any crop year, the percentages which shall be considered as free tonnage, reserve tonnage, and surplus tonnage, respectively.

(3) The Secretary shall notify the committee promptly of each such percentage so fixed. The committee, in turn, shall give prompt notice thereof to producers, dehydrators, and handlers, including, but not necessarily limited to, written notice by registered mail to each handler of whom the committee has a record.

(d) *Free tonnage.* The percentage of raisins acquired by a handler, which is designated as free tonnage, may be disposed of by him free of any restrictions hereunder, except for the keeping of records and the filing of reports pursuant to § 989.5, and the payment of assessments pursuant to § 989.6.

(e) *Reserve and surplus tonnage generally.* (1) Reserve and surplus tonnages acquired by each handler shall be held by him for the account of the committee, and subject to the applicable restrictions hereof.

(2) Each handler shall hold in storage all reserve and surplus tonnage acquired by him until he has been relieved of such responsibility by the committee, either by delivery to the committee, or otherwise. Such handler shall store such reserve and surplus tonnage in such a manner as will maintain the raisins in the

same condition as when he acquired them, except for normal and natural deterioration and shrinkage, and except for loss through fire, acts of God, force majeure, or other conditions beyond the handler's control. The committee may, after giving reasonable notice, require a handler to deliver to it, or to any one designated by it, at such handler's warehouse or at such other place as the raisins may be stored, part or all of the reserve tonnage or surplus tonnage raisins held by him. The committee may require that such delivery consist of natural condition raisins, or it may arrange for such delivery to consist of packed raisins.

(3) Each handler shall have in his possession, or under his control, at all times, a quantity of raisins equal to the aggregate quantity of reserve and surplus tonnage referable to his acquisitions of raisins, less any quantity of such reserve or surplus tonnage delivered by him pursuant to instructions of the committee and any quantity of such tonnage acquired by him but subsequently sold to him by the committee: *Provided*, That the committee may defer, upon the written request of any handler and for good and sufficient cause, the meeting by such handler of such requirement for a specified period ending not later than November 15 of the particular crop year. As a condition to the granting of any such deferment, the committee shall require the handler to obtain and file with it a written undertaking that by the end of the deferment period he will have fully satisfied his obligation with respect to the holding or control by him of the reserve and surplus tonnages applicable to his acquisitions of raisins. Such undertaking shall be secured by a bond or bonds to be filed with and acceptable to the committee, with surety or sureties satisfactory to the committee, running in favor of the committee and the Secretary, and for an amount computed on the basis of the then current market value of the raisins in the quantity for which the deferment is granted. The cost of such bond shall be borne by the handler filing same. Any sums collected through default of a handler on his bond shall, after reimbursement of the committee for any expenses incurred by it in effecting collection, be deposited with the funds obtained by it from the disposition of the reserve and surplus pools and disbursed by it to producers as set forth in subparagraph (7) of this paragraph. In addition to the foregoing, the committee may establish other reasonable and necessary terms and conditions upon which such deferments may be granted.

(4) Reserve tonnage and surplus tonnage delivered by any handler to the committee, or to any person designated by it, whether in the form of natural condition raisins or packed raisins shall meet such minimum grade requirements as may be prescribed by the committee with the approval of the Secretary, which requirements for natural condition raisins shall be prescribed as soon as is reasonably practicable: *Provided*, That, pending the prescribing of such requirements, packed raisins shall meet the minimum grade requirements for the

respective varieties and types set forth in Exhibit B, which is attached hereto and made a part hereof. Separate minimum grade requirements shall be prescribed by the committee for natural condition raisins and for packed raisins. Different minimum grade requirements may be established for reserve tonnages and for surplus tonnage, as well as for the individual varietal types in these tonnages. Such minimum grade requirements, when once put into effect, shall remain in effect unless and until they are modified, suspended, or terminated.

(5) In the event the committee offers reserve or surplus tonnage raisins to handlers for sale, or for contract packing, each handler shall be given the first opportunity to purchase or pack his share of the offer, which share shall be determined as the same proportion that the respective reserve or surplus tonnage held by him is of the respective reserve or surplus tonnage held by all handlers: *Provided*, That any reserve or surplus tonnage for which a deferment has been granted to a handler pursuant to the provisions and as authorized in subparagraph (3) of this paragraph shall be included in his holdings of the respective reserve or surplus tonnage in determining his share. In the event that any handler declines or fails to purchase or contract for packing any or all of his share of any such offer, the remaining portion thereof shall be reoffered by the committee to all handlers who purchased or contracted for packing all of their respective shares of such offer, in proportion to their respective shares. Any quantity of reserve or surplus tonnage remaining unsold or not contracted for packing after a reoffer shall be withdrawn from the particular offer.

(6) Handlers shall be compensated for receiving, storing, and handling reserve and surplus tonnage held by them for the account of the committee, in accordance with a schedule of payments established by the committee and approved by the Secretary.

(7) The committee shall have the authority, in its discretion, to obtain loans, nonrecourse or otherwise, on any part, or all, of the reserve tonnage or surplus tonnage, or both, and to pledge or hypothecate the raisins on which such loans are obtained as security therefor: *Provided*, That, in every such case, there shall be included in the loan agreement a provision to the effect that, in case the lender obtains possession or control of such raisins, he will dispose of them in such a manner as will not tend to defeat the objectives hereof. The net proceeds of any such loan shall be distributed by the committee to the respective producers, or their successors in interest, on the basis of the volume of their respective contributions to the reserve and

surplus tonnages of such varietal type. Distribution of the proceeds in connection with the reserve and surplus tonnages contributed by a nonprofit cooperative marketing association which has authority to market the raisins of its members and to allocate the proceeds therefrom to such members shall be made to such association. Advance or progress payments may be made by the committee, in conformity with the provisions of this subparagraph, as sufficient funds become available.

(8) The committee may establish, from time to time, with the approval of the Secretary, additional procedures, not inconsistent with the provisions hereof, which are deemed necessary to effectuate the provisions of this paragraph and of paragraphs (f), (g), and (h) of this section.

(f) *Special provisions relative to reserve tonnage.* (1) The committee may sell reserve tonnage to handlers so as to provide them with the quantity which is needed to meet overall commercial trade requirements in the event that such requirements cannot be fulfilled by the total free tonnage: *Provided*, That no such sale of bleached raisins or Golden Bleached raisins shall be made prior to November 1 of the particular crop year, nor of other raisins prior to December 1 of such crop year. Any such quantities made available for such sale to handlers shall be offered to them pro rata as required by the provisions of subparagraph (5) of paragraph (e) of this section.

(2) Reserve tonnage of any varietal type shall not be sold at a price below that which the committee concludes reflects the average price received by producers for free tonnage of the same varietal type purchased by handlers during the current crop year up to the time of any offer for sale of reserve tonnage by the committee, to which shall be added the costs incurred by the committee on account of the receiving, storing, insuring, and holding of said raisins. The committee shall file, by telegram or air mail letter, with the Secretary, five days prior to making any offer to sell reserve tonnage raisins, information relating to the quantity of raisins to be offered and the estimated price or prices at which such raisins are to be offered. The Secretary shall have the right to disapprove the making of such an offer or any price at which reserve tonnage raisins may be offered for sale.

(3) All reserve tonnage not disposed of by the committee prior to June 1 of any crop year shall, on June 1, and any reserve tonnage acquired between June 1 and the end of the crop year shall, at the time of acquisition, become surplus tonnage and subject to the provisions hereof relating to surplus tonnage.

(g) *Special provisions relating to surplus tonnage.* (1) The committee may dispose of surplus tonnage raisins by sale, gift, or otherwise: *Provided*, That such disposition shall be limited to outlets which the committee finds will not interfere with the normal marketing of raisins or raisin variety grapes. The committee shall dispose of: (i) All surplus tonnage held by it or for its account on March 1 of any crop year within 60 cal-

endar days subsequent thereto; and (ii) any surplus tonnage raisins acquired between March 1 and the end of such crop year, or any reserve tonnage which becomes surplus tonnage during such period, within 60 calendar days after acquisition or after becoming surplus, as the case may be.

(2) The provisions of subparagraph (5) of paragraph (e) and of this paragraph shall not restrict, or be deemed to restrict, any sale of surplus tonnage by the committee to the United States Government or to any agency thereof, for school lunch and institutional feeding, export, domestic relief feeding, or other noncompetitive uses.

(h) *Substitution for Layer Muscats.* A handler may substitute an equal quantity of natural (sun-dried) Muscat or Valencia raisins for any portion or all of the reserve and surplus tonnage referable to his acquisitions of Layer Muscat raisins: *Provided*, That he shall have made arrangements satisfactory to each producer of the Layer Muscat raisins for such substitution. The handler shall report promptly to the committee any such substitution.

(i) *Damaged raisins.* As soon as practicable after the effective date hereof, the committee shall, with the approval of the Secretary, establish regulations and procedures to provide for the handling and disposition of that portion of the raisin production in any crop year which may be damaged substantially by rain or other natural causes. Such regulations and procedures may provide for, but are not limited to, the handling and disposition of such damaged raisins, free from any or all of the provisions hereof. Such regulations and procedures shall be put into operation in the event the committee concludes, and such conclusions are confirmed by the Secretary, that a portion of the raisin production has been damaged substantially and that it is necessary to invoke such regulations and procedures.

§ 989.5 *Reports and records*—(a) *Report of carryover.* Each handler shall, upon request of the committee, file promptly with the committee a certified report, of all natural condition raisins and packed raisins, separately, which were held by him on July 1 of any crop year, which report also shall show the quantity of each varietal type, and the locations thereof: *Provided*, That such report for the initial crop year hereunder shall, upon request of the committee, be filed as soon as practicable after the effective date hereof, and shall show the required information as of the effective date hereof.

(b) *Other reports.* Each handler shall file with the committee a certified report, for each week, showing, with respect to his acquisitions of each varietal type of raisins during the particular week covered by such report: (1) The total quantity acquired, (2) the reserve and surplus tonnages, separately, referable to his acquisitions of raisins; (3) the locations of such reserve and surplus tonnages; and (4) cumulative totals of such acquisitions from the beginning of the then current crop year to and including the end of the week for which the report is

made. Each such weekly report shall be filed not later than Wednesday of the week following the week which is covered by such report. Upon request of the committee, each handler shall furnish to the committee, in such manner and at such times as it may prescribe, the name and address of each person from whom he acquired raisins and the quantity of each varietal type of raisins acquired from each such person. Also, upon the request of the committee with the approval of the Secretary, each handler shall furnish to the committee such other information as may be necessary to enable the committee to exercise its powers and perform its duties hereunder.

(c) *Confidential information.* All reports and records furnished or submitted by a handler to the committee shall be received by, and at all times kept under the custody or control of, one or more employees of the committee, who shall disclose to no person, except the Secretary upon request therefor or to the committee in connection with its investigations of alleged violations, data or information obtained or extracted therefrom which would constitute a trade secret or the disclosure of which might affect the trade position, financial condition, or business operations of the particular handler from whom received: *Provided*, That the committee may require such an employee to disclose to it, or to any person designated by it or by the Secretary, information and data of a general nature, compilations of data affecting handlers as a group, and any data affecting one or more handlers, so long as the identity of the individual handlers involved is not disclosed.

(d) *Records.* Each handler shall maintain such records of all raisins acquired by him as prescribed by the committee. Such records shall include, but not be limited to, the quantity of raisins of each varietal type acquired from each person and the name and address of each such person, total acquisitions, total sales, and total other disposition of each varietal type which he handles.

(e) *Verification of reports.* For the purpose of checking and verifying reports filed by handlers, the committee, through its duly authorized representatives, shall have access to any handler's premises during regular business hours, and shall be permitted at any such times to inspect such premises and any raisins held by such handler, and any and all records of the handler with respect to the holding or disposition of raisins by him. Each handler shall furnish all labor and equipment necessary to make such inspections. Each handler shall store raisins in a manner which will facilitate inspection, and shall maintain storage records which will permit accurate identification of raisins held by him or theretofore disposed of. Insofar as is practicable and consistent with the carrying out of the provisions hereof, all data and information obtained or received through checking and verification of reports shall be treated as confidential information.

**§ 989.6 Expenses and assessments—**

(a) *Expenses.* The committee is au-

thorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by it during each crop year, for the maintenance and functioning of the committee (exclusive of direct expenses for the maintenance and disposition of the reserve tonnage and surplus tonnage), and the board. The recommendation of the committee as to these expenses for each such crop year, together with all data supporting such recommendation, shall be filed with the Secretary on or before July 15 preceding the crop year in connection with which such recommendation is made: *Provided*, That, with respect to the initial crop year hereunder, the committee shall file such recommendation and supporting data with the Secretary as soon as practicable after the effective date hereof. The funds to cover such expenses shall be obtained by levying assessments as hereinafter provided.

