



# FEDERAL REGISTER

VOLUME 18 NUMBER 116

Washington, Tuesday, June 16, 1953

## TITLE 7—AGRICULTURE

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

#### PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

#### SUBPART B—UNITED STATES STANDARDS<sup>1</sup> U. S. STANDARDS FOR GRADES OF FROZEN LIMA BEANS

A notice of proposed rule making was published on April 16, 1953, in the FEDERAL REGISTER (18 F. R. 2150) regarding proposed United States Standards for Grades of Frozen Lima Beans. After considering all relevant matters presented, including the proposals set forth in the aforesaid notice, the following United States Standards for Grades of Frozen Lima Beans are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952)

§ 52.172 *Frozen lima beans.* (a) "Frozen lima beans" means the frozen product prepared from the clean, sound, succulent seed of the lima bean plant by shelling, washing, blanching, and properly draining, and is then frozen in accordance with good commercial practice and maintained at temperatures necessary for the preservation of the product.

(b) *Types of frozen lima beans.* (1) "Thin-seeded," such as Henderson Bush and Thorogreen varieties.

(2) "Thick-seeded Baby Potato," such as Baby Potato, Baby Fordhook, and Evergreen.

(3) "Thick-seeded," such as Fordhook variety.

(c) *Grades of frozen lima beans.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen lima beans that possess

similar varietal characteristics; that possess a good flavor and odor; that are tender; that possess a good color; that are practically free from defects; and that score not less than 90 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Extra Standard" is the quality of frozen lima beans that possess similar varietal characteristics; that possess a good flavor and odor; that are reasonably tender; that possess a reasonably good color; that are reasonably free from defects; and that score not less than 80 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade C" or "U. S. Standard" is the quality of frozen lima beans that possess similar varietal characteristics; that possess a fairly good flavor and odor; that are fairly tender; that possess a fairly good color; that are fairly free from defects; and that score not less than 70 points when scored in accordance with the scoring system outlined in this section.

(4) "Substandard" is the quality of frozen lima beans that fail to meet the requirements of U. S. Grade C or U. S. Standard.

(d) *Ascertaining the grade.* (1) The grade of frozen lima beans is ascertained by considering in conjunction with the other requirements of the respective grade the respective ratings for the factors of color and absence of defects.

(2) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors is:

Factors:	Points
(i) Color.....	60
(ii) Absence of defects.....	40
Total score.....	100

(3) The scores for the factors of color and absence of defects are determined immediately after thawing to the extent that the product is substantially free from ice crystals and can be handled as individual units. The tenderness and flavor and odor of frozen lima beans are determined after the product is cooked.

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<sup>1</sup>The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.



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(4) "Good flavor and odor" means that the product, after cooking, has a good, characteristic, normal flavor and odor and is free from objectionable flavors and objectionable odors of any kind.

(5) "Fairly good flavor and odor" means that the product, after cooking, may be lacking in good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

(e) *Ascertaining the rating of the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for such factors and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "54 to 60 points" means 54, 55, 56, 57, 58, 59, or 60 points)

(1) *Color.* (i) "Green" with respect to thin-seeded and thick-seeded types means that the color of not less than 50 percent of the surface area of the individual lima bean possesses as much or more green color than Plate 18, K-5, as illustrated in Maerz and Paul's Dictionary of Color.

(ii) "Green" with respect to thick-seeded Baby Potato type means that the color of not less than 50 percent of the surface area of the individual lima bean possesses as much or more green color than Plate 18, J-3, as illustrated in Maerz and Paul's Dictionary of Color.<sup>2</sup>

(iii) "White" means that more than 50 percent of the surface area of the individual lima bean possesses less green color than Plate 18, E-1, as illustrated in Maerz and Paul's Dictionary of Color.<sup>2</sup>

(iv) Frozen lima beans that possess a good color may be given a score of 54 to 60 points. "Good color" means that the lima beans, regardless of type, possess a bright typical color and meet the following additional color requirements for the respective types:

(a) *Thin-seeded type (with skins removed) Thick-seeded Baby Potato type (with skins on)* (1) Not less than 93 percent, by count, of the lima beans are "green" and not more than 7 percent, by count, may be lighter in color: *Provided*, That not more than 1 percent, by count, of all the lima beans are white, or

(2) Not less than 97 percent, by count, of the lima beans are "green" and not more than 3 percent, by count, may be lighter in color or white lima beans.

(b) *Thick-seeded type (with skins on)* Not less than 85 percent, by count, of the lima beans are "green" and not more than 15 percent, by count, may be lighter in color: *Provided*, That not more than 1 percent, by count, of all the lima beans are white.

(v) If the frozen lima beans possess a reasonably good color, a score of 48 to 53 points may be given. Frozen lima beans that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably good

color" means that the lima beans, regardless of type, possess a typical color and meet the following additional requirements for the respective types:

(a) *Thin-seeded type (with skins removed) Thick-seeded Baby Potato type (with skins on)* Not less than 65 percent, by count, of the lima beans are "green" and not more than 35 percent, by count, may be lighter in color or white beans.

(b) *Thick-seeded type (with skins on)* Not less than 60 percent, by count, of the lima beans are "green" and not more than 40 percent, by count, may be lighter in color: *Provided*, That not more than 5 percent, by count, of all the lima beans are white.

(vi) If the frozen lima beans possess a fairly good color, a score of 42 to 47 points may be given. Frozen lima beans that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the lima beans, regardless of type, possess a typical color and meet the following additional requirements for the respective types:

(a) *Thin-seeded type (with skins removed), Thick-seeded Baby Potato type (with skins on)*. Less than 65 percent, by count, of the lima beans are "green" and all of the lima beans may be white.

(b) *Thick-seeded type (with skins on)* Less than 60 percent, by count, of the lima beans are "green". *Provided*, That not more than 20 percent, by count, of all the lima beans are white.

(vii) Frozen lima beans that are definitely off color or fail to meet the requirements of subdivision (vi) of this subparagraph may be given a score of 0 to 41 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(2) *Absence of defects.* (i) The factor of absence of defects refers to the degree of freedom from extraneous vegetable matter, from loose skins, loose cotyledons, broken beans, shriveled beans, sprouted beans, and from beans that show light discoloration or that are blemished or seriously blemished.

(a) "Extraneous vegetable matter" means pods or pieces of pods, leaves, stems, and other similar vegetable matter.

(b) "Broken bean" means a bean from which  $\frac{1}{2}$  or more of a cotyledon or the equivalent thereof has become detached; or pieces of cotyledon aggregating the equivalent of an average size whole cotyledon.

(c) "Loose cotyledon" means a whole cotyledon which has become separated from the skin.

(d) "Loose skin" means a whole skin, or portions of skin aggregating the equivalent of an average size whole skin, which has become separated from the cotyledons.

(e) "Light discoloration" means discoloration of the hilum or other light discoloration which slightly affects but

does not materially affect the appearance of the bean.

(f) "Blemished" means blemished by discoloration, pathological injury, insect injury, or blemished by other means, other than by light discoloration which is not considered blemished, to such an extent that the aggregate blemished area materially affects the appearance or eating quality of a bean or any detached piece of a bean.

(g) "Seriously blemished" means blemished to such an extent that the aggregate blemished area seriously affects the appearance or eating quality of a bean or any detached piece of a bean.

(h) "Shriveled" means lima beans that are materially wrinkled and are not of normal plumpness.

(i) "Sprouted" means lima beans that show an external shoot protruding beyond the cotyledon or skin.

(ii) Frozen lima beans that are practically free from defects may be given a score of 36 to 40 points. "Practically free from defects" means that the aforesaid defects, individually or collectively, do not more than slightly affect the appearance or eating quality of the product. The following allowances provide a guide for scoring frozen lima beans which are practically free from defects:

For each 10 ounces of frozen lima beans there may be present:

1 piece, or pieces, of extraneous vegetable matter having an aggregate of  $\frac{1}{16}$  square inch ( $\frac{1}{2}$  inch by  $\frac{1}{8}$  inch) on one surface of the piece, or pieces;

3 percent, by count, of loose skins;

5 percent, by count, of broken beans and loose cotyledons, and of such 5 percent, not more than  $\frac{2}{3}$  thereof or 3 percent, by count, of all the beans may be broken;

1 percent, by count, of shriveled and sprouted beans; and

2 percent, by count, of blemished and seriously blemished beans, and of such 2 percent, not more than  $\frac{1}{4}$  thereof or  $\frac{1}{2}$  of 1 percent, by count, of all the beans may be seriously blemished.

(iii) If the frozen lima beans are reasonably free from defects, a score of 32 to 35 points may be given. Frozen lima beans that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the aforesaid defects, individually or collectively, do not materially affect the appearance or eating quality of the product. The following allowances provide a guide for scoring frozen lima beans that are reasonably free from defects:

For each 10 ounces of frozen lima beans there may be present:

1 piece, or pieces, of extraneous vegetable matter having an aggregate area of more than  $\frac{1}{16}$  square inch but not more than  $\frac{3}{16}$  square inch ( $\frac{1}{2}$  inch x  $\frac{3}{4}$  inch) on one surface of the piece, or pieces;

5 percent, by count, of loose skins;

10 percent, by count, of broken beans and loose cotyledons, and of such 10 percent, not more than  $\frac{1}{2}$  thereof or 5 percent, by count, of all the beans may be broken;

4 percent, by count, of shriveled and sprouted beans; and

<sup>2</sup>First edition.

## RULES AND REGULATIONS

3 percent, by count, of blemished and seriously blemished beans, and of such 3 percent, not more than  $\frac{1}{2}$  thereof or 1 percent, by count, of all the beans may be seriously blemished.

(iv) Frozen lima beans that are fairly free from defects may be given a score of 28 to 31 points. Frozen lima beans that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly free from defects" means that the aforesaid defects, individually or collectively, do not seriously affect the appearance or eating quality of the product. The following allowances provide a guide for scoring frozen lima beans that are fairly free from defects:

For each 10 ounces of frozen lima beans there may be present:

1 piece, or pieces, of extraneous vegetable matter having an aggregate area of more than  $\frac{3}{4}$  square inch, but not more than  $\frac{3}{4}$  square inch ( $\frac{1}{2}$  inch x  $1\frac{1}{2}$  inches) on one surface of the piece or pieces;

8 percent, by count, of loose skins;

15 percent, by count, of broken beans and loose cotyledons, and of each 15 percent, not more than  $\frac{1}{2}$  thereof or 10 percent, by count, of all the beans may be broken;

8 percent, by count, of shriveled and sprouted beans; and

4 percent, by count, of blemished and seriously blemished beans, and of such 4 percent, not more than  $\frac{1}{2}$  thereof or 2 percent, by count, of all the beans may be seriously blemished.

(v) Frozen lima beans that fail to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(f) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of frozen lima beans the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, with respect to those factors which are scored:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores;

(iv) The average score of all containers for any factor subject to a limiting rule must be within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample; and

(2) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug and Cosmetic Act and in effect at the time of the aforesaid certification.

