

Washington, Wednesday, May 26, 1948

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[Quarantine No. 13]

PART 301.—DOMESTIC QUARANTINE NOTICES

SUBPART—HAWAIIAN FRUITS AND VEGETABLES¹

Pursuant to the authority vested in the Secretary of Agriculture by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. and Supp. 151 et seq.) and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.) and after public hearing and due consideration of all relevant material presented thereat, the quarantine and regulations in 7 CFR and Cum. Supp., 301.13 through 301.13-12 are hereby amended to read as follows:

- Sec.
- 301.13 Notice of quarantine.
 - 301.13-1 Definitions.
 - 301.13-2 Regulated articles.
 - 301.13-3 Conditions of movement.
 - 301.13-4 Conditions governing the issuance of certificates.
 - 301.13-5 Application for inspection.
 - 301.13-6 Marking, certification and type of container.
 - 301.13-7 Uncertified fruits, vegetables, and cut flowers taken aboard ships, vessels, other surface craft, or aircraft.
 - 301.13-8 Inspection of vessels.
 - 301.13-9 Disinfection of vessels.
 - 301.13-10 Inspection of aircraft.
 - 301.13-11 Disinfection of aircraft.
 - 301.13-12 Inspection of baggage and cargo.
 - 301.13-13 Posting of warning notice and distribution of baggage declarations.
 - 301.13-14 Shipments for experimental or scientific purposes.

AUTHORITY: §§ 301.13 to 301.13-14, inclusive, issued under sec. 8, 37 Stat. 318, 39 Stat. 1165, 44 Stat. 250, secs. 2, 3, 33 Stat. 1270; 7 U. S. C. 161, 141, 143.

§ 301.13 *Notice of quarantine.* The Secretary of Agriculture having previously quarantined the Territory of Hawaii on account of the Mediterranean fruitfly (*Ceratitidis capitata* Hendl.) and the melon fly (*Dacus cucurbitae* Coq.), now determines that it is necessary to modify the quarantine to prevent the

¹ This subpart was formerly designated as "Mediterranean Fruitfly and Melon Fly."

spread of additional dangerous plant diseases and insects found in Hawaii and new to and not widely prevalent or distributed within and throughout the United States, including the following: Oriental fruitfly (*Dacus dorsalis* Hendl.), citrus canker (*Xanthomonas citri* (Hesse) Dowson) green coffee scale (*Coccus viridis* Green) bean pod borer (*Maruca testulalis* Geyer) bean butterfly (*Lampides boeticus* L.), Asiatic rice borer (*Chilo simplex* Butl.) mango weevil (*Cryptorhynchus mangiferae* F.), and Chinese rose beetle (*Adoretus sinicus* Burm.)

Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), and having given the public hearing required thereunder, the Secretary of Agriculture hereby quarantines the Territory of Hawaii to prevent the spread of said plant diseases and insect pests.

All fruits and vegetables, in the natural or raw state; peel of fruits of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddalioideae, of the botanical family Rutaceae; cut flowers; rice straw; and mango seeds, are hereby prohibited movement from the Territory of Hawaii into or through any other Territory, State, or District of the United States, in manner or method or under conditions other than those prescribed in the regulations hereinafter made or amendments thereto: *Provided*, That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that existing conditions as to the pest risk involved in the movement of the articles or insects to which the regulations supplemental hereto apply, make it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such findings in administrative instructions, specifying the manner in which the regulations should be made less stringent, whereupon such modification shall become effective.

RULES AND REGULATIONS

§ 301.13-1 *Definitions.* For the purpose of the regulations in this subpart the following words, names, and terms shall be construed, respectively, to mean:

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(a) *Plant pests.* The injurious insects and plant diseases referred to in § 301.13, in any stage of development.

(b) *Fruits and vegetables.* The more or less succulent portions of food plants, and parts thereof, in the raw or unprocessed state, such as bananas, coconuts, pineapples, potatoes, ginger root, tomatoes, peppers, melons, citrus, mangoes, etc.

(c) *Cut flowers.* Cut blooms of gardenia and mauna loa or leis made thereof.

(d) *Mango seeds.* Seeds of the fruit of mango (*Mangifera* spp.), fresh or dried.

(e) *Rice straw.* Stems or straw of rice (*Oryza sativa*) when used as packing material or for other purposes.

(f) *Inspector.* An inspector of the United States Department of Agriculture authorized by the Secretary of Agriculture to enforce the provisions of the Plant Quarantine Act.

(g) *Certificate.* A document signed by an inspector certifying that a particular ship, vessel, other surface craft, or aircraft, or any specified lot or shipment of fruits or vegetables or other plant materials, via baggage, parcel post, express, freight or other mode of transportation, has been inspected and found apparently free from articles the movement of which is prohibited by the quarantine and regu-

lations in this subpart, and from the plant pests referred to in said quarantine; or that the lot of shipment is of such a nature that no danger of infestation or infection is involved; or that it has been treated in a manner to eliminate infestation. A certificate covering treated products must state the treatment applied.

(h) *Person.* This term shall be construed to include both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations.

(i) *Moved (move and movement)* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, directly or indirectly, from the Territory of Hawaii into or through any other Territory or State or District of the United States. Local or interisland movement is in no way affected by the regulations in this subpart. ("Move" and "movement" shall be construed accordingly.)

(j) *Disinfection (disinfect and disinfected)* The application to parts or all of a ship, vessel, other surface craft, or aircraft of a treatment that may be designated by the inspector as effective against such plant pests as may be present. ("Disinfect" and "disinfected" shall be construed accordingly.)

§ 301.13-2 *Regulated articles—(a) Prohibited movement.* (1) The movement of insects of the species designated in § 301.13 or other notoriously injurious insects in a live state from the Territory of Hawaii into or through any other Territory, State, or District of the United States, either independently or in connection with any other article, is prohibited, except as proved in § 301.13-14 (b)

(2) Fruits, vegetables and other products specified in § 301.13, and not eligible for inspection and certification under § 301.13-4 or otherwise expressly authorized movement either in the regulations in this subpart or in administrative instructions issued by the Chief of the Bureau of Entomology and Plant Quarantine are prohibited movement.

(b) *Regulated movement.* The movement of the following fruits and vegetables from the Territory of Hawaii is allowed throughout the year upon compliance with the regulations in this subpart:

- Arrowhead (*Sagittaria sagittifolia*).
- Arrowroot (*Maranta arundinacea*).
- Asparagus (*Asparagus officinalis*).
- Bean sprouts, soy (*Glycine hispida*).
- Bean sprouts, mungo (*Phaseolus aureus*).
- Burdock, great (*Arcetium lappa*, *Lappa major*, *L. edulis*).
- Butterbur (*Petasites japonicus*).
- Cabbage (*Brassica oleracea*).
- Cabbage, Chinese (*Brassica pekinensis*, *B. chinensis*).
- Cabbage, swamp (*Ipomoea reptans*).
- Carrot (*Daucus carota sativa*).
- Cassava (*Manihot* sp.).
- Celery (*Apium graveolens*).
- Chinese spinach (*Amaranthus gangeticus*).
- Chives (*Allium schoenoprasum*).
- Chrysanthemum, garland (*Chrysanthemum coronarium*).
- Coconuts (*Cocos nucifera*).
- Coriander (*Coriandrum sativum*).

- Dandelion (*Taraxacum officinale*).
- Dropwort, water (*Oenanthe stolonifera*).
- Garlic (*Allium sativum*).
- Ginger bracts (*Zingiber macega*).
- Ginger root (*Zingiber officinale*).
- Honeysuckle (*Cryptotaenia canadensis*).
- Jesuit's nut (*Trapa bicornis*, *T. natans*).
- Kudzu (*Pueraria thunbergiana*).
- Leek (*Allium porrum*).
- Lettuce (*Lactuca sativa*).
- Lily root (*Nelumbium nucifera*).
- Mugwort (*Artemisia vulgaris*).
- Nightshade, Malabar (*Baccella rubra*).
- Onion, green (*Allium fistulosum*).
- Parsley (*Petroselinum hortense*).
- Perilla (*Perilla frutescens*).
- Pineapples (*Ananas sativa*).
- Potato (*Solanum tuberosum*).
- Radish greens (*Raphanus sativus longiplanatus*).
- Radish, oriental (*Raphanus sativus longiplanatus*).
- Shallot (*Allium ascalonicum*).
- Spinach (*Spinacia oleracea*).
- Sweet corn (*Zea mays*).
- Taro root, shoots and stalks (*Colocasia antiquorum esculentum*).
- Watercress (*Nasturtium officinale*).
- Waternut (waterchestnut) (*Eleocharis dulcis* (*E. tuberosa*) (*Scirpus tuberosus*)).
- Yam bean root (*Pachyrhizus erosus*).
- Yams (*Dioscorea* spp.).

Provided, That additions of other fruits and vegetables may be made to the foregoing list of regulated articles by the Chief of the Bureau of Entomology and Plant Quarantine when he determines that such fruits or vegetables, either as ordinarily packed and shipped or after treatment, do not involve risk of spreading any of the plant pests designated in the foregoing quarantine, and when such findings have been made known in administrative instructions of the Chief of the Bureau of Entomology and Plant Quarantine.

§ 301.13-3 *Conditions of movement—(a) Certification.* Regulated articles shall not be moved from the Territory of Hawaii unless accompanied by a valid certificate issued by an inspector, except that coconuts (husked or unhusked), free from wrapping or packing materials, may be moved through the mails without certification.

(b) *Segregation of certified articles.* Articles certified after treatment in accordance with § 301.13-4 (b), taken aboard any ship, vessel, other surface craft, or aircraft in the Territory of Hawaii must be segregated and protected in a manner as required by the inspector.

§ 301.13-4 *Conditions governing the issuance of certificates.* Certificates may be issued for the movement of articles permitted movement in accordance with the regulations in this subpart under either of the following conditions:

(a) Fruits and vegetables designated in § 301.13-2 (b) may be certified when they have been inspected by an inspector and found apparently free from infestation.

(b) Fruits, vegetables, and other products designated in § 301.13 (except those listed in § 301.13-2 (b)) for which treatments may be approved by the Chief of the Bureau of Entomology and Plant Quarantine may be certified after such treatments have been applied under the observation of an inspector in accordance with administratively approved procedure. Any treatment that may be

approved must be applied at the expense of the shipper, owner, or person in charge of such fruits and vegetables, except that no charge will be made for services performed by the inspector in the supervision of such treatments. The Department of Agriculture or its inspector will not be responsible for loss or damage resulting from any treatment prescribed or supervised.

§ 301.13-5 *Application for inspection.* Persons intending to move any fruits or vegetables that may be certified in accordance with the provisions of § 301.13-4 shall make application for inspection or treatment on forms provided for this purpose as far as possible in advance of the contemplated date of shipment. They will also be required to prepare, handle, and safeguard such articles from infestation or reinfestation, and to assemble them at such points as the inspector may designate, placing them so that inspection may be readily made. All costs, including storage, transportation, and labor incident to inspection, other than the services of the inspector shall be paid by the shipper. Blank forms² for use in making applications for inspections will be furnished free upon request to the United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Honolulu, T. H.

§ 301.13-6 *Marking, certification and type of container.* Each container of articles required to be certified under the regulations in this subpart shall be plainly marked by identification purposes as required by the inspector, and shall be accompanied by a certificate issued in compliance with the regulations in this subpart. In the case of lot shipments, either in containers or in bulk, a certificate covering the lot shall be attached to the waybill, manifest or bill of lading. Containers or wrappers shall be new or of materials approved by an inspector.

§ 301.13-7 *Uncertified fruits, vegetables, and cut flowers taken aboard ships, vessels, other surface craft, or aircraft—(a) In the possession of passengers or crew members.* Small quantities of fruits, vegetables, and cut flowers, subject to the quarantine and regulations in this subpart, when loose and free of packing materials, may be taken aboard any ship, vessel, other surface craft, or aircraft by passengers or members of the crew without inspection and certification in the Territory of Hawaii. However, if such articles, so taken aboard, are not eligible for inspection and certification under § 301.13-4 (a), they must be entirely consumed or disposed of before arrival within the territorial waters of any other Territory, State, or District of the United States: *Provided*, That no such uncertified articles may be taken aboard any aircraft as baggage or otherwise, when such aircraft is to be inspected and certified before its departure from the Territory of Hawaii in the manner set forth in § 301.13-10.

²Form EQ-170.

(b) *As ship's stores or decorations.* Fruits, vegetables, and cut flowers subject to the quarantine and regulations in this subpart may be taken aboard ship, vessel, or other surface craft, or aircraft in the Territory of Hawaii without inspection or certification. However, such fruits, vegetables, and cut flowers not eligible for inspection and certification under § 301.13-4 (a) must be entirely consumed or removed from the ship, vessel, other surface craft, or aircraft before arrival within the territorial waters of any other Territory, State, or District of the United States: *Provided*, That no such uncertified articles may be taken aboard any aircraft as stores or otherwise, when such aircraft is to be inspected and certified before its departure from the Territory of Hawaii in the manner set forth in § 301.13-10.

§ 301.13-8 *Inspection of vessels.* All ships, vessels, and other surface craft from Hawaii, upon coming within the territorial waters of any other Territory, State, or District of the United States, shall be subject to examination by inspectors for the purpose of ascertaining by inspection whether any of the articles or insects prohibited movement by the quarantine and regulations in this subpart are contained in such ships, vessels, or other surface craft, or whether there remains any infestation from such articles. Such inspection will be made at the discretion of the inspector, either in the stream or at a pier, wharf, or mole within the confines of any port in the United States, other than in the Territory of Hawaii. If inspection is made in the stream, the ship, vessel, or other surface craft shall remain in the quarantine or inspection area until the inspector has notified the master or other responsible ship's officer, in writing, that further detention in quarantine for inspection purposes is not required. If inspection is made at a pier, wharf, or mole, the master or other responsible ship's officer shall not permit the unloading of any cargo, stores, baggage, or other personal belongings of the passengers and crew until he receives the written notification referred to above from the inspector. This inspection shall be made only between the hours of sunrise and sunset, and any ship, vessel, or other surface craft arriving after sunset shall remain at anchor in the quarantine or inspection area until inspection can be made on the following morning: *Provided*, That inspection between the hours of sunset and sunrise may be made when the inspector has been furnished advance information of the approximate hour of arrival, and the number of passengers carried, if any, and when facilities satisfactory to the inspector are provided both aboard the ship, vessel, or other surface craft and on the pier for adequate lighting and availability of stores, quarters, and baggage for inspection, as well as transportation to and from the ship, vessel, or other surface craft in the quarantine or inspection area, if necessary.

§ 301.13-9 *Disinfection of vessels.* Any ship, vessel, or other surface craft arriving from the Territory of Hawaii at a port in any other Territory, State, or District of the United States, which is

found, upon inspection, to contain articles subject to the quarantine and regulations in this subpart infested or infested with any of the plant pests designated in the quarantine or to be contaminated with any article or injurious insect prohibited movement by said quarantine and regulations, shall be immediately disinfected by the person in charge or possession of such ship, vessel, or other surface craft under the supervision of an inspector and in the manner prescribed by him.

§ 301.13-10 *Inspection of aircraft.* All aircraft arriving from the Territory of Hawaii at a port within the territorial limits of any other Territory, State, or District of the United States shall be subject to examination by inspectors for the purpose of ascertaining by inspection if any article or injurious insect the movement of which is prohibited by the quarantine and regulations in this subpart is contained in any such aircraft, or if any infestation from such prohibited articles remains. Except in the case of forced landings, all aircraft moving between the Territory of Hawaii and any other Territory, State, or District of the United States shall, upon coming within the territorial limits of such Territory, State, or District, land at an airport of entry unless permission to land elsewhere than at an airport of entry is first granted by the Commissioner of Customs, Washington, D. C., with concurrence of the Bureau of Entomology and Plant Quarantine and shall remain there until inspected and released by the inspector. No baggage, cargo, or other articles shall be removed from the aircraft until such removal has been authorized by an inspector: *Provided*, That in the case of forced landings by such aircraft, the aircraft commander or operator shall not allow any baggage, cargo, or other articles to be removed therefrom, unless such removal is necessary for purposes of safety or the preservation of life or property. As soon as practicable, the aircraft commander, or a member of the crew in charge, or the owner of the aircraft shall communicate with the nearest plant quarantine officer and make a full report of the circumstances of the flight and of the forced landing: *Provided further*, That aircraft proceeding from the Territory of Hawaii to or through any other Territory, State, or District of the United States may, at the discretion of an inspector, be inspected immediately prior to the departure of such aircraft from the Territory of Hawaii in lieu of inspection at the port of arrival, and when such aircraft, its cargo, stores, and baggage and other personal effects of passengers and crew members have been inspected and found free of articles or insects, the movement of which is prohibited by the quarantine and regulations in this subpart, the inspector shall issue a certificate to that effect for delivery to the pilot or person in charge of the aircraft as evidence for later presentation at the port of arrival that such inspection has been made.

§ 301.13-11 *Disinfection of aircraft.* Any aircraft arriving from the Territory of Hawaii at a port in any other Territory, State, or District of the United

States, which is found upon inspection to contain articles subject to the quarantine and regulations in this subpart infested or infested with any of the plant pests designated in § 301.13 or which is found to be contaminated with any articles or injurious insects prohibited movement by said quarantine and regulations shall be immediately disinfected by or at the direction of the person in charge or possession of such aircraft, under the supervision of an inspector and in the manner prescribed by him; and any aircraft found upon inspection pursuant to the second proviso in § 301.13-10 prior to its departure from the Territory of Hawaii for a port in any other Territory, State, or District of the United States, to contain or to be contaminated with any articles or injurious insects as aforesaid, shall be disinfected by the person in charge or in possession of such aircraft, under the supervision of an inspector and in a manner prescribed by him, before it will qualify for the certificate referred to in the said second proviso, in § 301.13-10.

§ 301.13-12 *Inspection of baggage and cargo.* All baggage and other personal effects of passengers and members of crews on ships, vessels, other surface craft or aircraft moving from the Territory of Hawaii shall be subject to examination by an inspector to ascertain if they contain any of the articles prohibited movement by the quarantine and regulations in this subpart. Such baggage inspection shall be made, at the discretion of the inspector, on the dock or on the ship, vessel, other surface craft or aircraft while in a quarantine or inspection area, either at the port of departure in the Territory of Hawaii or, at the first or any subsequent port of arrival in any other Territory, State, or District of the United States, and no baggage or other personal effects of passengers or crew members from the Territory of Hawaii shall be released until said effects have been inspected and passed. Baggage inspections will not be performed until the person in charge or possession of the carrier ship, vessel, other surface craft, or aircraft provides sufficient space and adequate facilities thereon, or on piers or landing fields for such inspection.

Inspectors may require that any box, bale, crate, bundle, package, trunk, bag, suitcase, or other container, carried as ships' stores, cargo, or otherwise, by any ship, vessel, other surface craft, or aircraft moving between the Territory of Hawaii and any other Territory, State, or District of the United States, be opened for inspection to determine whether any article prohibited movement by the quarantine and regulations in this subpart is present. If any such prohibited article, including any injurious insect or any fruit or vegetable infested with plant pests, is found, the inspector may order the return of the article to the place of origin under safeguards satisfactory to him, seize and destroy it, or otherwise dispose of it or such part thereof as in his judgment is necessary to comply with the quarantine and regulations in this subpart.

No cargo shall be loaded on or unloaded from any ship, vessel, other surface craft, or aircraft arriving from the Territory of Hawaii at a port in any other Territory, State or District of the United States, either at the first or any subsequent port of arrival where passengers are disembarked, without authorization of the inspector in charge of the inspection of passengers' baggage.

§ 301.13-13 *Posting of warning notice and distribution of baggage declarations.* Before any ship, vessel, other surface craft, or aircraft from Hawaii arrives within the boundaries of any other Territory, State, or District of the United States, the master, or other responsible officer thereof, shall cause to be distributed to each adult passenger thereon a baggage declaration³ to be furnished by the United States Department of Agriculture, calling attention to the provisions of the Plant Quarantine Act, and the quarantine and regulations in this subpart. These baggage declarations shall be executed and signed by the passengers and shall be collected and delivered by the master or other responsible officer of the ship, vessel, other surface craft, or aircraft, to the inspector on arrival at the quarantine or inspection area: *Provided*, That in the case of aircraft inspected and certified as set forth in the second proviso of § 301.13-10 no baggage declarations will be required.