(b) *Assessments.* Each handler shall, with respect to all free tonnage acquired by him and all reserve tonnage sold to him pursuant to paragraph (f) of § 989.4, pay to the committee, upon demand, his pro rata share of the expenses (exclusive of direct expenses for the maintenance and disposition of the reserve tonnage and surplus tonnage) which the Secretary finds will be incurred, as aforesaid, by the committee during each crop year: *Provided*, That no assessment shall be levied on raisins produced prior to August 15, 1949. Each handler's pro rata share of such expenses shall be equal to the ratio between the total free tonnage acquired by such handler plus all reserve tonnage sold to him pursuant to paragraph (f) of § 989.4, during the applicable crop year, and the total free tonnage acquired by all handlers plus all reserve tonnage sold to all handlers pursuant to paragraph (f) of § 989.4, during the same crop year. The Secretary shall fix the rate of assessment to be paid by such handler on the basis of a specified rate per ton. At any time during or after a crop year, the Secretary may increase the rate of assessment to apply to all free tonnage acquired plus all reserve tonnage sold to handlers pursuant to paragraph (f) of § 989.4 during such crop year to obtain sufficient funds to cover any later finding by the Secretary relative to the expenses of the committee. Each handler shall pay such additional assessment to the committee upon demand. In order to provide funds to carry out the functions of the committee and the board, the committee may accept advance payments from any handler to be credited toward such assessments as may be levied hereunder against the respective handler during the crop year.

(c) *Accounting.* (1) If, at the end of any crop year, the assessments collected for such crop year exceed the expenses incurred with respect to such crop year, each handler's share of such excess shall be credited to him against the operations of the following crop year, unless such handler demands payment thereof, in which case his share shall be paid to him.

(2) The committee may, with the approval of the Secretary, maintain in its

own name or in the name of its members, a suit against any handler for the collection of such handler's pro rata share of the expenses.

(d) *Direct expenses of reserve and surplus tonnage operations.* The committee is authorized to incur such direct expenses as the Secretary finds are reasonable and are likely to be incurred by the committee in discharging its obligations, pursuant hereto, with respect to reserve and surplus tonnage. All such direct expenses shall be deducted from the proceeds obtained by the committee from the sale or other disposal of such reserve and surplus tonnage.

(e) *Funds.* All funds received by the committee pursuant to the provisions hereof shall be used solely for the purposes herein authorized and shall be accounted for in the manner herein provided. The Secretary may, at any time, require the committee and its members and alternate members to account for all receipts and disbursements.

**§ 989.7 Personal liability.** No member or alternate member of the committee or any employee or agent thereof shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or any person, for errors in judgment, mistakes, or other acts either of commission or omission, as such member, alternate member, employee, or agent, except for acts of dishonesty.

**§ 989.8 Separability.** If any provision hereof is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder hereof or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

**§ 989.9 Derogation.** Nothing contained herein is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

**§ 989.10 Duration of immunities.** The benefits, privileges, and immunities conferred upon any person by virtue hereof shall cease upon the termination hereof, except with respect to acts done under and during the existence hereof.

**§ 989.11 Agents.** The Secretary may, by a designation in writing, name any person, including any officer or employee of the United States Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

**§ 989.12 Effective time, termination or suspension—**(a) *Effective time.* The provisions hereof, as well as any amendments hereto, shall become effective at such time as the Secretary may declare, and shall continue in force until terminated, or during suspension, in one of the ways hereinafter specified.

(b) *Suspension or termination.* (1) The Secretary may, at any time, termi-



nate the provisions hereof by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(2) The Secretary shall terminate or suspend the operation of any or all of the provisions hereof, whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(3) The Secretary shall terminate the provisions hereof at the end of any crop year whenever he finds that such termination is favored by a majority of the producers of raisin variety grapes, who, during a representative period determined by the Secretary, have been engaged in the production for market of raisin variety grapes in the State of California: *Provided*, That such majority have, during such representative period, produced for market more than 50 percent of the volume of such raisin variety grapes produced for market within said State; but such termination shall be effective only if announced on or before August 14 of the then current crop year.

(4) The provisions hereof shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

(c) *Proceedings after termination.*

(1) Upon the termination of the provisions hereof, the members of the committee then functioning shall continue as joint trustees, for the purpose of liquidating the affairs of the committee, of all funds and property then in the possession or under the control of the committee, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trustees shall require the concurrence of a majority of the said trustees.

(2) Said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and the joint trustees, to such person as the Secretary may direct; and shall, upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee or the joint trustees pursuant hereto.

(3) Any person to whom funds, property or claims have been transferred or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the said committee and upon said joint trustees.

§ 989.13 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination hereof or any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision hereof or any regulation issued hereunder, (b) release or extinguish any violation hereof or of any regulation issued hereunder, or (c) affect or impair any rights or reme-

lies of the Secretary or of any other person, with respect to any such violation.

§ 989.14 *Amendments.* Amendments hereto may be proposed from time to time, by any person or by the committee.

**EXHIBIT A—PRODUCER MEMBERS OF THE RAISIN ADVISORY BOARD**

One member for each of the following districts in Fresno County:

**CLOVIS—DISTRICT NO. 1**

All of T. 12 S., R. 20 E. in said county; all of T. 11 S., R. 20 E. in said county; all of T. 11 S., R. 21 E. in said county; all of T. 12 S., R. 21 E.; all of T. 12 S., R. 22 E.; Secs. 1, 2, 11, 12, 13, and 14 of T. 13 S., R. 20 E.; Secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36 of T. 13 S., R. 21 E.; and Secs. 4, 5, 6, 7, 8, 9, 18, 19, 30, and 31 of T. 13 S., R. 22 E.

**KERMAN—DISTRICT NO. 2**

All of T. 13 S., R. 14 E. in said county; all of T. 13 S., R. 15 E. in said county; all of T. 13 S., R. 16 E. in said county; all of T. 13 S., R. 17 E. in said county; Secs. 30 and 31 of T. 13 S., R. 18 E.; all of T. 14 S., R. 14 E.; all of T. 14 S., R. 15 E.; all of T. 14 S., R. 16 E.; all of T. 14 S., R. 17 E.; all of T. 14 S., R. 18 E.; the west two-thirds of T. 14 S., R. 19 E.; all of T. 15 S., R. 14 E.; all of T. 15 S., R. 15 E.; all of T. 15 S., R. 16 E.; all of T. 15 S., R. 17 E.; and all of T. 15 S., R. 18 E.

**BIOLA—DISTRICT NO. 3**

All of T. 13 S., R. 18 E. in said county, except Secs. 30 and 31; all of T. 12 S., R. 19 E. in said county; and all of T. 13 S., R. 19 E., except Secs. 25, 26, 27, 28, 33, 34, 35, and 36.

**FRESNO—DISTRICT NO. 4**

Secs. 25, 26, 27, 28, 33, 34, 35, and 36, T. 13 S., R. 19 E.; all of T. 13 S., R. 20 E., except Secs. 1, 2, 11, 12, 13, and 14; Secs. 19, 20, 29, 30, 31, and 32 of T. 13 S., R. 21 E.; the east one-third of T. 14 S., R. 19 E.; all of T. 14 S., R. 20 E.; and Secs. 5, 6, and 7 of T. 14 S., R. 21 E.

**SANGER—DISTRICT NO. 5**

The east one-half and Secs. 16, 17, 20, 21, 28, 29, 32, and 33, T. 13 S., R. 22 E.; all of T. 13 S., R. 23 E. lying north and west of the east channel of Kings River; all of T. 14 S., R. 23 E. lying west of the east channel of Kings River; and Secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 35, and 36, T. 14 S., R. 22 E.

**LONE STAR—DISTRICT NO. 6**

All of T. 14 S., R. 21 E., except Secs. 5, 6, 7, and 36.

**EASTON-OLEANDER—DISTRICT NO. 7**

The north one-half of T. 15 S., R. 19 E.; the north two-thirds of T. 15 S., R. 20 E., except Sec 19; and Secs. 6, 7, 18, and 19, T. 15 S., R. 21 E.

**FWLER—DISTRICT NO. 8**

The south one-half of Sec. 1, and Secs. 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 26, 27, 28, 29, and 33, T. 15 S., R. 21 E.; and Sec. 18, T. 15 S., R. 22 E.

**DEL REY—DISTRICT NO. 9**

Secs. 29, 30, 31, 32, 33, and 34, T. 14 S., R. 22 E.; Sec. 36, T. 14 S., R. 21 E.; the north one-half of Sec. 1, T. 15 S., R. 21 E.; and Secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, and 17, T. 15 S., R. 22 E.

**PARLER—DISTRICT NO. 10**

All of Secs. 4, 9, 16, and 21 lying west of Kings River, and all of Secs. 5 and 6 lying

west and south of Kings River, and Secs. 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32, T. 15 S., R. 23 E.; Secs. 1, 11, 12, 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 35, and 36, T. 15 S., R. 22 E.; and Secs. 5 and 6, T. 16 S., R. 23 E.

**REEDLEY—DISTRICT NO. 11**

All of T. 13 S., R. 24 E., lying east and south of the east channel of Kings River; all of T. 13 S., R. 23 E., lying east and south of the east channel of Kings River; all of T. 14 S., R. 23 E., lying east and south of the east channel of Kings River; T. 14 S., R. 24 E.; T. 14 S., R. 25 E., all of T. 15 S., R. 23 E., lying east of the east channel of Kings River; all of Secs. 28 and 29, T. 15 S., R. 23 E., lying west of Kings River; and T. 15 S., R. 24 E.

**KINGSBURY—DISTRICT NO. 12**

Secs. 11, 12, 13, 14, 15, 21, 22, 23, 27, 28, 33, T. 16 S., R. 22 E., and that portion of Sec. 34, T. 16 S., R. 22 E., lying within said county; Sec. 7, T. 16 S., R. 23 E., and those portions of Secs. 8 and 18, T. 16 S., R. 23 E., lying within said county; and those portions of Secs. 4, 5, 8, and 18, T. 17 S., R. 22 E., lying within said county.

**SELMA—DISTRICT NO. 13**

Secs. 25, 34, 35, and 36, T. 15 S., R. 21 E.; Secs. 19, 20, 28, 29, 30, 31, 32, 33, and 34, T. 15 S., R. 22 E.; Secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 29, 30, 31, and 32, T. 16 S., R. 22 E.; the east one-half of T. 16 S., R. 21 E.; Secs. 1 to 23, both inclusive, T. 17 S., R. 21 E., and that part of Sec. 24, T. 17 S., R. 21 E., lying within said county; and Secs. 6, and 7, T. 17 S., R. 22 E.

**MONMOUTH—DISTRICT NO. 14**

Secs. 25, 26, 27, 34, 35, and 36, T. 15 S., R. 20 E., Secs. 30, 31, and 32, T. 15 S., R. 21 E.; and the west one-half of T. 16 S., R. 21 E.

**CARUTHERS—DISTRICT NO. 15**

The south one-half of T. 15 S., R. 19 E.; Secs. 19, 28, 29, 30, 31, 32, and 33, T. 15 S., R. 20 E.; T. 16 S., R. 15 E.; T. 16 S., R. 16 E.; T. 16 S., R. 17 E.; T. 16 S., R. 18 E.; T. 16 S., R. 19 E.; T. 16 S., R. 20 E.; T. 17 S., R. 16 E.; T. 17 S., R. 17 E.; T. 17 S., R. 18 E.; T. 17 S., R. 19 E.; T. 17 S., R. 20 E.; T. 18 S., R. 16 E.; T. 18 S., R. 17 E.; T. 18 S., R. 18 E.; T. 19 S., R. 17 E.; T. 19 S., R. 18 E.; T. 20 S., R. 17 E.; and all of T. 20 S., R. 18 E., lying within said county.

Three members for District No. 16 (Kings, Monterey, and San Benito Counties.)

Five members for District No. 17 (Tulare and Inyo Counties.)

Three members for District No. 18 (Kern, San Bernardino, Riverside, Imperial, San Diego, Orange, Los Angeles, Ventura, Santa Barbara, and San Luis Obispo Counties.)

Three members for District No. 19 (Madera and Mono Counties.)

Three members for District No. 20 (Merced, Tuolumne, and Mariposa Counties.)

Three members for District No. 21 (Stanislaus, Santa Clara, San Francisco, San Mateo, Santa Cruz, Alameda, Contra Costa, Calaveras, and Alpine Counties.)

One member for District No. 22 (San Joaquin, Marin, Solano, Sacramento, Amador, Eldorado, Placer, Nevada, Sutter, Yolo, Napa, Sonoma, Mendocino, Lake, Colusa, Yuba, Sierra, Plumas, Butte, Glenn, Tehama, Shasta, Lassen, Modoc, Siskiyou, Del Norte, Humboldt, and Trinity Counties.)