(g) *Score sheet for frozen lima beans.*

Size and kind of container.....		.....	
Container marks or identification.....		.....	
Label.....		.....	
Net weight (ounces).....		.....	
Type.....		.....	
Size.....		.....	
Color { Percent green.....		.....	
{ Percent white.....		.....	
Factors		Score points	
I. Color.....	60	{ (A) 54-60	
		{ (B) 48-53	
		{ (C) 42-47	
		{ (SSId.) 40-41	
II. Absence of defects.....	40	{ (A) 36-40	
		{ (B) 32-35	
		{ (C) 28-31	
		{ (SSId.) 20-27	
Total score.....	100		
Grade.....		.....	
Flavor and odor.....		.....	

<sup>1</sup> Indicates limiting rule.

*Effective time and supersedure.* The revised United States Standards for Grades of Frozen Lima Beans (which are the seventh issue) contained in this section will become effective 30 days after date of publication of these standards in the FEDERAL REGISTER, and shall thereupon supersede the United States Standards for Grades of Frozen Lima Beans which have been in effect since July 30, 1952.

(Sec. 205, 60 Stat. 1090, Pub. Law 451, 82d Cong.; 7 U. S. C. 1624)

Issued at Washington, D. C., this 10th day of June 1953.

[SEAL] GEORGE A. DICE,  
Deputy Assistant Administrator  
Production and Marketing  
Administration.

[F. R. Doc. 53-5288; Filed, June 15, 1953;  
8:48 a. m.]

## TITLE 5—ADMINISTRATIVE PERSONNEL

## Chapter I—Civil Service Commission

## PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

## DEPARTMENT OF AGRICULTURE

Effective upon publication in the FEDERAL REGISTER, paragraphs (b) and (c) of § 6.111 are revoked, and the positions listed below are excepted from the competitive service under Schedule C.

§ 6.311 *Department of Agriculture—*  
(a) *Office of the Secretary.* \* \* \*

(2) One assistant to the Secretary (States Relations)

(3) One assistant to the Secretary (Congressional Relations)

(4) One executive assistant to the Secretary.

(5) Four confidential assistants to the Secretary.

(6) One private secretary to the Secretary.

(7) Two chauffeurs for the Secretary.

(c) *Office of the Under Secretary.*

(1) One confidential assistant to the Under Secretary.

(2) One private secretary to the Under Secretary.

(d) *Office of the Assistant Secretary (Research, Extension and Land Use)*

(1) One confidential assistant to the Assistant Secretary.

(2) One private secretary to the Assistant Secretary.

(3) One special assistant on Land and Water Resources Programs.

(e) *Office of the Solicitor* (1) The Solicitor.

(2) One deputy Solicitor.

(3) Six Associate Solicitors.

(4) One private secretary to the Solicitor.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,  
Executive Assistant.

[F. R. Doc. 53-5300; Filed, June 15, 1953;  
8:50 a. m.]

## Chapter III—Foreign and Territorial Compensation

## Subchapter B—The Secretary of State

[Dept. Reg. 108.186]

## PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

## PAYMENT OF DIFFERENTIAL, DESIGNATION OF DIFFERENTIAL POSTS

*Correction*

<sup>1</sup> In F. R. Doc. 53-5110, appearing at page 3271 of the issue for Tuesday, June 9, 1953, the following change should be made:

In the amendment of § 325.11 in item 2b, "paragraph (b)" in the amendatory language should read "paragraph (a)"

## TITLE 15—COMMERCE AND FOREIGN TRADE

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

## Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs., Amdt. 50<sup>1</sup>]

## PART 371—GENERAL LICENSES

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

## PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

## PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

## PART 384—GENERAL ORDERS

## MISCELLANEOUS AMENDMENTS

1. Section 371.2 *General provisions* paragraph (c), *Applicability* subparagraph (2) *Choice of general license* is amended to read as follows:

<sup>1</sup>This amendment was published in Current Export Bulletin No. 705, dated June 4, 1953.

(2) *Choice of general license.* When two or more types of general licenses are applicable, any one of such general licenses may be used. However, exportations of commodities under any applicable general license on a vessel or aircraft of foreign registry departing from the United States for use on board such vessel or aircraft must conform to the requirements for exportation under general license Ship Stores or general license Plane Stores, respectively. (See § 371.13.)

This part of the amendment shall become effective as of July 6, 1953.

2. Section 371.13 *Ship and plane stores, supplies and equipment; crew's effects* is amended in the following particulars: Paragraphs (a) *General license Ship Stores* and (b) *General license Plane Stores* are amended respectively to read as follows:

(a) *General license SHIP STORES—*

(1) *Scope.* A general license designated SHIP STORES is hereby established authorizing exportation, subject to the conditions set forth in subparagraph (2) of this paragraph, on vessels of foreign registry departing from the United States, of usual and reasonable kinds and quantities of—(i) bunker fuel, (ii) deck, engine, and steward department stores, provisions and supplies for both port and voyage requirements, (iii) medicinal and surgical supplies, (iv) food stores, (v) slop chest articles, and (vi) saloon stores or supplies, for use or consumption on board during the outgoing and any immediate return voyage, and not intended for unloading in a foreign country and not exported under a bill of lading as cargo; and of usual and reasonable kinds and quantities of equipment and spare parts for permanent use on the vessel when necessary for proper operation of such vessel, and not intended for unloading in a foreign country and not exported under a bill of lading as cargo.

(2) *Restrictions on the exportation of petroleum and petroleum products.* No exportation of petroleum and other petroleum products (including those used as bunker fuel) listed in subparagraph (3) of this paragraph may be made under this general license on a foreign vessel of 500 gross registered tons or more departing from the United States for use on board such vessel if the vessel (i) has called at Macao or a Far Eastern Communist port at any time since January 1, 1953, (ii) will call at Macao or a Far Eastern Communist port within 120 days after the date of clearance or departure from the United States, (iii) will carry within the next 120 days commodities, of any origin, known by the owner, master, or agent to be destined directly or indirectly to these ports, unless the commodities so carried are covered by an export license from the Department of Commerce, or (iv) is registered in or under charter to any Subgroup A country, or is under charter to a national of a Subgroup A country.

(3) *Restricted commodities.* The provisions of subparagraph (2) of this paragraph are applicable to the following commodities:

Schedule B No.	Commodity
401100	Petroleum, crude.
401200	Natural gasoline.
401300	Unfinished oils for further refining:
401320	Topped crude.
401350	Other unfinished oils for further refining.
	Refined oils:
401400	Motor fuel and gasoline (report octane rating):
	Blending agents, of petroleum origin (specify by name).
	Aviation motor fuels (report jet fuels in § 29220):
401610	100 or over octane number.
401620	Under 100, not under 90 octane number.
401640	Under 90 octane number.
401700	Automotive and other motor fuels and gasoline.
401800	Cyclohexane; and isooctanes.
401900	Normal heptane; normal hexane; and kerosene.
401950	Naphtha in containers over 4 ounces; mineral spirits; solvents; and other finished light products, n. e. c.
402700	Kerosene, except distillate fuel oil (report jet fuel in § 29220).
403000	Gas oil and distillate fuel oil (report heavy diesel fuel oil in § 31000).
403100	Residual fuel oil (including heavy diesel fuel oil) (report light diesel fuel oil in § 33000).
	Lubricating oils, except hydraulic (report hydraulic oils of petroleum origin in § 43000):
	Industrial, except cutting oils (report cutting oils in § 49000):
403300	Red and pale oils (including all red or pale lubricating oils, except those intended for use in internal combustion engines) (see § 63310 and § 63320).
403400	Black oils (including all black and dark green oils, except those intended for use in steam cylinders, for which see § 63310 and § 63320).
403510	Cylinder, bright stock (including bright stock and industrial lubricating oils which are predominantly bright stock and have a Saybolt Universal Viscosity at 210° F. of 6100 seconds or more).
403520	Cylinder, steam-refined stocks (including cylinder stock, steam cylinder oil, gear, and other lubricating oils consisting principally of such stocks).
403530	Insulating or transformer oils.
403590	Industrial engine lubricating oils:
	Diesel engine lubricating oils (report diesel fuel oil in § 33000).
403620	Turbine lubricating oil.
403640	Other industrial engine lubricating oil (specify by name).
403690	Industrial lubricating oils, n. e. c. (specify by name).
404005	Aviation engine lubricating oils.
404030	Automotive engine lubricating oils.
404050	Automotive gear oils (specify by kind and grade).
404090	Lubricating oils, n. e. c., except in containers of 4 ounces or less (specify by name).
404095	Cutting oils and compounds, petroleum base.
404100	Lubricating greases, except graphite lubricants (report graphite lubricants in § 48000).
404200	Petrolatum and petroleum jelly (all grades).
404400	Microcrystalline wax.
404700	Petroleum asphalt and products.
404800	Petroleum coke, including petroleum coke flour.
405000	Petroleum products, n. e. c. (specify by name).
445095	Graphite greases and lubricants.
829220	Jet fuels, all types.

(b) *General license PLANE STORES—*

(1) *Scope.* A general license designated PLANE STORES is hereby established authorizing exportation, subject to conditions set forth in subparagraph (2) of this paragraph, on aircraft of foreign registry departing from the United States, of usual and reasonable kinds and quantities of (i) fuel, (ii) deck, engine, and steward department stores, provisions, and supplies, (iii) medicinal and surgical supplies, (iv) food stores, and (v) saloon stores or supplies, for use or consumption during the outgoing trip of such planes and any immediate return trip schedules, and not intended for unloading in a foreign country and not exported under a bill of lading as cargo; and of usual and reasonable kinds and quantities of equipment and spare

parts when necessary for the proper operation of such planes, and not intended for unloading in a foreign country and not exported under a bill of lading as cargo.

(2) *Restrictions on the exportation of petroleum and petroleum products for use on aircraft.* No exportation of petroleum or petroleum products (including those used as fuel) listed in paragraph (a) (3) of this section may be made under this general license on a foreign aircraft of 12,000 pounds or more gross load departing from the United States, for use on board such aircraft, if the aircraft (i) has called at Macao or any point under Far Eastern Communist control any time since January 1, 1953, (ii) will call at Macao or any point under Far Eastern Communist control within 30 days after the date of clearance or departure from the United States, (iii) will carry within the next 30 days commodities, of any origin, known by the owner, aircraft commander, or agent to be destined directly or indirectly to Macao or any point under Far Eastern Communist control, unless the commodities so carried are covered by an export license from the Department of Commerce, or (iv) is registered or documented in or under charter to any Subgroup A country, or is under charter to a national of a Subgroup A country.

This part of the amendment shall become effective as of July 6, 1953.

3. Section 372.5 *Ship stores, plane stores, supplies, and equipment* is amended by the addition of paragraph (c) to read as follows:

(c) *Exportations of petroleum and petroleum products, including bunker fuel for use on vessels and fuel for planes departing from the U. S.* Applications for licenses to export petroleum or petroleum products, including bunker fuel for vessels or fuel for planes, may be included on a single Form IT-419. Such application shall indicate, at the top of the Form IT-419, the word "Bunker" in the case of exportations for the use of vessels, or "Plane Fuel" in the case of exportations for the use of aircraft. The application shall be prepared otherwise in the manner described in paragraph (b) of this section, with the following modifications:

(1) In the commodity description column (or in an attachment thereto) state the reasons why a general license is inapplicable to the proposed exportation. In addition supply the following information:

(i) The carrier's points of call with dates of each call within 120 days prior to date of application (or 30 days in the case of aircraft).