Every person owning or controlling any dock, harbor, or landing field in Hawaii from which ships, vessels, other surface craft, or aircraft leave for ports in any other Territory, State, or District of the United States shall post, and keep posted at all times, in one or more conspicuous places in passenger waiting rooms on or in said dock, harbor, or landing field a warning notice directing attention to the quarantine and regulations in this subpart.⁴ Every master, or other responsible officer of any ship, vessel, other surface craft, or aircraft leaving Hawaii destined to a port in any other Territory, State, or District of the United States shall similarly post, and keep posted at all times, such a warning notice in the ship, vessel, other surface craft, or aircraft under his charge.

§ 301.13-14 *Shipments for experimental or scientific purposes*—(a) *Articles for experimental or scientific purposes.* Regulated articles, other than live insects of the species designated in § 301.13 or other notoriously injurious insects in a live state, may be moved by the United States Department of Agriculture for experimental or scientific purposes on such conditions as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear an identifying tag from the Bureau of Entomology and Plant Quarantine.

(b) *Insects for scientific purposes.* Live insects of the species designated in § 301.13 or other notoriously injurious insects in a live state, in any stage of development, may be mailed, shipped, transported, delivered or removed from

the Territory of Hawaii to any State, Territory or District of the United States for scientific purposes only under conditions prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of live insects so moved shall bear an identifying tag from the Chief of the Bureau of Entomology and Plant Quarantine.

These revised regulations shall be effective on and after June 24, 1948, and shall supersede the quarantine and regulations issued May 20, 1930, as amended May 10, 1941 (7 CFR and Cum. Supp. §§ 301.13-301.13-12, incl.)

The foregoing quarantine and regulations are issued to prevent the spread from the Territory of Hawaii to other Territories or States of the United States or to the District of Columbia, of the Oriental fruitfly, citrus canker, green coffee scale, bean pod borer, bean butterfly, Asiatic rice borer, mango weevil, Chinese rose beetle, Mediterranean fruitfly, and the melon fly, which are found in Hawaii, by regulating the movement from Hawaii of such pests and of all raw fruits and vegetables, citrus fruit peel, certain cut flowers, rice straw, and mango seeds which are known to be hosts for these pests. The foregoing quarantine and regulations replace the Mediterranean Fruitfly and Melon Fly Quarantine and Regulations which heretofore restricted the movement of raw fruits and vegetables, but no other products, from Hawaii to prevent the spread from Hawaii of the Mediterranean fruitfly and the melon fly. The foregoing regulations restrict movement of the regulated articles by airplane as well as by the other means of transportation which were controlled by the Mediterranean Fruitfly and Melon Fly Regulations.

Done at the city of Washington, D. C., this 20th day of May 1948.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.
[F. R. Doc. 48-4633; Filed, May 25, 1948; 8:51 a. m.]

[Quarantine No. 72]

PART 301—DOMESTIC QUARANTINE NOTICES
SUBPART—WHITE-FRINGED BEETLE

Pursuant to the authority vested in the Secretary of Agriculture by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. and Supp., 151 et seq.) and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.) and after public hearing and due consideration of all relevant material presented thereat, the quarantine and supplemental regulations in 7 CFR 1947 Supp. 301.72 et seq. are hereby amended to read as follows:

- Sec.
301.72 Notice of quarantine.
301.72-1 Definitions.
301.72-2 Regulated areas.
301.72-3 Regulated articles.
301.72-4 Conditions of movement.
301.72-5 Conditions under which certificates and permits may be issued.

- Sec.
301.72-6 Request for certification; assembly of articles.
301.72-7 Cancellation of certificates or permits.
301.72-8 Disinfecting vehicles, machinery, containers, and other articles.
301.72-9 Shipments for scientific purposes.

AUTHORITY: §§ 301.72 to 301.72-9 issued under secs. 1, 3, 33 Stat. 1269, 1270; sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 141, 143, 161.

§ 301.72 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161) the Secretary of Agriculture, having held the public hearing required thereunder, quarantines the States of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina, to prevent the spread of dangerous infestations of introduced species of the genus *Graphognathus* (formerly *Pantomorus*, subgenus *Graphognathus*) commonly known as white-fringed beetles, and under authority contained in the Plant Quarantine Act and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.) the Secretary of Agriculture hereinafter prescribes regulations governing the movement of white-fringed beetles and carriers thereof. Hereafter, (a) live white-fringed beetles in any stage of development; (b) soil independently or in connection with nursery stock, plants, or other things; and (c) nursery stock, other plants or plant products, and other articles stipulated in said regulations shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined States into or through any other State or Territory of the United States or the District of Columbia in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided*, That the requirements of this quarantine and of the regulations supplemental hereto are hereby limited to the areas in a quarantined State which are now, or which may hereafter be, designated by the Secretary of Agriculture as regulated areas, adequate, in his judgment, to prevent the spread of the white-fringed beetle, but any such limitations shall be conditioned upon the control by the affected State or States, of the intrastate movement of said insect pests and carriers thereof under the same conditions as apply to their interstate movement under the provisions of currently existing Federal quarantine regulations, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof, as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestation: *Provided further*, That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, except live white-fringed beetles in any stage of development, making it safe to modify, by making less

³ Form No. EQ-132.

⁴ An acceptable warning notice appears on Form EQ-132.

stringent, the restrictions contained in such supplemental regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulations should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof and for such article or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

§ 301.72-1 *Definitions*. For purposes of the regulations in this subpart the following terms shall have the meanings hereby assigned.

(a) *The pests*. Species of the genus *Graphognathus* (formerly *Pantomorus* subgenus *Graphognathus*) commonly known as white-fringed beetles, in any stage of development.

(b) *Infested (infestation)* Infested by the pests. "Infestation" shall be construed accordingly.

(c) *Regulated area*. Any area in a quarantined State designated as regulated in the regulations in this subpart.

(d) *Infested area*. That portion of the regulated area in which infestation exists, or in the vicinity of which infestation is known to exist under such conditions as to expose the area to infestation by natural spread of beetles, as determined by an inspector.

(e) *Regulated articles*. Products or articles of any character whatsoever, the movement of which is regulated by the quarantine and regulations in this subpart.

(f) *Nursery stock*. Forest, field, greenhouse-grown, and pot-grown annual or perennial plants with roots.

(g) *Chief of the Bureau*. Chief of the Bureau of Entomology and Plant Quarantine.

(h) *Inspector* A duly authorized Federal plant-quarantine inspector.

(i) *Moved (move, movement)* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any regulated area of a quarantined State into or through any other State or Territory or District. "Move" and "movement" shall be construed accordingly.

(j) *Certificate*. An approved document issued by an inspector for use on individual containers of regulated articles, authorizing their movement from the regulated areas.

(k) *Master certificate*. An approved document, indicating the quantity and nature of the articles covered thereby, issued by an inspector for use with bulk or lot shipments of regulated articles by rail, boat, or road vehicle, authorizing their movement from the regulated areas.

(l) *Limited permit*. An approved document, issued by an inspector, to allow controlled movement of noncertified articles to designated and authorized destinations for processing or other regulated safe handling.

(m) *Administrative instructions*. Documents relating to the enforcement of

the quarantine in this subpart issued under authority of the provisions thereof by the Chief of the Bureau.

(n) *Dealer-carrier permit*. An approved document executed by persons or firms covering the restricted movement, processing, handling, or utilization of regulated articles not eligible for certification for interstate movement.

§ 301.72-2 *Regulated areas*. The following counties, parishes, cities, and towns or parts thereof, as described, are designated by the Secretary of Agriculture as regulated areas:

Alabama. Baldwin County: Sec. 31, T. 7 S., R. 4 E.; secs. 35 and 36, T. 7 S., R. 3 E., secs. 1, 2, 11, and 12, T. 8 S., R. 3 E.; secs. 6 and 7, T. 8 S., R. 4 E., and secs. 28, 29, 30, 31, 32, and 33, T. 5 S., R. 4 E.

Coffee County: S $\frac{3}{4}$ of T. 4 N., R. 20 E., and all that part of T. 3 N., R. 20 E., lying in Coffee County.

Conecuh County: W $\frac{3}{4}$ T. 5 N., R. 9 E., and those parts of Tps. 4 and 5 N., R. 7 E., Tps. 5 and 6 N., R. 8 E., W $\frac{3}{4}$ T. 6 N., R. 9 E., and Tps. 7 and 8 N., R. 9 E., lying in Conecuh County.

Covington County: Secs. 30 and 31, T. 2 N., R. 18 E., S $\frac{1}{2}$ Tps. 2 N., Rs. 16 and 17 E.; secs. 25, 26, 35, and 36, T. 2 N., R. 15 E., E $\frac{1}{2}$ T. 1 N., R. 15 E.; Tps. 1 N., Rs. 16, 17, and 18 E., and all area south thereof to the Alabama-Florida State line, including all of secs. 22 and 27, T. 6 N., R. 23 W., NE $\frac{1}{4}$ T. 3 N., R. 18 E.; W $\frac{3}{4}$ T. 4 N., R. 18 E., including all of the town of Opp; all of T. 4 N., R. 17 E.; E $\frac{1}{2}$ T. 4 N., R. 16 E.; and N $\frac{1}{2}$ T. 3 N., R. 17 E.

Crenshaw County: Secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 N., R. 18 E., and secs. 3, 4, 5, and 6, T. 8 N., R. 18 E., including all of the town of Luverne.

Dallas County: That area included within a boundary beginning on the Southern Ry. where it crosses Boguechitto Creek, thence SW. along the Southern Ry. to Caine Creek, thence SE. along Caine Creek to its intersection with Boguechitto Creek, thence northward along Boguechitto Creek to the starting point; all of Tps. 13 and 14 N., R. 11 E., and secs. 1, 12, 13, 24, 25, and 36, T. 14 N., R. 10 E.

Escambia County: Secs. 1, 2, 11, 12, 13, 14, 32, 33, 34, 35, and 36 T. 1 N., R. 8 E., including all of the town of Flomaton; secs. 33, 34, 35, and 36, T. 1 N., R. 10 E., and all area south thereof to the Alabama-Florida State line; and the N $\frac{1}{2}$ Tps. 3 N., Rs. 6 and 7 E.

Geneva County: Secs. 31, 32, and 33, T. 1 N., R. 19 E., and all area south thereof to the Alabama-Florida State line, including all of secs. 21 and 28, T. 6 N., R. 19 W., secs. 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, and 23, T. 1 N., R. 20 E., and all that part of T. 3 N., R. 20 E., lying in Geneva County.

Jefferson County: Secs. 17, 18, 19, 20, T. 18 S., R. 3 W., and all of the city of Birmingham.

Loundes County: W $\frac{3}{4}$ T. 14 N., R. 12 E.

Mobile County: That area included within a boundary beginning at the intersection of the Mobile River and the northern boundary of the S $\frac{1}{2}$ T. 3 S., R. 1 W., thence west along said northern boundary to Eight Mile Creek, thence southwesterly along Eight Mile Creek to the point of intersection with the range line between Rs. 1 and 2 W., thence south along said range line to the Mobile city limits at Bolton's Creek, thence following the Mobile city limits easterly to Mobile Bay, thence north along Mobile Bay and Mobile River to the starting point; and all of Blakeley, Pinto, and Ship Islands; also that part of T. 5 S., R. 2 W., lying south of Halls Mill Creek; all of T. 6 S., R. 2 W., except secs. 25, 26, 27, 34, 35, and 36; those parts of Tps. 6 S., Rs. 3 and 4 W., lying south of the old Pascagoula Road; N $\frac{3}{4}$ T. 7 S., R. 4 W., secs. 4, 5, 6, 7, 8, and 9,

T. 7 S., R. 3 W., secs. 20, 30, 31, and 32, T. 3 S., R. 2 W., secs. 5, 6, 7, and 8, T. 4 S., R. 2 W., secs. 25, 26, 35, and 36, T. 3 S., R. 3 W., and secs. 1, 2, 11, and 12, T. 4 S., R. 3 W.

Monroe County: S $\frac{1}{2}$ T. 5 N., R. 6 E., NE $\frac{1}{4}$ T. 5 N., E $\frac{1}{2}$ Tps. 6, 7, 8, and 9 N., and SE $\frac{1}{4}$ T. 10 N., R. 7 E., Tps. 7, 8, and 9 N., and S $\frac{1}{2}$ T. 10 N., R. 8 E.; all of T. 9 N., and S $\frac{1}{2}$ T. 10 N., R. 9 E., and those parts of Tps. 3 and 4 N., R. 6 E., T. 4 N., and S $\frac{1}{2}$ T. 5 N., R. 7 E., Tps. 5 and 6 N., R. 8 E., and Tps. 6, 7, and 8 N., R. 9 E., lying in Monroe County.

Montgomery County: That area included within a boundary beginning at a point where the east line of sec. 11, T. 17 N., R. 18 E., intersects the Tallapoosa River; thence downstream along the Tallapoosa River to its confluence with Dead River; thence along Dead River to its confluence with the Alabama River; thence along the Alabama River to a point where it intersects the west line of sec. 28, T. 17 N., R. 17 E., thence south along the section line to the SW. corner sec. 28, T. 16 N., R. 17 E.; thence east along the section line to the SE. corner sec. 26, T. 16 N., R. 18 E., and thence north along the section line to the point of beginning.

Wilcox County: N $\frac{1}{2}$ T. 10 N., and all of T. 11 N., R. 9 E., N $\frac{1}{2}$ T. 10 N., R. 8 E., NE $\frac{1}{4}$ T. 10 N., R. 7 E., and NE $\frac{1}{4}$ T. 10 N., R. 10 E.

Florida. Escambia County: All that part lying south of the northern boundary of T. 1 N., including all of the city of Pensacola, and that part of the county north of the southern boundary of T. 5 N., and east of the western boundary of R. 31 W.

Holmes County: Secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 5 N., R. 14 W., secs. 29, 30, 31, and 32, T. 6 N., R. 14 W., secs. 25, 26, 27, 34, 35, and 36, T. 6 N., R. 15 W., and secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23 and 24, T. 5 N., R. 15 W.

Okaloosa County: T. 5 N., R. 22 W., and secs. 1, 2, and 3, T. 5 N., R. 23 W., and all lands north of both areas to the Florida-Alabama State line; secs. 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 3 N., R. 23 W., including all of the town of Crestview; and secs. 13, 14, 23, and 24, T. 3 N., R. 24 W.

Santa Rosa County: Secs. 2, 3, 4, and 5, T. 5 N., R. 28 W., secs. 26, 27, 28, 29, 32, 33, 34, and 35, T. 6 N., R. 28 W., and all area north thereof to the Florida-Alabama State line.

Walton County: All of Tps. 5 N., Rs. 20 and 21 W., and secs. 31, 32, and 33, T. 6 N., R. 10 W., and all lands north of both areas to the Florida-Alabama State line; Tps. 4 N., Rs. 19 and 20 W., that portion of T. 3 N., R. 20 W., lying north of U. S. Highway No. 90; and all of T. 3 N., R. 19 W.

Georgia. Baldwin County: That area included within the corporate limits of the town of Milledgeville.

Ben Hill County: That area bounded on the east by a line parallel to and $\frac{1}{2}$ mile east of the Fitzgerald city limits, on the south by a line parallel to and $\frac{1}{2}$ mile south of the Fitzgerald city limits, on the west by a line parallel to and $\frac{1}{2}$ mile west of the Fitzgerald city limits, on the north by a line parallel to and $\frac{1}{2}$ mile north of the Fitzgerald city limits, and the projections of such lines to their intersections, including all of the city of Fitzgerald.

Bibb County: That area included within the Georgia Militia Districts of East Macon, Godfrey, Vineville, Hazzard, and Howard, and that portion of the Georgia Militia District of Rutland lying east of U. S. Highway No. 41, including all of the city of Macon.

Bleckley County: That area included within the corporate limits of the city of Cochran; and that portion of the Georgia Militia District of Manning included within a circle having a $2\frac{1}{2}$ -mile radius and center at the intersection of the Bleckley, Laurens, Twiggs, and Wilkinson County lines.

Bulloch County: That area included within a circle having a 2-mile radius and center at the Court House in Statesboro, including all of the town of Statesboro; and that area included within a circle having a 1-mile ra-

dium and center at the Georgia and Florida Railroad depot in Portal, including all of the town of Portal.

Burke County: That area, comprising parts of Georgia Militia Districts No. 60 and No. 62, bounded on the east by Fitz Branch, on the south by a line beginning at the intersection of Georgia State Highway 56 and the Hephzibah Road and extending due east to its intersection with Fitz Branch, on the west by Hephzibah Road, and on the north by Errier Creek, including all of the city of Waynesboro.

Gandler County: That area included within a circle having a 1 1/4-mile radius and center at the intersection in Netter of Georgia State Highways 23 and 46, including all of the town of Netter.

Clayton County: That area located between the towns of Lovejoy and Jonesboro included within land lots numbers 98, 99, 100, 124, 125, 126, 127, 130, 131, 132, 133, 157, 158, and 159 in the Sixth Land District.

Coffee County: That area included within the corporate limits of the town of Douglas; and that area included within a circle having a 1-mile radius and center at the Atlanta, Birmingham and Coast Railroad depot in Ambrose, including all the town of Ambrose.

Crisp County: That area included within the corporate limits of the city of Cordele.

Dodge County: That area included within land lots numbers 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 24, 25, 36, 37, 38, 39, 40, 41, and 42 in the Fifteenth Land District, and lots numbers 278, 279, 280, 281, 282, 283, 290, 291, 292, 293, 294, 295, 308, 307, 308, 309, 310, 311, and 312 in the Sixteenth Land District, including all of the city of Eastman.

Emanuel County: That area included within a circle having a 1 1/2-mile radius and center at the Union Grove Methodist Church in Georgia Militia District No. 49.

Evans County: That area included within a circle having a 1-mile radius and center at the Seaboard Air Line Railroad depot in Daisy, including all of the town of Daisy.

Houston County: That area included within the Lower Fifth Georgia Militia District, including all of the town of Warner Robins, and all of Robins Air Force Base.

Irwin County: That area included within a circle having a 1/2-mile radius and center at the intersection in Irvinville of Georgia State Highway 32 and Jefferson Davis Memorial State Park Road; that area included within the corporate limits of the town of Ocella; and an area 1 mile wide beginning at the Irwin-Coffee County line and extending northwesterly with the Atlanta, Birmingham and Coast Railroad as a center line for a distance of 2 miles.

Jasper County: That area included within Georgia Militia Districts numbers 262, 289, 295; and that portion of Georgia Militia Districts numbers 288 and 291 lying south of Whiteoak and Murder Creeks.

Jefferson County: All that area included within the corporate limits of Louisville; and that area included within a circle having a 1-mile radius and center at the Central of Georgia Ry. depot in the town of Bartow, including all of the town of Bartow.

Johnson County: That area included within the corporate limits of the town of Wrightsville; and an area 1 mile wide beginning at the western corporate limits of Wrightsville and extending southwesterly along Georgia State Highway 15 with said highway as a center line to the Ochoopee River.

Laurens County: That area bounded on the east by Oconee River, on the south by Long Branch, on the west by a line beginning at the point where Georgia State Highway 19 crosses Sandy Ford Branch west of Dublin and extended due north and due south to the points of its intersection with the north and south boundaries, and on the north by Hunger and Hardship Creek, including all of the city of Dublin; that por-

tion of the Georgia Militia District of Harvard included within a circle having a 2 1/2-mile radius and center at the intersection of the Bleckley, Laurens, Twiggs, and Wilkinson County lines, including all of that portion of Allentown lying in Laurens County; and that portion of the Georgia Militia District of Smith lying north of the Macon, Dublin and Savannah Railroad and east of Shaddock Creek.

Macon County: That area included within the Georgia Militia District of Marshallville, including all of the town of Marshallville.

Monroe County: That area included within the corporate limits of the town of Forsyth.