**EXHIBIT B—MINIMUM GRADE REQUIREMENTS FOR PROCESSED RAISINS**

**DEFINITION**

Processed raisins are dried grapes of the Vinifera varieties—Thompson Seedless (Sultana), Muscat of Alexandria, Muscatel Gordo Blanco, Sultana, Black Corinth, or White Corinth—which have been properly stemmed, capstemmed, and cleaned.

## TYPES AND VARIETIES

## Type I Thompson Seedless (Sultanina):

- (a) Unbleached (sun-dried).
- (b) Sulfur Bleached and Golden Bleached.
- (c) Soda Dipped.

## Type II Muscat:

- (a) Seeded (seeds removed).
- (b) Unseeded (loose).
- (c) Soda Dipped Unseeded (Valencia).

## Type III Sultana.

## Type IV Zante Currants:

- (a) Black Zante (Black Corinth).
- (b) White Zante (White Corinth).

## MOISTURE

Type IIa (Muscat Seeded Raisins) shall contain not more than 19 percent, by weight, of moisture. All other types of raisins specified above shall contain not more than 18 percent, by weight, of moisture.

## GRADE

Thompson Seedless raisins shall possess similar varietal characteristics, possess a fairly good typical color in Thompson Seedless Unbleached and Soda Dipped raisins, show development characteristic of raisins prepared from fairly well-matured grapes, and meet the following requirements:

Not more than 35 capstems and not more than three pieces of stem per pound of raisins may be present;

Not more than three percent by weight of raisins may be poorly developed blowovers;

Not more than five percent by weight of raisins may be damaged;

Not more than 15 percent by weight of raisins may be visibly sugared; and

Not more than five percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That not more than two percent by weight may be affected by decay.

Muscat raisins shall possess similar varietal characteristics, possess a fairly good typical color with not more than 20 percent by weight of dark reddish-brown berries in Muscat Soda Dipped Unseeded (Valencia) raisins, show development characteristic of raisins prepared from fairly well-matured grapes, and meet the following requirements:

Not more than 20 capstems and not more than three pieces of stem per pound of raisins may be present;

Not more than 20 seeds per pound of raisins in Muscat Seeded raisins may be present;

Not more than three percent by weight of raisins may be poorly developed, blowovers;

Not more than five percent by weight of raisins may be damaged;

Not more than 15 percent by weight of raisins may be visibly sugared; and

Not more than five percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That not more than two percent by weight may be affected by decay.

Sultana raisins shall possess similar varietal characteristics, possess a fairly good typical color, show development characteristic of raisins prepared from fairly well-matured grapes, and meet the following requirements:

Not more than 65 capstems and not more than three pieces of stem per pound of raisins may be present;

Not more than three percent by weight of raisins may be poorly developed, blowovers;

Not more than five percent by weight of raisins may be damaged;

Not more than 15 percent by weight of raisins may be visibly sugared; and

Not more than five percent by weight of raisins may be affected by mold, decay, fermentation, insect infestation (no live insects are permitted), imbedded dirt, or other foreign material: *Provided*, That not more than two percent by weight may be affected by decay.

Zante Currants shall be generally pliable, generally meaty and plump, fairly well developed, possess a good, typical color, and meet the following requirements:

Not more than two percent by weight of capstems and not more than three pieces of stem per pound may be present;

Not more than two percent by weight may be poorly developed, hard, immature berries, blowovers, or shells;

Not more than three percent by weight may be damaged;

Not more than 10 percent by weight may be visibly sugared; and

Not more than two percent by weight may be "B" berries.

## COLOR OF THOMPSON SEEDLESS SULFUR BLEACHED AND GOLDEN BLEACHED RAISINS

*Extra choice color.* Fairly uniform amber color which may range from light yellow or greenish yellow to amber or greenish amber and with not more than 10 percent by weight of definitely dark berries.

## EXPLANATION OF TERMS

"Capstems" means small woody stems exceeding one-eighth inch in length which attach the raisins to the branches of the bunch.

A "piece of stem" means a portion of the branch or main stem.

"Seeds" refer to the whole, fully developed seeds which have not been removed during the processing of Type II (a), Muscat Seeded raisins.

"Poorly developed, blowovers" refers to berries that are immature, contain very little meat, are light in weight, and those that have very coarse wrinkles.

"Damaged" raisins means raisins affected by insect injury or injury from sunburn, scars, mechanical or other means which seriously affects the appearance, edibility, keeping or shipping quality of the raisins. In Type II (a), Muscat Seeded raisins, mechanical injury resulting from normal seeding operations is not considered damage.

"Visibly sugared" means the accumulation of crystallized fruit sugars on or near the surface which is readily apparent.

"Mold" means mold filaments or spores (often characterized by a condition wherein the skin of the raisin appears to have been dissolved, leaving a slimy or sticky appearance, and often resulting in a positive reaction when submerged in a three percent hydrogen peroxide solution).

"Affected by insect infestation" means that the raisins show the presence of insects, insect fragments, or excreta. No live insects are permitted.

"Plump and meaty" means that the currants are not thin or angular with coarse wrinkles.

"B" berries" means currants affected with mold or decay, which show a positive reaction when immersed in a three percent hydrogen peroxide solution.

The foregoing requirements are those specified in United States Standards for Grades of Processed Raisins, with respect to Grade C for raisins other than Zante Currants, and in United States Standards for Grades of Dried Zante Currants, with respect to Grade B for Zante Currants.

[F. R. Doc. 49-5686; Filed, July 12, 1949; 8:56 a. m.]

## [ 7 CFR, Part 989 ]

## HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

ORDER DIRECTING THAT A REFERENDUM BE CONDUCTED AMONG PRODUCERS OF RAISIN VARIETY GRAPES GROWN IN CALIFORNIA; DESIGNATING AGENTS TO CONDUCT SUCH REFERENDUM; DETERMINING THE REPRESENTATIVE PERIOD

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), it is hereby directed that a referendum be conducted among the producers who, during the period June 1, 1948 through May 31, 1949 (which period is hereby determined to be the representative period for the purpose of this referendum), were engaged, in the State of California, in the production for market of raisin variety grapes to determine whether such producers favor the issuance of the proposed order<sup>1</sup> regulating the handling of raisins produced from raisin variety grapes grown in this State.

The following employees of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture are hereby designated as agents of the Secretary of Agriculture to perform, jointly or severally, under the direction and supervision of the Director of the Fruit and Vegetable Branch, the functions in connection with the referendum: R. M. Walker, Chief, and W. Allmendinger and Harold Brogger, Western Marketing Field Office, 2180 Milvia Street, Farm Credit Building, Berkeley, California; E. M. Graham, Chief, and G. R. Eastman and M. G. Young, Dried Fruit Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2523, South Agricultural Building, Washington, D. C.

Said functions shall be as follows:

(a) Conduct said referendum in the manner herein prescribed.

(1) Each of the aforesaid producers shall be given an opportunity to cast his ballot relative to issuance of the aforesaid order. To that end the agents shall: (i) Give notice of the referendum through available agencies of public information (without advertising expense), including both press and radio facilities in the State of California, announcing the dates, methods of voting, places at which ballots will be available and may be obtained by producers not receiving ballots by mail, eligibility requirements, and other information at the discretion of said agents; (ii) mail a ballot form with instructions for voting, and a copy of the regulatory provisions of the proposed order to each producer whose name and address is known; (iii) make available and arrange for producers to obtain ballot forms with instructions for voting, and a copy of the regulatory provisions of the proposed order at the offices of the county agricultural conservation associations in each of the counties in the

<sup>1</sup> See F. R. Doc. 49-5686, *supra*.

State of California; and (iv) adopt additional or other means as said agents may deem advisable to insure that all eligible producers of raisin variety grapes have an opportunity to vote in the referendum.

(2) The agents shall ascertain and record: (i) The eligibility of each voter; (ii) the name and address of each person voting; and (iii) such other information or data as the agents may find desirable for the efficient performance of their duties.

For the purpose of this referendum, a producer shall be any person engaged in and having a proprietary interest in the production for market of raisin variety grapes in the State of California during the representative period. In case two or more producers had such interest in the same production of raisin variety grapes, each shall be entitled to one vote and each shall report his share, expressed in tons, of said raisin variety grapes. No producer shall be entitled to more than one vote. A cooperative association of producers engaged in marketing raisin variety grapes grown in the State of California or raisins produced therefrom, or rendering services for or advancing the interests of producers of such grapes or raisins, may vote for the producers who are members of, stockholders in, or under contract with, such cooperative association (such vote to be cast on the appropriate ballot form) and the vote of such cooperative association shall be considered as the vote of such producers.

(3) To accomplish the duties assigned to the named agents, they are authorized to appoint as subagents, the Chairman of the California Production and Marketing Administration Committee, any member or members of a county agricultural conservation association committee in the State of California, or any employee of the Fruit and Vegetable Branch, Production and Marketing Administration. Any other person or persons may be appointed if any agent deems it advisable.

Each person so appointed shall serve without compensation and may be authorized, by the said referendum agents or any of them, to perform any or all of the functions set forth in paragraphs (1) and (2) hereof (which, in the event no subagents are appointed, shall be performed by said referendum agents) in accordance with the requirements herein set forth.

(b) Report the result of the balloting as directed herein:

(1) Upon receipt by the designated agents of all ballots cast, such ballots shall be examined and tabulated by them or any one of them.

(2) When the examination and tabulation of the ballots have been completed, the following shall be forwarded to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.: (i) the results of the referendum (exclusive of any challenge ballots), together with all the ballots cast, including challenged ballots; (ii) a certificate to the effect that the ballots forwarded were all the ballots cast which were received by the agent or agents; (iii) a register of

the names and addresses of the producers to whom ballot forms were mailed which shall indicate those producers voting, how each voted and the production of each as reported on the ballot; and (iv) a register of the names and addresses of producers who obtained ballots through other means than mail which shall also indicate those producers who voted, how each voted and the production of each as reported on the ballot.

(c) Each referendum agent and subagent pursuant hereto shall not refuse to accept a ballot submitted or cast; but should they, or any of them, deem that a ballot should be challenged for any reason, or if such ballot is challenged by any other person, said agent or subagent shall endorse above his signature on the back of said ballot, a statement that such ballot was challenged, by whom challenged, and the reasons therefor; and the number of such challenged ballots shall be stated when they are forwarded as provided herein.

(d) All ballots shall be treated as confidential.

The Director of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, is hereby authorized to prescribe additional instructions not inconsistent with the provisions hereof, to govern the procedure to be followed by the said referendum agents and appointees in conducting said referendum.

Done at Washington, D. C., this 8th day of July 1949.

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

[F. R. Doc. 49-5724; Filed, July 12, 1949;  
9:01 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Parts 2, 4]

[Docket No. 9363]

### GENERAL RULES AND REGULATIONS AND EXPERIMENTAL AND AUXILIARY BROADCAST SERVICES

#### NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission proposes to amend Part 2 of its rules and regulations in the following respects:

(a) By amending § 2.1 thereof so as to change the definition title "Interim Television Relay Station (FXM)" to "Television Inter-City Relay Station (FXM)" and transferring that definition to its appropriate alphabetical place.

(b) By amending § 2.104 (a) so that footnote NG16 will read as follows: "Television inter-city relay stations may be authorized to use frequencies in this band on the condition that harmful interference will not be caused to stations operating in accordance with the table of frequency allocations."

3. The Commission proposes to amend Part 4 of its rules and regulations in the following respects:

By amending § 4.1 (a) and (b) to read as follows:

(a) *Experimental and developmental broadcast.* (1) Experimental television broadcast (Subpart A);

(2) Experimental facsimile broadcast (Subpart B);

(3) Developmental broadcast (Subpart C).

(b) *Auxiliary broadcast.* (1) Remote pickup broadcast (Subpart D);

(2) ST broadcast (Subpart E);

(3) Television pickup;

(4) Television STL (Subpart F);

(5) Television inter-city relay.

(b) By amending § 4.18 (a) so as to delete the date "Feb. 1" opposite the words "Experimental television broadcast station" and substitute therefor the date "April 1".

(c) By amending § 4.18 (b) so that the first sentence thereof shall read as follows:

(b) Licenses for stations in the auxiliary broadcast service will be issued for a period running concurrently with the licenses of the broadcast stations with which such auxiliary stations are used.

(d) By deleting § 4.101 (b).

(e) By revising "Group B" in § 4.103 (a) to delete therefrom the bands "880-900" and "900-920," and to change the band "860-880" to read "860-890."

(f) By adopting a new subpart to Part 4, designated as "Subpart F—Rules Governing Television Auxiliary Broadcast Stations" to read as set forth in Appendix A below:

4. Authority to issue the proposed amendments is vested in the Commission under sections 303 (a), (b), (c), (d), (e), (f), (g), (j), (l), (n), (p), (q), (r), and 4 (i) of the Communications Act of 1934, as amended.