(ii) The carrier's itinerary for the next 120 days in the case of vessels (or 30 days in the case of aircraft) from the anticipated date of departure from the last port in the United States.<sup>1</sup>

<sup>1</sup> If the carrier's itinerary for all of the next 120 days in the case of vessels (or 30 days in the case of aircraft) is not known and cannot be ascertained, the itinerary shall be stated so far as it may be known or ascertainable. In addition, all other available information as to the future destinations and areas of operation shall be submitted.

(iii) If the points of call submitted in accordance with subdivision (i) of this subparagraph include Macao or any point under Far Eastern Communist control, submit for each such point of call a copy of the manifest of cargo loaded or discharged. Also give the destination and anticipated dates of discharge of any cargo still on board the carrier which was loaded at such point. The contents of the manifest submitted will be treated as confidential and will not be disclosed to others than parties in interest.

(iv) If the itinerary submitted in accordance with subdivision (ii) of this subparagraph includes Macao, any point under Far Eastern Communist control, any point in a Subgroup A country, or if the carrier is registered in or under, charter to a Subgroup A country or is under charter to a national of a Subgroup A country, state whether any commodities included on the Positive List of Commodities (§ 399.1 of this subchapter) the United States munitions list (§ 370.4 of this subchapter) or the United States Atomic Energy List (§ 370.6 of this subchapter) are carried on board the vessel or aircraft and which are destined directly or indirectly to any of these destinations. If the answer is in the affirmative, indicate where such commodities will be discharged, unless this information has already been supplied in accordance with subdivision (iii) of this subparagraph.

(2) In the case of vessels, state (in the space provided for "end use") the gross registered tonnage (GRT) main engines type and rated horsepower, with daily fuel consumption rate, total fuel capacity, fuel supply on board (indicating specifically the number of days' running supply from the port where additional supplies are requested) In the case of planes, state make and model of plane.

This part of the amendment shall become effective as of July 6, 1953.

4. Section 373.65 *Country Group R destinations* paragraph (a) *Scope* is amended in the following particulars: Subparagraph (1) *General*, subdivision (i) is amended by the addition of the following parenthetical reference: "(or by a Swiss blue import certificate, as provided in § 373.67)"

This part of the amendment shall become effective as of June 4, 1953.

5. Section 373.67 *Switzerland* is amended in the following particulars:

a. Paragraph (a) *Import certificate requirement* is amended to read as follows:

(a) *Import certificate requirement.* License applications for export of commodities to Switzerland must be accompanied by the original blue import certificate issued the Swiss importer by the Swiss Federal Department of Public Economy, Division of Commerce, Import and Export Control, covering the proposed exportation from the United States. Where the import certificate covers commodities for which more than one export license application is submitted, the original of the certificate shall be attached to the first such application. Each subsequent application

shall contain a reference (OIT case number, if known, applicant's reference number, or other identifying information) to the application to which the original import certificate was attached and shall include the following certification:

I (we) certify that I (we) have not submitted applications, including the present application, against the Swiss Blue Import Certificate No. ... in excess of the total quantity authorized thereon.

b. The note following paragraph (a) is deleted.

c. A new paragraph (b) is added to read as follows:

(b) *Return of blue import certificate.* The Swiss blue import certificate provides that the Swiss importer has pledged himself directly to import the commodities into the Swiss customs territory and that any reexportation of these goods is prohibited. If the Swiss importer is unable to obtain the commodities covered by a Swiss blue import certificate he is required by the Swiss Government to produce evidence of such inability. Therefore, United States exporters may be requested by their foreign importers to return unused or partially used import certificates. In such cases the U. S. exporter should forward the certificate to his importer as soon as he determines that the certificate will not be used with a new or resubmitted license application, or an appeal. In order to meet these requests, import certificates on file in the Office of International Trade will be returned to exporters in accordance with the procedures indicated below.

(1) *Import certificate quantity greater than license application.* Where an import certificate covers a quantity in excess of the export license applications submitted against it, the OIT will retain the import certificate until such time as the exporter requests the return thereof. When requesting the return of the import certificate, the exporter should submit his request in writing, showing the name and address of the named importer, applicable OIT case numbers to which the certificate applies, import certificate number, and a statement that such import certificate will not be used in connection with a new or resubmitted application for export. Appropriate notation will be made on the certificate by the OIT.

(2) *Import certificate and license application in same quantities.* The OIT will automatically return the applicable import certificate to the U. S. exporter (applicant) whenever an application for export covers the same type and amount of the commodity as that shown on the import certificate, but such application is rejected or approved in a reduced quantity. Appropriate notation will be made on the certificate by the OIT.

(3) *Unshipped quantities.* In instances where the U. S. exporter does not intend to ship the total quantity or any portion of commodities for which a license has been issued and desires the return of the import certificate, he should submit his request in writing for return of the certificate, together with a request for cancellation or amendment of the license to

show the quantity, if any, which he intends to ship. Where the amendment refers to an unexpired license, the exporter shall submit the amendment form, Form IT-763 (in addition to the letter request) as provided by the regular amendment procedure. (See § 380.2 of this subchapter.) Appropriate notation will be made on the import certificate by the OIT.

NOTE: 1. Shipments to Switzerland are subject to § 381.4 of this subchapter requiring a statement on the shipper's export declaration, bill of lading, and commercial invoice, to the effect that the commodities are licensed by the United States for ultimate destination Switzerland and that diversion contrary to U. S. law is prohibited.

2. Where an import certificate has been submitted to the OIT covering an exportation for the account of an importer pursuant to the provisions of § 373.2 of this subchapter and the exportation is subsequently to be reexported to Switzerland, the applicant for export license is not required to submit a Swiss blue import certificate to the OIT. However, the exporter is required to secure permission from OIT prior to reexportation, in compliance with § 372.14 (a) of this subchapter.

d. Paragraph (b) *Exceptions* is redesignated paragraph (c) *Exceptions*.

e. A new paragraph (d) is added to read as follows:

(d) *Amendment requests for increased quantities.* A request for amendment to increase the quantity of an export license which is covered by a Swiss blue import certificate shall include the following certification on Form IT-763 or on a signed attachment thereto:

I (we) certify that this request for amendment of export license No. ...., if granted, will not exceed the total quantity authorized under Swiss blue import certificate No. ....

This part of the amendment shall become effective as of June 4, 1953.

6. Section 373.71 *Supplement 1, Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended in the following particulars:

a. The following submission dates for the Third Quarter, 1953, are added:

Dept. of Commerce Schedule B No.	Commodity	Submission dates, third quarter 1953
619159 664298	Selenium powder..... Selenium metal.....	July 6-July 20, 1953.

b. The following entries and related submission dates for the Third Quarter, 1953, are added:

Dept. of Commerce Schedule B No.	Commodity	Submission dates, third quarter 1953
839760 839900 842000	Selenium salts of organic compounds. Selenium salts and compounds, including selenium dioxide. Selenium-containing pigments.	July 6-July 20, 1953.

1 The following commodities are added to the Positive List:

Dept. of Com merce Schedule B No	Commodity	Unit	Processing conditions commodity group	GLV dollar value limits	Validated license required	Commodity lists
839760	Metal salts of organic compounds except paint and varnish driers (specify by name); Selenium salts of organic compounds (specify selenium content); <sup>1</sup> Chemical pigments; Selenium pigments, n. e. c.; Selenium containing pigments (specify selenium content) <sup>1</sup>	Lb	SALT	25	RO	B D
842000	Chemical pigments, n. e. c.; Selenium containing pigments (specify selenium content) <sup>1</sup>	Lb	SALT	25	RO	B D

<sup>1</sup> The commodities included in this Positive List entry are added to the commodities subject to the dollar limit (DL) restriction (§ 374 (c) of this subchapter) and to the evidence of availability requirements (§ 373 (3) of this subchapter)

This part of the amendment shall become effective as of 12:01 a. m., June 11, 1953

2 The dollar value limit in the column headed GLV dollar-value limits' set forth opposite the commodities listed below is amended to read as follows:

Dept. of Com merce Schedule B No	Commodity	GLV dollar value limits
010050	Research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c.;	25
010050	Automatic fractional apparatus and specially fabricated parts, n. e. c.;	25
010050	Electrophoresis apparatus and specially fabricated parts, n. e. c.;	25
010050	Laboratory furnaces of the following types only: multiple furnace combustion furnaces; and crucible furnaces, and specially fabricated parts, n. e. c.	25

This part of the amendment shall become effective as of 12:01 a. m., June 4, 1953

3 The following revisions are made in commodity descriptions:

Dept. of Com merce Schedule B No	Commodity	Unit	Processing conditions commodity group	GLV dollar value limits	Validated license required	Commodity lists
205500	Compounded or semi-processed natural and/or synthetic rubbers (dry or liquid latex) and allied gums for further manufacture (specify type): Liquid rubber compounds; latex compounds; and liquid rubber, drum compounded. <sup>1</sup>	Lb	RUBR	100	RO	
837750	(Heavy) lubricants (specify grade) and lubricating oil in powder form under 837900 <sup>1</sup>	Lb	SALT	25	RO	A B

<sup>1</sup> The above entry is substituted for the third entry presently on the Positive List under Schedule B No. 200500. The effect of this revision is to clarify the coverage of the entry by the addition of the words "dry or liquid latex" and "and allied gums for further manufacture (specify type)". The above entry is added to the Positive List under Schedule B No. 205500. The effect of this revision is (1) to add to the unit of quantity pounds, (2) to change the unit of quantity to Lb, (3) to change the GLV dollar value limit from \$100 to \$25, and (4) to change the commodity to the commodities subject to the (C/D) procedure (see § 374 (3) of this subchapter), effective July 29, 1953, and subject to dollar limit (DL) restrictions (see § 374 (c) of this subchapter), effective July 7, 1953

This part of the amendment shall become effective as of 12:01 a. m., June 11, 1953.