Montgomery County: That area bounded on the east by the Toombs-Montgomery County line, on the south by Rocky Creek, on the west by Georgia State Highway 29, and on the north by Swift Creek; and these areas included within the corporate limits of the towns of Mount Vernon and Alley.

Newton County: That area included within a circle having a 1-mile radius and center at the Porterdale High School, including all of the town of Porterdale.

Peach County: That area included within the Georgia Militia District of Fort Valley, including all of the town of Fort Valley.

Putnam County: That area included within the Georgia Militia District of Ashbank.

Richmond County: That portion of the Georgia Militia District of Forest Hills lying north of Raes Creek and Lake Olmsted and bounded on the west by the Berkman Road to its intersection with the Washington Road and thence by a due north-south line to the point of intersection with the Augusta Canal.

Screven County: That area included within a circle having a 2-mile radius and center at the County Court House in Sylvania, including all of the town of Sylvania.

Sumter County: That area included within the corporate limits of the city of Americus; and an area 1 mile wide beginning at the eastern corporate limits of Americus and extending along U. S. Highway No. 269 with said highway as a center line to Mill Creek.

Taylor County: That area bounded on the east by a line parallel to and 1 mile east of the corporate limits of the town of Reynolds, on the south by a line parallel to and 1 mile south of such corporate limits, on the west by a line parallel to and 1 mile west of such corporate limits, on the north by a line parallel to and 1 mile north of such corporate limits, and the projections of such lines to their intersections, including all of the town of Reynolds; and that area included within the corporate limits of the town of Butler.

Toombs County: That area bounded on the east by the east boundaries of Georgia Militia Districts of Vidalia and Center, on the south by Rocky Creek, on the west by the Toombs-Montgomery County line and on the north by Swift Creek, including all of the city of Vidalia.

Treutlen County: That area included within the corporate limits of the town of Soper-ton.

Turner County: That area bounded on the east by a line parallel to and 1/2 mile east of the corporate limits of the town of Sycamore, on the south by a line parallel to and 1/2 mile south of such corporate limits, on the west by a line parallel to and 1/2 mile west of such corporate limits, on the north by a line parallel to and 1/2 mile north of such corporate limits, and the projections of such lines to their intersections, including all of the town of Sycamore.

Twiggs County: That portion of the Georgia Militia District of Higsville included within a circle having a 2 1/2-mile radius and center at the intersection of the Bleckley, Laurens, Twiggs, and Wilkinson County lines, including all of these portions of the towns of Allentown and Danville lying in Twiggs County.

Washington County: That area included within a circle having a 3-mile radius and center at the Sandersville High School, including all of the town of Sandersville.

Wheeler County: That area included within land lots numbers 40, 41, 42, 43, 48, 49, 50, 51, 70, 71, 72, 73, 78, 79, 80, 81, 109, 101, 102, and 103, in the Eleventh Land District, including all of the town of Alamo.

Wilkinson County: That portion of the Georgia Militia District of Turkey Creek included within a circle having a 2 1/2-mile radius and center at the intersection of the Bleckley, Laurens, Twiggs, and Wilkinson County lines, including all of these portions of the towns of Allentown and Danville lying in Wilkinson County.

Louisiana. All of Orleans Parish, including the city of New Orleans; and all of St. Bernard Parish.

Iberia Parish: Secs. 24, 37, 38, 39, 53, 55, and 56, T. 13 S., R. 5 E.; and secs. 46, 55, 56, 57, 58, 59, and 60, T. 13 S., R. 6 E.

Jefferson Parish: That part lying north of the township line between Tps. 14 and 15 S.

Plaquemines Parish: That part lying north of the township line between Tps. 15 and 16 S.

Saint Tammany Parish: Secs. 33, 39, 40, T. 7 S., R. 11 E.; and secs. 40 and 41, T. 8 S., R. 11 E.

Tangipahoa Parish: Secs. 32, 33, and 50, T. 3 S., R. 7 E.; and secs. 4, 5, 8, 9, 10, 50, and 54, T. 4 S., R. 7 E., including all of the town of Amite.

Mississippi. **Covington County:** W 1/2 T. 8 N., R. 14 W., and all of T. 8 N., R. 15 W., S 1/2 Tps. 8 N., Rs. 16 and 17 W., N 1/2 T. 7 N., E. 16 W., and that part of N 1/2 T. 7 N., R. 17 W., lying in Covington County; T. 7 N., R. 15 W., E 1/2 T. 6 N., R. 15 W., W 1/2 T. 6 N., R. 14 W., secs. 23, 29, 30, 31, 32, and 33 T. 7 N., R. 14 W., these parts of N W 1/4 T. 9 N., R. 16 W., and N E 1/4 T. 9 N., R. 17 W., lying in Covington County; and that part of S W 1/4 T. 7 N., R. 16 W., lying in Covington County.

Forrest County: T. 5 N., R. 14 W., S 1/2 T. 5 N., R. 13 W., and that part of N 1/2 T. 5 N., R. 13 W., lying west of Leaf River; Tps. 3 and 4 N., R. 13 W., and these parts of Tps. 3 and 4 N., R. 12 W., lying west and south of Leaf River; Tps. 1 and 2 N., R. 12 W., T. 1 S., R. 12 W., and E 1/2 T. 1 S., R. 13 W.

Hancock County: Secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 5 S., R. 14 W. and Tps. 8 and 9 S., R. 14 W., including all of the town of Bay Saint Louis.

Harrison County: That area included within a boundary beginning at the NE corner sec. 30, T. 4 S., R. 10 W., thence west along the county line to the NW corner sec. 30, T. 4 S., R. 12 W., thence south to the NE corner sec. 1, T. 5 S., R. 13 W., thence west to the NW corner sec. 2, T. 5 S., R. 13 W.; thence south to the NE corner sec. 27, T. 7 S., R. 13 W., thence west to the county line or the NW corner sec. 39, T. 7 S., R. 13 W., thence south to the Mississippi Sound; thence eastward along the Mississippi Sound to a point of intersection with the Bay of Biloxi; thence westward along the Bay of Biloxi to the SE corner sec. 16, T. 7 S., R. 9 W., thence north along the county line to the NE corner sec. 33, T. 6 S., R. 9 W., thence west to the NW corner sec. 32, T. 6 S., R. 10 W., and thence north to the point of beginning.

Hinds County: E 1/2 T. 6 N., R. 3 W., and W 1/2 T. 6 N., R. 2 W.

Jackson County: That area included within a boundary beginning at a point where the east line of sec. 19, T. 7 S., R. 5 W., intersects Escatawpa River, thence west along said river to the Pascagoula River, thence south along the Pascagoula River to the township line between Tps. 7 and 8 S., thence east to the SE corner sec. 31, T. 7 S., R. 5 W., thence north to the starting point; all that part of T. 7 S., R. 9 W., lying in Jackson County; and W 1/2 Tps. 7 and 8 S., R. 8 W.

Jefferson Davis County: Secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 8 N., R.

19 W., NE $\frac{1}{4}$ T. 7 N., R. 19 W., secs. 5, 6, 7, 8, 17, and 18, T. 7 N., R. 18 W., including all of the town of Prentiss; S $\frac{1}{2}$ T. 8 N., R. 18 W., that part of N $\frac{1}{2}$ T. 7 N., R. 17 W., lying in Jefferson Davis County; and that part of SW $\frac{1}{4}$ T. 7 N., R. 16 W., lying in Jefferson Davis County.

Jones County: That part of T. 10 N., R. 11 W., lying in Jones County, except secs. 24, 25, and 36; those parts of Tps. 10 N., Rs. 12 and 13 W., lying in Jones County; all of Tps. 9 N., Rs. 12 and 13 W., all of T. 9 N., R. 11 W., except secs. 1 and 12; E $\frac{2}{3}$ and secs. 29, 30, 31, and 32, T. 8 N., R. 12 W., N $\frac{2}{3}$ T. 8 N., R. 11 W., N $\frac{1}{2}$ T. 7 N., R. 12 W., secs. 29, 30, 31, and 32, and those parts of secs. 28 and 33 lying west of Leaf River, all in T. 6 N., R. 13 W., and secs. 25, 26, 27, 34, 35, and 36, T. 6 N., R. 14 W.

Lamar County: That part of T. 1 N., R. 14 W., lying in Lamar County; all of Tps. 2, 3, and 4 N., R. 14 W., E $\frac{1}{2}$ T. 1 N., R. 15 W., secs. 1 and 2, T. 1 S., R. 15 W., and sec. 6, T. 1 S., R. 14 W., including all of the towns of Lumberton and Purvis.

Pearl River County: W $\frac{1}{2}$ T. 2 S., R. 15 W., secs. 3, 4, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 1 S., R. 15 W., secs. 1, 12, 13, 24, 25, and 36, T. 2 S., R. 16 W., all of T. 5 S., R. 16 W., and E $\frac{1}{2}$ T. 5 S., R. 17 W.

Perry County: S $\frac{1}{2}$ T. 3 N., R. 11 W., secs. 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, T. 3 N., R. 10 W.

Rankin County: E $\frac{1}{2}$ T. 3 N., R. 2 E., and all of T. 3 N., R. 3 E.

Simpson County: E $\frac{2}{3}$ T. 2 N., R. 3 E., all of T. 2 N., R. 4 E., N $\frac{1}{6}$ T. 1 N., R. 4 E., secs. 29, 30, 31, and 32, T. 1 N., R. 6 E., secs. 25, 26, 35, and 36, T. 1 N., R. 5 E., secs. 4, 5, 6, 7, 8, and 9, T. 10 N., R. 17 W., and secs. 1 and 12, T. 10 N., R. 18 W.

Stone County: W $\frac{1}{2}$ Tps. 2 and 3 S., R. 11 W., secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 4 S., R. 11 W., E $\frac{1}{3}$ T. 2 S., R. 12 W., secs. 3, 4, 5, 8, 9, and 10, T. 2 S., R. 12 W., E $\frac{1}{2}$ T. 3 S., R. 12 W., and secs. 1, 2, 11, 12, 13, 14, 23, and 24, T. 4 S., R. 12 W.

North Carolina. Anson County: That area bounded on the east by a due north-south line 1 mile east of the intersection in Peachland of U. S. Highway No. 74 and the Diamond Hill Road, on the west by a due north-south line intersecting U. S. Highway No. 74 at the point where it crosses Lanes Creek, on the north by a due east-west line $\frac{1}{10}$ miles north of the intersection in Peachland of U. S. Highway No. 74 and the Diamond Hill Road, on the south by a line parallel to the south corporate limits of Peachland $\frac{1}{10}$ mile south of such corporate limits, and the projections of such lines to their intersections; also all that area included within the corporate limits of Polkton.

Bladen County: All of the area included within the corporate limits of Bladenboro.

Brunswick County: All of Eagles Island.

Cumberland County: That area included within a boundary beginning at the junction of the Cumberland-Hope Mills Road and the Fayetteville-Dundarrach Road, thence following a line due south to the point of intersection with Rockfish Creek; thence easterly along Rockfish Creek to the point where it is crossed by U. S. Highway No. 301; thence northeasterly along U. S. Highway No. 301 to a point of intersection with a line projected due east from the junction of the Cumberland-Hope Mills Road and the Fayetteville-Dundarrach Road; and thence west along said line to the point of beginning.

New Hanover County: All of the city of Wilmington; all of Cape Fear Township; all that part of Harnett Township lying west of the Wrightsboro-Winter Park Road, including all of the town of Winter Park; and all that part of Masonboro Township lying north of the new Sunset Park-Winter Park Road.

Onslow County: An area 1 mile wide extending from the junction of U. S. Highway

No. 17 and U. S. Highway No. 24 west of Jacksonville and following U. S. Highway No. 17 with said highway as a center line to the eastern boundary of Hoffman Forest, including all of the town of Jacksonville; and an area 1 mile wide beginning at the eastern corporate limits of Jacksonville and extending southeasterly along U. S. Highway No. 24 with said highway as a center line to North-east Creek.

Pender County: Townships of Burgaw, Caswell, Long Creek, and Rocky Point; that part of Columbia Township lying south of a straight line constituting a projection eastwardly of the northern boundary line of Caswell Township to its intersection with the northern boundary of Burgaw Township; and that part of Grady Township north of the Long Creek-Montague-Burrough Road.

Robeson County: That area bounded on the south by a line $\frac{1}{2}$ mile south of and parallel to the south corporate limits of Parkton, on the west by a line $\frac{3}{10}$ mile west of and parallel to the west corporate limits of Parkton, on the north and east by the north and east corporation limit lines, respectively, of Parkton, and the projections of such lines to their intersections.

Union County: All of that area included within the corporate limits of Marshville.

Wayne County: All of Goldsboro Township; that area bounded on the north by a due east-west line $\frac{1}{2}$ mile north of the intersection in Pikeville of the Atlantic Coast Line Railroad and Main Street, on the south by a due east-west line $\frac{1}{2}$ mile south of said intersection, on the east and west by the east and west corporation limit lines, respectively, of Pikeville, and the projections of such lines to their intersections.

South Carolina. Fairfield County: That area included within a circle having a 2-mile radius and center at the intersection of South Carolina State Highways 22 and 227, approximately $5\frac{1}{2}$ miles northwest of the town of Winnsboro.

Richland County: All of Columbia township, including all of the city of Columbia.

§ 301.72-3 *Regulated articles*—(a) *Articles the movement of which is prohibited.* The movement of live white-fringed beetles in any stage of development, except for scientific purposes, is prohibited. Provisions for the movement of live white-fringed beetles in any stage of development, for scientific purposes are set forth in § 301.72-9.

(b) *Articles the movement of which is regulated.* Except as provided in administrative instructions, the movement of the following articles from any regulated area is regulated throughout the year:

(1) Soil, sand, gravel, clay, compost, manure, peat, or muck, whether moved independently or in connection with or attached to nursery stock, plants, products, articles, or things.

(2) Nursery stock.

(3) Grass sod.

(4) Plant crowns or roots for propagation.

(5) Uncleaned grass, grain, and legume seed.

(6) Potatoes (Irish), when freshly harvested.

(7) True bulbs, corms, tubers, and rhizomes of ornamental plants, when freshly harvested or uncured.

(8) Hay and straw.

(9) Peanuts in shells and peanut shells.

(10) Seed cotton and cottonseed.

(11) Scrap metal, junk, and cinders.

§ 301.72-4 *Conditions of movement*—(a) *Certification required.* Regulated

articles shall not be moved from any regulated area to or through any point outside thereof unless accompanied by a valid inspection certificate issued by an inspector, except as provided in § 301.72-5 (b) or as exempted in administrative instructions issued by the Chief of the Bureau.

(b) *Use of certificates on shipments.* Unless exempted by administrative instructions, and except as provided in § 301.72-5 (b) for movement of noncertified shipments under limited permits to designated destinations for processing, every container of regulated articles moved from any regulated area shall have securely attached to the outside thereof a certificate issued in compliance with the regulations in this subpart. However, in the case of bulk or lot shipments by rail a master certificate shall be attached to the waybill in lieu of the foregoing. In the case of bulk or lot shipments by road vehicle a master certificate shall accompany the vehicle and be surrendered to the consignee on delivery.

(c) *Articles originating outside the regulated areas.* No certificates are required for the movement of regulated articles originating outside of the regulated areas and moving through or from a regulated area, when the point of origin is clearly indicated, when their identity has been maintained, and when the articles are protected, while in the regulated area, in a manner satisfactory to the inspector.

§ 301.72-5 *Conditions under which certificates and permits may be issued*—(a) *Issuance of certificates.* Certificates authorizing the movement of soil, sand, gravel, clay, compost, manure, peat, or muck, originating in noninfested parts of the regulated areas, and of all other regulated articles from any part of the regulated areas may be issued upon determination by the inspector that the articles (1) are apparently free from infestation, (2) have been treated, fumigated, sterilized, or processed under the observation of an inspector according to methods selected by him from administratively authorized procedures known to be effective under the conditions applied, or (3) were grown, produced, manufactured, stored, or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby.

Certificates authorizing the movement of soil, sand, gravel, clay, compost, manure, peat, or muck, originating in an infested area may be issued only when such materials have been treated or processed under the observation of an inspector according to methods selected by him from administratively authorized procedures known to be effective under the conditions applied.

(b) *Limited permits.* Limited permits may be issued for the movement from a regulated area of noncertified regulated articles to such destinations and consignees outside the regulated area as may be authorized and designated by the Chief of the Bureau, for processing or other safe handling. As conditions of such authorization and designation, persons or firms moving and receiving such articles must maintain such sanitary

safeguards against the establishment and spread of infestation and comply with such conditions as to the maintenance of identity, handling, or subsequent movement of regulated articles and cleaning of railway cars, trucks, or other vehicles used in the transportation of such articles as may be required. The above conditions shall be covered by a signed agreement.

(c) *Dealer-carrier permit.* As a condition of issuance of certificates or permits for the movement of regulated articles, those persons within the regulated area engaged in purchasing, assembling, exchanging, processing, or carrying such regulated articles originating or stored in regulated areas; may be required to execute a signed agreement stipulating that the permittee will carry out any and all conditions, treatments, precautions, and sanitary measures which are deemed necessary by the inspector, including segregation and maintenance of identity, under supervision of the inspector, of all regulated articles. Failure by the permittee to carry out all conditions, as stipulated in a signed dealer-carrier permit, will subject all articles handled by him, originating outside the regulated area, to the same restrictions as those originating within the regulated area.

(d) The United States Department of Agriculture will not be responsible for any cost incident to inspection or treatment other than the services of the inspector.

§ 301.72-6 *Request for certification; assembly of articles.* Persons intending to move regulated articles, the certification of which is required, from regulated areas shall request certification as far as possible in advance of the probable date of movement, and they may be required to prepare and assemble the articles to be inspected so that they may be readily examined by the inspector.

§ 301.72-7 *Cancellation of certificates or permits.* Certificates or permits issued under the regulations in this subpart may be withdrawn or canceled and further certification refused by the inspector whenever he determines the further use of such certificates or permits might result in the dissemination of white-fringed beetles.

§ 301.72-8 *Disinfecting vehicles, machinery, containers, and other articles.* When in the judgment of the inspector a hazard of spread of white-fringed beetles is involved, thorough cleaning, disinfection, or other sanitary treatments of forest products, building materials, railway cars, trucks, other vehicles, machinery, implements, containers, or other articles will be required by the inspector before they may be moved to points outside the regulated areas.

§ 301.72-9 *Shipments for scientific purposes.* Live white-fringed beetles, in any stage of development, and regulated articles may be moved for scientific purposes on such conditions as may be prescribed by the Chief of the Bureau. The container of articles so moved shall bear an identifying tag from the Bureau of Entomology and Plant Quarantine.

This revision of the quarantine and regulations shall be effective on and after

May 26, 1948, and shall supersede the quarantine and regulations issued March 15, 1947 (7 CFR 1947 Supp. 301.72, 301.72-1 et seq., 12 F. R. 1667).

The foregoing revision of the white-fringed beetle quarantine and regulations is issued for the purposes, among others, of quarantining the State of South Carolina in addition to the States heretofore quarantined, extending the regulated areas within such quarantined States, and adding a new article to the list of regulated articles, as well as removing other articles from the list of regulated articles subject to continuous regulation. The revision also provides for administrative authorization of treatments and procedures to serve as the basis for issuance of certificates permitting movement of regulated articles from regulated areas and makes other minor changes for purposes of clarification in the language of the quarantine and regulations heretofore effective.

The foregoing revision of the white-fringed beetle quarantine and regulations will restrict the interstate shipment of articles capable of disseminating white-fringed beetles from areas where such beetles are presently known to be established. The movement of such articles from such areas constitutes a hazard of spread of white-fringed beetles. Certain of such areas are not within the restrictions of the quarantine and regulations now in effect. Prompt action on this revision is essential in order to control the movement of regulated articles while adult beetles are present. Emergence of adult beetles is now in progress. Therefore good cause is found, in accordance with section 4 (c) of the Administrative Procedure Act, for making the foregoing quarantine and regulations effective less than 30 days after their publication.

Done at Washington, D. C., this 20th day of May 1948.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] N. E. DONN,
Acting Secretary of Agriculture.