5. Any interested person who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before August 1, 1949, written data, views, or arguments concerning said proposals. At the same time, persons favoring the amendments as proposed may file written data, views, or arguments supporting said proposals. The Commission will consider all such comments before taking final action in the matter, and if comments are submitted which appear to warrant the holding of oral argument, notice of the time and place of such oral argument will be given.

6. No data, views, or arguments will be accepted in this proceeding with respect to frequency allocations referred to in this notice and heretofore adopted by the Commission.

7. Interested persons who desire to submit written data, views, or arguments shall, in accordance with § 1.764 of the Commission's rules and regulations furnish the Commission with an original and 14 copies hereof.

Released: June 30, 1949.

Adopted: June 29, 1949.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

**SUBPART F—RULES GOVERNING TELEVISION AUXILIARY BROADCAST STATIONS**  
**DEFINITIONS AND ALLOCATION OF FREQUENCIES**

**§ 4.601 Definitions—(a) Television pickup station.** A mobile station, other than a ship or aircraft station, used either by television broadcast licensees or communications common carriers for the transmission of television broadcasting (audio and video) of a temporary nature such as ball games, parades, news events, etc. to television broadcasting stations from locations where wire service is not practicable.

(b) **Television STL Station (television studio to transmitter link).** A fixed station used either by television broadcast licensees or communications common carriers for the transmission of television broadcasting programs from studios to television broadcasting transmitters where wire service is not practicable.

(c) **Television Inter-City Relay Station.** A fixed station used for the transmission of television broadcasting programs from one television broadcasting station to other television broadcasting stations to provide simultaneous network television broadcasting and operated only by television broadcast licensees.

**§ 4.602 Video frequency assignment.** (a) The following groups of frequencies are available for assignment to television broadcast station licensees for television pickup stations, television STL stations, and television inter-city relay stations.

Group	2000 mega-cycle band	7000 mega-cycle band	13000 mega-cycle band
A.....	1990-2008	6925-6950	13025-13050
B.....	2008-2025	6950-6975	13050-13075
C.....	2025-2042	6975-7000	13075-13100
D.....	2042-2059	7000-7025	13100-13125
E.....	2059-2076	7025-7050	13125-13150
F.....	2076-2093	6875-6900	13150-13175
G.....	2093-2110	6900-6925	13175-13200

(b) Television broadcast station licensees shall select video frequencies listed in paragraph (a) of this section in the following order to avoid interference:

Broadcast channel assignment:	Group
2.....	A
3 and 4.....	B
5 and 6.....	C
7 and 8.....	D
9 and 10.....	E
11 and 12.....	F
13.....	G

(c) Only one frequency shown in each band will be assigned to each licensee of a television broadcast station; however, in cities where there are less than seven television broadcast stations allocated, the unoccupied frequencies in the above bands will be assigned to all television broadcast station licensees for pickup purposes only.

(d) The following group of frequencies are available for assignment to common carriers for television pickup and STL stations:

Mc	Mc
7050-7075	12700-12725
7075-7100	12725-12750
7100-7125	12750-12775
	12775-12800
	12800-12825
	12825-12850
	12850-12875

(e) The following group of frequencies are available for assignment to television broadcast station licensees, and to common carriers for television pickup and STL stations:

Mc	Mc
12875-12900	12950-12975
12900-12925	12975-13000
12925-12950	13000-13025

**§ 4.603 Sound frequency assignment.** (a) The following group of frequencies are available for assignment for the sound channel to accompany television STL stations, and television inter-city relay stations:

Mc	Mc	Mc	Mc
890.5	896.0	901.5	907.0
891.0	896.5	902.0	907.5
891.5	897.0	902.5	908.0
892.0	897.5	903.0	908.5
892.5	898.0	903.5	909.0
893.0	898.5	904.0	909.5
893.5	899.0	904.5	910.0
894.0	899.5	905.0	910.5
894.5	900.0	905.5	
895.0	900.5	906.0	
895.5	901.0	906.5	

(b) Additional frequencies are available for assignment to television broadcast station licensees for the sound channel to accompany television pickup programs for shared use with remote pickup broadcast stations licensed to FM and standard broadcast stations. (See Subpart D, rules governing remote pickup broadcast stations.)

(c) No further authorization or license is required for transmission of accompanying sound within the assigned video channels listed in § 4.602 by means of multiplex transmission or separate sound transmitter.

**§ 4.604 Frequency selection to avoid interference.** (a) Where two or more stations, licensed to use the same frequency or group of frequencies in the same area, contemplate simultaneous operation they shall take adequate steps to avoid interference.

(b) All frequencies in the bands 1990-2110 Mc, 6875-7125 Mc, and 12,700-13,200 Mc are allocated primarily for television pickup and television STL purposes. Television inter-city relay use of these frequencies shall be on a secondary basis, subject to non-interference to the primary services.

**RULES GOVERNING ADMINISTRATIVE PROCEDURE**

**§ 4.621 Cross reference.** See §§ 4.11 through 4.23.

**RULES RELATING TO LICENSING POLICIES**

**§ 4.631 Purpose of television auxiliary stations.** (a) The license of a televi-

<sup>1</sup>The frequency 915 Mc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ±25 Mc of that frequency. Television STL stations and television inter-city relay stations operating within these limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

Frequencies in this band will be selected for assignment in such a manner that, on an engineering basis, the lowest frequency in the band is assigned which will not cause harmful interference to stations in that area already assigned frequencies in accordance with the table of frequency allocations.

sion pickup station authorizes the transmission of program material, or orders concerning such program material, to its associated television station and to such other stations as are also broadcasting the same program material. Television pickup stations are also authorized to transmit chain programs, or orders concerning such programs, to the network with which the associated station is regularly affiliated. Where the licensee is a common carrier such transmissions may be made to any television broadcast station in the area.

(b) A television STL station provides a means by which television broadcast licensees and common carriers may transmit programs from studio to television broadcasting transmitters where wire facilities are not practicable.

(c) Television inter-city relay stations provide a means, on an interim basis, by which programs may be transmitted from one television broadcast station to a television broadcast station in another city, thus providing simultaneous network television broadcasting. The provision for this service is a purely temporary measure designed to assist the television industry until such time as adequate common carrier facilities are generally available, and broadcasters who venture into the business of relaying television programs in these frequency bands should plan to amortize their investments at the earliest possible date.

**§ 4.632 Licensing requirements.** (a) A license for a television pickup station or a television STL station will be issued only to the licensee of a television broadcast station or to a common carrier.

(b) A license for a television inter-city relay station will be issued only to the licensee of a television broadcast station.

(c) An application requesting mobile operation shall specify the area in which the proposed station is intended to be operated.

(d) A license covers the operation of a single transmitter. In case it is desired to transmit simultaneously both programs and orders concerning such programs from the auxiliary station to the associated broadcast station, two licenses are required though each may specify the same frequency or frequencies. In case it is desired to transmit orders concerning programs from the broadcast station to the auxiliary station, a separate license is required.

(e) In case a licensee has two or more broadcast stations located in different cities, it shall, in applying for a new remote pickup station or for renewal of license of an existing station, designate the broadcast station in conjunction with which the remote pickup station is to be operated principally, and it shall not thereafter operate the remote pickup station in conjunction with another of its broadcast stations located in a different city for more than a total of 10 days in any 30-day period.

(f) The transmission of programs, or orders concerning such programs, to be broadcast by other television broadcast stations licensees, is authorized: *Provided*, That the transmissions by the television pickup station shall be under the control of the licensee of said station and

that such operation shall not exceed a total of 10 days in any 30-day period.

(g) Only one television STL station will be licensed for use with a television broadcast station, except where a showing is made as to the need for such additional stations and the additional frequencies are available.

§ 4.633 *Remote control operation.* (a) Prior authorization from the Commission is required for the operation of any television auxiliary broadcast station by remote control. For the purposes of this section, remote control is defined as the operation of a transmitter from an operating position which is more than 100 feet from the transmitter, or from which the transmitter is not directly visible or accessible to the operator.

(b) Authority for the operation of a television auxiliary broadcast station by remote control shall be subject to the following conditions.

(1) The operating position shall be under the control and supervision of the licensee, and shall be the point at which an operator responsible for the operation of the transmitter is stationed;

(2) The control circuits from the operating position to the transmitter shall be so installed that grounding either side of the circuit or a short across the circuit will not cause the transmitter to radiate;

(3) A carrier operated device shall be provided at the operating position which shall give a continuous visual indication when the transmitter is radiating; or, in lieu thereof, a device shall be provided which will give a continuous visual indication when any transmitter control circuits have been placed in a condition to produce radiation;

(4) Equipment shall be provided at the operating position to give an immediate visual or aural indication whenever the actual operating frequency of the transmitter approaches or exceeds the maximum permissible deviation from its assigned frequency;

(5) Facilities shall be provided at the operating position which will permit the operator to turn the transmitter carrier on and off at will; and

(6) The transmitter shall be so installed and protected that it is not accessible to other than duly authorized personnel.

§ 4.634 *Power limitations.* Television auxiliary broadcast stations will be licensed with a power output not in excess of that necessary to render satisfactory service. The license for these stations will specify the maximum authorized power. The operating power shall not be greater than necessary to carry on the service and in no event more than 5 percent above the maximum power specified. Engineering standards have not been established for these stations. The efficiency factor for the last radio stage of transmitters employed will be subject to individual determination but shall be in general agreement with values normally employed for similar equipment operated within the frequency range authorized.

§ 4.635 *Emission authorized.* The license for television auxiliary broadcast stations operating above 1990 megacycles

will normally authorize any type of emission for the video signal and accompanying sound within the assigned channel.

#### RULES RELATING TO EQUIPMENT

§ 4.651 *Equipment changes.* The licensee of a television auxiliary broadcast station may make any changes in the equipment that are deemed desirable or necessary provided:

(a) That the operating frequency is not permitted to deviate more than the allowed tolerance.

(b) That the emissions are not permitted outside the authorized band.

(c) That the power output complies with the license and the regulations governing the same.

(d) That the location of the television STL station and fixed television inter-city relay station are not changed.

#### RULES RELATING TO TECHNICAL OPERATION

§ 4.661 *Frequency tolerance.* The licensee of a television auxiliary broadcast station shall maintain the operating frequency of its station so that the normal sideband energy shall fall within the assigned channel. The normal operating frequency shall be within 0.05% of the center of the assigned channel for symmetrical sideband operation at frequencies above 1990 megacycles and 0.005% at frequencies below 1990 megacycles. If transmission is by a symmetrical sideband operation, suitable filters or other devices shall be employed to insure a minimum of radiated energy outside the assigned channel.

§ 4.662 *Frequency monitors and measurements.* The licensee of a television auxiliary broadcast station shall provide the necessary means for determining that the frequency of the station is within the assigned channel. The date and time of each frequency check, the frequency measured and a description or identification of the method employed shall be entered in the station log. Sufficient observations shall be made to insure that the emissions are maintained within the assigned channel. A television auxiliary broadcast station retained in a stand-by status normally shall have its frequency measured at least once during each calendar year.

§ 4.663 *Station inspection.* The licensee of each television auxiliary broadcast station shall make the station available for inspection by representatives of the Commission at any reasonable hour.

§ 4.664 *Station and operator licenses; posting of.* (a) The station license and any other instrument of authorization or individual order concerning the construction of the equipment or manner of operation of the station shall be posted so that all terms thereof are visible in a conspicuous place in the room in which the transmitter is located; *Provided:*

(1) If the transmitter operator is located at a distance from the transmitter pursuant to § 4.633 the station license shall be posted in the above-described manner at the operating position.

(2) If the station is licensed for mobile operation, the station license or a photo copy thereof shall be affixed to the equipment or kept in the possession of the operators on duty at the transmitter.

If a photo copy is used the original license shall be available for inspection by an authorized government representative.

(b) The original license of each station operator shall be posted at the place where he is on duty: *Provided, however,* That if the original license of a station operator is posted at another radio transmitting station in accordance with the rules governing that class of station and is there available for inspection by an authorized Commission representative, a duly issued verified statement<sup>1</sup> may be posted at the television auxiliary broadcast station in lieu of such original license: *And provided further,* That if the television auxiliary broadcast station is licensed for mobile<sup>2</sup> operation, a duly issued verification card<sup>3</sup> attesting to the existence of such original license may be carried on the person of the operator in lieu of the posting of such license or verified statement.