This part of the amendment shall become effective as of June 4, 1953. Section 382.51 Table of compliance orders currently in effect denying export privileges, paragraph (b) Table of compliance orders is amended in the following particulars:

a The following entries are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER Citation
Bonavento Acosta, Rafael (also uses the following names: Rafael or Ray Benavento or Benoventes), P. O. Box 931 Chetumal, Calif and 170 Calle Anzuela, Mexicali B. O., Mexico	5-18-53	7-10-53	General and validated licenses all commodities; any destination; also exports to Canada	18 F. R. 2902 5-22-53
Bonavento y Arellano, S. de R. L., 170 Calle Anzuela Mexicali B. O., Mexico	5-18-53	7-10-53	do	18 F. R. 2902 5-22-53
Figueroa-Duarte, Francisco Mexicali B. O., Mexico	5-18-53	7-10-53	do	18 F. R. 2902 5-22-53
H. C. A. S. S. 379 Calle Anzuela Mexicali B. O., Mexico	5-18-53	7-10-53	do	18 F. R. 2902 5-22-53
Peralta Yoris, Jesus 607 Aguascalientes Ave., Mexicali, B. O. Mexico	5-18-53	7-10-53	do	18 F. R. 2902 5-22-53

b The following entry is modified to read as follows:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER Citation
Jonk, Carl Lohman, 340 Sound Beach Ave Old Greenwich, Conn	12-29-50	5-12-53	General and validated licenses, all commodities, any destination. (On probation for additional period 5-12-53-5-12-54)	16 F. R. 931 5-26-50, 238 5-10-53

This part of the amendment shall become effective as of June 4, 1953. Section 384.8 Orders modifying validity of certain export licenses is amended by the addition of the following paragraph (f):

(f) Extension of validity period for Licenses issued against Second Quarter 1953 CMP allotments. Effective June 4, 1953, the validity period of licenses covering CMP materials issued against second quarter 1953 allotments identified by the notation W2-2Q-53, W4-2Q-53, or C6-2Q-53 in the allotment authority, which are valid and outstanding on June 4, 1953, and which expire on or before June 30, 1953, are hereby extended to September 30, 1953

This part of the amendment shall become effective as of June 4, 1953 (See 3, 63 Stat 7; 65 Stat 43; 50 U S C App Supp. 2923, E O 9630 Sept 27, 1945 10 F R. 12219, 3 CFR 1945 Supp; E O 9919, Jan 3, 1948, 13 F R. 59 3 CFR 1948 Supp)

LONG K. MACY,  
Director, Office of International Trade

(F R. Dec 53-6221; Filed, June 15, 1953; 8:45 a. m.)

16th Gen Rev of Export Regs Amdt P L 44-1

PART 389—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 390.1 Appendix A—Positive List of Commodities is amended in the following particulars:

<sup>1</sup> This amendment was published in Current Export Bulletin No 705, dated June 4, 1953





This part of the amendment shall become effective as of June 4, 1953.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth in items 1 and 3 of this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., June 11, 1953, may be exported under the previous general license provisions up to and including July 6, 1953. Any such shipment not laden aboard the exporting carrier on or before July 6, 1953, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,  
Director,

Office of International Trade,

[F. R. Doc. 53-5222; Filed, June 15, 1953;  
8:45 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue, Department of the Treasury

#### Subchapter C—Miscellaneous Excise Taxes

[T. D. 6018; Regs. 10]

#### PART 185—WAREHOUSING OF DISTILLED SPIRITS

##### MARKS AND BRANDS ON CASES FOR DOMESTIC SPIRITS

1. Section 185.943 of Regulations 10, "Warehousing of Distilled Spirits" (26 CFR Part 185; 15 F. R. 5233) is hereby amended as follows:

##### SUBPART PP—MARKS AND BRANDS AND CONSTRUCTION OF CASES

§ 185.943 *Marks and brands on cases for domestic spirits.* Each case of distilled spirits bottled in bond for domestic consumption shall have plainly burned, embossed, printed, or stenciled on the Government side thereof, in letters and figures not less than one-half of an inch in height, in addition to the serial number, the registry number and State in which the warehouse at which the spirits are bottled is located, and the quantity and proof of the spirits. There shall also be plainly burned, embossed, printed, or stenciled on the Government side of each case, in letters not less than one-half of an inch in height, the kind of spirits, such as "Rye Whisky," "Rum," "Gin," etc., the real name of the actual bona fide distiller or of the individual, firm, partnership, corporation, or association in whose name the spirits were produced and warehoused, the registry number and location (city or town and State) of the distillery at which the spirits were produced, and the season and year of production and bottling. The word "Inspected," followed by the date of inspection, shall also be marked on each case in letters and figures not

less than one-fourth of an inch in height. Where the spirits are taxpaid and removed directly from the bottling-in-bond department, the word "Tax-paid," in letters not less than one-half inch in height, and the date the stamps were cancelled and surrendered, and the name of the storekeeper-gauger supervising the removal of the spirits from the bottling-in-bond department, and his title, in letters and figures not less than one-fourth inch in height, shall be marked on the Government side of the case. All marks on cases, which are embossed, printed, or stenciled, must be made with a permanent ink in a color distinctly in contrast to the color used as a background. No marks, brands, labels, caution notices, or other devices whatever, other than those required by law and this part will be permitted on the Government side of the case: *Provided*, That the Assistant District Commissioner<sup>1</sup> upon written application from the proprietor, may authorize for commercial identification purposes, the affixing of bottle labels or other concise data descriptive of the contents of the case, including indications of payment of State taxes thereon or symbols, in lieu thereof, so describing the contents: *Provided further* Such additional information is set apart from and does not in any way detract from, conflict with, or obscure any of the markings required to be placed thereon by this part.

(53 Stat. 375; 26 U. S. C. 3176. Interprets or applies 53 Stat. 342, as amended, 343; 26 U. S. C. 2903, 2904)

2. The purpose of the amendment is to permit the warehouseman to affix bottle labels or concise data descriptive of the contents of the case, including indications of payment of State taxes, or symbols in lieu thereof, on the Government side of cases, provided such additional information does not conflict with, or detract from, the prescribed marks on such side of the case.

3. It is found that compliance with the notice, public rule-making, procedure, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001, et seq.) is unnecessary in connection with the issuance of this amendment for the reason that the change made is of a liberalizing character.

4. This Treasury decision shall be effective upon the date of publication in the FEDERAL REGISTER.

[SEAL] O. GORDON DELK,  
Acting Commissioner  
of Internal Revenue.

Approved: June 11, 1953.

M. B. FOLSOM,  
Acting Secretary of the Treasury.

[F. R. Doc. 53-5306; Filed, June 15, 1953;  
8:51 a. m.]

<sup>1</sup>Pursuant to Reorganization Plan No. 1 of 1952 (17 F. R. 2243) the office of District Supervisor has been abolished and the office of Assistant District Commissioner, Alcohol and Tobacco Tax, created in place thereof.

## TITLE 32—NATIONAL DEFENSE

### Subtitle A—Office of the Secretary of Defense

#### PART 20—SOLICITATION OF COMMERCIAL LIFE INSURANCE ON MILITARY INSTALLATIONS

##### LIFE INSURANCE

The amendments set forth below require commanders of military installations to permit solicitation of commercial life insurance on their installations under certain specific conditions.

Paragraph (a) of § 20.2 is amended to read as follows:

§ 20.2 *Life insurance.* The minimum control which will be exercised over solicitation by life insurance agents is as follows:

(a) Commanders of military installations over which exclusive jurisdiction has been ceded to the United States will permit solicitation of commercial life insurance on their installations if both the company and its agents are licensed in any state or the District of Columbia. In those cases where the state has retained exclusive or concurrent jurisdiction over the installation, the company and the agents must qualify under the laws of that state prior to soliciting business on the installation.

(Sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 171a)

JOHN A. HANNAH,  
Assistant Secretary of Defense,  
(Manpower and Personnel)

JUNE 2, 1953.

[F. R. Doc. 53-5275; Filed, June 15, 1953;  
8:45 a. m.]

## Chapter V—Department of the Army

### Subchapter A—Aid of Civil Authorities and Public Relations

#### PART 507—MANUFACTURE OF DECORATIONS STATUTORY AUTHORITY

Section 507.1 is revised to read as follows:

§ 507.1 *Statutory authority.* (a) Whoever knowingly wears, manufactures, or sells any decoration or medal authorized by Congress for the armed forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration or medal, or any colorable imitation thereof, except when authorized under regulations made pursuant to law, shall be fined not more than \$250 or imprisoned not more than six months, or both.

(b) Whoever manufactures, sells, or possesses any badge, identification card, or other insignia, of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof, or any colorable imitation thereof, or photographs, prints, or in any other manner makes or executes any engraving, photograph, print, or impression in the likeness of any such badge, identification card, or other in-

signia, or any colorable imitation thereof, except as authorized under regulations made pursuant to law, shall be fined not more than \$250 or imprisoned not more than six months, or both. (Act of June 25, 1948 (62 Stat. 732) as amended by act of May 24, 1949 (63 Stat. 92; 18 U. S. C., Sup. V 704))

[C2; AR 600-90, June 3, 1953] (62 Stat. 732, as amended; 10 U. S. C. Sup. 704)

[SEAL] **WILL E. BERGIN,**  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 53-5299; Filed, June 15, 1953; 8:50 a. m.]

**TITLE 32A—NATIONAL DEFENSE,  
APPENDIX**

**Chapter VI—National Production Au-  
thority, Department of Commerce**

[CMP Regulation No. 1 and Directions 1, 2, 3, 6, 8, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23—Revocation]

**CMP REG. 1—BASIC RULES OF THE CON-  
TROLLED MATERIALS PLAN**

**REVOCATION**

CMP Regulation No. 1, as amended November 18, 1952 (17 F. R. 10559) and as further amended by Amendment 1 of December 24, 1952 (17 F. R. 11755) and Directions 1 (17 F. R. 5556) 2 (16 F. R. 5534) 3 (17 F. R. 7429) 6 (16 F. R. 8548) 8 (16 F. R. 10605) 14 (17 F. R. 5894) 15 (17 F. R. 6958) 16 (17 F. R. 9939) 17 (17 F. R. 7339) 18 (17 F. R. 11754) 19 (18 F. R. 875) 20 (18 F. R. 1723) 21 (18 F. R. 1664) 22 (18 F. R. 2647) and 23 (18 F. R. 2982) to said regulation, are hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under CMP Regulation No. 1 and said directions thereto as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said regulation and directions prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong., 50 U. S. C. App. Sup. 2154)

This revocation is effective July 1, 1953.

Issued: June 15, 1953.

**NATIONAL PRODUCTION  
AUTHORITY,**  
By **GEORGE W. AUXIER,**  
Executive Secretary.

[F. R. Doc. 53-5378; Filed, June 15, 1953; 11:28 a. m.]

[CMP Regulation No. 3 and Direction 4—  
Revocation]

**CMP REG. 3—PREFERENCE STATUS OF DE-  
LIVERY ORDERS UNDER THE CONTROLLED  
MATERIALS PLAN**

**DIR. 4—SPECIAL PREFERENCE STATUS OF  
CERTAIN DO-RATED ORDERS**

**REVOCATION**

CMP Regulation No. 3 (17 F. R. 2848) and Direction 4 (17 F. R. 11817) to said regulation, are hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under CMP Regulation No. 3 and Direction 4 thereto as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said regulation and direction prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective July 1, 1953.

Issued: June 15, 1953.

**NATIONAL PRODUCTION  
AUTHORITY,**  
By **GEORGE W. AUXIER,**  
Executive Secretary.

[F. R. Doc. 53-5379; Filed, June 15, 1953; 11:29 a. m.]

**[CMP Regulation No. 4—Revocation]**

**CMP REG. 4—DELIVERIES OF CONTROLLED  
MATERIALS BY DISTRIBUTORS**

**REVOCATION**

CMP Regulation No. 4 (17 F. R. 2499) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under CMP Regulation No. 4 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said regulation prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective July 1, 1953.

Issued: June 15, 1953.

**NATIONAL PRODUCTION  
AUTHORITY,**  
By **GEORGE W. AUXIER,**  
Executive Secretary.

[F. R. Doc. 53-5380; Filed, June 15, 1953; 11:29 a. m.]