APPENDIX
PENALTIES

The Plant Quarantine Act of August 20, 1912, as amended, provides that any person who shall violate any of the provisions of the quarantine or regulations in this subpart pursuant thereto shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500, or by imprisonment not exceeding one year, or both fine and imprisonment in the discretion of the court.

STATE AND FEDERAL INSPECTION

State and Federal regulations for which provision is made in this quarantine are enforced cooperatively by State and Federal authorities. Copies of either the Federal or State quarantine orders may be obtained at the offices of the Bureau of Entomology and Plant Quarantine, P. O. Box 869, Gulfport, Miss., P. O. Box 836, Macon, Ga., or at one of the following State offices:

GENERAL OFFICES OF STATES COOPERATING

Alabama: Chief, Division of Plant Industry, Montgomery 1.
Florida: Plant Commissioner, State Plant Board, Gainesville.

Georgia: Director of Entomology, State Capitol, Atlanta 3.
Louisiana: State Entomologist, Box 4153, Capitol Station, Baton Rouge 4.
Mississippi: Entomologist, State Plant Board, State College.
North Carolina: State Entomologist, Department of Agriculture, Raleigh.
South Carolina: Chief, Division of Entomology and Zoology, Clemson College, Clemson.
[F. R. Doc. 48-4692; Filed, May 25, 1948; 8:50 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property, Department of Justice

PART 501—GENERAL RULES OF PROCEDURE

EXTENSION OF TIME FOR FILING DEBT CLAIMS

CROSS REFERENCE: The time fixed for filing debt claims (see § 501.5 (b) (2)) by Bar Order No. 1 (12 F. R. 1448, March 1, 1947; 12 F. R. 3394, May 24, 1947; 12 F. R. 5798, August 25, 1947, Appendix "A") was further extended in respect of Osaka Syosen Kaisha by Federal Register document 48-4723 in the Notices section, *infra*.

TITLE 15—COMMERCE

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

[Rubber Order R-1, as Amended, May 25, 1948]

PART 338—MATERIALS ORDERS

RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

Section 338.50 *Rubber Order R-1*, as amended May 7, 1948 (13 F. R. 2535), is further amended to read as follows:

The following order is deemed necessary and appropriate to strengthen national security and the common defense by providing for the maintenance of an adequate domestic rubber-producing industry, and to carry out the policies of the Rubber Act of 1948, Public Law 469, 80th Congress, approved March 31, 1948.

§ 338.50 *Rubber Order R-1.*

DEFINITIONS

(a) *Definitions.* As used in this order: (1) "Natural rubber" means all forms and types of tree, vine, or shrub rubber, including guayule and natural rubber rubber latex, but excluding reclaimed natural rubber.

(2) "Synthetic rubber" means any product of chemical synthesis similar in general properties and applications to natural rubber, and specifically capable of vulcanization, produced in the United States, not including reclaimed synthetic rubber.

(i) "General-purpose synthetic rubber" means a synthetic rubber of the butadiene-styrene type (GR-S) produced in the United States generally suitable for use in the manufacture of transportation items such as tires or

camelback, as well as any other type of synthetic rubber equally or better suited for use in the manufacture of transportation items such as tires or camelback, as determined from time to time by the President.

(i) "Special-purpose synthetic rubber" means a synthetic rubber of the type now known as butyl (GR-I) neoprene, or N-types (butadiene-acrylonitrile types) as well as any synthetic rubber of similar or improved quality produced in the United States applicable to similar uses, as determined from time to time by the President.

(3) "Consume" means in the case of natural rubber or synthetic rubber, to compound, expend, formulate or in any manner make any substantial change in the form, shape or chemical composition except where any of these materials are used in the preparation of master-batches or compounds prepared for use in the manufacture of finished products.

(4) "Person" means any individual, firm, copartnership, business trust, corporation, or any organized group of persons whether incorporated or not, and any Government department, agency, officer, corporation, or instrumentality of the United States.

(5) "New RHC" means total new rubber hydrocarbon. This is the total RHC content of natural rubber, synthetic rubber, uncured scrap rubber, uncured in-process materials, and the rubber hydrocarbon content of master-batches or compounds of new RHC.

(6) "Reclaimed rubber" means any material derived from the processing or treatment of vulcanized rubber or cured scrap rubber.

MANUFACTURING REGULATIONS

(b) *Mandatory consumption of synthetic rubber* No person shall manufacture any product listed in Appendix A, in any type and size listed in that Appendix, unless it conforms with the synthetic rubber specifications designated in the Appendix for that product. Where specifications for tires, tubes and flaps provided for a group average or tolerance such group average or tolerance must be balanced out each calendar month.

(c) *Exception for experimental purposes.* Notwithstanding the provisions of paragraph (b) above, any person may use up to a total of 2,000 lbs. of natural rubber during any calendar quarter for experimentation in the manufacture of those sizes and types of tires and tubes for which specifications are provided in Appendix A.

ALLOCATION OF SYNTHETIC RUBBER

(d) *Allocation of Government-produced GR-S.* The Office of Domestic Commerce will allocate Government-produced GR-S and will notify the Office of Rubber Reserve, Reconstruction Finance Corporation, of the amounts allocated and to be sold to each person applying to the RFC for a purchase permit. Persons desiring to purchase GR-S will submit purchase requests to the Office of Rubber Reserve in accordance with the existing ORR procedure and the Office of Rubber Reserve will issue purchase permits only up to the amounts allocated by ODC per quarter.

(e) *Basis of allocation of Government-produced GR-S.* The basis for the allocation of GR-S by the Office of Domestic Commerce to any person will be his consumption of GR-S during the 4th quarter of 1947. Any person for whom an allocation on the above basis would not be equitable may apply to the Office of Domestic Commerce for reconsideration of his allocation.

IMPORT RESTRICTIONS

(f) *Restrictions on importation of rubber products.* (1) For the purpose of this section, "Import" means to transport in any manner from any foreign country into the continental United States or into any territory or possession of the United States. It does not include shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States for trans-shipment to any foreign country.

(2) No person shall import any product listed in Appendix A except where:

(i) The importation of any such product is made by diplomatic representatives of any foreign government for their personal use or the use of members of their staffs, or by commercial representatives of any foreign government for use in their official business; or

(ii) The importation by any person of any such products is accompanied by a certificate to be furnished to the Collector of Customs at the port of entry, substantially as follows:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in Section 35A of the United States Criminal Code, that the products covered by the invoice to which this certificate is attached, as noted therein, were manufactured in accordance with specifications for such products, contained in Office of Domestic Commerce, Rubber Order R-1, Appendix A.

Date

Signature of Importer

REPORTS, VIOLATIONS, APPEALS AND COMMUNICATIONS

(g) *Reports of rubber consumption and stocks.* Every person who consumed or owned at any time during any month any type of rubbers listed below in an amount in pounds equal to or in excess of the amounts specified below, shall file a monthly report on Form ODC-3410 (formerly OMD-3410) with the Office of Domestic Commerce, Department of Commerce, in accordance with the instructions accompanying the form. This report form covers consumption, stocks, receipts, production and shipments.

Types	Amount (pounds)
Natural rubber	15,000
Natural rubber latex (dry latex solids)	5,000
Reclaimed rubber	10,000
GR-S (all types including GR-S latex)	15,000
Butyl (GR-I), all types	10,000
Neoprene (all types, including neoprene latex)	5,000
Butadiene-Acrylonitrile types	5,000

No report need be filed as to any of these types of rubbers if both rubber consumed and rubber owned were each less than the amounts specified above for the particular types of rubbers.

(h) *Other reports.* (1) Each manufacturer of tires or camelback shall file a report on his production, shipments and inventory for each calendar month on Form ODC-3438 (formerly OMD-3438) with the Office of Domestic Commerce, Department of Commerce, in accordance with the instructions accompanying the form.

(2) Each manufacturer of tires shall file a report of his production of cured tires for each week on Form ODC-4231 (formerly OMD-4231) with the Office of Domestic Commerce, Department of Commerce, in accordance with the instructions accompanying the form.

(3) Any person may be required to file such other reports as may be needed subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Violations.* Any person who willfully violates any provision of this section, or who in accordance with this section willfully conceals a material fact or furnishes false information to any department or agency of the United States Government is guilty of a crime, and upon conviction may be punished by fine or imprisonment.

(j) *Appeals.* Appeals from any of the provisions of this order shall be made by filing a letter with the Rubber Division, specifying the particular provisions appealed from and stating fully the grounds for the appeal.

(k) *Appeals, reports and communications.* All appeals, all reports to be filed under this order and all communications concerning this order shall be addressed to: Department of Commerce, Office of Domestic Commerce, Rubber Division, Washington 25, D. C., Ref. Rubber Order R-1. (Pub. Law 469, 80th Cong., E. O. 9942, April 1, 1948, 13 F. R. 1823; Materials Control Regulation 1, as amended May 7, 1948, 13 F. R. 2508)

Issued this 25th day of May 1948.

OFFICE OF DOMESTIC COMMERCE,
By RAYMOND S. HOOVER,
Issuance Officer

APPENDIX A—SYNTHETIC RUBBER SPECIFICATIONS FOR CERTAIN PRODUCTS

TIRES

(a) *Tires.* All tires, in any size and type listed below, shall contain GR-S in at least the percentage designated below.

Tire groups—size and type	Percent GR-S to total new RHO	
	Minimum group average	Minimum individual tire
1. All tires below 11.00 down to and including 8.25, except tractor, implement, industrial pneumatic, and wire tires.	8.0	1.0
2. All truck 7.60 and down (including 15" and 16" diameter). All passenger and industrial 6.25 (old size), 7.10 (new size) and up.	23.0	11.0
3. All passenger, implement and industrial 6.00 (old size), 6.70 (new size) and down. All motorcycle and front farm tractor.	63.0	42.0
4. Bicycle, whitewall balloon sizes.	13.0	5.0
5. Bicycle, other balloon sizes.	63.0	40.0
6. Rear farm tractor and all other implement.	60.0	55.0

NOTE: The above Group averages for Groups 1, 2, or 3 may be reduced by not more than three (3) points, provided the aggregate GR-S consumption in these Groups equals the total amount of GR-S which would have been consumed if calculated on the above minimum group averages for Groups 1, 2 and 3.

TIRE TUBES

(b) *Tire tubes.* (1) *Minimum GR-I content.* (i) In all types of tubes 6.00, 6.25, 6.50 old sizes and 6.70, 7.10, and 7.60 new sizes of 15" and 16" diameter, the new RHC shall be one hundred percent (100%) GR-I (butyl); (ii) in all truck and bus tubes 9.00 and down (except 15" and 16" diameter, 7.00 through 7.50 old sizes and 7.60 through 8.90 new sizes) the new RHC shall be one hundred percent (100%) GR-I (butyl).

(2) *Exceptions.* (i) Up to 20% of the tubes manufactured by any person in each of the groups mentioned above may be made without restriction; (ii) airplane, double air chamber, plastic sealing, and compression safety tubes in all sizes may be made without restriction.

(3) *Markings on tire tubes.* Every tire tube containing synthetic rubber, whether listed above or not, shall be marked by the manufacturer with a light-blue permanent circumferential colored stripe, approximately 3/8" wide, applied on the base section of the tube.

TIRE FLAPS

(c) *Tire flaps.* All tire flaps made for tires 10.00 cross section or smaller shall contain, as a group, GR-S in an amount equal to 45% of the total new RHC used for the group. No individual flap in this group shall contain less than 6% GR-S to the total new RHC.

CAMELBACK

(d) *Camelback.* Camelback made for tires smaller than size 8.25 with less than 5 3/4" crown width and 1 1/2" gauge shall contain 100% GR-S to the total new RHC.

[F. R. Doc. 48-4701; Filed, May 25, 1948; 8:52 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51922]

PART 3—DOCUMENTATION OF VESSELS

ISSUANCE OF CRUISING LICENSES TO FOREIGN-FLAG YACHTS

Section 3.53, Customs Regulations of 1943 (19 CFR, Cum. Supp., 3.53), is amended as follows:

Paragraph (d) is amended to read as follows:

§ 3.53 Yacht privileges and obligations. * * *

(d) A cruising license may be issued to a yacht of a foreign country only if such yacht is a member of a regularly organized yacht club of that country and if it has been made to appear to the satisfaction of the President of the United States that yachts belonging to a regularly organized yacht club of the United States are allowed to arrive at and depart from ports in such foreign country and to cruise in the waters of such ports without entering or clearing at the customhouse thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage taxes, or charges for cruising licenses. It has been made to appear to the satisfaction of the President of the United

States that yachts belonging to a regularly organized yacht club of the United States are granted such privileges in the following countries:

Canada	Honduras
Great Britain	Jamaica
Greece	

Paragraph (e) is amended to read as follows:

(e) In order to obtain a cruising license for a yacht of any country listed in paragraph (d) of this section there shall be filed with the collector an application therefor executed by the yacht owner which shall set forth his address, identify the vessel by flag, rig, name, and such other matters as are usually descriptive of a vessel, and contain a certificate that the owner is a member in good standing of a regularly organized yacht club of the country whose flag his vessel flies. The application shall also include a description of the waters in which the yacht will cruise, and a statement of the probable time it will remain in such waters. Upon approval of the application, the collector of customs will issue a cruising license in the form prescribed by paragraph (f) of this section permitting the yacht, for a stated period not to exceed 6 months, to arrive at and depart from the United States and to cruise in specified waters of the United States without entering and clearing, without filing manifests and obtaining or delivering permits to proceed, and without the payment of entry and clearance fees, or fees for receiving manifests and granting permits to proceed, duty on tonnage, tonnage tax, or light money. The license shall be granted subject to the condition that the vessel shall not engage in trade or violate the laws of the United States in any respect. The master shall comply with section 433 of the Tariff Act of 1930 upon the vessel's arrival at every port or place within the United States.

The following new paragraphs are added:

(f) Cruising licenses shall be in the following form:

LICENSE TO CRUISE IN THE WATERS OF THE UNITED STATES

To Collectors of Customs:

For a period of _____ from _____ the _____ (date) (flag) (rig) yacht _____ belonging to _____ (name) of _____ (owner's name) (address) a member of the _____ (name of yacht club) of _____ (address)

shall be permitted to arrive at and depart from the United States and to cruise in the waters of the customs collection district of _____ (name of district or districts)

without entering and clearing, without filing manifests and obtaining or delivering permits to proceed, and without the payment of entry and clearance fees, or fees for receiving manifests and granting permits to proceed, duty on tonnage, tonnage tax, or light money.

This license is granted subject to the condition that the yacht named herein shall not engage in trade or violate the laws of the United States in any respect. The master

shall comply with section 433 of the Tariff Act of 1930 upon the vessel's arrival at every port or place within the United States.

Issued this _____ day of _____, 19_____

Deputy Collector

(g) A foreign-flag yacht which is not in possession of a cruising license shall be required to comply with the laws applicable to foreign vessels arriving at, departing from, and proceeding between ports of the United States.

(R. S. 161, secs. 2, 3, 23 Stat. 118, 119, R. S. 4197, as amended, R. S. 4214, as amended, R. S. 4217, as amended, R. S. 4218, as amended, R. S. 4367, 4368, sec. 4, 28 Stat. 625, sec. 5, 35 Stat. 425, as amended, secs. 433, 434, 435, 624, 46 Stat. 711, 759; 5 U. S. C. 22, 19 U. S. C. 1433, 1434, 1435, 1624, 46 U. S. C. 2, 3, 91, 103-107, 313, 314, sec. 102, Reorg. Plan No. 3 of 1946, 11 F. R. 7875)

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: May 19, 1948.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

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TITLE 24—HOUSING CREDIT

Chapter VI—Public Housing Administration

REVISION OF CERTAIN PARTS

Chapter VI (11 F. R. 177A-838) is hereby amended, effective upon publication in the FEDERAL REGISTER, by the deletion of former Parts 600, 601, 602, and 603 and by the insertion of new Parts 600, 601, and 602 as follows:

PART 600—DESCRIPTION OF AGENCY AND PROGRAMS

§ 600.1 *Description of agency and programs—(a) Functions of PHA.* The Public Housing Administration (hereinafter referred to as the PHA) is an agency of the United States, created under the President's Reorganization Plan No. 3 of 1947 effective July 27, 1947 (12 F. R. 4981). As so established, PHA is one of three constituent agencies of the Housing and Home Finance Agency. It is headed by the Public Housing Commissioner (hereinafter referred to as the Commissioner). The PHA has, in substance, succeeded to the administration of those programs formerly administered by the Federal Public Housing Authority. In general, it is the responsibility of the PHA to administer those housing programs of the Federal Government which involve either the direct expenditure of Federal funds or the loan of such funds to public bodies to provide housing. These responsibilities include the disposition of Federally-owned housing as required under the applicable status.

(b) *Programs administered.* The programs administered by the PHA are as follows:

(1) *Low-Rent Housing and Slum Clearance Program.* This program is based on the United States Housing Act of 1937 (50 Stat. 823) as amended (42

U. S. C. 1401-1431) That statute created the United States Housing Authority, a corporate agency of the United States, which was authorized to make loans to local public agencies, created by state laws, in amounts not to exceed 90 percent of the development or acquisition cost, to provide decent, safe and sanitary housing for urban and rural families of low income. It also provides for the elimination of slum dwellings in numbers substantially equal to the number of new dwellings provided. The act also permits the payment of annual Federal contributions to make up the difference between the rent that low income families can afford and the actual cost of operation of such housing. Included in the low-rent program are certain housing assets and projects of the Public Works Administration which were transferred to the U. S. Housing Authority by Executive Order 7732, dated October 27, 1937. These projects are Federally owned and directly operated or leased to local authorities for management. Also included in this program are projects developed under Public Law 671, 76th Congress, approved June 28, 1940, with funds of the United States Housing Authority, under an authorization requiring the conversion of those projects to low-rent housing purposes after the war. These projects are now being converted as rapidly as possible. This program is now directly administered by the PHA under the President's Reorganization Plan No. 3 of 1947.

(2) *Rural Rehabilitation Program.* Executive Order 9070 of February 24, 1942, transferred the functions of the Farm Security Administration relating to such housing projects for families not deriving their principal income from operating or working on a farm to the Federal Public Housing Authority. These included the greenbelt towns and certain of the subsistence homestead projects. The purposes of projects built under this program were (i) to rehabilitate families in distress by providing them with a homestead on which they could supplement income received by seasonal industrial work, (ii) to demonstrate a method of redistributing what was considered an over-balance of population in industrial centers by construction small suburban communities insulated from encroachment by a belt of farms and forests, and (iii) to provide work relief and to increase employment by providing useful projects. Pursuant to the President's Reorganization Plan No. 3 of 1947, responsibility for administering these projects is vested directly in PHA.

(3) *Public War Housing Program.* This program originally involved the construction and management of public war housing facilities for persons engaged in national defense activities, including enlisted men in the naval or military services, civilian employees of the War and Navy Departments and of private industries engaged in war contracts and officers of the Army, Navy and Marine Corps up to specified ranks. The basic statutes under which this program is carried out are the following: Public Law 781, 76th Congress, approved September 9, 1940; Public Law 849, 76th Congress, approved October 14, 1940; Public Law 9,

77th Congress, approved March 1, 1941, Public Law 73, 77th Congress, approved May 24, 1941, Public Law 353, 77th Congress, approved December 17, 1941. It included the following types of housing: (i) stop-gap shelter, provided mainly by trailers; (ii) temporary housing (provided under several laws, principal of which was the Lanham Act, as amended (54 Stat. 1125)) and (iii) permanent housing. The postwar responsibility of the PHA is to use such housing temporarily for distressed families of veterans and servicemen and dispose of it as rapidly as conditions permit. Temporary housing must be removed by July 25, 1949, except for such housing as the Housing and Home Finance Administrator finds after consultation with local communities, is still needed for an additional time in the interest of orderly demobilization. Permanent projects are to be sold to veterans and occupants, or other private purchasers, or transferred or sold to Federal, State or local agencies, or, if approved by Congress, to local housing authorities for low-rent use. Pursuant to the President's Reorganization Plan No. 3 of 1947, responsibility for this program is transferred to the Housing and Home Finance Administrator who has delegated certain functions thereunder to PHA.