§ 4.665 *Operator requirements.* One or more radio operators holding valid radiotelephone first-class or radiotelephone second-class operator licenses shall be on duty at the place where the transmitting apparatus of any television auxiliary broadcast station is located and in actual charge of its operation; *Provided, however,* That if a station is operated by remote control as provided in these rules, such operator or operators must be on duty at the control point in lieu of the transmitter location; *And provided further,* That, in individual cases, the Commission may permit television inter-city relay broadcast stations to be operated during the course of normal rendition of service without any licensed operator or other person in attendance if the station licensee shows that such operation is automatic and that adequate safeguards are provided to prevent improper operation of the station and to prevent unauthorized persons from having access to the station. In any such case the station licensee shall remain responsible for the proper operation of the station and all adjustments or tests during or coincident with the installation, servicing, or maintenance of the station which may affect its proper operation, shall be performed only by, or under the immediate supervision and responsibility of a person holding a first or second-class radiotelephone operator license, who shall be responsible for the proper functioning of the equipment of the station, and the emissions of the station shall be observed at intervals not exceeding one hour during the period of its operating, either directly or through the intermediary of one or more associated relay stations, by a person holding a valid first or second-class radiotelephone operator license who shall cause the radiation of the transmitter to be suspended immediately whenever there is a deviation from the terms of the station license. The licensed operator on duty and in charge of a television auxiliary broadcast station may, at the discretion of the licen-

<sup>1</sup> Form 759.

<sup>2</sup> The term mobile as here used is intended to include any type of mobile operation.

<sup>3</sup> Form 758-F.

see, be employed for other duties or for the operation of another station or stations in accordance with the class of operator's license which he holds and the regulations governing such stations; however, such duties shall in no wise interfere with the operation of the television auxiliary broadcast station.

§ 4.666 *Inspection of tower lights and associated control equipment.* The licensee of each television auxiliary broadcast station which has an antenna or antenna supporting structure(s) required to be illuminated pursuant to the provisions of section 303 (q) of the Communications Act of 1934, as amended:

(a) Shall make a visual observation of the tower lights at least once each 24 hours to insure that all such lights are functioning properly as required.

(b) Shall report immediately by telephone or telegraph to the nearest Airways Communication Station or office of the Civil Aeronautics Administration any observed failure of the tower lights, not corrected within 30 minutes, regardless of the cause of such failure. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

(c) Shall inspect at intervals of at least once each 3 months all flashing or rotating beacons and automatic lighting control devices to insure that such ap-

paratus is functioning properly as required.

§ 4.667 *Additional orders.* In case the rules contained in this part do not cover all phases of operation or experimentation with respect to external effects, the Commission may make supplemental or additional orders in each case as may be deemed necessary.

#### OTHER RULES RELATING TO OPERATION

§ 4.681 *Station logs.* (a) The licensee of each television auxiliary broadcast station shall maintain adequate records of the operation including:

- (1) Hours of operation;
- (2) Program transmitted;
- (3) Frequency check;
- (4) Pertinent remarks concerning transmission;
- (5) An entry giving points of program origination and receiver location.

(b) Where an antenna supporting structure(s) is required to be illuminated the licensee shall make entries in the radio station log as follows:

- (1) The time the tower lights are turned on and off, if manually controlled;
- (2) The time the daily visual observation of the tower lights was made;
- (3) In the event of any observed failure of a tower light,
  - (i) Nature of such failure;
  - (ii) Time the failure was observed;
  - (iii) Time and nature of the adjustments, repairs or replacements made;

(iv) Airways Communications Station (C. A. A.) notified of the failure of any tower light not corrected within thirty minutes and the time such notice was given;

(v) Time notice was given to the Airways Communications Station (C. A. A.) that the required illumination was resumed.

(4) Upon completion of the periodic inspection required at least each three months,

(i) The date of the inspection and the condition of all tower lights and associated tower lighting control devices;

(ii) Any adjustments, replacements or repairs made to insure compliance with the lighting requirements.

§ 4.682 *Station identification.* Each television auxiliary broadcast station shall announce its call letters at the beginning and end of each period of operation. During operation, at least once every hour, it shall either announce its call letters or make an announcement which will permit it to be identified, such as an announcement during program operation of the call letters of the television broadcast station with which the television auxiliary broadcast station is regularly affiliated.

[F. R. Doc. 49-5654; Filed, July 12, 1949; 8:49 a. m.]

## NOTICES

### NATIONAL MILITARY ESTABLISHMENT

#### Department of the Army

#### TRANSFER OF WORLD WAR II CEMETERIES TO AMERICAN BATTLE MONUMENTS COMMISSION

The following material, contained in a letter from the Secretary of the Army to the Chairman, American Battle Monuments Commission, dated June 30, 1949, is published for the information of all concerned:

Pursuant to the provisions of Executive Order 10057, all functions of administration pertaining to the World War II United States Military Cemeteries located in or near the following-named locations are hereby transferred from the Department of the Army to the American Battle Monuments Commission, effective on July 1, 1949:

Cambridge, England.  
Epinal, France.  
Tunis (Carthage), Tunisia.

Pursuant to informal agreement between representatives of the Department and the Commission, instructions are being issued by the Department of the Army to appropriate field commanders to accomplish the transfer of such supplies, equipment, temporary structures, utilities, facilities and cemetery records pertaining to these cemeteries as is authorized by Executive Order 10057. The

details of such transfers will be the responsibility of the appropriate Army field commanders, in conjunction with field representatives of the American Battle Monuments Commission.

Records pertinent to the acquisition of real estate upon which these cemeteries and their appurtenances are situated are to be transferred to the American Battle Monuments Commission, under the provisions of Executive Order 10057. Accordingly, the transfer of administration herein provided for is made with the understanding that the American Battle Monuments Commission will assume responsibility for any and all pending negotiations with foreign countries relative to formalized agreements between the respective foreign governments and the government of the United States concerning the acquisition of rights or interests in perpetuity in the lands on which these cemeteries are located.

The transfer of administration of the other cemeteries listed in Executive Order 10057 will be the subject of later communications, as the operational mission of the Department of the Army with respect to the cemeteries is completed.

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

[F. R. Doc. 49-5640; Filed, July 12, 1949; 8:47 a. m.]

### DEPARTMENT OF AGRICULTURE

#### Rural Electrification Administration

[Administrative Order 2189]

#### MISSISSIPPI

#### LOAN ANNOUNCEMENT

JUNE 20, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Mississippi 31M Washington.....	\$775,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5687; Filed, July 12, 1949; 8:56 a. m.]

[Administrative Order 2190]

#### NEW MEXICO

#### LOAN ANNOUNCEMENT

JUNE 21, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Ad-

Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
New Mexico 22B McKinley..... \$2,275,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5688; Filed, July 12, 1949;  
8:57 a. m.]

[Administrative Order 2191]

TENNESSEE

LOAN ANNOUNCEMENT

JUNE 21, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Tennessee 36B Scott..... \$1,250,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5689; Filed, July 12, 1949;  
8:57 a. m.]

[Administrative Order 2192]

GEORGIA

LOAN ANNOUNCEMENT

JUNE 23, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Georgia 88S Telfair..... \$160,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5690; Filed, July 12, 1949;  
8:57 a. m.]

[Administrative Order 2193]

MINNESOTA

LOAN ANNOUNCEMENT

JUNE 23, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Minnesota 73K Pipestone..... \$450,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5691; Filed, July 12, 1949;  
8:57 a. m.]

[Administrative Order 2194]

NORTH DAKOTA

LOAN ANNOUNCEMENT

JUNE 23, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
North Dakota 34D Slope..... \$1,010,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5692; Filed, July 12, 1949;  
8:57 a. m.]

[Administrative Order 2195]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
South Carolina 37P Lexington... \$110,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5693; Filed, July 12, 1949;  
8:57 a. m.]

[Administrative Order 2196]

INDIANA

LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Indiana 35G Jasper..... \$265,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5694; Filed, July 12, 1949;  
8:57 a. m.]

[Administrative Order 2197]

OKLAHOMA

LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the

Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Oklahoma 6X Caddo..... \$230,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5695; Filed, July 12, 1949;  
8:58 a. m.]

[Administrative Order 2198]

GEORGIA

LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Georgia 92H Brantley..... \$730,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5696; Filed, July 12, 1949;  
8:58 a. m.]

[Administrative Order 2199]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
South Dakota 36C Edmunds... \$1,995,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5697; Filed, July 12, 1949;  
8:58 a. m.]

[Administrative Order 2200]

MINNESOTA

LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Minnesota 57Z Otter Tail..... \$415,000

[SEAL] WILLIAM J. NEAL,  
*Acting Administrator.*

[F. R. Doc. 49-5698; Filed, July 12, 1949;  
8:58 a. m.]

## NOTICES

[Administrative Order 2201]

## KANSAS

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Kansas 24L Clay.....	\$320,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5699; Filed, July 12, 1949;  
8:58 a. m.]

[Administrative Order 2202]

## CALIFORNIA

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
California 16K Plumas.....	\$320,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5700; Filed, July 12, 1949;  
8:58 a. m.]

[Administrative Order 2203]

## MISSISSIPPI

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Mississippi 36U, V Marion....	\$1,010,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5701; Filed July 12, 1949;  
8:59 a. m.]

[Administrative Order 2204]

## IOWA

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Iowa 15K Harrison.....	\$295,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5702; Filed, July 12, 1949;  
8:59 a. m.]

[Administrative Order 2205]

## OREGON

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Oregon 26L Wasco.....	\$216,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5703; Filed, July 12, 1949;  
8:59 a. m.]

[Administrative Order 2206]

## NORTH DAKOTA

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
North Dakota 8R Benson.....	\$1,525,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5704; Filed, July 12, 1949;  
8:59 a. m.]

[Administrative Order 2207]

## MINNESOTA

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Minnesota 35L Brown.....	\$605,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5705; Filed, July 12, 1949;  
8:59 a. m.]

[Administrative Order 2208]

## NEBRASKA

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended,

a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Nebraska 77AH Norris District Public.....	\$371,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5706; Filed, July 12, 1949;  
8:59 a. m.]

[Administrative Order 2209]

## SOUTH CAROLINA

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
South Carolina 13K Greenwood District Public.....	\$280,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5707; Filed, July 12, 1949;  
8:59 a. m.]

[Administrative Order 2210]

## OHIO

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Ohio 55N Coshocton.....	\$415,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5708; Filed, July 12, 1949;  
8:59 a. m.]

[Administrative Order 2211]

## ARIZONA

## LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Arizona 14M Cochise.....	\$235,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5709; Filed, July 12, 1949;  
8:59 a. m.]



[Administrative Order 2212]

KANSAS

LOAN ANNOUNCEMENT

JUNE 24, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Kansas 36C Linn..... \$317,000

[SEAL] WILLIAM J. NEAL,  
Acting Administrator.

[F. R. Doc. 49-5710; Filed, July 12, 1949;  
8:59 a. m.]

[Administrative Order 2213]

MISSISSIPPI

LOAN ANNOUNCEMENT

JUNE 28, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Mississippi 22P Leake..... \$623,000

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5711; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2214]

OHIO

LOAN ANNOUNCEMENT

JUNE 28, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Ohio 39P Paulding..... \$435,000

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5712; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2215]

KENTUCKY

LOAN ANNOUNCEMENT

JUNE 28, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Kentucky 21R Nelson..... \$600,000

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5713; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2216]

MISSISSIPPI

LOAN ANNOUNCEMENT

JUNE 29, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Mississippi 47A Tippah..... \$575,000

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5714; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2217]

OHIO

LOAN ANNOUNCEMENT

JUNE 29, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Ohio 32S Belmont..... \$455,000

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5715; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2218]

OHIO

LOAN ANNOUNCEMENT

JUNE 29, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Ohio 68K Fulton..... \$60,000

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5716; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2219]

ALLOCATION OF FUNDS FOR LOANS

JUNE 30, 1949.

Inasmuch as Malheur Cooperative Electric Association has transferred cer-

tain of its properties and assets to Inland Empire Rural Electrification, Inc., and Inland Empire Rural Electrification, Inc. has assumed in part the indebtedness to United States of America of Malheur Cooperative Electric Association arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 609, dated July 23, 1941, by changing the project designation appearing therein as "Oregon 2016GM2 Malheur" in the amount of \$15,000 to read "Oregon 2016-GM2 Malheur" in the amount of \$6,720 and "Washington 18 Spokane (Oregon 2016GM2 Malheur)" in the amount of \$8,280.

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5717; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2220]

MISSISSIPPI

LOAN ANNOUNCEMENT

JUNE 30, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Mississippi 34N LeFlore..... \$385,000

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5718; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2221]

OREGON

LOAN ANNOUNCEMENT

JUNE 30, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount  
Oregon 17M Douglas..... \$170,000

[SEAL] GEORGE W. HAGGARD,  
Acting Administrator.

[F. R. Doc. 49-5719; Filed, July 12, 1949;  
9:00 a. m.]

[Administrative Order 2222]

OKLAHOMA

LOAN ANNOUNCEMENT

JUNE 30, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf

of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Oklahoma 18S, U Beckham..... \$540,000

[SEAL] GEORGE W. HAGGARD,  
*Acting Administrator.*

[F. R. Doc. 49-5720; Filed, July 12, 1949;  
9:01 a. m.]