[Revised CMP Regulation No. 6 and Direc-  
tions 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13—  
Revocation]

**REVISED CMP REG. 6—CONSTRUCTION  
REVOCATION**

Revised CMP Regulation No. 6, as amended October 3, 1952 (17 F. R. 8903) and as further amended by Amendment 1 of November 28, 1952 (17 F. R. 10863) and Amendment 2 of December 24, 1952 (17 F. R. 11755) and Directions 2 (17 F. R. 8914) 4 (17 F. R. 4202) 5 (17 F. R. 8916), 6 (17 F. R. 10448) 7 (18 F. R. 877) 8 (18 F. R. 460) 9 (17 F. R. 10862), 10 (18 F. R. 956) 11 (18 F. R. 1666), 12 (18 F. R. 2647) and 13 (18 F. R. 2982) to said regulation, are hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under Revised CMP Regulation No. 6 and said directions thereto as originally issued or as thereafter amended, nor deprive any person of any rights

received or accrued under said regulation and directions prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective July 1, 1953.

Issued: June 15, 1953.

**NATIONAL PRODUCTION  
AUTHORITY,**  
By **GEORGE W. AUXIER,**  
Executive Secretary.

[F. R. Doc. 53-5381; Filed, June 15, 1953; 11:30 a. m.]

[DMS Regulation No. 2, Direction 2 of  
June 15, 1953]

**DMS REG. 2—CONSTRUCTION UNDER THE  
DEFENSE MATERIALS SYSTEM**

**DIR. 2—STATUS OF CERTAIN AUTHORIZED  
CONSTRUCTION SCHEDULES ISSUED UNDER  
REVISED CMP REGULATION NO. 6**

This direction is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

**SECTION 1. Certain authorized construction schedules under Revised CMP Regulation No. 6 to be deemed authorized construction schedules under DMS Regulation No. 2.** Any authorized construction schedule, as defined in Revised CMP Regulation No. 6, issued pursuant to that regulation or any direction thereto and bearing a program identification consisting of the letter A, B, C, D, or E, and one digit, shall be deemed to be an authorized construction schedule within the meaning of that term as defined and used in DMS Regulation No. 2.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This direction shall take effect June 15, 1953.

**NATIONAL PRODUCTION  
AUTHORITY,**  
By **GEORGE W. AUXIER,**  
Executive Secretary.

[F. R. Doc. 53-5382; Filed, June 15, 1953; 11:30 a. m.]

[NPA Order M-80 as Amended June 15, 1953]

**M-80—IRON AND STEEL—ALLOYING MATE-  
RIALS AND ALLOY PRODUCTS**

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of NPA Order M-80, as last amended by Amendment 1 of March 20, 1953, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations. How-

ever, consultation with representatives of all trades and industries affected thereby was not practicable because said order affects a large number of different trades and industries. In the formulation of the amendatory provisions of the within amended order, consultation with industry representatives, including trade association representatives, has been rendered impracticable due to the necessity for immediate action.

This amended order affects NPA Order M-80, as last amended by Amendment 1 of March 20, 1953, as follows: The last sentence of section 1 is deleted. The definitions in sections 2 (b) 2 (d) (5) and 2 (f) are modified. The provisions of sections 4, 7, and 11 (a) with respect to, instructions for filing Forms NPAF-113 and 114 are changed. The references in section 9 to tungsten and Schedule 3 to M-80 (which schedule was previously revoked) are deleted. The last sentence of section 18 is deleted. Section 23 is redesignated section 24 and a new section 23 is inserted. Section 20 and the redesignated section 24 are amended in order to conform to similar provisions in other NPA orders.

#### INTRODUCTORY

##### Sec.

1. What this order does.
2. Definitions.

#### PRODUCTION OF ALLOY PRODUCTS BY MELTING

3. Restrictions on melt.
4. Applications and reports from melters.
5. Changes in melting schedules.

#### PRODUCTION OF PROCESSED PRODUCTS BY MEANS OTHER THAN MELTING

6. Restrictions on processing.
7. Applications and report from processors.
8. Changes in processing schedules.

#### ALLOCATIONS OF ALLOYING MATERIALS

9. Alloying materials subject to complete allocation.
10. Restrictions on deliveries and exceptions thereto.
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#### PROHIBITED PRODUCTS AND USES

12. Prohibited uses of alloying materials.
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#### GENERAL PROVISIONS

14. Schedules.
15. Conservation required.
16. Imports.
17. Relation to other NPA orders and regulations.
18. Limitation on inventories of alloying materials.
19. Export of alloying materials.
20. Request for adjustment or exception.
21. Records and reports.
22. Communications.
23. False statements.
24. Violations.

**AUTHORITY:** Sections 1 to 24 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2 E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

#### INTRODUCTORY

**SECTION 1. What this order does.** This order in general covers alloying materials and alloy products. It requires all

melters and processors to file proposed melting or processing schedules and data concerning inventories. It requires authorization of melting or processing schedules by National Production Authority (hereinafter called "NPA") and permits NPA to make changes therein. Certain schedules issued under this order require complete allocation of certain alloying materials and provide for the filing of applications with NPA for allocation authorizations; and these schedules also prohibit certain uses of specific alloying materials and alloy products. The order provides for the issuance of additional schedules when and if other alloying materials are to be made subject to allocation or to use limitations, or the use of any other alloy product is to be limited or prohibited.

**SEC. 2. Definitions.** As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government. A person who keeps separate inventory records for any separate operating or producing unit shall treat each such separate operating or producing unit as a separate person for the purposes of this order, unless NPA otherwise directs or permits upon application of such person.

(b) "Alloying material" means any one of the forms or compounds of the elements as listed and defined in List I appearing at the end of this order.

(c) "Restricted alloying material" means any alloying material made subject to complete allocation under the provisions of this order.

(d) "Alloy product" means and includes those kinds of steel or iron hereafter defined as "alloy steel," "alloy iron," "stainless steel," "low-alloy high-strength steel," or "tool steel," and "non-ferrous wrought or cast alloys," including high temperature heat- and corrosion-resisting alloys, and nickel anodes:

(1) "Alloy steel" means steel containing 50 percent or more of iron or steel and any one or more of the following elements in the following amounts: Manganese, maximum of range in excess of 1.65 percent; silicon, maximum of range in excess of 0.60 percent (excepting electrical sheets and strip) copper, maximum of range in excess of 0.60 percent; aluminum, boron, chromium, cobalt, columbium, molybdenum, nickel, tantalum, titanium, tungsten, vanadium, zirconium, or any other alloying element, in any amount specified or known to have been added to obtain a desired alloying effect. For operations beginning with the second calendar quarter of 1952, clad steels which have an alloy steel base or carbon steel for which nickel and/or chromium is contained in the coating or cladding material (e. g., inconel, monel, or stainless) are alloy steels.

(2) "Stainless steel" means heat- and corrosion-resisting steel containing 50 percent or more of iron or steel and 10 percent or more of chromium whether with or without nickel, molybdenum, or other elements.

(3) "Low-alloy high-strength steel" means only the proprietary grades pro-

moted and sold for this purpose, and Navy high-tensile steel Grade HT Specification MIL-S-16113 (Ships)

(4) "Nonferrous wrought or cast alloys" means nickel, cobalt, copper, aluminum, and other alloys containing one or more of the elements defined in List I of this order, and with less than 50 percent iron.

(5) "Tool steel" means any steel, except plain carbon steel, used for the manufacture of tools for use in mechanical fixtures, precision gages, or for hand or power hacksaws.

(6) "Alloy iron" means any iron (cast or pig) containing one or more of the elements defined in List I of this order in any amount specified or known which have been added to obtain a desired alloying effect.

(e) "Melter" means a person who produces alloy products by melting.

(f) "Alloying material supplier" means any person who delivers alloying materials.

(g) "Processed product" means a product derived wholly or partially from an alloying material, by any means or process other than melting.

(h) "Processor" means a person who produces a processed product.

All definitions contained in this section 2 or List I of this order shall be applicable to the schedules at any time issued under the provisions of this order. The word "order" as used herein may include all schedules and lists issued as parts of this order.

#### PRODUCTION OF ALLOY PRODUCTS BY MELTING

**SEC. 3. Restrictions on melt.** No melter, who melts during any calendar month a greater quantity of any alloying material than shown on List II of this order, shall melt any such alloying material into an alloy product, except in accordance with a melting schedule which has been duly authorized by NPA under section 5 of this order. For the purpose of the preceding sentence, any columbium, molybdenum, nickel, or tantalum, procured from scrap (except when present at residual contamination) shall be considered an alloying material. Whenever an allocation authorization for the same period authorizes the use of a lesser amount of any alloying material (which is a restricted alloying material) than permitted by the melting schedule, then the use of any such restricted alloying material shall be governed by the allocation authorization rather than by the melting schedule.

**SEC. 4. Applications and reports from melters.** Each melter, who uses during any calendar month a greater quantity of any alloying material than shown in List II of this order, is hereby required to apply to NPA for approval of any proposed melting schedule on Form NPAF-60. Such application shall be filed with NPA not later than the first day of the month preceding the melt month, commencing September 1, 1951. Each melter, who uses during any calendar month a greater quantity of any alloying material than shown in List II, shall also file with NPA, Form NPAF-113 in accordance with the instructions on that

form. If any melter requires delivery or use of any restricted alloying material, he shall also file an application on Form NPAF-114, in accordance with section 11 (a) of this order. He shall file a separate application for each restricted alloying material required by him. Applications for allocation of restricted alloying materials are required whether or not a proposed melting schedule is approved. Authorization of a melting schedule does not carry with it authorization of an application for allocation. Whenever it is necessary in order to complete any of the above forms required to be filed under the provisions of this section, any person who orders alloy products from a melter shall state in his order the end use (by classification and specific part name) for which such alloy product will be used. A melter may file an additional melting schedule or schedules for authorization at any time.

**Sec. 5. Changes in melting schedules.** NPA may make such changes, modifications, postponements, or deletions in any proposed melting schedule filed by a melter as, in the discretion of NPA, may be deemed necessary or advisable in order to bring about the maximum possible conservation of alloying materials in the interest of national defense. Modifications or changes required by NPA in the alloy content of a product shall be binding upon a melter whether the alloy content of such product is procured from alloying materials, as defined in List I of this order, and/or from scrap containing usable quantities of such alloying material. Upon completion of the review of any proposed schedule or modification thereof as provided in this section, the approval of the melting schedule as originally filed or as modified will be mailed on Form GA-35, the Melting Schedule Metallurgical Authorization, to each melter at least 10 days prior to the first day of the melt month.

**PRODUCTION OF PROCESSED PRODUCTS BY MEANS OTHER THAN MELTING**

**Sec. 6. Restrictions on processing.** No processor, who processes during any calendar month a greater quantity of any alloying material than shown on List II of this order, shall incorporate any such alloying material into any processed product, except in accordance with a processing schedule which has been duly authorized by NPA under section 8 of this order. For the purpose of the preceding sentence, any columbium, molybdenum, nickel, or tantalum, procured from scrap (except when present as residual contamination) shall be considered an alloying material. Whenever an allocation authorization for the same period authorizes the use of a lesser amount of any alloying material (which is a restricted alloying material) than permitted by the processing schedule, then the use of any such restricted alloying material shall be governed by the allocation authorization rather than by the processing schedule.