(4) *Veterans Emergency Re-Use Housing Program.* The veterans Emergency Re-Use Housing Program was authorized by Public Laws 87 (59 Stat. 260) 292 (59 Stat. 674) 336 (60 Stat. 85) and 697 (60 Stat. 958) of the 79th Congress which amended the Lanham Act. This legislation authorized the National Housing Administrator to alleviate the housing difficulties of distressed families of servicemen, veterans and their families, single veterans attending educational institutions, and faculty members (including their families) of such institutions by the movement and re-erection of temporary public housing facilities and by conversion and movement where necessary of temporary dormitories, barracks, and other adaptable structures, materials, equipment, and facilities. Federal agencies having jurisdiction or control of any structures or facilities (including land, equipment or material) surplus to their needs were authorized to transfer without reimbursement such structures or facilities to the Administrator of the National Housing Agency (upon his request) for use under this title. Provision was also made for reimbursement of those applicants choosing to perform the demounting and re-erection work themselves, for the cost of relocation and conversion of temporary housing facilities. The responsibility for providing this housing had been delegated by the National Housing Administrator to the Federal Public Housing Authority. Under the President's Reorganization Plan No. 3 of 1947, responsibility for this program is transferred to the Housing and Home Finance Administrator who has delegated the operations of the program to PHA.

(5) *Conversion Management Program.* This program, originally administered by the Home Owners' Loan Corporation in 1942 under the Lanham Act and transferred to the Federal Public Housing Au-

thority in 1944, was initiated to house war workers and was accomplished by remodeling existing dwellings, large mansions no longer suitable for single family occupancy, unused but sturdy warehouses, vacant stores, closed filling stations, abandoned lodge halls, or any type of building which possessed a sound structure. Under the President's Reorganization Plan No. 3 of 1947, responsibility for this program is transferred to the Housing and Home Finance Administrator who has delegated authority for management supervision and disposition to the PHA.

(6) *Defense Homes Corporation.* Pursuant to the President's Reorganization Plan No. 3 of 1947, responsibility for the liquidation and dissolution of the Defense Homes Corporation is transferred directly to the PHA Commissioner. (Sec. 3, 60 Stat. 238; 5 U. S. C. 1002)

PART 601—CENTRAL OFFICE ORGANIZATION AND FINAL DELEGATIONS OF AUTHORITY TO CENTRAL OFFICE OFFICIALS

§ 601.1 *Central office organization and delegations of authority to central office officials*—(a) *Functions of the Commissioner.* The Commissioner of the Public Housing Administration is appointed by the President of the United States with the advice and consent of the Senate. He is primarily responsible for the administration of all of the programs of the Public Housing Administration and serves as President of the Defense Homes Corporation. The following are the major organizational units of the PHA Central Office with their respective staff functions:

(b) *Program Operations Branch.* The Branch is headed by an Assistant Commissioner who is responsible for supervising the staff functions dealing with the development, reutilization, operation, management, and disposition of public housing projects.

(1) The Assistant Commissioner for Program Operations is delegated the powers provided for in subparagraphs (2) (i) and (ii) of this paragraph and, in addition, the power:

(i) To hear, consider, and decide, as the duly authorized representative of the Commissioner, all appeals arising out of contracts made by or for the Public Housing Administration in connection with the development of projects where contract provisions state substantially that: "All disputes concerning questions of fact arising under this contract shall be decided by the contracting officer subject to appeal by the contractor within 30 days to the head of the department concerned or his duly authorized representative, whose decision shall be final and conclusive upon the parties thereto."

(ii) Pursuant to section 2 (a) (3) of the Farmers' Home Administration Act of 1946, and section 4 (b) of Reorganization Plan No. 3 of 1947, to execute deeds, releases and approvals of conveyances in connection with the non-farm housing projects and other properities concerned.

(iii) Pursuant to Public Law 412, 75th Congress, as amended, Public Law 671, 76th Congress, as amended and section 4 (a) of Reorganization Plan No. 3 of

1947, to execute waivers in connection with the provisions contained in Contracts for Loan and Annual Contributions (in the case of Public Law 412 projects) and Contracts for Financial Assistance (in the case of Public Law 671 projects) which establish time limits subsequent to which this Administration will not make advances or take delivery of Series B bonds unless extended by this Administration.

(2) The Assistant Commissioner for Program Operations supervises the following Divisions:

(i) *Program Planning Division.* This Division is headed by a Director who is responsible for planning, scheduling, and maintaining controls over the development, operation, or disposition of housing programs assigned to PHA.

(ii) *Labor Relations Division.* This Division is headed by a Director who is responsible for representing PHA in labor relations matters. He is delegated the power to make determinations of prevailing wages or fees under the provisions of section 16 (2) of the United States Housing Act of 1937, as amended, and to make determinations of the applicable job titles, weekly hours of work, and annual wage rates for all manual maintenance employees on public housing projects operated by a local housing authority.

(iii) *Real Estate Division.* This Division is headed by a Director who is responsible for staff functions in connection with appraisals, land acquisition, taxation, and insurance, and is also responsible for the operation and disposition of Subsistence Homesteads projects. He is delegated the power to execute sales contracts, and other contracts incidental thereto, between the Government and individual occupants of Subsistence Homesteads projects and between the Government and associations or corporations purchasing such projects, or parts thereof.

(iv) *Racial Relations Division.* This Division is headed by a Director who is responsible for staff functions in connection with racial relations matters of concern to PHA.

(v) *Occupancy Division.* This Division is headed by a Director who is responsible for staff functions in connection with rents, eligibility, project services, and housing facilities in public housing.

(vi) *Plants and Structures Division.* This Division is headed by a Director who is responsible for staff functions in connection with the technical aspects of the development, operation, or disposal of public housing projects.

(vii) *Sales Division.* This Division is headed by a Director who is responsible for staff functions in connection with the sale of public housing projects.

(viii) *Construction Division.* This Division is headed by a Director who is responsible for staff functions in connection with costs of construction, inspection of construction activities, and claims and appeals arising out of construction activities of public housing projects.

(ix) *Public Health Service Division.* This Division is headed by an officer of the Public Health Service who serves as a Consultant to PHA on all matters relating to public health considerations in

the development, operation, or disposal of public housing.

(c) *Administration Branch.* The Branch is headed by an Assistant Commissioner and Comptroller who is responsible for supervising the staff functions dealing with the administrative aspects of PHA activities.

(1) The Assistant Commissioner for Administration and Comptroller is delegated the powers provided for in subparagraphs (3) (1) (a) (b) and (c) and (v) (a) and (b) of this paragraph.

(2) The Deputy Comptroller is responsible for supervising and coordinating the accounting, financing, auditing, budgeting, and property accountability activities of the Administration Branch. He is delegated the powers provided for in subparagraphs (3) (1) (a) (b) and (c) of this paragraph.

(3) The Assistant Commissioner for Administration and Comptroller supervises the following divisions:

(i) *Finance and Accounts Division.* This Division is headed by a Director who is responsible for providing accounting systems and instructions and maintaining the books of accounts of the PHA. He is responsible for program financing activities. The Director, the Administrative Assistant to the Director, and the Chief of the Financing Section are delegated the power:

(a) To approve banks proposed or selected by local authorities as depositaries or fiscal agents in compliance with the local authorities' contracts for loans and annual contributions, to approve fees payable to the fiscal agents, and to approve the use of banks or depositaries for PHA directly operated projects, and leased or conversion management projects.

(b) To accept the service of process pursuant to attachment or garnishment proceedings served upon PHA with regard to any debtor-employee. To execute all necessary and proper documents required in connection therewith and appear to testify for the PHA when so ordered by a court of competent jurisdiction and upon proper legal notice being given.

(c) To execute Requisition Agreements, pursuant to the United States Housing Act of 1937, as amended, and Public Law No. 671, approved June 28, 1940.

The Chief of the Securities Unit is authorized to exercise the powers delegated to other Finance and Account Divisions officials in subparagraph (1) (c) of this paragraph.

(ii) *Audit Division.* This Division is headed by a Director who is responsible for PHA auditing activities.

(iii) *Budget and Statistics Division.* This Division is headed by a Director who is responsible for staff budgeting and statistical activities.

(iv) *Personnel and Planning Division.* This Division is headed by a Director who is responsible for staff personnel and administrative planning activities.

(v) *Property and Services Division.* This Division is headed by a Director who is responsible for staff work connected with procurement, control, accountability and disposition of personal prop-

erty and for administrative services activities. He is delegated the power:

(a) To execute contracts and leases for supplies, equipment, space, and services (other than personal services).

(b) To execute contracts up to \$100 for the temporary or intermittent employment of persons or organizations as experts or consultants.

The Chief of the Administrative Services Section of this Division is authorized to exercise the powers delegated to the Director of the Property and Services Division in subdivision (v) (a) and (b) of this subparagraph.

(d) *Information Division.* This Division is headed by a Director responsible for public, press, and Congressional contacts.

(e) *Office of the Chief Economist.* This office is headed by a Chief Economist who acts as an adviser to the Commissioner with respect to economic and social policies.

(f) *Legal Branch.* This Branch is headed by a General Counsel who acts as legal adviser to the Commissioner and to the Assistant Commissioners.

(g) *Designation of Attesting Officer.* The Assistant Commissioner for Administration and Comptroller is designated as the Attesting Officer for the Public Housing Administration in the Central Office. The Attesting Officer shall affix the official seal to such documents as may require its application and is authorized to certify that copies of documents, leases, contracts, and other papers duly approved are identical with the originals on file in the Central Office. The Chief of the Administrative Services Section and the Legal Administrative Assistant are designated as alternate Attesting Officers in the Central Office and shall have the same duties, functions, and authority vested in the Attesting Officer.

(h) *Acting Commissioner.* Such person as the Commissioner shall designate, from time to time, to serve as Acting Commissioner during periods when he is absent from duty, is authorized to exercise all the powers, duties, and functions, while so acting, that are vested in the Commissioner.

(i) *Acting Officials.* Such persons as are designated from time to time to serve in an acting capacity for any officials of the PHA, as provided in Parts 601 or 602, during periods when such officials are absent from duty, are authorized to exercise all the powers, duties, and functions, while so acting, that are vested by these Parts in the officials for whom they act.

(j) *Central Office Address.* The address of the Central Office is Public Housing Administration, Longfellow Building, Washington 25, D. C. (Sec. 3, 60 Stat. 238; 5 U. S. C. 1002)

PART 602—FIELD ORGANIZATION AND FINAL DELEGATIONS OF AUTHORITY

- Sec.
602.1 Field organization.
602.2 Delegations to regional office officials.
602.3 Delegations to area office officials.
602.4 Delegations to field project personnel.

AUTHORITY: §§ 602.1 to 602.4, inclusive, issued under sec. 3, 60 Stat. 238; 5 U. S. C. 1002.

§ 602.1 *Field organization.* The Commissioner, in administering the PHA, has established a highly decentralized organization, vesting primary responsibility for operating phases of the program in field offices wherever possible. There are five regional offices, each headed by a Regional Director who is responsible to the Commissioner. The organizational pattern of the regional offices, in general, follows that of the Central Office with Divisions and Sections having functions similar to the functions of the Central Office Branches and Divisions, of which they are counterparts. Primary field responsibility is vested in Area Offices. Each Area Office is headed by an Area Director who is responsible to and is supervised by the Regional Director. The Area Director is responsible for the administration of PHA activities in his area of jurisdiction and for maintaining all PHA contacts with the public in his area of jurisdiction.

Regional and area offices are located at the addresses, and have geographical jurisdictions, as shown below. Numerous project and rental offices, and contract managers operate under the direct control of Area Offices. Because of the large number of project engineers' housing managers' and contract managers' offices located throughout the country, it is impractical to list them here. Any request for information concerning them should be addressed to the appropriate Area Office as listed below.

Jurisdiction and Headquarters

Region I. The States of Arizona, California, Idaho, Oregon, Montana, Nevada, Utah, Washington, Wyoming, and the Territories of Alaska and Hawaii: Public Housing Administration, 760 Market Street, San Francisco, Calif.

Area A. The State of Montana. The State of Washington, except the Counties of Clark and Cowlitz. That part of the State of Idaho comprised of the Counties of Idaho, Lewis, Nez Perce, Clearwater, Latah, Shoshone, Benewah, Kootenai, Bonner, and Boundary. Territory of Alaska.

Area B: The State of Oregon. That part of the State of Washington comprised of the Counties of Clark and Cowlitz. That part of the State of Idaho comprised of the Counties of Adams, Valley, Washington, Payette, Gem, Boise, Canyon, Ada, Elmore, and Owyhee.

Area C: The Territory of Hawaii. That part of the State of California comprised of the Counties of Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, Solano, Marin, Contra Costa, Alameda, San Mateo, Santa Cruz, Santa Clara, San Benito, Monterey.

Area D: The State of Arizona. That part of the State of California comprised of the Counties of Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, and San Bernardino.

Area E: All Counties in the State of California except those counties as designated for Areas C and D.

Area F: The State of Wyoming. The State of Nevada. The State of Utah. That part of the State of Idaho comprised of the Counties of Lemhi, Custer, Blaine, Camas, Gooding, Lincoln, Jerome, Minidoka, Twin Falls, Cassia, Butte, Power, Oneida, Clark, Jefferson, Blingham, Bannock, Franklin, Fremont, Madison, Teton, Bonneville, Caribou, and Bear Lake.

Region II. The States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the

District of Columbia: Public Housing Administration, 350 Fifth Avenue, Empire State Building, New York, N. Y.

Area A: The States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island.

Area C: The States of New York and New Jersey.

Area D: The State of Pennsylvania.

Area E: The District of Columbia. The States of Maryland and Delaware.

Area F: Puerto Rico and the Virgin Islands: Puerto Rico Area Office, Public Housing Administration, Post Office Box 1546, San Juan, P. R.

Region III. The States of Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, West Virginia, and Wisconsin: Public Housing Administration, 201 North Wells Street, Chicago, Illinois.

Area A. The States of North Dakota, South Dakota, Nebraska, Minnesota, Iowa, and Missouri.

Area B: The States of Illinois, Indiana, and Kentucky.

Area C: The States of Michigan and Wisconsin.

Area D: The States of Ohio and West Virginia.

Region IV. The States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia: Public Housing Administration, 84 Peachtree Street, Atlanta, Ga.

Area A. The States of Tennessee and Virginia.

Area B: The States of North Carolina and South Carolina.

Area C: The States of Georgia and Florida.

Area D: The States of Alabama and Mississippi.

Region V. The States of Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, and Texas: Public Housing Administration, 725 Texas & Pacific Passenger Building, Fort Worth, Tex.

Area A. The States of Arkansas, Colorado, Kansas, Louisiana, and Oklahoma.

Area B: The States of New Mexico and Texas.

§ 602.2 *Delegations to regional office officials—(a) Delegations of authority to regional directors.* Regional directors are authorized to exercise the powers delegated below in paragraphs (b) (c) and (d) of this section to assistant regional directors, property and services officers, regional finance officers and §§ 602.3 and 602.4 to area directors, housing managers, and project engineers, and in addition:

(1) Pursuant to the provisions of Public Law 67 (73d Congress) and Public Law 412 (75th Congress) as to PWA projects only: Public Laws 671, 781, 849 (excluding Title V thereof) (76th Congress), and Public Laws 9, 73, and 353 (77th Congress) all as amended and supplemented, regional directors are delegated in connection with the development, management and administration of projects and in the administration of the regional and area offices, the power:

(i) To act as representative of the head of the department for the purpose of approving the consideration of contractors' requests for extension of time, when contracts permit the waiver by the head of the department or his duly authorized representative of the contractors' failure to notify the Government of the delay within the period of time stated within the contract.

(ii) To act as representative of the head of the department for the purposes

of waiving the 10-day limitation as may be stipulated in any Construction Contract; for receiving, considering, and adjusting claims, in connection with changes in the contract work, for which claim was made by the contractor (1) prior to or (2) in his executed Certificate and Release.

(iii) Pursuant and subject to the provisions of the Contract Settlement Act of 1944, to take such actions as are authorized by that Act and are appropriate to accomplish its objectives, including the establishment of a Regional Settlement Review Board.

(iv) To execute leases for management of such projects to local housing authorities, or to other local public agencies or private agencies.

(v) In connection with the management of public conversion projects, to modify or extend and to sell or otherwise dispose of any or all leases.

(2) Pursuant to Title V of the Lanham Act as amended, regional directors are delegated the power:

(i) To execute contracts for the Commissioner between the United States and local bodies for the provision of housing under Title V of the Lanham Act, as amended.

(ii) To negotiate and execute cost-plus-a-fixed fee contracts for the construction of Veterans' Re-Use Housing Projects.

(iii) To execute or approve changes in the contract in any amount within the limit of available and allotted funds, and to execute and approve documents involving any extensions of the contract completion date which may be approvable under the terms of the contract irrespective of whether extra work is involved. Any changes approved by a regional director shall apply only to notices to proceed with projects to be erected in his region (without regard to the original location of the buildings being moved)

(iv) To execute contracts or other documents conveying surplus personal property available to the PHA to local bodies (educational institutions, States or political subdivisions thereof, local public agencies and non-profit organizations) for use in connection with the Veterans' Re-Use Housing Program.

(v) To sign transfer requests, in connection with the acquisition of supplementary personal property needed for the Veterans' Re-Use Housing Programs.

(vi) Pursuant and subject to the provisions of the Contract Settlement Act of 1944, to take such actions as are authorized by that act and are appropriate to accomplish its objectives, including the establishment of a Regional Settlement Review Board.

(vii) To execute notices to proceed.

(viii) To grant revocable licenses, permits and easements, and execute appropriate instruments therefor, to facilitate the provisions of necessary streets, alleys, walks, or other means of ingress and egress and utilities.

(b) *Delegations of authority to assistant regional directors for administration.* Assistant regional directors for administration are authorized to exercise the powers delegated in paragraph (c) of this section to property and serv-

ices officers, and paragraph (d) of this section to regional finance officers.

(c) *Delegations of authority to regional property and services officers.* (1) Pursuant to the provisions of Public Laws 671, 781, 849 (76th Congress) and Public Laws 9, 73, and 353 (77th Congress), all as amended, with respect to the administration of projects and of the regional office, the regional property and services officers are delegated the power:

(i) To execute contracts and leases for supplies, equipment, space, and services (other than personal services)

(2) Pursuant to the provisions of the Surplus Property Act of 1944 and Regulations 1 and 9 of the War Assets Administration, regional property and services officers are delegated the power:

(i) To make final determination that personal property under their jurisdiction at any one place at any one time which cost under \$25,000 is salvage or scrap, and to execute contracts covering the sale, at the best price obtainable, of small lots, salvage, or scrap.

(ii) To declare as surplus and to turn over to the appropriate disposal agency any personal property other than small lots, salvage, scrap, and other items of usable property as defined by the War Assets Administration.

(3) Pursuant to Title V of the Lanham Act, as amended, the regional property and services officers are delegated the power:

(i) To execute contracts or other documents conveying surplus personal property available to PHA to local bodies (educational institutions, States or political subdivisions thereof, local public agencies and non-profit organizations) for use in connection with the Veterans' Re-Use Housing Program.

(d) *Delegations of authority to regional finance officers.* (1) The regional finance officers are hereby delegated the power:

(i) To accept, on behalf of the Commissioner, service of process properly issued pursuant to attachment or garnishment proceedings served upon them by a court of competent jurisdiction with respect to any debtor-employee of the Public Housing Administration employed in their respective regions, and to execute all necessary and proper documents required therewith.

§ 602.3 *Delegations to area office officials; Delegations of authority to area directors.* (a) Area directors are delegated the power:

(1) Pursuant to the provisions of Public Law 67 (73d Congress), and Public Law 412 (75th Congress) as to PWA projects only; Public Laws 671, 781, and 849 (excluding Title V thereof) (76th Congress) and Public Laws 9, 73, and 353 (77th Congress) all as amended and supplemented: Area directors are hereby delegated, in connection with the development, management, disposal and administration of projects and in the administration of the area office the power:

(i) To execute or approve contracts and contract changes in any amount with respect to the development, operation, maintenance, repair, alteration, or betterment of such projects, and to act

as the representative of the head of the department for the purpose of approving such contract changes when the contract documents require the approval of contract changes in excess of \$500 by the head of the department or his duly authorized representative; and to execute documents involving any extensions of the contract completion date which may be approvable under the terms of the contract irrespective of whether extra work is involved.