[Administrative Order 2223]

KANSAS

LOAN ANNOUNCEMENT

JUNE 30, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Kansas 19H Butler..... \$100,000

[SEAL] GEORGE W. HAGGARD,  
*Acting Administrator.*

[F. R. Doc. 49-5721; Filed, July 12, 1949;  
9:01 a. m.]

[Administrative Order 2224]

KANSAS

LOAN ANNOUNCEMENT

JUNE 30, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*  
Kansas 44G Grant..... \$556,000

[SEAL] GEORGE W. HAGGARD,  
*Acting Administrator.*

[F. R. Doc. 49-5722; Filed, July 12, 1949;  
9:01 a. m.]

[Administrative Order 2225]

ALLOCATION OF FUNDS FOR LOANS

JUNE 30, 1949.

Inasmuch as Pedernales Electric Cooperative, Inc. has transferred certain of its properties and assets to Bartlett Electric Cooperative, Inc., and Bartlett Electric Cooperative, Inc. has assumed in part the indebtedness to United States of America of Pedernales Electric Cooperative, Inc. arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1219, dated February 7, 1947, by changing the project designation appearing therein as "Texas 76N Blanco" in the amount of \$620,000 to read "Texas 76N Blanco" in the amount of \$562,347.92 and "Texas 7

Bell (Texas 76N Blanco)" in the amount of \$57,652.08.

[SEAL] GEORGE W. HAGGARD,  
*Acting Administrator.*

[F. R. Doc. 49-5723; Filed, July 12, 1949;  
9:01 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-1175]

ATLANTIC SEABOARD CORP.

ORDER OMITTING INTERMEDIATE DECISION PROCEDURE AND GRANTING ORAL ARGUMENT

On June 14, 1949, at the opening of the hearing in the above docket, a motion to waive and omit the intermediate decision procedure was made by intervener, Consolidated Gas, Electric, Light and Power Company of Baltimore, and at the conclusion of the hearing on June 24, 1949, the necessity for immediate decision was again urged by the Consolidated Company and in which the applicant joined.

It is alleged by the Consolidated Company that if favorable action by the Commission is not taken by approximately the end of July 1949, the Consolidated Company will be delayed a year in effecting its proposed change-over to natural-gas service in the Baltimore area and its promised rate reduction of approximately \$7,500,000, which depends on the making of the change-over, will be correspondingly delayed.

The Commission finds:

(1) In the event it be determined to issue a certificate of public convenience and necessity as requested by applicant the change over from manufactured to natural-gas service by Consolidated Gas, Electric, Light and Power Company should take place as soon as possible so that the benefits to the consumers in the Baltimore area of the reduced rates proposed to be charged by the Consolidated Company will not be delayed.

(2) Due and timely execution of its functions imperatively and unavoidably requires that the Commission omit the intermediate decision procedure and render final decision in the proceeding in the above Docket No. G-1175.

(3) Good cause exists for providing opportunity for the filing of briefs and oral argument before the Commission.

The Commission orders:

(A) The intermediate decision procedure in the above Docket No. G-1175 be and the same hereby is omitted in accordance with the provisions of § 1.30 (c) of the Commission's rules of practice and procedure.

(B) Oral argument be had before the Commission in said Docket No. G-1175 on July 22, 1949, at 9:30 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., and the parties may file a brief in support of their position on or before July 18, 1949.

Date of issuance: July 7, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F. R. Doc. 49-5644; Filed, July 12, 1949;  
8:47 a. m.]

[Docket No. G-1205]

OHIO FUEL GAS CO.

ORDER FIXING DATE OF HEARING

On April 28, 1949, The Ohio Fuel Gas Company (Applicant), an Ohio corporation with its principal place of business at Columbus, Ohio, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission.

The facilities are more particularly described in the application on file with the Commission and open to public inspection.

Applicant has requested that its application be heard under the shortened procedure provided by §§ 1.32 (a) and 1.32 (b) of the Commission's rules of practice and procedure; and no request to be heard or protest has been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 13, 1949 (14 F. R. 2561).

The Commission finds: This proceeding is a proper one for disposition under the provisions of §§ 1.32 (a) and 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) 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, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 21, 1949, at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: July 7, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F. R. Doc. 49-5643; Filed, July 12, 1949;  
8:47 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2104]

SOUTHWESTERN DEVELOPMENT CO., ET AL.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 6th day of July A. D. 1949.

In the matter of Southwestern Development Company, Amarillo Gas Company, Amarillo Oil Company, Panhandle

Pipe Line Company, West Texas Gas Company; File No. 70-2104.

The Commission, by order dated May 3, 1949, having approved a joint application-declaration, as amended, filed by Southwestern Development Company, Amarillo Gas Company, Amarillo Oil Company, Panhandle Pipe Line Company, and West Texas Gas Company, regarding certain transactions therein set forth, including the liquidation and dissolution of Panhandle Pipe Line Company; and

The Commission having approved said joint application-declaration, as amended, subject to the terms and conditions prescribed in Rule U-24 which rule provides, among other things, that the proposed transactions be carried out within sixty days after the Commission's approval thereof; and

The Commission having been requested that the time within which the contemplated liquidation and dissolution of Panhandle Pipe Line Company may be consummated, be extended beyond July 3, 1949 for a period of thirty days so that said liquidation and dissolution may be completed; and

The Commission having considered such request and deeming it appropriate that an extension of time be granted:

It is ordered, That the condition contained in said order dated May 3, 1949, be and it hereby is, modified to extend for a period of thirty days or to August 2, 1949, within which time the contemplated liquidation and dissolution of Panhandle Pipe Line Company is to be consummated.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-5632; Filed, July 12, 1949; 8:45 a. m.]

[File No. 70-2139]

GENERAL PUBLIC UTILITIES CORP.

SUPPLEMENTAL ORDER GRANTING AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of July 1949.

The Commission by order dated June 6, 1949 having permitted to become effective a declaration filed pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder by General Public Utilities Corporation ("GPU"), a registered holding company, in regard to a cash capital contribution by GPU to its subsidiary, New Jersey Power & Light Company ("New Jersey"), of \$1,500,000 which would be applied by New Jersey in payment of the cost of, or in reimbursement of payments made for, the construction or improvement after April 30, 1949 of New Jersey's facilities; and

GPU having on July 6, 1949 filed an amendment to said declaration in which it is stated that due to the determination of New Jersey that it will not, at this time, issue any additional shares of

cumulative preferred stock as had been contemplated, it will not be appropriate for New Jersey to apply the contemplated cash capital contribution from GPU in payment of the cost of, or in reimbursement of payments made for, the construction or improvement after April 30, 1949 of New Jersey's facilities. Instead, it will be necessary for New Jersey to apply the cash contribution to provide reimbursement for \$1,500,000 of working capital utilized by New Jersey during the 12 month's period ended April 30, 1949 for the purchase or construction of new facilities and the betterment of its existing facilities; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied and that no adverse findings are necessary and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective:

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary

[F. R. Doc. 49-5632; Filed, July 12, 1949; 8:45 a. m.]

[File No. 70-2165]

DELAWARE POWER & LIGHT CO.

SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND RELEASING JURISDICTION IN CERTAIN MATTERS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of July 1949.

Delaware Power & Light Company ("Delaware"), a registered holding company and a public utility company, having filed a declaration pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder with respect to the issuance and sale, pursuant to the competitive bidding requirements of Rule U-50, of \$10,000,000 principal amount of its First Mortgage and Collateral Trust Bonds --% series due 1979, and 50,000 shares of its --% Preferred Stock Cumulative, par value \$100 per share. The issuance and sale of the bonds is conditioned upon the issuance and sale of the preferred stock.

The Commission by order dated June 27, 1949 having permitted the declaration to become effective subject to the condition, among others, that the proposed issuance and sale of bonds and preferred stock shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order shall have been entered with respect thereto; and jurisdiction

having been reserved over the payment of fees and expenses to be incurred in connection with the proposed transaction; and

Delaware having on June 6, 1949 filed an amendment to said declaration in which it is stated that it has invited bids with respect to such bonds and preferred stock pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

FOR THE BONDS

Bidder	Price to company	Interest rate	Cost to company
Lehman Bros .....	101.8109	2 7/8	2.7851
The First Boston Corp.- Blyth & Co., Inc.....	101.77	2 7/8	2.7875
Halsey Stuart & Co., Inc.....	101.734	2 7/8	2.7803
Morgan Stanley & Co.....	101.7101	2 7/8	2.7905
White, Weld & Co.-Shields & Co.....	101.6551	2 7/8	2.7932
Kuhn, Loeb & Co.-Soloman Bros. & Hutzler.....	101.58	2 7/8	2.7968
Union Securities Corp.....	101.536	2 7/8	2.7990
W. C. Langley & Co.....	101.40	2 7/8	2.8057

FOR THE PREFERRED STOCK

Bidder	Price to company	Dividend rate	Cost to company
Lehman Bros.....	100.7199	4.28	4.2494
W. C. Langley & Co.....	100.43999	4.28	4.2613
White, Weld & Co.-Shields & Co.....	100.3191	4.28	4.2694
Morgan Stanley & Co.....	100.51	4.32	4.2968
Blyth & Co., Inc.....	100.45	4.36	4.3405

The amendment further stating that Delaware has accepted the bid of Lehman Brothers for the bonds and the separate bid of Lehman Brothers for the preferred stock, both as set out above, and that the bonds and preferred stock will be offered for sale to the public at 102.54% of the principal amount and \$102.375 per share, respectively, resulting in an underwriters spread of 0.72% and \$1.655, respectively; and

The amendment further setting forth the legal fees to be incurred in connection with the proposed transactions as follows: \$11,000 to Ballard, Spahr, Andrews & Ingersoll and \$2,500 to Southerland, Berl & Potter, counsel for Delaware, and \$8,500 to Townsend, Elliot & Munson, counsel for underwriters (allocated \$5,500 for the bonds and \$3,000 for the preferred stock); and the record being incomplete in respect to the nature and extent of the services of Drexel & Co., financial advisor to Delaware; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to such matter, and finding that the legal fees and expenses other than the fee of Drexel & Co. are not unreasonable:

It is ordered, That the declaration, as amended, be permitted to become effective and that the jurisdiction heretofore reserved with respect to the results of competitive bidding for the bonds and preferred stock and in respect of all legal fees and expenses other than the fee of Drexel & Co., financial advisor to Delaware, be, and the same hereby is, re-

leased, subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 40-5634; Filed, July 12, 1949;  
8:46 a. m.]

[File No. 70-2131]

**AMERICAN POWER & LIGHT CO. AND KANSAS  
GAS AND ELECTRIC CO.**

**SUPPLEMENTAL ORDER GRANTING AND PER-  
MITTING APPLICATION-DECLARATION TO BE-  
COME EFFECTIVE**

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 6th day of July A. D. 1949.

American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, and American's utility subsidiary, Kansas Gas and Electric Company ("Kansas"), having filed a joint application-declaration and amendments thereto regarding the sale by American of the 450,000 shares of the common stock of Kansas owned by it, and the issuance and sale by Kansas of 100,000 additional shares of common stock, and both companies having requested exemption from the competitive bidding requirements of Rule U-50, with respect to the sale of said stock; and

The Commission having by order dated June 8, 1949, granted and permitted to become effective the application-declaration, as amended, and having also granted the requested exemption from the competitive bidding requirements of Rule U-50, subject to the condition that the entire 550,000 shares of the common stock of Kansas be sold at one time; and said order having contained the condition, among other things, that the proposed sale not be consummated until the results of negotiation, including the terms of offering and the underwriters' compensation should have been made a matter of record in these proceedings, and a further order entered by the Commission in the light of the record so completed, and subject to a further reservation of jurisdiction with respect to the fees and expenses incurred or to be incurred in connection with the proposed transactions; and

American and Kansas having filed a further amendment herein setting forth that after representatives of five different underwriting groups had submitted their views with respect to price to be paid for said stock and the underwriters' spread, an agreement was entered into with one of such groups. Thereafter, negotiations with that group having broken down American and Kansas entered into an agreement with Union Securities Corporation as representative of an underwriters' group with respect to the sale of said 550,000 shares of the common stock of Kansas, said agreement providing that the price to be paid to the companies for such stock will be \$25 per share and that said stock will be

offered for sale to the public at a price of \$26.625 per share, resulting in an underwriters' spread of \$1.625 per share; and

The record having also been completed with respect to the expenses relating to the proposed transactions aggregating \$60,000 including counsel fees as follows:

Caldwell, Downing, Noble & Garrity, local counsel for Kansas and American	\$3,500
Reid & Priest, New York counsel for Kansas and American	12,000
LeBoeuf and Lamb, counsel for the purchasers (to be paid by the underwriters)	7,500

and said amendment setting forth that the expenses of the proposed transactions are to be apportioned 82% to American and 18% to Kansas, other than the expenses directly attributable to the issuance of the new stock, and it appearing to the Commission that such fees and expenses including legal fees and the apportionment thereof are not unreasonable; and

Kansas having submitted a further order of the State Corporation Commission of the State of Kansas approving the proposed sale; and

The Commission having stated in its findings and opinion of June 8, 1949, that it would grant the request of American that our order contain recitals in accordance with Supplement R of the Internal Revenue Code, as amended; and

The Commission having examined said amendment, and having considered the record as completed at the reconvened hearing, and finding no basis for the imposition of terms and conditions with respect to such matters:

*It is ordered*, That jurisdiction heretofore reserved with respect to the results of negotiations and the payment of fees and expenses relating to the proposed transactions be, and the same hereby is, released and that the said application-declaration, as further amended, be, and the same hereby is, granted and permitted to become effective forthwith subject to the terms and conditions contained in Rule U-24; and

*It is further ordered and recited*, That the sale and transfer of the 450,000 shares of the common stock of Kansas by American for \$11,250,000 are necessary or appropriate to the integration or simplification of the holding company system of which American is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 40-5635; Filed, July 12, 1949;  
8:46 a. m.]