**Sec. 7. Applications and reports from processors.** Each processor, who uses during any calendar month a greater quantity of any alloying material than

shown in List II of this order, is required to apply to NPA for approval of any proposed processing schedule on Form NPAF-102. Such application shall be filed with NPA not later than the first day of the month preceding the processing month, commencing with September 1, 1951. Each processor who uses during any calendar month a greater quantity than shown on List II of any alloying material, shall also file with NPA, Form NPAF-113, in accordance with the instructions on that form. If any processor requires delivery or use of any restricted alloying material, he shall also file an application for allocation on Form NPAF-114, in accordance with section 11 (a) of this order. He shall file a separate application for each restricted alloying material required by him. Applications for allocation of restricted alloying materials are required whether or not a proposed processing schedule is authorized. Authorization of a processing schedule does not carry with it authorization of an application for allocation. Whenever it is necessary in order to complete any of the above forms required to be filed under the provisions of this section, each person who orders processed products from a processor shall state in his purchase order the end use (by classification and specific part name) for which such processed product will be used. A processor may file an additional processing schedule or schedules for authorization at any time.

**Sec. 8. Changes in processing schedules.** NPA may make such changes, modifications, postponements, or deletions in any proposed processing schedule filed by a processor, as in the discretion of NPA, may be deemed necessary or advisable in order to bring about the maximum possible conservation of alloying materials in the interests of national defense. Modifications or changes required by NPA in the alloy content of a product shall be binding upon a processor whether the alloy content of such product is procured from alloying materials, as defined in List I of this order, and/or from scrap containing usable quantities of such alloying materials. Upon completion of the review of any proposed processing schedule or modification thereof as provided in this section, the approval of the processing schedule, as originally filed or as modified, will be mailed on Form GA-41, Processing Schedule Authorization, to each processor prior to the first day of the processing month.

**ALLOCATION OF ALLOYING MATERIALS**

**Sec. 9. Alloying materials subject to complete allocation.** Schedules 1, 2, 4, and 5, of this order continue complete allocation of nickel, cobalt, molybdenum, and columbium and tantalum. These alloying materials are termed "restricted alloying materials." Separate schedules numbered consecutively from 6 upwards will be issued under this order for each alloying material to be made subject to complete allocation after the effective date of this order. Each numbered schedule makes a particular alloying material subject to complete allocation and contains any special requirements, ex-

emptions, prohibited uses, or provisions pertaining to the particular alloying material that are not contained in this order.

**Sec. 10. Restrictions on deliveries and exceptions thereto.** (a) No alloying material supplier shall deliver to any person any restricted alloying material, except in accordance with the terms of an NPA directive, an allocation authorization issued to such alloying material supplier by NPA, or except upon receipt of the certification for users of limited quantities as required by the schedules of this order.

(b) No person shall accept delivery of a restricted alloying material from an alloying material supplier except in accordance with the terms of an allocation authorization or except upon delivery of the certificate for users of limited quantities as required by the schedules of this order.

(c) No alloying material supplier shall deliver any alloying material if he knows or has reason to believe that the person receiving the alloying material may not accept delivery thereof under this order or that he will use the alloying material in violation of this order.

(d) No melter or processor shall use in any calendar month a greater quantity of a restricted alloying material than that shown in List II of this order, or the quantity he is authorized to use for that month by Form NPAF-114 issued by NPA. *Provided*, That commencing with any calendar month in which a melter's or processor's method and rate of operations for that month did not make it practicable for him to use the total quantity of any restricted alloying material which he was authorized to use for such month by Form NPAF-114 issued by NPA, he may, during the immediately ensuing two consecutive calendar months, exceed his authorized monthly use of such restricted alloying material during each of such 2 months up to a maximum of 130 percent of the quantity authorized for use during each such month by Form NPAF-114: *Provided further* That no person shall use in any period of three consecutive calendar months, commencing with January 1, 1952, a greater quantity of any restricted alloying material than the total weight of such material which he is authorized to use during such 3-month period by Form NPAF-114 issued by NPA. Any person who, pursuant to this paragraph, varies his actual monthly use from the authorized monthly use of a restricted alloying material over a successive 3-month period, or any portion thereof, shall by the seventh day of the month following each month of such 3-month period, report to NPA on Form NPAF-113 the exact quantity of the restricted alloying material used during each preceding month. When the amount of a restricted alloying material contained in the melting schedule authorization or processing schedule authorization is not the same as the amount allocated for use on Form NPAF-114, the lesser of the authorized amounts must not be exceeded, except as herein provided.

(e) The foregoing restrictions of this section with respect to deliveries shall not apply to deliveries of restricted-alloying materials made to General Services Administration or to any other duly authorized Government agency of the United States for the purpose of stock piling.

**Sec. 11. Allocation authorizations.** (a) As set forth in sections 4 and 7 of this order, each melter and processor desiring to receive an allocation authorization for any restricted alloying material is required to file with NPA an application on Form NPAF-114 in accordance with the instructions on that form. NPA may grant the application in whole or in part or may reject the application. Whenever an application is granted, in whole or in part, an authorization will be issued at least 10 days prior to the first day of the delivery month to the appropriate alloying material supplier and a copy furnished to the applicant. The copy returned to the applicant will show the amount of restricted alloying material he is authorized to use and the amount he is allowed for inventory purposes to permit continuous operation from month to month. The alloying material supplier to whom the allocation authorization is issued, shall fill orders of the applicant within the limits of the allocation authorization. No person receiving any restricted alloying material may use such restricted alloying material except in accordance with an allocation authorization. An allocation authorization issued by NPA to any person shall terminate at the close of the calendar period for which such allocation authorization was granted, except where a person varies his use of the restricted alloying material allocated, pursuant to section 10 (d) of this order.

(b) Notwithstanding the provisions of sections 4 and 7 of this order, any melter or processor (except a supplier) who requires nickel anodes, nickel salts, chemicals, oxides, and catalysts or ceramic grades of cobalt, shall place, unless otherwise instructed by NPA, a purchase order therefor with his usual supplier, in lieu of filing Form NPAF-113, Form NPAF-114, and Form NPAF-60 or Form NPAF-102. The supplier shall then make application to NPA, pursuant to section 4 or 7 of this order, on the applicable forms for allocation of the total quantity of nickel anodes, nickel salts, chemicals, oxides and catalysts, or ceramic grades of cobalt represented by such purchase orders received from all of his melter and processor customers, together with his own requirements. Whenever such an application is approved by NPA, the supplier shall then allot among his melter or processor customers (in all cases, however, within the limit of the quantity approved by NPA, on Form GA-35 or Form GA-41, for melting or processing purposes by each such customer) the nickel anodes, nickel salts, chemicals, oxides, and catalysts or ceramic grades of cobalt, as the case may be, in the same proportion that the total quantity of such nickel anodes, nickel salts, chemicals, oxides, and catalysts or ceramic grades of cobalt, as the case may be, allocated to such supplier by NPA on Form

NPAF-114, bears to the total quantity of such nickel anodes, nickel salts, chemicals, oxides, and catalysts or ceramic grades of cobalt, as the case may be, approved by NPA for melting or processing purposes on Form GA-35 or Form GA-41. Each melter or processor who, during any calendar month, obtains any restricted alloy material from his supplier pursuant to the provisions of this paragraph, shall be deemed to have received an approved melting or processing schedule and allocation authorization, for such month, from NPA covering the quantity of such material allotted to him by his supplier, and he shall use the restricted alloying material so acquired only in conformance with the provisions of this order and the schedules thereto.

#### PROHIBITED PRODUCTS AND USES

**Sec. 12. Prohibited uses of alloying materials.** If the use of any alloying material for any particular purpose or product is to be prohibited, the provisions concerning such prohibition are, or will be, set forth in a schedule issued with or pursuant to this order concerning that alloying material. No person shall use any alloying material in violation of the provisions of any schedule issued with this order or which may be issued by NPA from time to time under this order.

**Sec. 13. Prohibited uses of alloy products or processed products.** Separate schedules lettered alphabetically may be issued under this order from time to time covering additional classes of alloy or processed products. Each schedule will contain specific prohibitions or restrictions as to specific classes of alloy products or processed products and additional requirements that are not now covered in this order. No person shall use or manufacture any alloy product or processed product in violation of the provisions of any schedule issued or which may be issued by NPA from time to time under this order.

#### GENERAL PROVISIONS

**Sec. 14. Schedules.** Schedules issued under this order shall be numbered consecutively beginning with "1" or lettered alphabetically beginning with "A" and shall be designated according to number or letter as "Schedule \_\_\_\_\_ of NPA Order M-80." A schedule may be issued or amended without any change in the text of this order, and without any republication of this order or of any provision of this order. All provisions of any schedule shall be deemed to be incorporated into and made a part of this order as of the effective date of the schedule or amendment thereto, as the case may be. In the event of an inconsistency or conflict between the provisions of any schedule issued or which may be issued by NPA from time to time under this order and the provisions of this order, the provisions of the schedule shall govern. Schedules may be issued or amended at any time and from time to time and shall remain in full force and effect until individually amended, superseded, or revoked. This order may be amended without any change in the text

of any schedule issued from time to time under this order.

**Sec. 15. Conservation required.** No person shall use a restricted alloying material in the production, processing, or manufacture of an alloy or processed product when it is commercially feasible to substitute some material therefor other than a restricted alloying material. No person shall use a greater quantity or higher quality of an alloying material in the production, processing, or manufacture of any alloy or processed product than is necessary to produce, process, or manufacture any such alloy or processed product on a commercially feasible basis, unless required to meet military material specifications.

**Sec. 16. Imports.** Nothing contained in this order shall prohibit the importation of any restricted alloying material: *Provided*, That any such restricted alloying material after importation and delivery to or for the account of the importer shall not be further delivered, used, or consumed except in accordance with the provisions of this order.

**Sec. 17. Relation to other NPA orders and regulations.** All provisions of any NPA regulation or order are superseded to the extent that they are inconsistent with this order or with the schedules issued from time to time under this order, but in all other respects the provisions of such regulations and orders shall remain in full force and effect. Except as otherwise directed in writing by NPA, restricted alloying material shall be delivered only under an allocation authorization pursuant to the provisions of this order and, accordingly, DO rated orders or other preference orders shall have no effect, except to the extent that NPA takes such DO or preference rating into account in granting an allocation authorization.

**Sec. 18. Limitation on inventories of alloying materials.** No melter or processor, notwithstanding any allocation authorization received by him, shall place an order for any alloying material calling for delivery of, and no such person shall accept delivery of, any such alloying material at a time when his inventory thereof exceeds, or by acceptance of such delivery would be made to exceed, 60 calendar days' requirements at his then scheduled rate and method of operation. Any melter or processor who at any time has outstanding orders for any alloying material calling for delivery earlier than, or in quantities greater than, he would be permitted to receive under this section, shall forthwith notify his supplier of the extent to which delivery cannot be accepted as scheduled, and such orders shall be adjusted accordingly. Imported as well as domestic alloying materials are subject to this order and are to be included in computing inventory. *Provided*, That any alloying material acquired prior to landing may be imported even though a person's inventory thereby becomes in excess of the amount herein permitted, but, that in such event, such person may not receive further deliveries from domestic sources until his inventory is reduced to permitted levels.