(ii) To select, approve and lease sites.

(iii) To grant revocable licenses, easements, and permits to other than Federal agencies and to execute the appropriate instruments therefor, to facilitate provision of adequate utility services for any Federally-owned projects.

(iv) To effect the annexation of project properties by political subdivision if necessary to facilitate the extension of adequate public facilities or services including utilities to such property.

(v) To execute leases, and amendments thereto, to local housing authorities for management of such projects.

(vi) In connection with the provisions of sections 3A and 3B of the Administration Fund Agreement (Form PHA-875-2), with respect to leased war housing projects;

(a) To determine when an event of default has occurred under a lease of a war housing project to a local housing authority.

(b) After the determination that an event of default has occurred, to sign and transmit notices to banks pursuant to section 3A of any Agreement and to draw checks and execute certificates and to transmit the same to banks pursuant to section 3B of such agreements.

(vii) To approve statements of management policy and management programs, including revisions thereto, and to approve all budgets and amendments.

(viii) To execute agreements for payments in lieu of taxes.

(ix) To approve or execute leases for commercial facilities.

(x) To execute contracts which housing managers are not authorized to execute, including negotiated contracts where authorized by law.

(xi) To authorize the housing of persons employed directly by the PHA, local housing authorities, or other agencies engaged in the operation of public war housing projects.

(xii) To execute contracts for additional fire protection, police protection, and other necessary services not covered by agreements for payments in lieu of taxes.

(xiii) In connection with the management of public conversion projects;

(a) To establish, adjust, or revise rentals for dwelling units in conversion projects, and also to approve the compromise or release of claims for delinquent rent due from tenants or former tenants.

(b) To modify or extend and to sell leases where the combined net recovery from operation and sale of leasehold exceed 40% of the full conversion cost; or to sell, cancel, or otherwise dispose of other leases when approved by the regional director.

(c) To exercise all rights and privileges of the United States under leases for conversion projects.

(d) To execute or approve contracts and contract changes with respect to the operation, maintenance, repair, alteration, or betterment of public conversion projects, and to act as the representative of the head of the department for the purpose of approving such contract changes when the contract documents require the approval of such contract changes by the head of the department or his duly authorized representative.

(e) To execute contracts with brokers for representing PHA on termination of leases and to approve vouchers in payment of such services.

(f) To execute contracts with brokers for "conversion management properties."

(2) Pursuant to the U. S. Housing Act of 1937, as amended, and Title II of Public Law 671 (76th Congress), approved June 28, 1940, Area Directors are delegated the power:

(i) To execute waivers of the following provisions of the loan and annual contributions contracts relating to such projects, as defined by PHA procedures:

(a) The provision which requires that no member of the local housing authority shall participate in any decision affecting his direct or indirect personal interests and that no member, officer, agent, servant or employee of the local housing authority shall have any interest, direct or indirect, in any contract for property, materials or services to be acquired by the local housing authority.

(b) The provision which requires that the local housing authority involved shall not enter into any contract for property, materials, or services with any former member of the local housing authority within one year after he shall have ceased to be a member.

(c) The provision that requires that all work in connection with demolition on the site of the project, site improvements, and the construction and equipping of the projects to be done under fixed price contracts awarded after open and competitive bidding.

(d) The provision that the local housing authority involved will not, during the life of the contract, or while any of the bonds are outstanding, transfer, convey, assign, or in any way encumber the project, provided that this shall be waived only to permit local housing authorities to grant easements in and over the project sites.

(e) The provisions of section 4.02 (c) of Form No. PHA-500, and applicable provisions of the administration fund agreement relating to the withdrawal of moneys from the administration fund, only to the extent necessary to permit the transfer of moneys from that fund (not in excess of the amount that would otherwise be available at the close of the then current fiscal year for transfer to the debt service fund) to the development fund for payment of approved development costs when it is not possible to defer such payment until the maturity date or scheduled refunding of outstanding temporary loan notes issued for the projects.

(f) The provisions of section 4.04 of the General Covenants and Conditions (Form No. PHA-500, April 15, 1942) and section 2 of the Debt Service Fund Agreement (PHA-1121, Rev. 2-3-43) only to the extent necessary to permit the transfer of moneys from the debt service fund to the development fund in an amount not to exceed that portion of the proceeds of the sale of any temporary loan notes which is obtained for the payment of additional approved development costs and which, with the consent of the PHA, is applied to the payment of interest and/or principal of any outstanding temporary loan notes.

(ii) To approve land purchases by a local housing authority for the site of a housing project.

(iii) To approve the dedication to the public by local housing authorities, of land for the laying out, construction, maintenance, or widening of streets or alleys within the area of the project.

(iv) To execute development fund agreements on behalf of PHA.

(v) To execute administration fund agreements on behalf of PHA.

(vi) To execute debt service fund agreements on behalf of PHA.

(vii) To execute and issue contract award notices.

(viii) To execute and issue development progress certificate and Exhibit B attached thereto (PHA-876)

(ix) To execute and issue occupancy notices.

(x) To execute and issue equivalent elimination notices.

(xi) To execute and issue physical completion notices.

(xii) To authorize the award and to approve the execution of construction contracts and any modification thereof (including change orders) executed by local authorities.

(xiii) To approve the deferment of the elimination of unsafe and insanitary dwellings with respect to projects developed by the local housing authorities under PL-671 for a period of one year after the termination of the War Housing period as defined in the Contract for Financial Assistance (Specimen Forms Nos. 86 and 86 Alternate, 4-15-42)

(xiv) To approve the deferment of the elimination of unsafe or insanitary dwellings with respect to projects developed by local housing authorities under PL-412 and PL-671 for a period of one year from the date the deferment is granted: *Provided*, That the regional director shall find and determine that in the locality the ratio of vacant to total dwellings is 3% or less which results in a shortage of decent, safe or sanitary housing available to families of low income so acute as to force dangerous overcrowding of such families.

(xv) To approve deferment of contract requirements relative to removal of families ineligible for continued occupancy.

(xvi) To certify as to the low-rent character of a project.

(3) Pursuant to Title V of the Lanham Act, as amended, Area Directors are delegated the power:

(i) To execute or approve changes in contracts in any amount within the limit

of available or allotted funds, and to execute and approve documents involving any extensions of contract completion dates which may be approvable under the terms of the contracts irrespective of whether extra work is involved. Any changes approved by an Area Director shall apply only to Notices to Proceed with projects to be erected in that area (without regard to the original location of the buildings being moved)

(ii) To execute leases to local bodies of land owned by the Government.

(4) In any matters pertaining to the disposition of projects undertaken pursuant to the provisions of the Lanham Act, as amended, PL-781 (76th Congress) or PL-9, 73, 353 (77th Congress) area directors are delegated the power:

(i) With respect to permanent projects, on the basis of approved disposition plans, to execute contracts of sale, removal or demolition, transfer documents, and other instruments in connection with the disposition of housing property, other than transfers of jurisdiction to other Federal agencies.

(ii) With respect to temporary projects, to execute contracts of sale, removal or demolition, transfer documents and other instruments in connection with the disposition of housing property, other than transfers of jurisdiction to other Federal agencies.

(iii) To sell credit instruments resulting from sales of such projects.

(iv) To order advertisements in connection with disposition of housing property.

(v) To execute contracts with brokers for the disposition of conversion leaseholds.

(vi) To execute contracts granting compensation for and to purchase the results of the services of surveyors or appraisers.

(5) In any matters pertaining to the disposition of property assigned to the Housing and Home Finance Agency under provisions of the Surplus Property Act of 1944, or Executive Order 9425, February 19, 1944, Area Directors are hereby delegated the power:

(i) To execute sale or transfer documents for surplus property, other than transfers of jurisdiction to other Federal agencies.

(ii) To order advertisements in connection with the disposition of such property.

(iii) To execute contracts granting compensation for and to purchase the result of the services of surveyors or appraisers.

(iv) Pursuant to section 313 of the Lanham Act as amended; SPA Regulation 5, Order 6, and NHA General Order 21-29A, to make and announce the necessary factual findings as to which housing assigned to the Housing and Home Finance Agency by the War Assets Administration for disposal is of the class and types determined by the Housing and Home Finance Agency (Section 2, General Order 21-29A) to be of a temporary character.

(6) Pursuant to the provisions of the Surplus Property Act of 1944 and Regulations 1, 9, and 19 of the War Assets Administration, Area Directors are delegated the power:

(i) To make final determination that personal property under their jurisdiction at any one place at any one time which cost under \$25,000 is salvage or scrap.

(ii) To execute contracts covering the sale, at the best price obtainable, of small lots, salvage, or scrap.

(iii) To act as the reviewing authority for the donation, destruction or abandonment of any personal property which cost under \$1,000 after having determined that the property has no commercial value or the estimated cost of its care, handling, and disposition would exceed the estimated proceeds of its sale for any purpose.

(iv) To declare as surplus and to turn over to the appropriate disposal agency personal property as defined by the War Assets Administration.

(7) Pursuant to the provisions of the Emergency Relief Appropriations Act of 1935, section 43 of the Bankhead Jones Farm Tenant Act (50 Stat. 530), section 2 (a) (3) of the Farmers' Home Administration Act of 1946 and section 4 of Reorganization Plan No. 3 of 1947 (12 F. R. 4981) Area Directors are delegated the power:

(1) To renew, upon expiration, leases for land made by the Farm Security Administration on projects transferred to the PHA.

§ 602.4 *Delegations to Field Project personnel*—(a) *Delegations of authority to project engineers, Veterans' Emergency Housing Projects.* Project engineers on Veterans' Emergency Housing Projects, are delegated authority as follows:

(1) *Provisions of Cost-Plus-a-Fixed-Fee Construction Contract, Form PHA-1482.* Article 2b of the General Conditions of the Cost-Plus-A-Fixed-Fee Construction Contract states that "the project engineer is the authorized representative of the contracting officer for the purposes specified in certain listed paragraphs of the contract. Project engineers are therefore delegated authority to exercise those functions listed in subparagraphs (2) and (3) of this paragraph, subject to the limitations set forth herein.

(2) *Delegations limited only by consideration set forth in the Cost-Plus-a-Fixed-Fee Contract.* The project engineer shall act as the representative of the contracting officer for the purpose set forth in Articles 3, 5, 6, 10, 14, 15, 19, 25, 26, 28, 29, 31, 32, 33, 34, 35, 36, and 45 of the General Conditions of the Cost-Plus-a-Fixed-Fee Construction Contract. The project engineer is not the authorized representative of the contracting officer for the purposes of approving changes contemplated under Article 13 of the general conditions of the contract, in connection with the construction of Reactivated Re-Use Veterans Housing Units, notwithstanding the provisions in Article 2b of the general conditions of said contract.

(3) *Delegations subject to additional administrative limitations.* The project engineer shall act as representative of the contracting officer for the purposes set forth in Articles 8 and 18 of the gen-

eral conditions, subject to the limitations set forth below.

(i) *Article 8, construction subcontract work and payments therefor* (a) The project engineer is empowered to approve subcontractors and subcontracts, subject to the following limitations:

(1) Cost-plus-fixed-fee subcontracts must have the prior approval of the area director or his authorized representative.

(2) The project engineer is the authorized representative of the contracting officer for the purpose of approving any lump-sum subcontract which does not involve an amount in excess of \$500. The project engineer is the authorized representative of the contracting officer for the purpose of approving subcontract changes where such change does not result in an increase of the contract price in excess of \$500.

Exception: In connection with the construction of reactivated Re-Use Housing units, the project engineer has no authority to approve changed work or change orders involving an increase in the subcontract price. The project engineer may continue to approve minor modifications (which do not involve an increase in the subcontract price) for reactivated units. Regional construction engineers are authorized to give prior approval to subcontracts in excess of \$500 but not in excess of \$2,500.00. The assistant regional director for program operations may give prior approval to subcontracts within the limitation of approved, allocated funds available for construction.

(b) The project engineer is the authorized representative of the contracting officer, for the purpose of making determinations with regard to specialty work and specialty subcontractors, subject to the limitations of subparagraphs (3) of this paragraph.

(c) The project engineer's powers, with regard to approval of the form, substance, and amount of changes in lump-sum subcontracts, are limited to those which involve an amount not in excess of \$500.

(b) *Delegations of authority to general housing managers, housing managers and their assistants, and management aides.* (1) Pursuant to the provisions of Public Law 67 (73d Congress) and Public Law 412 (75th Congress) as to PWA projects only; Public Laws 671, 781 and 849, (76th Congress) and Public Laws, 9, 73, and 353, (77th Congress) all as amended and supplemented, general housing managers, housing managers and their assistants, and management aides are delegated, in connection with the management and administration of projects, the power:

(i) To execute contracts for supplies and services (other than personal services) necessary in connection with the maintenance and repair of projects within approved budgets as follows:

(a) In amounts less than \$100 in the open market without advertising for proposals; and

(b) In amounts between \$100 and \$2000 after advertising for proposals. This requirement of advertising pro-

posals for contracts involving more than \$100 need not be observed when immediate delivery and performance is required by the public exigency, except that such contracts must be approved by the area director if they involved amounts over \$300.

(ii) To execute and cancel leases and rental contracts for occupancy of the respective projects.

(iii) To approve in writing the compromise of rent claims against tenants or former tenants.

(iv) To approve the payment of court costs in connection with any claim against tenants or former tenants.

(2) Pursuant to the provisions of the Surplus Property Act of 1944 and Regulations 1 and 9 of the War Assets Administration, the following powers are delegated to general housing managers and housing managers:

(i) To execute contracts covering the sale, at the best price obtainable, of small lots, salvage and scrap as defined by War Assets Administration.

(c) *Housing managers, Community managers, and others acting in such capacities, with respect to Greenbelt towns, subsistence homestead, and limited dividend projects.* Housing managers, community managers, and others acting in such capacities with respect to Greenbelt towns, subsistence homestead, and limited dividend projects are delegated the power:

(1) To approve applicants for occupancy in accordance with eligibility requirements.

(2) To execute and cancel lease and rental contracts for occupancy of their respective projects.

(3) To execute sales contracts with tenants for furniture and farm equipment purchased by the Government under the Farm Security Administration program.

(4) To execute releases of mortgaged furniture and farm equipment.

(5) To accept and receipt for in the name of the Administration all rentals and other revenues derived from the operation of the projects and to deposit such revenues.

(6) To execute contracts for supplies and services (other than for personal services) necessary in connection with the maintenance and repair of projects within approved budgets as follows:

(i) In amounts less than \$100 in the open market without advertising for proposals.

(ii) In amounts between \$100 and \$2,000 after advertising for proposals. This requirement of advertising for proposals for contracts involving more than \$100 need not be observed when immediate delivery and performance is required by the public exigency, except that such contracts must be approved by the Area Director if they involve amounts over \$300.

(7) To approve in writing the compromise of rent claims against tenants or former tenants.

(8) To pay or approve the payment of court costs in connection with any claim against tenants.

(9) Pursuant to the provisions of the Surplus Property Act of 1944 and Regulations 1 and 9 of the War Assets Administration to execute contracts covering the sale, at the best price obtainable, of small lots, salvage, and scrap, as defined by War Assets Administration.

PART 603—FINAL DELEGATIONS OF AUTHORITY

Part 603 is hereby deleted.

Approved: May 19, 1948.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 48-4633; Filed, May 25, 1948; 9:01 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS OF NEW FRESH HARVESTED IRISH POTATOES

CROSS REFERENCE: For an exception to the provisions of § 500.72, see Part 520 of this chapter, *infra*.

[General Permit ODT 18A, Revised-33A, Amdt. 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS AND SPECIAL DIRECTIONS

SHIPMENTS OF NEW FRESH HARVESTED IRISH POTATOES

Pursuant to Title III of the Second War Powers Act, 1942; as amended, Executive Order 8389, as amended, Executive Order 9729, as amended, Executive Order 9919, and General Order ODT 18A, Revised, as amended, *It is hereby ordered*, That General Permit ODT 18A, Revised-39A (13 F. R. 2204), shall remain in full force and effect until July 1, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Law 395, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8389, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641, E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

Issued at Washington, D. C., this 21st day of May 1948.

J. M. JOHNSON,
Director of the Office of
Defense Transportation.

[F. R. Doc. 48-4633; Filed, May 25, 1948; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE Production and Marketing Administration

[P. & S. Docket No. 383]

MARKET AGENCIES AT ST. LOUIS NATIONAL STOCK YARDS, NATIONAL STOCKYARDS, ILLINOIS

NOTICE OF PETITION FOR MODIFICATION AND CLARIFICATION

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) an order was issued on December 30, 1947 (6 A. D. 1133) authorizing the respondents to assess certain temporary rates and charges for a period of one year. Subsequently, by an order dated February 10, 1948 (7 A. D. 127) the respondents were authorized to publish and file an amendment to that tariff making such changes as might be necessary in order to make references to bulls therein conform to the new definition of bulls used in the tariff of the St. Louis National Stock Yards.

By petition filed on April 30, 1948, the respondents have requested authority to amend the tariff presently in effect so that section A, paragraph (2) and sections B, D and E shall read as follows:

1. Amend section A, *Definitions*, paragraph (2), to read as follows:

(2) A purchase order, for the purpose of assessing buying charges on a commission basis is all the livestock of one species—cattle, calves (or bulls weighing 800 lbs. or more) to be considered as a separate species, bought by any one buying agency for any one principal but shipped or delivered to one person on one market day.

2. Amend section B, *selling charges for sheep* to read as follows:

	Cents per head
Consignments of one head and one head only.....	50
Consignments of more than one head:	
First 10 head in each 240 head.....	32
Next 50 head in each 240 head.....	20
Next 60 head in each 240 head.....	10
Next 120 head in each 240 head.....	5

The maximum charge on any one rail consignment shall not exceed an amount equal to \$18.00 multiplied by the number of single deck cars in the consignment plus an amount equal to \$24.00 multiplied by the number of double-deck cars in the consignment.

3. Amend section D, *Buying charges for sheep* to read as follows:

Sheep Other Than for Immediate Slaughter

	Cents per head
Purchase orders of one head and one head only.....	50
Purchase orders of more than one head:	
First 10 head in each 240 head.....	32
Next 50 head in each 240 head.....	20
Next 60 head in each 240 head.....	10
Next 120 head in each 240 head.....	5

Rail: \$18.00 single deck, \$24.00 double deck.

Maximum:¹ Trucked out or driven out: \$18.00 for each 12,000 lbs., plus 10¢ per cwt. for each 100 lbs. over 12,000 lbs.

Sheep for Immediate Slaughter

Rail: \$20.00 single deck, \$30.00 double deck.

Trucked Out or Driven Out

	Cents per head
Purchase orders of one head and one head only.....	50
Purchase orders of more than one head:	
First 10 head in each 240 head.....	32
Next 50 head in each 240 head.....	20
Next 60 head in each 240 head.....	10
Next 120 head in each 240 head.....	5

4. Amend section E, *Extra service charges* to read as follows:

The following extra service charges are applicable to each consignment (selling and resale) and purchase order:

Each weight draft after one.....	10¢
Each additional check, each additional copy of account sales, each proceeds deposit or bank credit over one (1).....	5¢

It appears that notice of the filing of the petition should be given to the public. Accordingly, notice is hereby given to all persons of the filing of the petition.

Interested persons who desire to be heard upon the matter shall notify the Hearing Clerk, United States Department of Agriculture within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 19th day of May 1948.

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

[F. R. Doc. 48-4707; Filed, May 25, 1948; 8:55 a. m.]

[P. & S. Docket No. 1246]

ST. LOUIS NATIONAL STOCKYARDS CO.,
NATIONAL STOCKYARDS, ILLINOIS

NOTICE OF PETITION FOR MODIFICATION

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) orders prescribing reasonable rates and charges for stockyards services were issued on May 9, 1946 (5 A. D. 338) and June 26, 1946 (5 A. D. 449) By supplemental orders from time to time certain modifications of these orders have been authorized. The current authorizations are due to expire on June 30, 1948.