[File Nos. 70-1178, 70-1852]

**INDIANA SERVICE CORP. ET AL.**

**SUPPLEMENTAL ORDER APPROVING EXTENSION  
OF TIME**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of July A. D. 1949.

In the matter of Indiana Service Corporation, Indiana & Michigan Electric Company, American Gas and Electric Company, File No. 70-1852; in the matter of American Gas and Electric Company, File No. 70-1178.

American Gas and Electric Company ("American Gas") having on June 30, 1947 acquired all the common stock of Indiana Service Corporation ("Indiana Service") in accordance with the Commission's order of December 18, 1946 subject to the condition that the non-electric properties of Indiana Service be disposed of within one year from the date of acquisition, provided however, that application might be made for an extension or extensions of such period for good cause shown; and

The Commission by order dated June 30, 1948 having (1) approved the merger of Indiana Service into Indiana & Michigan Electric Company ("Indiana & Michigan"), also a subsidiary of American Gas, and (2) extended the period for the disposition of the gas properties by the merged company; and the Commission by order dated January 6, 1949 having granted a further extension for such disposition; and

American Gas and Indiana & Michigan having filed an application for a further extension of the period for the disposition of the gas properties to December 31, 1949, said application indicating that American Gas and Indiana & Michigan have heretofore disposed of the transportation and water properties of Indiana & Michigan, that the only remaining properties of the company to be disposed of are the gas properties, and that the companies concerned have been engaged in negotiations looking toward the sale of the gas properties; and

It appearing to the Commission that it is appropriate to grant the application in view of all the circumstances of this case:

*It is ordered*, That the period for American Gas and Indiana & Michigan to dispose of the gas properties of Indiana & Michigan be, and the same hereby is, extended to December 31, 1949.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 40-5636; Filed, July 12, 1949;  
8:46 a. m.]

[File No. 70-2158]

**ST. JOSEPH LIGHT & POWER CO. AND CON-  
TINENTAL GAS & ELECTRIC CORP.**

**ORDER GRANTING APPLICATION**

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 6th day of July A. D. 1949.

St. Joseph Light & Power Company ("St. Joseph") and its parent, Continental Gas & Electric Corporation ("Continental"), a registered holding company, having filed a joint application-declaration and amendments thereto, pursuant to sections 6 (b), 7, 9 and 10 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-42 and U-50 pro-

mulgated thereunder, with respect to the following proposed transactions:

St. Joseph proposes to issue and sell at competitive bidding, pursuant to Rule U-50, \$4,750,000 principal amount of First Mortgage Bonds, --% Series due 1979. The bonds are to be dated July 1, 1949, and are to be issued under the existing indenture as supplemented by three supplemental indentures, the last of which is to be dated July 1, 1949. The interest rate (which shall be a multiple of  $\frac{1}{8}$  of 1%) and the price to be received for the bonds (which shall be not less than 100% nor more than 102 $\frac{3}{4}$ % of the principal amount) are to be determined by competitive bidding.

St. Joseph also proposes to amend its charter, to increase its authorized common stock from 45,000 shares of \$100 par value stock to 500,000 shares without par value, to issue and sell to Continental for \$2,000,000 cash 105,213 shares of no par value common stock and to issue to Continental 212,579 shares of no par value common stock in exchange for the 40,409 shares of \$100 par value common stock now held by Continental. It is stated that no change is to be made in St. Joseph's capital stock account in connection with the change of the outstanding par value common stock to common stock without par value and that the \$2,000,000 proceeds to be received by St. Joseph from the issue and sale of no par value common stock is to be credited to the capital stock account. Continental has joined in the filing for approval of the transactions relating to it.

The application-declaration states that the net proceeds from the sale of the bonds are to be used to finance in part St. Joseph's construction program and to reimburse that company, in part, for expenditures heretofore made from other funds for such purposes, and that the proceeds from the sale of the common stock are to be used for the payment of the outstanding \$300,000 of 2 $\frac{1}{8}$ % serial notes held by banks, to repay \$50,000 advance to St. Joseph on open account by Continental, and the remainder thereof will be added to the general funds of St. Joseph to be used for construction purposes and otherwise.

St. Joseph also proposes to amend its charter, among other things, to provide, under designated circumstances, for preemptive rights for the holders of its common stock, that a quorum at any meeting of shareholders shall consist of a majority of the outstanding shares entitled to vote and that the charter may not be amended without the affirmative vote of a majority of the outstanding shares entitled to vote.

The Public Service Commission of Missouri, the State Commission of the State in which St. Joseph is organized and doing business, has approved and expressly authorized such of the proposed transactions which are subject to its jurisdiction, including the issue by St. Joseph to Continental of 212,579 shares of common stock without par value in exchange for the 40,409 shares, \$100 par value, common stock now held by Continental, the issue and sale by St. Joseph to Continental of an additional 105,213 shares of common stock without par

value for \$2,000,000 in cash and the issue and sale by St. Joseph at competitive bidding of the proposed bonds.

Notice of the filing of said application-declaration, as amended, having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application-declaration, as amended, within the time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Applicants-declarants having requested acceleration of the entry and the effective date of this order and having also requested the Commission to include in its order an appropriate provision conforming to section 1808 (f) of the Internal Revenue Code, as amended, finding that the proposed issue by St. Joseph to Continental of 317,792 shares of its no par common stock is necessary or appropriate to effectuate the provisions of section 11 (b) of the act; and

The Commission deeming it appropriate to grant the request with respect to the acceleration of the order but deeming it appropriate to defer action conforming to section 1808 (f) of the Internal Revenue Code, as amended, pending hearings on the plan for liquidation filed pursuant to section 11 (e) of the act by Continental and its parent, The United Light and Railways Company, and to reserve jurisdiction to enter an appropriate order; and

It appearing that the estimated fees and expenses, aggregating \$80,000 to be incurred and paid in connection with the proposed transactions, including counsel fees in the amount of \$16,000, payable \$10,000 to Sidley, Austin, Burgess and Harper and \$6,000 to Floyd M. Sprague, Esq., counsel for applicants-declarants, and \$6,500 payable to Isham, Lincoln & Beale, independent counsel for the prospective purchasers of the bonds, to be paid by the successful bidder, do not appear unreasonable if they do not exceed the estimates; and

The Commission finding that the requirements of the applicable provisions of Public Utility Holding Company Act of 1935 and the rules promulgated thereunder are satisfied, that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant and permit said application-declaration, as amended, to become effective forthwith:

*It is hereby ordered*, Pursuant to Rule U-23, that said application-declaration, as amended, be and the same hereby is, granted and permitted to become effective forthwith, subject to the condition that the sale of said First Mortgage Bonds shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a part of this proceeding and a further order of the Commission shall have been issued in the light of the record as so completed, for which purpose jurisdiction is hereby reserved.

*It is further ordered*, That jurisdiction be and hereby is reserved to issue an appropriate order finding nunc pro tunc that the proposed issue by St. Joseph to

Continental of 317,792 shares of its no par common stock, or any part thereof, is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 49-5637; Filed, July 12, 1949;  
8:46 a. m.]

[File No. 70-2168]

COLUMBIA GAS SYSTEM, INC., AND MANUFACTURERS LIGHT AND HEAT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of July 1949.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary, The Manufacturers Light and Heat Company ("Manufacturers"), having filed a joint application-declaration, pursuant to the provisions of sections 6 (b), 9, 10 and 12 of the Public Utility Holding Company Act of 1935, with respect to the following proposed transaction:

Manufacturers proposes to sell to Columbia \$6,100,000 principal amount of 3 $\frac{1}{4}$ % Installment Promissory Notes. Such notes are to be unsecured and are to be paid in equal annual installments on February 15 of each of the years 1952 to 1976, inclusive. It is stated that the proceeds to be obtained through the issue and sale of the notes will be utilized by Manufacturers in connection with its construction program. It is proposed that Manufacturers issue and sell the notes at such times and in such amounts as funds are required, none of such notes, however, to be issued and sold subsequent to December 31, 1949.

The Pennsylvania Public Utility Commission approved the issue and sale of the 3 $\frac{1}{4}$ % notes by order dated June 6, 1949.

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

The Commission finding with respect to said joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said joint application-declaration be granted and permitted to become effective.

*It is ordered*, Pursuant to Rule U-23 and the applicable provisions of said act, that the said joint application-declaration be, and hereby is, granted and permitted to become effective forthwith sub-

ject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 49-5638; Filed, July 12, 1949;  
8:46 a. m.]

[File No. 70-2163]

HEVI DUTY ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 6th day of July A. D. 1949.

Hevi Duty Electric Company ("Hevi Duty"), a non-utility subsidiary of The North American Company ("North American"), a registered holding company, has filed a declaration and an amendment thereto pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to the transactions which are summarized below.

Hevi Duty is a Wisconsin Corporation engaged solely in Wisconsin in the business of manufacturing electrical equipment. Its authorized and outstanding capital stock consists of 2,500 shares of Preferred Stock, 6% non-cumulative, \$100 par value ("Preferred Stock"), held by three public stockholders, and 2,500 shares of Common Stock, without par value, of which 96% is held by North American. Hevi Duty has no funded debt; its current and accrued liabilities as of March 31, 1949, amounted to \$235,805.62, including \$100,000 in 5% Demand Notes held by North American.

Hevi Duty's Articles of Incorporation provide (1) that before dividends may be declared and paid on the Preferred Stock, Hevi Duty must have provided for the payment of all indebtedness and (2) that any net profits remaining after provision for the payment of indebtedness and the payment of the 6% Preferred Stock dividend are to be applied to redeem the outstanding Preferred Stock. Dividends may be declared and paid on the Common Stock after provision has been made for the payment of indebtedness and all the Preferred Stock has been redeemed.

Hevi Duty proposes to amend its Articles of Incorporation so as to: (1) Reclassify its 2,500 authorized and outstanding shares of Preferred Stock into 2,500 shares of 6% Cumulative Preferred Stock, \$100 par value ("Cumulative Preferred Stock");

(2) Eliminate the requirement that net profits be applied (a) to provide for the payment of indebtedness before dividends may be paid on its Preferred Stock and (b) to redeem outstanding Preferred Stock before dividends may be paid on the Common Stock;

(3) Provide that the Cumulative Preferred Stock shall have a liquidation preference which shall amount to and be limited to \$100 per share, plus dividends, at the rate of 6% per annum, accrued and unpaid from and after January 1, 1949;

(4) Add certain provisions, for the protection of the Cumulative Preferred

Stock, regarding (a) the authorization or issuance of any shares of senior or parity stock, or of shares of Cumulative Preferred Stock in excess of 2,500, (b) the alteration of the express terms of the Cumulative Preferred Stock in any manner substantially prejudicial to the holders thereof, (c) corporate merger or consolidation, and (d) election of directors by the holders of the Cumulative Preferred Stock in the event of default in dividend payments;

(5) Eliminate Article Sixth thereof, in order to remove any possible ambiguity as to the voting rights of the holders of the Preferred Stock.

Hevi Duty further proposes to assign to the 2,500 shares of its Common Stock, without par value, a stated value of \$20 per share. The Common Stock is now carried on Hevi Duty's books in combination with Surplus as a single figure, which at March 31, 1949, amounted to \$406,399.34; and in connection with assigning the said stated value to the Common Stock, Hevi Duty proposes to transfer \$50,000 from its omnibus Common Stock-Surplus account to Capital Stock account.

When the foregoing transactions have been effected, Hevi Duty further proposes to designate as Surplus the balance remaining in the above-mentioned omnibus Common Stock-Surplus account and to write off certain expired patents by a charge to such Surplus account in the aggregate amount of \$306,998.13, representing the carrying value of such patents.