Any alloying material which has been processed to any degree, but has not yet been actually incorporated into a finished or partially finished product is likewise to be included in computing inventory.

**SEC. 19. Export of alloying materials.** Alloying materials exported from the United States, its territories or possessions, pursuant to a validated export license issued by the Office of International Trade, Department of Commerce, are exempt from all provisions of this order and of the schedules issued or which may be issued by NPA from time to time under this order, except for the provisions of section 9, and paragraphs (a) and (b) of section 10 of this order, and the provisions of this order requiring the keeping of records and the making of reports.

**SEC. 20. Request for adjustment or exception.** Any person subject to any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. The filing of a request for adjustment or exception shall not relieve any person of his obligation to comply with any such provision. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

**SEC. 21. Records and reports.** (a) Commencing September 1, 1951, every person who, at any time in a calendar month, had in his possession or under his control or who, during a calendar month, consumed any restricted alloying material in greater quantities than the minimum permitted by List II of this order shall report to NPA on Form NPAF-113 on or before the seventh day of the following month. However, if he applies on such form for an allocation of restricted alloying material for delivery during the succeeding month, his application serves also as the required report.

(b) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the

originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(c) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(d) Persons subject to this order shall make such records and submit such additional reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F)

**SEC. 22. Communications.** All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-80.

**SEC. 23. False statements.** The furnishing of false information or the concealment of any material fact by any person in the course of operation under this order constitutes a violation of this order by such person.

**SEC. 24. Violations.** Violation of any provision of this order may subject any person committing or participating in such violation to administrative action to suspend his privilege of making or receiving further deliveries of materials, or using materials or facilities, under priority or allocation control and to deprive him of further priority and allocation assistance. In addition to such administrative action an injunction and order may be obtained prohibiting any such violation and enforcing compliance with the provisions of this order. Any person who wilfully violates any provision of this order, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both.

**NOTE:** All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect June 15, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
By GEORGE W. AUXIER,  
Executive Secretary.

**LIST I—DEFINITIONS OF ALLOYING MATERIALS**

1. *Chromium* means all forms of ferro-chromium including those alloys known as ferro-silicon chromium and ferro-chromium silicon, chromium nickel, chromium metal, and all other compositions containing more than 25 percent chromium, which are used as sources of chromium in commercial manufacture or processing.

2. *Cobalt* means and includes cobalt metal, cobalt fines, cobalt oxide, cobalt powder, and all other cobalt compounds produced from ores, metals, concentrates, and/or refinery residues, as well as scrap containing more than 5 percent cobalt, which are used as sources of cobalt in commercial manufacture and processing.

3. *Columbium and tantalum* mean ferro-columbium and ferro-columbium tantalum.

4. *Molybdenum* means ferro-molybdenum, all grades of molybdenum oxide, and all primary molybdates and other molybdenum

compounds used as a source of molybdenum in commercial manufacture and processing. It does not include the molybdenum present in steel scrap or pure molybdenum metal or scrap molybdenum metal.

5. *Nickel* means only the following forms of primary nickel: electrolytic nickel, ingots, pigs, rondelles, cubes, and pellets, rolled and cast anodes, shot, oxides, salts, and chemicals and residues derived directly from new nickel, including residues containing nickel derived as a byproduct from copper refinery operations.

**LIST II—QUANTITIES OF CONTAINED METALS IN ALLOYING MATERIALS EXEMPTED PER MONTH**

1. Chromium—2,000 pounds; except chromium metal—50 pounds.
2. Cobalt—25 pounds.
3. Columbium and tantalum—10 pounds.
4. Molybdenum—200 pounds.
5. Nickel—100 pounds.

[F. R. Doc. 53-5383; Filed, June 15, 1953; 11:30 a. m.]

[Direction 1 to NPA Order M-80 and to Schedules 2, 4, and 5, as Amended June 15, 1953]

**M-80—IRON AND STEEL—ALLOYING MATERIALS AND ALLOY PRODUCTS**

**DIR. 1—MODIFICATION OF FILING REQUIREMENTS FOR ALLOCATION APPLICATIONS**

This direction, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, as amended, consultation with industry representatives has been rendered impracticable due to the need for immediate action.

This amended direction affects Direction 1 to NPA Order M-80 as amended May 20, 1953, by changing the filing date of applications for allocation.

- Sec.**
1. Purpose of this direction.
  2. Applications for allocation.
  3. Effect on other provisions of M-80.

**AUTHORITY:** Sections 1 to 3 issued under sec. 704, 64 Stat. 816, Pub. Law 423, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 739, Pub. Law 423, 82d Cong.; 50 U. S. C. App. Sup. 2571; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 492, 405, E. O. 10231, Aug. 23, 1951, 16 F. R. 8763; 3 CFR, 1951 Supp.

**SECTION 1. Purpose of this direction.** This direction continues the current method employed by NPA in the allocation of cobalt, molybdenum, and columbium and tantalum in requiring melters and processors to file Form NPAF-114 on a quarterly basis, but discontinues that method of allocation with respect to nickel. Applications for allocation of nickel shall hereafter be filed on a monthly basis as provided in sections 4 and 7 of NPA Order M-80 and section 3 of Schedule 1 to that order.

**SEC. 2. Applications for allocation.** Each melter or processor who requires delivery of and authorization to use cobalt, molybdenum, or columbium and tantalum during the third calendar quarter of 1953, shall file an application on Form NPAF-114 with NPA on or before the seventh day of June 1953.

Thereafter, such applications may be made on or before the first day of the month next preceding the commencement of any subsequent calendar quarter. A separate application shall be submitted covering the applicant's total purchase and use requirements for each of the restricted alloying materials, cobalt, molybdenum, or columbium and tantalum, for the calendar quarter for which Form NPAF-114 is filed. Notwithstanding sections 4 and 7 of NPA Order M-80 and section 3 of Schedules 2, 4,

and 5 to that order, applications for allocation authorizations of cobalt, molybdenum, or columbium and tantalum shall not be filed monthly, but shall be filed quarterly as provided for in the first sentence of this section.

**Sec. 3. Effect on other provisions of M-80.** This direction shall not alter any reporting requirement of NPA Order M-80 other than the filing of Form NPAF-114, with respect to cobalt, molybdenum, or columbium and tantalum, on a quarterly basis rather than on a monthly

basis, as set out in section 2 of this direction. All other reporting requirements provided for by the order remain in full force and effect.

This direction, as amended, shall take effect June 15, 1953.

NATIONAL PRODUCTION,  
AUTHORITY,  
By GEORGE W. AUXIER,  
*Executive Secretary.*

[F. R. Doc. 53-5384; Filed, June 15, 1953;  
11:31 a. m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Office of the Secretary

[Order No. 2583, Amdt. 6]

#### BUREAU OF LAND MANAGEMENT

#### DELEGATION OF AUTHORITY IN CONNECTION WITH LANDS AND RESOURCES

Sections 2.33a and 2.33b of Order 2583 (16 F. R. 6805) are amended to read as follows:

**Sec. 2.33a Phosphate leases.** Matters related to phosphate leases under sections 9 to 12, inclusive, of the act of February 25, 1920 (30 U. S. C. 211-214) as amended, and phosphate leases under the act of August 7, 1947 (30 U. S. C., Sup., 351-359)

**Sec. 2.33b Potassium permits and leases.** Matters related to potassium permits and leases under the act of February 7, 1927 (30 U. S. C. secs. 281-285) as amended, and potassium permits and leases under the act of August 7, 1947 (30 U. S. C., Sup., 351-359)

RALPH A. TUDOR,  
*Acting Secretary of the Interior*

JUNE 9, 1953.

[F. R. Doc. 53-5276; Filed, June 15, 1953;  
8:46 a. m.]

### DEPARTMENT OF COMMERCE

#### Civil Aeronautics Administration

AIRPORTS AND FACILITIES DIVISIONS,  
CHICAGO, ILL.

#### TRANSFER OF FUNCTIONS

Effective June 10, 1953, all functions of the Airports Division of the Regional Office at Chicago, Illinois, with respect to activities within the States of Illinois, Indiana, Michigan, Minnesota, North Dakota, and Wisconsin will be performed by the Airports Division of the Regional Office at Kansas City, Missouri.

Effective June 15, 1953, all functions of the Facilities Division of the Regional Office at Chicago, Illinois, with respect to activities within the States of Illinois, Indiana, Michigan, Minnesota, North Dakota, and Wisconsin will be performed by the Facilities Division of the Regional Office at Kansas City, Missouri.

These actions are taken pursuant to the second introductory paragraph of

the Notice on Organization and Functions published on May 14, 1953, in 18 F. R. 2798. The functions of an Airports Division and a Facilities Division of a Regional Office are described in 16 F. R. 2975, published on April 5, 1951.

[SEAL] F. B. LEE,  
*Administrator of Civil Aeronautics.*

[F. R. Doc. 53-5302; Filed, June 15, 1953;  
8:50 a. m.]

### DEPARTMENT OF JUSTICE

#### Office of Alien Property

ANNA RICHTER ET AL.

#### NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

#### Claimant, Claim No., and Property

Anna Richter, Lugano, Switzerland, Marine National Exchange Bank, Milwaukee, Wisconsin, as Administrator with the Will Annexed of Gedeon Richter, deceased; Claims Nos. 5367 & 6615; The following property is returnable to the claimants in equal shares; \$252,542.97 in the Treasury of the United States; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), relating to United States Letters Patent Nos. 2,198,357; 2,208,941, and 2,208,942.

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Gedeon Richter by virtue of an agreement dated August 25, 1939 (including all modifications thereof and supplements thereto, if any) by and between Gedeon Richter and the Lakeside Laboratories Inc., which agreement relates, among other things, to United States Letters Patent No. 2,198,357, to the extent that said interests and rights were owned by Gedeon Richter immediately prior to vesting by Vesting Order No. 4001 (9 F. R. 10653, August 31, 1944).

Executed at Washington, D. C., on June 10, 1953.

For the Attorney General.

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

[F. R. Doc. 53-5307; Filed, June 15, 1953;  
8:51 a. m.]

### FEDERAL POWER COMMISSION

[Docket No. E-6414]

#### NEBRASKA MID-STATE RECLAMATION DISTRICT

#### NOTICE OF FINDINGS

JUNE 10, 1953.

Notice is hereby given that on June 8, 1953, the Federal Power Commission issued its findings adopted June 5, 1953, in the above-entitled matter, that the interests of interstate or foreign commerce would not be affected by the construction and operation of the proposed Mid-State hydroelectric and irrigation project.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F. R. Doc. 53-5277; Filed, June 16, 1953;  
8:46 a. m.]

[Docket No. G-1788]

#### OHIO FUEL GAS CO.

#### NOTICE OF ORDER REOPENING PROCEEDING AND AMENDING CERTIFICATE

JUNE 10, 1953.