By petition filed on May 3, 1948 the respondent has requested that the order of May 9, 1946, as modified by the orders of June 26, 1946, December 4, 1946 (5 A. D. 873) May 26, 1947 (6 A. D. 428) August 25, 1947 (6 A. D. 776) and January 16, 1948 (7 A. D. 1) be further modified so that yardage charges for cattle, calves,

¹ The maximum charge shall not exceed the per head rate.

hogs, sheep and goats sold or resold in the commission division or received directly by packers through the yards will be as indicated below under the heading "Proposed Charges"

	Present charges	Proposed charges
A. Livestock sold or resold in the commission division:	<i>Cents per head</i>	<i>Cents per head</i>
Cattle.....	60	65
Calves.....	38	40
Hogs.....	20	23
Sheep and goats.....	12	16
B. Livestock received directly by packers through the yards:		
Cattle.....	30	33
Calves.....	18	20
Hogs.....	10	12
Sheep and goats.....	6	8

The petition also requests that the order of May 9, 1946, as modified be continued in effect to and including June 30, 1949.

If granted, authorization to assess the proposed charges will produce additional revenue for the respondent and increase marketing costs to shippers. Accordingly public notice of the filing of the petition is given to the public.

All interested persons who desire to be heard upon the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Done at Washington, D. C., this 20th day of May 1948.

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

[F. R. Doc. 48-4708; Filed, May 25, 1948; 8:55 a. m.]

[7 CFR, Part 961]

[Docket No. AO-160-A6]

HANDLING OF MILK IN PHILADELPHIA, PA.,
MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AS AMENDED, AND ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Supps. 900.1 et seq., 12 F. R. 1159, 4904) notice is hereby given of a public hearing to be held beginning at 10:00 a. m., e. d. s. t., June 7, 1948, at the auditorium, Sylvania Hotel, Philadelphia, Pennsylvania.

This hearing is for the purpose of receiving evidence with respect to a proposed amendment, hereinafter set forth, or modifications thereof, to the tentative marketing agreement and the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, milk marketing area. This proposed

amendment has not received the approval of the Secretary of Agriculture.

Amendment proposed by Inter-State Milk Producers' Cooperative, Inc..

In § 961.4 (a) (1) delete the proviso "And provided further, That the price shall be at least \$5.56 for each month until but not including March 1947," and substitute: "And provided further That the price shall be at least \$5.90 for each of the months of July, August and September 1948, and at least \$6.30 for each of the months of October, November and December 1948."

Copies of this notice of hearing and of the tentative marketing agreement and the order, as amended, now in effect may be procured from the Market Administrator at 1612 Market Street, Philadelphia 3, Pennsylvania, or from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., or may there be inspected.

Dated: May 21, 1948.

[SEAL] F. R. BURKE,
Acting Assistant Administrator

[F. R. Doc. 48-4706; Filed, May 25, 1948; 8:55 a. m.]

[7 CFR, Part 9681]

[Docket No. AO 173-A3]

**HANDLING OF MILK IN WICHITA, KANS.,
MARKETING AREA**

**PROPOSED AMENDMENT TO TENTATIVE
MARKETING AGREEMENT AND ORDER, AS
AMENDED**

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure, as amended (7 CFR, Supps., 900.1 et seq., 12 F. R. 1159, 4904) notice is hereby given of a public hearing to be held in the United States Post Office

Building, at Wichita, Kansas, beginning at 10:00 a. m., c. s. t., June 7, 1948, for the purpose of receiving evidence with respect to a proposed amendment hereinafter set forth in the tentative marketing agreement, as heretofore approved (12 F. R. 6749) by the Secretary of Agriculture, and to the order, as amended, regulating the handling of milk in the Wichita, Kansas milk marketing area (7 CFR, Supps. 2, Part 968, 12 F. R. 7105) This proposed amendment has not received the approval of the Secretary of Agriculture.

The following amendment has been proposed by the Wichita Milk Producers Association:

Delete § 963.4 (a) (1) and (2) and substitute the following:

(1) *Class I milk.* The price per hundredweight shall be the price determined pursuant to (b) of this section plus \$1.00 for the delivery periods of April, May, and June and plus \$1.45 for the remaining periods.

(2) *Class II milk.* The price per hundredweight shall be the price determined pursuant to (b) of this section plus 75 cents for the delivery periods of April, May, and June and plus \$1.20 for the remaining periods.

Copies of this notice of hearing and of the tentative marketing agreement, and the order, as amended, now in effect, may be procured from the market administrator, 510 Porter Building, 406 W. 34th Street, Kansas City 2, Missouri, or from the Hearing Clerk, United States Department of Agriculture, Room 1844, South Building, Washington 25, D. C., or may be there inspected.

Dated: May 20, 1948.

[SEAL] F. R. BURKE,
Acting Assistant Administrator.

[F. R. Doc. 48-4631; Filed, May 25, 1948; 8:50 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR, Part 681]

HOME WORKERS IN INDUSTRIES IN PUERTO RICO OTHER THAN NEEDLEWORK INDUSTRIES

MINIMUM PIECE RATES PRESCRIBED BY THE ADMINISTRATOR

Notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C., Supp., 1001) that the Administrator of the Wage and Hour Division, U. S. Department of Labor, proposes to establish a minimum piece rate of 28 cents per gross for the performance of the following operation by home-workers: Hand braiding of leather buttons, 24 to 30 ligne. This operation consists of tying a braided knot around the tip of a finger, bringing the knot into a rounded button shape by pulling at the ends of the strip, inserting a leather shank at the base, and tucking the loose ends between the braided part and the shank.

Prior to the final adoption of such minimum piece rate, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., within 15 days from publication of this notice in the FEDERAL REGISTER.

The proposed rate is to be issued under the authority contained in section 6 (a) (5) of the Fair Labor Standards Act of 1938 (52 Stat. 1060; 29 U. S. C. 201).

Signed at Washington, D. C., this 20th day of May 1948.

F. GRANVILLE GRIEBS, Jr.,
Acting Administrator.

[F. R. Doc. 48-4709; Filed, May 25, 1948; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2430]

**AUTHORITY OF CHIEF, AND ACTING CHIEF,
PATENTS SECTION, BRANCH OF LAND DISPOSAL,
BUREAU OF LAND MANAGEMENT**

MAY 18, 1948.

Under authority of sections 458 and 459 of the Revised Statutes (43 U. S. C. 15, 6), section 4 of the President's Reorganization Plan No. III of 1940, 5 F. R. 2108, and section 403 of the President's Reorganization Plan No. 3 of 1946, 11 F. R. 7876, the Chief of the Patents Section of the Branch of Land Disposal of the Bureau of Land Management, and, in his absence, the Acting Chief of the Section are hereby designated to countersign land patents issuing from the Bureau of Land Management and furnish copies and exemplification of patents, plats and other records of the Bureau.

This order supersedes Order 2372 of November 6, 1947.

(R. S. 458, R. S. 459; 43 U. S. C. 15, 6; Reorg. Plan No. III of 1940, 5 F. R. 2108; Reorg. Plan No. 3 of 1946, 11 F. R. 7876)

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

[F. R. Doc. 48-4630; Filed, May 25, 1948; 8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2732]

WEST COAST AIRLINES, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, over its entire system.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as

amended, particularly sections 406 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on May 28, 1948, at 10:00 a. m. (daylight saving time) Wing C, Room 131, Temporary Building No. 5, south of Constitution Avenue between 16th and 17th Streets NW., Washington, D. C., before Examiner R. Vernon Radcliffe.

Dated at Washington, D. C., May 21, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-4703; Filed, May 25, 1948; 8:53 a. m.]

[Docket Nos. 3123, 3236]

LOS ANGELES AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft,

the facilities used and useful therefor, and the services connected therewith, over its entire system.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on May 28, 1948, at 10:00 a. m. (daylight saving time) Wing C, Room 131, Temporary Building No. 5, south of Constitution Avenue between 16th and 17th Streets NW., Washington, D. C., before Examiner R. Vernon Radcliffe.

Dated at Washington, D. C., May 21, 1948.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-4705; Filed, May 25, 1948;
8:53 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Special Directive 57-A]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO VACATE ORDER TO FURNISH CARS
FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 57 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., May 20, 1948.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 19th day of May A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-4696; Filed, May 25, 1948;
8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1053]

SCHENLEY DISTILLERS CORP.

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

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of May A. D. 1948.

The Chicago Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$1.75 Par Value, of Schenley Distillers Corporation, a secu-

ity listed and registered on the New York Stock Exchange.

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

Notice is hereby given that, upon request of any interested person received prior to June 17, 1948, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-4684; Filed, May 25, 1948;
8:49 a. m.]

[File No. 70-1798]

NARRAGANSETT ELECTRIC CO.

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 19th day of May A. D. 1948.

The Narragansett Electric Company ("Narragansett") a subsidiary company of New England Electric System, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 of the rules and regulations promulgated thereunder regarding the following proposed transaction:

Narragansett proposes to issue and sell \$10,000,000 principal amount of First Mortgage Bonds, Series B, due 1978. Said bonds are to be issued under and secured by Narragansett's First Mortgage Indenture, dated as of September 1, 1944, as supplemented by a First Supplemental Indenture to be dated as of May 1, 1948. The interest rate of said bonds which shall be a multiple of $\frac{1}{8}$ of 1% and the price, exclusive of accrued interest, which shall be not less than the principal amount of said bonds and not more than 102 $\frac{3}{4}$ % thereof, are to be determined by competitive bidding pursuant to Rule U-50 promulgated under the act. The proceeds to be derived from said bonds, exclusive of accrued interest and after deducting expenses estimated at \$75,000, will be used to replenish treasury funds of Narragansett's expended for construction purposes and to retire Narragansett's short-term bank loans estimated to be outstanding prior to the issuance of said bonds, in the amount of \$6,275,000, the proceeds of which were used for construction purposes

and to replenish treasury funds expended in connection with Narragansett's construction program. The application indicates that, in accordance with the provisions of the First Mortgage Indenture dated September 1, 1944, \$6,403,000 principal amount of said bonds will be issued on the basis of unfunded net property additions as at May 1, 1948, and \$3,597,000 principal amount thereof will be issued against the deposit of cash with the Trustee. The estimated expenses of \$75,000 include estimated fees of \$6,000 for the services of independent public accountants and estimated fees of \$10,000 for the services of independent counsel.

Said application having been filed on March 30, 1948, and amendments thereto having been filed on April 9, 1948, April 28, 1948 and May 13, 1948, and notice of the filing of said application having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing thereon within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

Narragansett having requested that the Commission issue its order on or before May 20, 1948, and having requested that such order become effective forthwith upon issuance; and the Commission deeming it appropriate to grant such requests; and

The Commission finding with respect to said application, as amended, that the requirements of section 6 (b) are satisfied and that there is no basis for imposing terms and conditions, other than those specified in Rule U-24, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted;

It is hereby ordered, Pursuant to Rule U-23 and to the applicable provisions of said act that the aforesaid application, as amended, be, and the same hereby is granted; effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of bonds by Narragansett shall not be consummated until the results of competitive biddings have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record as so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-4685; Filed, May 25, 1948;
8:49 a. m.]

[File No. 70-1804]

ARKANSAS LOUISIANA GAS CO. AND ARKANSAS
NATURAL GAS CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the city of Washington, D. C., on the 19th day of May A. D. 1948.

Notice is hereby given that Arkansas Louisiana Gas Company ("Ark-Louisiana") a subsidiary of Arkansas Natural Gas Corporation ("Ark-Natural") a registered holding company subsidiary of Cities Service Company ("Cities") also a registered holding company, and Ark-Natural have filed joint applications and declarations with this Commission pursuant to the Public Utility Holding Company Act of 1935. Applicants have designated sections 9, 10 and 12 and Rules U-42, U-43, U-44, U-46, and U-50 as applicable to the proposed transactions.

Ark-Natural is a holding company in the Cities' system whose subsidiaries are engaged in the production, transmission and distribution of petroleum and natural gas. Ark-Louisiana, which owns gas distribution facilities, is the only subsidiary in the Ark-Natural system which is a public utility company within the meaning of the act. Ark-Natural owns all of the common stock and the outstanding 4¼% debentures, due 1955, in the principal amount of \$6,500,000 of Ark-Louisiana, which constitutes all of the outstanding securities of Ark-Louisiana except for \$11,500,000 principal amount of 2¼% bank loan notes due in installments 1948-1957. Ark-Natural had outstanding, at February 29, 1948, 2,187,696 shares of \$10 par value 6% Cumulative Preferred Stock, 4,080,716 shares of no par value Common Stock, and 3,522,271.25 shares of no par value Class A Common Stock. On February 29, 1948, Cities owned approximately 40% of the preferred stock, 75% of common stock and 25% of the Class A common stock of that company.

Ark-Louisiana is a gas utility company engaged in the business of producing, transmitting and distributing natural gas in Texas, Louisiana and in Arkansas. It sells gas at retail and at wholesale. As at February 29, 1948, Ark-Louisiana's gross plant account amounted to \$66,648,856 of which approximately \$21,600,000 is represented by the distribution facilities. For the twelve months ended February 29, 1948, the company's gross operating revenue amounted to \$16,859,506 of which approximately \$10,500,000 represented the gross operating revenues from the operations of the distribution facilities.

The Commission, on May 5, 1944, issued an order pursuant to section 11 (b) (1) of the act directing Cities, among other things, to dispose of its interests in Ark-Natural and directing Ark-Natural, among other things, to dispose of its interests in all of its subsidiaries except Ark-Louisiana. Subsequently, Cities petitioned this Commission to amend the aforesaid order to permit Cities to comply with section 11 (b) (1) of the act by disposing of its utility interests and retaining its non-utility interests. The Commission, thereafter, by order dated October 12, 1944, directed, among other things, that Cities may comply with the provisions of the order of May 5, 1944, by disposing of its utility interests, including its interest in Ark-Louisiana.

The present filing is stated to be for the purpose of effectuating compliance

with the applicable portions of the above mentioned orders and the provisions of section 11 (b) (1) of the act.

All interested persons are referred to the said joint applications and declarations which are on file in the offices of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Ark-Louisiana proposes to create two new corporations (X Corporation and Y Corporation) to transfer its undedicated gas acreage to X Corporation in exchange for the capital stock of that corporation, and to transfer its dedicated gas acreage, gas contracts and pipe-line system to Y Corporation in exchange for the capital stock of this corporation and the assumption by Y Corporation of a portion of the bank loan debt of Ark-Louisiana. The filing does not contain information as to precisely which of its assets is to be transferred to the new corporation or the amount of Ark-Louisiana's indebtedness to be assumed by Y Corporation.

Ark-Louisiana proposes to transfer to Ark-Natural the capital stocks of the aforesaid new corporation in payment of its indebtedness amounting to \$6,500,000 to Ark-Natural and as a dividend and distribution. The filing does not disclose the extent to which the transfer will be considered as a dividend and distribution. As part of the above transactions there is to be a reduction of the par value of the outstanding shares of Ark-Louisiana's common stock.

Ark-Natural proposes to sell its holdings of the common stock of Ark-Louisiana, after the completion of the steps outlined above, and in connection therewith requests the Commission to grant an exemption from the competitive bidding requirements of Rule U-50. The company states that the above proposals together with the necessity for making satisfactory contractual arrangements for the continued adequate gas supply to Ark-Louisiana would be best resolved by direct negotiations with prospective purchasers. The company states that the details of the proposed transactions will be filed by amendment.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said joint applications and declarations and that said joint applications and declarations shall not be granted or permitted to become effective except pursuant to further order of the Commission.

It is ordered, Pursuant to the applicable provisions of the Act and the rules and regulations thereunder, that a hearing on said filing, be held June 16, 1948, at 10:00 a. m., e. d. s. t., at the office of this Commission, 425 Second Street NW., Washington 25, D. C. On such date, the hearing room clerk in Room 101 will advise as to the room in which said hearing shall be held. In the event that amendments are filed during the course of said proceedings, no notice of such amendments will be given unless specifically ordered by the Commission, and any person desiring to receive notice of the filing of any amendments should file an appearance in these proceedings or otherwise specifically request such notice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the filing and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to its specifying additional matters or questions upon further examination:

1. Whether the proposed sale by Ark-Natural of the common stock of Ark-Louisiana meets the requirements of section 12 of the act and the rules and regulations promulgated thereunder.

2. Whether the proposed sale of the common stock of Ark-Louisiana by Ark-Natural should be exempted from the competitive bidding provisions of Rule U-50.

3. Whether the proposed transactions, as submitted or as may be hereinafter modified, are, within the meaning of section 11 (e) of the act, necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby, are in compliance with the Commission's order of May 5, 1944, and otherwise meet the standards of section 11 (b) of the act.

4. Whether the proposed transfer of assets by Ark-Louisiana to the new corporations and the acquisition thereof by such corporations meet the requirements of sections 10 and 12 of the act and the rules and regulations promulgated thereunder.

5. Whether the proposed acquisition by the new corporations of certain of the assets of Ark-Louisiana and the issuance of common stocks by such corporations and the proposed assumption of a portion of the bank loan debt of Ark-Louisiana by one of the new corporations meet the applicable requirements of sections 9 (a) 10 and 12 and 6 (a) and 7, or whether the aforesaid transactions are exempt from the provisions of such sections by virtue of paragraph (a) of Rule U-3D-15.

7. Whether the transfer by Ark-Louisiana of the capital stocks of the new corporations to Ark-Natural meets the applicable requirements of section 12.

8. Whether the proposed acquisition by Ark-Natural of the capital stocks of the new corporations meets the applicable requirements of sections 9 and 10.

9. Whether the proposed reduction of the par value of the common stock of Ark-Louisiana meets the standards of sections 6 (a) and 7.

10. Whether the fees, commissions or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

11. Whether the accounting entries to be recorded in connection with the proposed transactions are proper, are in accordance with sound accounting principles and meet the requirements of the act.

12. Whether terms or conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers, and, if so, what such terms and conditions should be.

It is further ordered, That particular attention at said hearing be directed to the foregoing matters and questions.

It is further ordered, That jurisdiction be, and is hereby reserved to separate, either for hearing in whole or in part, or for disposition, in whole or in part, any of the issues, questions, and matters herein set forth or which may arise in these proceedings, including the issue as to the requested exemption from the competitive bidding provisions of Rule U-50, or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, or to take such other action as may appear conducive to an orderly, prompt, and expeditious disposition of the matters involved in accordance with the standards of the act.

It is further ordered, That Richard Townsend or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in these proceedings shall file with the Secretary of this Commission, on or before June 14, 1948, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice. Such request shall set forth the nature of the applicant's interest in the proceedings, his reasons for requesting to be heard or to intervene, which of the matters and questions, as set forth herein, applicant proposes to controvert, together with a statement of any issues which the applicant desires to raise with respect to the proposed transactions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on the applicants herein, the Public Service Commission of the State of Louisiana, the Public Service Commission of the State of Arkansas, the Railroad Commission of the State of Texas, the Federal Power Commission and the Mayor of Little Rock, Arkansas; that notice of said hearing shall be given to all other persons by publication of this notice and order in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That Arkansas Natural Gas Corporation shall give further notice of this hearing to all of its stockholders (so far as the identity of such security holders is known or available to the company) by mailing to each such stockholder at his last known address a copy of this notice and order, said mailing to be completed not later than fifteen days prior to the date of this hearing.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-4683; Filed, May 25, 1948;
8:45 a. m.]

[File No. 70-1817]

UNION ELECTRIC CO. OF MISSOURI AND
UNION ELECTRIC POWER CO.

ORDER GRANTING APPLICATION AND PER-
MITTING DECLARATION TO BECOME EFFEC-
TIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of May 1948.