Hevi Duty states that the above-mentioned amendments to its Articles of Incorporation were unanimously approved by its Preferred and Common stockholders at a special meeting thereof, and that the assignment of a stated value of \$20 per share to its Common Stock was approved at the same meeting by the holders of the Common Stock.

The said declaration and the amendment thereto having been duly filed and notice of the filing of the declaration having been duly given in the form and manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration, as amended, that the requirements of the applicable provisions of the act and the rules promulgated thereunder are satisfied, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed by Rule U-24, that the declaration, as amended, be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 49-5639; Filed, July 12, 1949;  
8:46 a. m.]

UNITED STATES TARIFF  
COMMISSION

[List No. D-5 (E)]

KNITTED BERETS

APPLICATION DENIED AND DISMISSED

JULY 8, 1949.

The Tariff Commission divided by a vote of 3 to 3 on motion to order an investigation under the "escape clause" of trade agreements with respect to knitted berets wholly of wool, valued at more than \$2 per pound. Accordingly an investigation was not ordered and the application was dismissed.

[SEAL] SIDNEY MORGAN,  
Secretary.

[F. R. Doc. 49-5666; Filed, July 12, 1949;  
8:53 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 56 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13473]

MARGARETHE AND CHRISTINE BOYE

In re: Interests in a mortgage, property insurance policy, securities, and claim owned by Margarethe Boye, also known as Margaret Boye, and Christine Boye.

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

1. That Margarethe Boye, also known as Margaret Boye, and Christine Boye, whose last known addresses are Hamburg, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. An undivided two-thirds ( $\frac{2}{3}$ ) interest in a mortgage executed August 24, 1927, by Jesse T. Milhous and Harry G. Sweney to The Delaware County Trust Company, and recorded in the Office of the Recorder of Deeds of Delaware County, Pennsylvania, in Mortgage Book No. 805, Page 424, and an undivided two-thirds ( $\frac{2}{3}$ ) interest in and to any and all obligations secured by said mortgage, including but not limited to, all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such undivided two-thirds ( $\frac{2}{3}$ ) of said obligations and the right to enforce and collect the same, and the right to possession of the aforesaid mortgage, and all notes, bonds and other instruments evidencing such obligations,

b. All right, title and interest of the persons named in subparagraph 1 hereof in and to Fire and Extended Coverage Policy No. 73340 issued by the City of New York Insurance Company, 59 Malden Lane, New York, New York, in the amount of \$2,000.00, which policy ex-

pires September 21, 1950, and insures the property subject to the mortgage described in subparagraph 2-a hereof.

c. That certain debt or other obligation owing to the persons named in subparagraph 1 hereof by Delaware County Trust Company, 5th and Market Streets, Chester, Pennsylvania, arising out of funds deposited with said bank in a "Trust Funds" account, and any and all rights to demand, enforce and collect the same.

d. An undivided two-thirds (2/3) interest in one hundred (100) shares of the capital stock of Chester Shipping Company, evidenced by certificate number 492, registered in the name of Estate of Fred Boye (Deceased) and presently in the custody of Delaware County Trust Company, 5th and Market Streets, Chester, Pennsylvania, together with an undivided two-thirds (2/3) interest in and to all declared and unpaid dividends thereon.

e. An undivided two-thirds (2/3) interest in a Penn Forest Tall Cedars of Lebanon, Chester, Pennsylvania, twenty (20) year first mortgage 5% Gold Bond of \$100 face value, due June 1, 1940, bearing certificate number 270, registered in the name of Estate of Fred Boye, deceased, and presently in the custody of Delaware County Trust Company, 5th and Market Streets, Chester, Pennsylvania, together with an undivided two-thirds (2/3) interest in any and all rights thereunder and thereto.

f. An undivided two-thirds (2/3) interest in two (2) The Military Academy Stock Co., Chester, Pennsylvania, twenty (20) year 5% Gold Bonds of \$1,000.00 face value each, due March 1, 1936, bearing certificate numbers 41 and 42, registered in the name of Estate of Fred Boye, deceased, and presently in the custody of Delaware County Trust Company, 5th and Market Streets, Chester, Pennsylvania, together with an undivided two-thirds (2/3) interest in any and all rights thereunder and thereto.

g. An undivided two-thirds (2/3) interest in Certificate of Participation in Mortgage or Securities Pool for Investment of Fiduciary Funds, Series A, issued by Delaware County Trust Company, Chester, Pennsylvania in the face amount of \$1,267.98, bearing certificate number 967, registered in the name of Estate of Fred Boye, deceased, and presently in the custody of Delaware County Trust Company, 5th and Market Streets, Chester, Pennsylvania, together with an undivided two-thirds (2/3) interest in any and all rights thereunder and thereto, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-a to 2-g hereof, inclusive, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Executed at Washington, D. C., on July 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-5669; Filed, July 12, 1949; 8:54 a. m.]

NICKOLAS L. VACANO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location  
Nickolas L. Vacano, San Francisco, California, 6385; \$12,959.49 in the Treasury of the United States.

Executed at Washington, D. C., on July 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-5674; Filed, July 12, 1949; 8:55 a. m.]

[Vesting Order 13472]

CLARA ROYE ET AL.

In re: Stock, bonds, certificates and portion of a bank account owned by Clara Roye and others.

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

1. That Clara Roye, whose last known address is Kesselstrasse 26, Soest, Westf., Germany, Mrs. P. Gruter-Tillesen, whose last known address is Rhein Allee 10, Mainz, Germany, and Nora von Schnitzler, whose last known address is Haus Girsberg, Post Munsterfeld, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the following, whose last known addresses are set forth opposite their names:

- Delbrück Schickler & Co., Berlin, Germany.
- Mertins & Co., Cologne, Germany.
- Gustav Grolman OHG, Düsseldorf, Germany.
- C. F. Boehringer & Soehne, Mannheim-Waldhof, Germany.
- Deutsche Bank, Berlin W8, Germany.
- Dresdner Bank, Dresden, Germany.

are corporations, partnerships, associations or other business organizations organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. That Maatschappij voor Handel in Porceleinaarde N. V. is a corporation organized under the laws of Holland, whose principal place of business is located at Amsterdam, Holland, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the aforesaid Gustav Grolman OHG, and is a national of a designated enemy country (Germany);

4. That Boehringer's Handel-Maatschappij N. V. is a corporation organized under the laws of Holland, whose principal place of business is located at Amsterdam, Holland, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the aforesaid C. F. Boehringer & Soehne, and is a national of a designated enemy country (Germany);

5. That Bank voor West-Europeeschen Handel is a corporation organized under the laws of Holland, whose principal place of business is located at Amsterdam, Holland, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the aforesaid Deutsche Bank and Dresdner Bank, and is a national of a designated enemy country (Germany);

6. That the property described as follows: That certain debt or other obligation of the Bank of the Manhattan Company, 40 Wall Street, New York, New York, in the amount of \$130,443.11, as of November 15, 1948, constituting a portion of an account entitled Rhodius Koenigs Handelmaatschappij N. V., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Clara Roye, Mrs. P. Gruter-Tillesen, Boehringer's Handel-Maatschappij N. V. Maatschappij voor Handel in Porceleinaarde N. V., and Bank voor West-Europeeschen Handel, the aforesaid nationals of a designated enemy country (Germany);

7. That the property described as follows: Those certain bonds and certifi-

cates described in Exhibit A, attached hereto and by reference made a part hereof, presently in the custody of J. Henry Schroder Banking Corporation, 46 William Street, New York, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Clara Roye, Mrs. P. Grutering-Tillesen, Nora von Schnitzler, and Delbrück Schickler & Co., the aforesaid nationals of a designated enemy country (Germany);

8. That the property described as follows:

a. Those certain shares of stock described in Exhibit B, attached hereto and by reference made a part hereof, together with all declared and unpaid dividends thereon;

b. An undivided 80/100ths interest in 100 shares of common stock of Republic Steel Corporation, Cleveland, Ohio, a corporation organized under the laws of New Jersey, evidenced by Certificate No. NYC 65024, and registered in the name of Amsterd. Administratiekantoor v. Amerikaanse Waarden, Amsterdam, together with an undivided 80/100th interest in all declared and unpaid dividends thereon;

c. An undivided 30/100ths interest in 100 shares of common stock of United States Steel Corporation, New York, New York, a corporation organized under the laws of New Jersey, evidenced by Certificate No. N 15794, and registered in the name of Administratiekantoor v. Broes & Vosman c. s., Amsterdam, together with an undivided 30/100ths interest in all declared and unpaid dividends thereon;

d. Six (6) four percent North German Lloyd sinking fund bonds issued in 1933, due November 1947, of \$6,000 face value, bearing the numbers 11798, 13341, 12909, 11250, 13342, and 15214, presently in the custody of J. S. Bache & Co., New York, New York in an account held in the name of Lisser & Rosenkranz N. V., Amsterdam, Holland, together with any and all rights thereunder and thereto,

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

9. That the property described as follows: Four (4) RM. 100 par value American shares of common stock of Rhine-Westphalia Electric Power Corporation (Rheinisch-Westfälisches Elektrizitätswerk A. G.), Essen, Germany, a corporation organized under the laws of Germany, evidenced by Certificate Number 808, registered in the name of L. D. Pickering & Co., and presently in the custody of J. Henry Schroder Banking Corporation, 46 William Street, New York, New York, together with all declared and unpaid dividends thereon,

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

10. That the property described as follows:

a. 350 shares of common stock of New York and Foreign Investing Corporation, Jersey City, New Jersey, a corporation organized under the laws of Maryland, evidenced by the certificates numbered as set forth below, registered in the name of Administratie Kantoor van Gebr. Boissevain & Gebr. Teixeira de Mattos, Amsterdam, in the amounts appearing opposite each certificate number as follows:

Certificate No.:	Number of shares	Certificate No.:	Number of shares
C 502	100	CL 5698	10
C 503	100	CL 5699	10
CL 8374	50	CL 5700	10
CL 6294	10	CL 4370	10
CL 6295	10	CL 6292	10
CL 6296	10	CL 6293	10
CL 6297	10		

together with all declared and unpaid dividends thereon,

b. An undivided 5/10ths interest in 10 shares of common stock of New York and Foreign Investing Corporation, Jersey City, New Jersey, a corporation organized under the laws of Maryland, evidenced by Certificate No. CL 6291, registered in the name of Administratie Kantoor van Gebr. Boissevain & Gebr. Teixeira de Mattos, Amsterdam, together with an undivided 5/10ths interest in all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Delbrück Schickler & Co., the aforesaid na-

tional of a designated enemy country (Germany);

and it is hereby determined:

11. That Boehringer's Handelsmaatschappij N. V., Mattschappij voor Handel in Porceleinaarde N. V., and Bank voor West-Europeschen Handel are controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and are nationals of a designated enemy country (Germany); and

12. That to the extent that the persons named in subparagraphs 1, 2, 3, 4 and 5 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on June 30, 1949.

For the Attorney General.

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

EXHIBIT A

Description of issue	Face value	Bond or certificate No.
United Steel Works Corp., 3 3/4% sinking fund series "A" bond due June 1, 1951	\$1,000.00	25079
Conversion Office for German Foreign Debts, 3% certificate series "B", due Jan. 1, 1946	2.50	34273
Do.....	20.00	275779
Do.....	20.00	275780
Do.....	20.00	275781
Missouri Kansas & Texas Ry. Co., 4% bond due June 1, 1950	1,000.00	28213
Conversion Office for German Foreign Debts, 3% dollar bonds of 1937, due Jan. 1, 1946	100.00	78784
Do.....	100.00	78785
Do.....	100.00	78786
German Central Bank for Agriculture Farm Loan, 6% secured sinking fund gold bonds, second series 1927, due 1960	1,000.00	44944

EXHIBIT B

Name and address of issuing corporation	State of incorporation	Certificate No.	Number of shares	Par value	Type of stock	Name in which registered
Anaconda Copper Mining Co., 25 Broadway, New York City, N. Y.	Montana.....	367447.....	100	\$50	Capital.....	Administratiekantoor v. Broes & Gosman c. s., Amsterdam.
Do.....	do.....	L 928/32.....	(1)	50	do.....	Do.
General Motors Corp., 3044 West Grand Blvd., Detroit, Mich.	Delaware.....	D 142-525.....	100	10	Common.....	Amsterd. Administratiekantoor v. Amerikaanse Waarden, Amsterdam.
Republic Steel Corp., Republic Bldg., Cleveland, Ohio.	New Jersey.....	NYC 65023.....	100	(2)	do.....	Do.
Shell Union Oil Corp., 50 West 50th St., New York City 20, N. Y.	Delaware.....	NY 38009.....	100	15	do.....	Broekman's Administratiekantoor N. V., Amsterdam.
		NY 38700.....	100			

<sup>1</sup> 10 shares each.

<sup>2</sup> No par value.