Union Electric Company of Missouri ("Union") a registered holding company and an electric utility subsidiary of The North American Company, also a registered holding company, and Union Electric Power Company ("Union Power") a wholly owned electric utility subsidiary of Union, having filed an application-declaration and amendments thereto, pursuant to sections 6 (b) or 6 (a) and 7, 9 (a) and 10 of the Public Utility Holding Company Act of 1935 and Rules U-44 and U-50 thereunder regarding the following proposed transactions:

Union proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$25,000,000 principal amount of --% Debentures due 1968 ("Debentures") The Debentures are to be issued under an indenture to be dated as of May 1, 1948, to Mercantile-Commerce Bank and Trust Company, St. Louis, Missouri, as trustee. The interest rate of the Debentures and the price to be paid to Union for the Debentures will be fixed by competitive bidding. Union proposes to use the proceeds from the sale of the Debentures for the construction of new facilities, for the payment of \$3,000,000 of short-term bank loans maturing June 7, 1948 and to purchase preferred stock from Union Power as hereinafter described.

Union Power proposes to issue and sell to Union from time to time during the period ending December 31, 1949, up to \$18,000,000 aggregate par value of additional shares of its preferred stock of the par value of \$100 per share. The stock will be pledged by Union with the trustee under Union's mortgage securing its First Mortgage and collateral Trust Bonds. The dividend rate on the preferred stock will be equal to the interest rate on the Debentures determined as the result of the competitive bidding therefor, the price per share at which the preferred stock is to be sold to Union (exclusive of accrued dividends) is to be an amount equal to the price per \$100 principal amount (exclusive of accrued interest) to be received by Union upon the sale of the Debentures, and the preferred stock is to be redeemable at the option of Union Power at any time at a redemption price equivalent to the price at which sold to Union plus accrued dividends to the redemption date. Union Power proposes to use the proceeds from the sale of its preferred stock for the construction of new facilities.

Union having requested that the Commission's order become effective forthwith, and having requested that the ten-day period for inviting bids as provided in Rule U-50 be shortened to six days; and

Said application-declaration having been filed on April 14, 1948, and the last

amendment thereto on May 17, 1948, notice of said filing 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 hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate to consider the aforesaid amended application-declaration with respect to the proposed issuance and sale of the Debentures as a declaration pursuant to sections 6 (a) and 7 of said act and finding with respect to all the proposed transactions that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, and that it is not necessary to impose any terms and conditions other than those set forth below, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said amended application-declaration be granted and permitted to become effective forthwith:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of said act that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the following additional conditions:

1. That the proposed issue and sale of the Debentures shall not be consummated until the results of the competitive bidding pursuant to Rule U-50 with respect to the Debentures shall have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate.

2. That jurisdiction be reserved with respect to all counsel fees and expenses, including the fees and expenses of counsel for the successful bidders, in connection with the proposed transactions.

It is further ordered, That the ten-day period prescribed by Rule U-50 for the invitation of bids with respect to the Debentures proposed to be sold, be, and the same hereby is, shortened to six days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-4687; Filed, May 25, 1948;
8:50 a. m.]

[File No. 70-1828]

NORTH AMERICAN 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 19th day of May 1948.

The North American Company ("North American"), a registered holding company, has filed a declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and

the general rules and regulations promulgated thereunder, regarding a proposal to distribute in partial liquidation, on July 1, 1948, to its holders of common stock of record on June 4, 1948, shares of common stock of Wisconsin Electric Power Company ("Wisconsin") having a par value of \$10 per share, owned by North American, at the rate of three shares of common stock of Wisconsin for each 100 shares of the outstanding common stock of North American. No certificates will be issued for fractions of shares of stock of Wisconsin, but, in lieu thereof, cash will be paid with respect to such numbers of shares as would be entitled to less than a full share of such stock at the rate of \$16.125 per share of common stock of Wisconsin, this rate being based on the approximate market price of such stock at the close of the market on April 26, 1948; such payment being the equivalent of 48½ cents per share of common stock of North American entitled to be paid such cash. North American has requested that the order of the Commission permitting the declaration to become effective conform to the requirements of Supplement R of Chapter 1 and section 1308 (f) of Chapter 11 of the Internal Revenue Code, as amended.

The declaration having been filed on April 29, 1948, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

North American having requested that the Commission issue its order on or before May 21, 1948; and

The Commission finding that the requirements of section 12 (c) and 12 (d) of the act and Rules U-43, U-44 and U-46 thereunder are satisfied, and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate in the public interest and in the interest of investors to permit said declaration to become effective:

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

It is further ordered and recited and the Commission finds, That the proposed disposition on July 1, 1948 of the shares of Wisconsin Common Stock (out of Certificates Nos. TYR 93 and PYR 66 to 146, inclusive) by North American through the transfer and distribution of such shares to its stockholders, all as authorized or permitted by this order, is necessary or appropriate to the integration or simplification of the holding company system of which North American is a member and 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. 48-4633; Filed, May 25, 1948; 8:50 a. m.]

[File No. 811-533]

ORANGE CONCENTRATES ASSOCIATES, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its offices in Washington, D. C., on the 20th day of May A. D. 1948.

Notice is hereby given that Orange Concentrates Associates, Inc., of 10 Post Office Square, Boston, Massachusetts, a closed-end management company registered under the Investment Company Act of 1940, has filed an application pursuant to section 8 (f) of the act for an order declaring that the Applicant as an issuer whose outstanding securities, other than short-term paper, are now beneficially owned by not more than one hundred persons and which is not making and does not presently propose to make a public offering of its securities has under the provisions of section 3 (c) (1) ceased to be an investment company within the meaning of the act.

It appears from the application that Orange Concentrates Associates, Inc. was organized in 1947 by National Research Corporation of Boston, Massachusetts, for the primary purpose of acquiring and subsequently offering to the stockholders of National Research Corporation an indirect participation in notes and common stock of Vacuum Foods Corporation of Plymouth, Florida, organized in 1945 by National Research Corporation to apply to citrus juices under a license certain high vacuum dehydration processes developed by the latter. After the offering to stockholders of National Research Corporation, Applicant's common stock was within the meaning of section 3 (c) (1) of the act owned beneficially by more than one hundred persons. It further appears that since March 31, 1948, the outstanding securities, other than short-term paper, of the Applicant have been beneficially owned by less than one hundred persons and that Applicant is not making and does not presently propose to make a public offering of its securities.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application upon such conditions as the Commission may deem necessary for the protection of investors may be issued by the Commission at any time on or after June 7, 1948, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than June 4, 1948, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such informa-

tion or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4633; Filed, May 25, 1948; 8:49 a. m.]

UNITED STATES MARITIME COMMISSION

[Docket No. 677]

BAGGED FERTILIZER RATES; U. S. ATLANTIC & GULF PORTS TO PUERTO RICO

NOTICE OF HEARING

By order dated May 14, 1948, and supplemental orders dated May 19, 1948 and May 24, 1948, the Commission, pursuant to section 3 of the Intercoastal Shipping Act, 1933, as amended (47 Stat. 1426; 45 U. S. C. sec. 845) suspended until September 15, 1948, the operation of certain tariff schedules setting forth rates for transportation of fertilizer in bags from United States Atlantic-Gulf ports to Puerto Rico. Such schedules are contained in tariff U. S. M. C. F-No. 9, published and filed by J. W. de Bruycker, Agent, to become effective May 15, 1948.

By such order and supplemental order the Commission directed that the lawfulness of such tariff schedules be considered at a hearing to be held before the Commission on June 2, 1948, at 10:00 a. m., eastern daylight time, at its offices in Washington, D. C.

The hearing will be conducted pursuant to the Commission's rules of procedure.

Dated: May 24, 1948.

By the Commission.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 48-4633; Filed, May 25, 1948; 8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 73rd 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. 9783, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10303, Amdt.]

ADELE RUHRMANN

In re: Debt owing to Adele Ruhrmann. Vesting Order 10303, dated March 3, 1948, is hereby amended as follows and not otherwise:

By deleting from subparagraph 2 of the aforesaid Vesting Order 10303 the words Sterling Savings and Loan Association and substituting therefor Sterling Savings Loan and Building Association.

All other provisions of said Vesting Order 10303 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority

thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4718; Filed, May 25, 1948;
8:56 a. m.]

[Vesting Order 11212]

THEKLA PFEIFFER

In re: Estate of Thekla Pfeiffer, deceased. File D-28-12232; E. T. sec. 16461.

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 Lina Ringer, Ernestine Wunderlich, George Wagner, Ida Winterling, Louis Wagner, and Berta Schneider, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

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

3. That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4709; Filed, May 25, 1948;
8:55 a. m.]

[Vesting Order 11217]

AGNES ECKHARDT

In re: Stock and bank account owned by and debt owing to Agnes Eckhardt also known as Agness Grube Eckhardt. F-28-23609-A-1, F-28-23609-C-1, F-28-23609-D-1, F-28-23609-E-1.

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

1. That Agnes Eckhardt also known as Agness Grube Eckhardt, whose last known address is Gernershausen 38 Kr. Duderstadt, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Twenty-one (21) shares of \$50.00 par value common stock of Chicago South Shore and South Bend Railroad, 114 East 11th Street, Michigan City, Indiana, a corporation organized under the laws of the State of Indiana, evidenced by a certificate numbered SPO1726, and registered in the name of Mrs. Agnes Eckhardt (nee Grube) together with all declared and unpaid dividends thereon, and any and all rights of exchange for \$12.50 par value common stock of the aforesaid Chicago South Shore and South Bend Railroad,

-b. That certain debt or other obligation owing to Agnes Eckhardt also known as Agness Grube Eckhardt, by Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, arising out of an Accumulated Cash Dividend Account, representing dividends on the aforesaid shares of the Chicago South Shore and South Bend Railroad, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

c. Five (5) shares of \$100.00 par value 7% Preferred stock of Central Indiana Power Company, c/o Public Service Company of Indiana, Inc., 110 North Illinois Street, Indianapolis, Indiana, evidenced by a certificate numbered 13086, and registered in the name of Mrs. Agnes Eckhardt—Nee Grube, together with all declared and unpaid dividends thereon, and any and all rights under a merger of the aforesaid Central Indiana Power Company with the Public Service Company of Indiana, Inc. effective September 1940, and

d. That certain debt or other obligation owing to Agnes Eckhardt also known as Agness Grube Eckhardt, by Central and South West Utilities Company, 902 Market Street, Wilmington 99, Delaware, in the amount of \$148.35, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Agnes Eckhardt, also known as Agness Grube Eckhardt, the aforesaid national of a designated enemy country (Germany), and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4710; Filed, May 25, 1948;
8:56 a. m.]

[Vesting Order 11219]

SUTEMATSU ENDO

In re: Bonds owned by Sutematsu Endo. D-39-15222-A-1.

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

1. That Sutematsu Endo, whose last known address is Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan),

2. That the property described as follows: Nineteen (19) Tokyo Dento Kabushiki Kaisha, Japan, 6% Gold Bearer Bonds, Dollar Series, of \$1,000 face value each, bearing the numbers 3133, 3134, 7074, 7075, 7076, 7077, 7078, 8165, 23467, 25562, 27482, 27483, 27699, 33509, 44139, 49469, 51449, 53565 and 63803, presently in the custody of Bishop National Bank of Hawaii, Honolulu, T. H., together with any and 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 national of a designated enemy country (Japan);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4711; Filed, May 25, 1948; 8:56 a. m.]

[Vesting Order 11222]

MASAE HIGASHIKUZE

In re: Debt owing to Masae Higashikuze, also known as M. Higashikuze, D-39-19157-E-1.

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

1. That Masae Higashikuze, also known as M. Higashikuze, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Masae Higashikuze, also known as M. Higashikuze, by The Yokohama Specie Bank, Ltd., Los Angeles Office, Los Angeles California, and/or Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, arising out of a commercial checking account entitled M. Higashikuze, 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, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4712; Filed, May 25, 1948; 8:56 a. m.]

[Vesting Order 11227]

FRANZ SCHRAMM AND ROSALIE SCHRAMM

In re: Debt owing to, and stock owned by, Franz Schramm and Rosalie Schramm. F-28-28794-E-1.

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

1. That Franz Schramm and Rosalie Schramm, whose last known address is House No. 143, Altenbuch, Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Franz Schramm and/or Rosalie Schramm, by The West Side Savings and Loan Association, 2025 West 25th Street, Cleveland 13, Ohio, arising out of a savings account, account number 2983, entitled Franz Schramm or Rosalie Schramm, maintained at the aforesaid association, and any and all rights to demand, enforce and collect the same, and

b. Six (6) shares of \$10.00 par value permanent capital stock of The West Side Savings and Loan Association, a corporation organized under the laws of the State of Ohio, evidenced by certificate numbered 2894, 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, Franz Schramm and Rosalie Schramm, 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 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 May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4713; Filed, May 25, 1948; 8:56 a. m.]

[Vesting Order 11231]

CHRISTIANA BRACHVOGEL

In re: Trust under the will of Christiana Brachvogel, deceased. File No. D-28-9603-G-1.

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

1. That Erich Lippert and Eva Lippert, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the heirs of Erich Lippert, names unknown, and the heirs of Eva Lippert, names unknown, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That the sum of \$5,246.24 was paid to the Attorney General of the United States by Stanley Lizmanski, Successor Trustee of the Trust under the will of Christiana Brachvogel, deceased;

4. That the said sum of \$5,246.24 was accepted by the Attorney General of the United States on March 15, 1948, pursuant to the Trading With the Enemy Act, as amended;

5. That the said sum of \$5,246.24 is presently in the possession of the Attorney General of the United States and was 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 was evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 hereof, and the heirs of Erich Lippert, names unknown, and the heirs of Eva Lippert, names unknown, 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.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

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 May 17, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4715; Filed, May 25, 1948; 8:56 a. m.]

[Vesting Order 11228]

ELINOR C. STRUVE

In re: Bank account and stock owned by Elinor C. Struve, also known as Elinor Castendyk Struve, Elinor H. Struve and as Elinor Struve. F-28-19831-A-1.

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

1. That Elinor C. Struve, also known as Elinor Castendyk Struve, Elinor H. Struve and as Elinor Struve, whose last known address is Schloss RM Holz bei Schuchten, Hessen, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Elinor C. Struve, also known as Elinor Castendyk Struve, Elinor H. Struve and as Elinor Struve, by Hawaiian Trust Company, Limited, Honolulu 2, T. H., arising out of an open account, entitled Mrs. Elinor C. Struve, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in the aforesaid Exhibit A, and presently in the custody of Hawaiian Trust Company, Limited, Honolulu 2, T. H., 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, the aforesaid

national of a designated enemy country (Germany)

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on May 7, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name and address of issuer	Place of incorporation	Type of stock	Par value	Certificate Nos.	Number of shares	Registered owner
Consolidated Amusement Co., Ltd., Honolulu, T. H.	Territory of Hawaii	Common	No par	B268 B269 B270	46 10 20	(Mrs.) Elinor Struvo. Do. Do.
Ewa Plantation Co., Honolulu, T. H.	do	do	\$20	B4342 H20056 H20053	25 5 5	Do. Elinor C. Struvo. Do.
General Motors Corp., Detroit, Mich.	Delaware	do	\$10	E564-219	50	Mrs. Elinor C. Struvo.
Hawaiian Pineapple Co., Ltd., P. O. Box 3380, Honolulu, T. H.	Territory of Hawaii	do	No par	HC07837	20	Elinor C. Struvo.
Inter Island Steam Navigation Co., Ltd., Honolulu, T. H.	do	do	\$18	5558 5560 5559	35 40 10	Elinor Struvo. Do. Do.
Pioneer Mill Co., Ltd., Honolulu, T. H.	do	do	\$20	16338	200	Elinor H. Struvo.

[F. R. Doc. 48-4714; Filed, May 25, 1948; 8:56 a. m.]

[Vesting Order 11234]

PAUL ERHARD

In re: Estate of Paul Erhard, deceased. File D-28-12164; E. T. sec. 16368.

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 Fritz Erhard, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the sum of \$942.26 was paid to the Attorney General of the United States by Walter Erhard, administrator of the estate of Paul Erhard, deceased;

3. That the said sum of \$942.26 was accepted by the Attorney General of the United States on March 16, 1948, pursuant to the Trading with the Enemy Act, as amended;

4. That the said sum of \$942.26 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable

to, held on behalf of or account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

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

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

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

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

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 May 17, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4716; Filed, May 25, 1948; 8:56 a. m.]

OSAKA SYOSEN KAISYA

ORDER EXTENDING THE TIME FIXED BY BAR ORDER 1 FOR FILING CLAIMS

In accordance with section 34 (b) of the Trading With the Enemy Act, as amended, and by virtue of the authority vested in the Attorney General by said act and Executive Order 9788, the time fixed by Bar Order No. 1 (12 F. R. 1448, March 1, 1947; 12 F. R. 3394, May 24,

1947; 12 F. R. 5798, August 25, 1947, Appendix A) for the filing of debt claims in respect of Osaka Syosen Kaisha, is hereby extended to August 8, 1948.

Executed at Washington, D. C., this 19th day of May 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON, Assistant Attorney General, Director Office of Alien Property.

[F. R. Doc. 48-4723; Filed, May 25, 1948; 8:57 a. m.]

Table with 3 columns: Claimant and claim No., Notice of intention to return published, Property. Entry for Ina Luisa Gurau, Montevideo, Uruguay, Claim No. 5782.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 19, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON, Assistant Attorney General, Director Office of Alien Property.

[F. R. Doc. 48-4719; Filed, May 25, 1948; 8:56 a. m.]

[Return Order 123]

NAKAKICHI ABO ET AL.

Having considered the claims set forth below and having issued a determination allowing the claims which are incorporated by reference herein and filed herewith, and notice of intention to return having been published on April 15, 1948 (13 F. R. 2038)

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Table with 3 columns: Claimant, Claim No., Property. Lists various claimants such as Nakakichi Abo, c/o Saito Store, Waipahu, Oahu, T. H.

[Return Order 121]

INA LUISA GURAU

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Table with 3 columns: Claimant, Claim No., Property. Lists various claimants such as Goichi Ishiguro (son) or 1 Gozemon Ishiguro (father) or Sae Ishiguro (mother), W. A. Co., Ltd., Camp Hill 10, House 6, Waialua, Oahu, T. H.

Table with 3 columns: Claimant, Claim No., Property. Lists various claimants such as Mr. Katsumasa Minazawa or Masaru Minazawa, Post Office Box 477, Waipahu, Oahu, T. H.

* a/c/a K. Miyata.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 19, 1948.

NOTICES

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4721; Filed, May 25, 1948;
8:57 a. m.]

[Vesting Order 11251]

JOHN MORITZ HEYN

In re: Estate of John Moritz Heyn, also known as Morris Heyn, deceased. File No. D-28-12062; E. T. sec. 16266.

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 Anna Marie Heyn Blome, Aurthur Herziger, Mary Louise Herziger, Martha Gertrud Herziger, Carl Oskar Herziger, Richard Paul Fischer, Richard Carl Fischer, Albin E. Fischer, Emma Gerda Fischer, and Herbert Rudi Fischer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of John Moritz Heyn, also known as Morris Heyn, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Thomas M. Madden, as Administrator, acting under the judicial supervision of the Camden County Orphans' Court, Camden, New Jersey; and it is hereby determined:

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

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

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise 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 May 20, 1948.

For the Attorney General.

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

[F. R. Doc. 48-4717; Filed, May 25, 1948;
8:56 a. m.]

Claimant and claim No.	Notice of intention to return published	Property
Rene Francois Jules Paul, Vesoul, France, Claim No. 12871.	Apr. 6, 1948 (13 F. R. 1888).	Property described in Vesting Order No. 607 (8 F. R. 4090, April 17, 1943), relating to United States Letters Patent No. 2,209,031 including all interests and rights created in the Attorney General by virtue of a license agreement (License No. 2326F, dated September 17, 1947) entered into by the Attorney General and Slocum Industries Inc., a corporation of Massachusetts. This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 19, 1948.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4720; Filed, May 25, 1948; 8:57 a. m.]

ERNEST HIRSCH

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant	Claim No.	Property and location
Ernest Hirsch, Patchogue, Long Island, N. Y..... Alfred Hirsch, London, England.....	1880	(\$517.74 in the Treasury of the United States, in equal shares of \$253.87.

Executed at Washington, D. C., on May 19, 1948.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4722; Filed, May 25, 1948; 8:57 a. m.]