Notice is hereby given that on June 8, 1953, the Federal Power Commission issued its order adopted June 5, 1953, reopening proceeding and amending certificate of public convenience and necessity (16 F. R. 12107) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,  
*Secretary.*

[F. R. Doc. 53-5278; Filed, June 15, 1953;  
8:46 a. m.]

[Docket No. G-1966]

#### HOME GAS CO.

#### ORDER FIXING DATE OF HEARING AND SPECIFYING PROCEDURE

On May 1, 1952, Home Gas Company (Home) filed with the Commission its

FPC Gas Tariff, First Revised Volume No. 1, proposing an increase in its rates and charges of approximately \$1,241,999 annually, based on the twelve-month period ending May 31, 1953.

Pending hearing and decision upon the question of the lawfulness of the rate proposed by Home, the Commission, by order issued May 29, 1952, suspended the operation of such proposed Gas Tariff until November 1, 1952, and until such further time as such suspended Gas Tariff might be made effective in the manner prescribed by the Natural Gas Act.

Thereafter, on September 12, 1952, Home filed with the Commission proposed First Revised Sheets Nos. 7, 10, 20, 21, and 22, and Original Sheet No. 8 to its FPC Gas Tariff, First Revised Volume No. 1, and requested permission, pursuant to § 154.66 of the Commission's regulations under the Natural Gas Act (18 CFR 154.66) that such filing of September 12, 1952, replace and supersede Original Sheets Nos. 7, 10, 20, 21, and 22 of its FPC Gas Tariff, First Revised Volume No. 1, which was suspended by said Commission order issued May 29, 1952. Such proposed changes did not directly affect the suspended rate level.

By order issued October 16, 1952, the Commission permitted the filing of such revised sheets, directed that such sheets should be considered as a part of the tariff under suspension when hearing was held, and suspended such sheets until November 1, 1952, and until such further time as such tariff might be made effective in the manner prescribed by the Natural Gas Act.

On October 31, 1952, Home filed a motion requesting that the suspended Gas Tariff go into effect on November 1, 1952. By order issued November 25, 1952, FPC Gas Tariff, First Revised Volume No. 1, as amended by First Revised Sheets Nos. 7, 10, 20, 21, and 22, and Original Sheet No. 8, was permitted to become effective as of November 1, 1952, under bond and subject to refund, if so ordered, in accordance with the terms of the order issued that date.

**The Commission finds:**

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that a public hearing be held at the time and place hereinafter ordered.

(2) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act, and it is in the public interest, that the procedure hereinafter prescribed be followed at the hearing in order to conduct the proceedings with reasonable dispatch.

**The Commission orders:**

(A) A public hearing be held commencing August 17, 1953, at 10 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the lawfulness of the rates, charges, classifications, and services of Home's FPC Gas Tariff, First Revised Volume No. 1, as amended by First Revised Sheets Nos. 7, 10, 20, 21, and 22, and Original Sheet No. 8, and the rules, regulations, practices and contracts relating thereto.

(B) At the hearing Home shall go forward first and shall present and complete its case-in-chief before cross-examination is undertaken.

(C) On or before August 10, 1953, Home shall serve upon all parties, including Commission Staff counsel, copies of all prepared testimony and exhibits proposed to be offered at the hearing.

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

Adopted: June 9, 1953.

Issued: June 10, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-5290; Filed, June 15, 1953;  
8:48 a. m.]

[Docket No. G-1967]

MANUFACTURERS LIGHT AND HEAT CO.

ORDER FIXING DATE OF HEARING AND  
SPECIFYING PROCEDURE

On May 1, 1952, the Manufacturers Light and Heat Company (Manufacturers) filed with the Commission its FPC Gas Tariff, First Revised Volume No. 1, to become effective June 1, 1952, proposing an increase in its rates and charges for sales of natural gas for resale amounting to \$2,169,344 annually, based on sales for the twelve-month period ending May 31, 1953.

Pending hearing and decision upon the question of the lawfulness of the rates proposed by Manufacturers, the Commission, by order issued May 29, 1952, suspended the operation of such proposed Gas Tariff until November 1, 1952, and until such further time as such tariff might be made effective in the manner prescribed by the Natural Gas Act.

Thereafter, on September 12, 1952, Manufacturers filed with the Commission proposed First Revised Sheets Nos. 7, 13, 23, 24, 25, and 26 and Original Sheet No. 7A to its FPC Gas Tariff, First Revised Volume No. 1, and requested permission, pursuant to § 154.66 of the Commission's regulations under the Natural Gas Act (18 CFR 154.66) that such filing of September 12, 1952, replace and supersede Original Sheets Nos. 7, 13, 23, 24, 25, and 26 of its FPC Gas Tariff, First Revised Volume No. 1, which was suspended by said Commission order issued May 29, 1952. Such proposed changes did not directly affect the suspended rate level.

By order issued October 16, 1952, the Commission permitted the filing of such revised sheets, directed that such sheets should be considered as a part of the tariff under suspension when hearing was held, and suspended such sheets until November 1, 1952, and until such further time as such tariff might be made effective in the manner prescribed by the Natural Gas Act.

On October 31, 1952, Manufacturers filed a motion requesting that the changes in rates go into effect on No-

vember 1, 1952, the expiration of the suspension period.

By order issued November 25, 1952, Manufacturers' FPC Gas Tariff, First Revised Volume No. 1, as amended by First Revised Sheets Nos. 7, 13, 23, 24, 25, and 26 and Original Sheet No. 7A, was permitted to become effective as of November 1, 1952, under bond and subject to refund, if so ordered, in accordance with the terms of the order issued on that date.

**The Commission finds:**

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that a public hearing be held at the time and place hereinafter ordered.

(2) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act, and it is in the public interest, that the procedure hereinafter prescribed be followed at the hearing in order to conduct the proceedings with reasonable dispatch.

**The Commission orders:**

(A) A public hearing be held commencing August 3, 1953, at 10 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the lawfulness of the rates, charges, classifications, and services of Manufacturers' FPC Gas Tariff, First Revised Volume No. 1, as amended by First Revised Sheets Nos. 7, 13, 23, 24, 25, and 26 and Original Sheet No. 7A, and the rules, regulations, practices, and contracts relating to said Tariff, as amended.

(B) At the hearing Manufacturers shall go forward first and shall present and complete its case-in-chief before cross-examination is undertaken.

(C) On or before July 28, 1953, Manufacturers shall serve upon all parties, including Commission Staff counsel, copies of all prepared testimony and exhibits proposed to be offered at the hearing.

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

Adopted: June 9, 1953.

Issued: June 10, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-5291; Filed, June 15, 1953;  
8:48 a. m.]

[Docket No. G-2018]

EL PASO NATURAL GAS CO.

ORDER POSTPONING DATE OF HEARING

On June 4, 1953, El Paso Natural Gas Company (El Paso) filed a motion for postponement of the hearing in the above-entitled matter from June 22, 1953 to August 17, 1953.

In support of the motion, El Paso alleges that it is presently engaged in another hearing before the Commission requiring the time and attention of counsel and witnesses upon whom El

Paso will rely in the above-entitled matter.

El Paso also represents that it will be physically impossible to prepare and present its case as required in the Commission's order issued June 3, 1953, in this matter.

The Commission finds: Good cause has been shown for the postponement of the hearing as hereinafter ordered.

The Commission orders: The hearing in the above-entitled matter be and the same is hereby postponed from June 22, 1953, to July 29, 1953, at the time and place set forth in the Commission's order issued June 3, 1953.

Adopted: June 9, 1953.

Issued: June 10, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-5280; Filed, June 15, 1953;  
8:46 a. m.]

[Docket Nos. G-2030, G-2087]

TOWNS OF COLFAX AND BOYCE, LA.

NOTICE OF ORDER AFFIRMING INITIAL DECISION OF PRESIDING EXAMINER

JUNE 10, 1953.

In the matters of Town of Colfax, Louisiana, Docket No. G-2030, and Town of Boyce, Louisiana, Docket No. G-2087.

Notice is hereby given that on June 8, 1953, the Federal Power Commission issued its order adopted June 5, 1953, affirming initial decision of Presiding Examiner in the above-entitled matters.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-5279; Filed, June 15, 1953;  
8:46 a. m.]

[Docket No. G-2061]

UNITED FUEL GAS CO.

ORDER FIXING DATE OF HEARING

On September 12, 1952, United Fuel Gas Company (Applicant) a West Virginia corporation having its principal place of business at Charleston, West Virginia, filed an application, which was supplemented on December 11, 1952, and on February 2, 1953, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission facilities, in connection with the proposed development of certain underground storage facilities, all as more fully described in said application, as supplemented, on file with the Commission and open to public inspection.

Included in the facilities which Applicant proposes in its said application, as supplemented, are approximately 18 miles of 20-inch natural-gas transmission pipeline extending from a point of connection with a 24-inch pipeline between its Lanham Compressor Station and its storage pool X-59, heretofore authorized, to Applicant's proposed stor-

age pool X-58 near Limestone, in Wood and Wirt Counties, West Virginia; and a new compressor station, to be known as Compressor Station X-58, consisting of three 880 horsepower units, together with auxiliary equipment and piping, to be located at said storage pool X-58.

On March 23, 1953, the Commission issued an order in this proceeding authorizing Applicant to construct and operate a portion of the total facilities proposed in its said application, as supplemented, consisting of approximately 32.5 miles of 24-inch natural-gas transmission pipeline extending from Applicant's existing Lanham Compressor Station in Putnam County, West Virginia, to its new storage pool X-59 near Ripley in Jackson County, West Virginia, and authorizing Applicant to activate said new storage pool X-59.

Hearing and decision upon the application, as supplemented, so far as the same pertains to the facilities heretofore described was deferred by the Commission pending final decision in the proceeding in Docket No. G-1952 wherein Applicant sought authorization to acquire leaseholds, drill wells and install well and field lines in connection with the activation and operation of storage pool X-58.

On May 1, 1953, the Commission issued its order modifying and affirming as modified the initial decision of the Presiding Examiner in the consolidated proceedings in Docket Nos. G-1175, et al.,<sup>1</sup> authorizing, among other things, Applicant to construct and operate certain facilities including the activation of storage pool X-58.

The Commission finds: With respect to that part of the application, as supplemented herein, involving the proposed construction and operation of the facilities consisting of approximately 18 miles of 20-inch natural-gas transmission pipeline extending from a point of connection with the 32.5 miles of 24-inch pipeline, heretofore described, in the storage pool X-59, to its storage pool X-58 near Limestone, in Wood and Wirt Counties, West Virginia, and the proposed construction and operation of a compressor station to be known as Compressor Station X-58, consisting of three 880 horsepower units each supercharged to 1,100 horsepower, together with auxiliary equipment and piping, to be located at said storage pool X-58, this part of the proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on October 4, 1952 (17 F. R. 8927)

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction

conferred upon the Federal Power Commission by sections 7, 15, and 16 of the Natural Gas Act, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR Chapter I) a public hearing be held on June 24, 1953, at 9:30 a. m., e. d. s. t. in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by that part of such application, as supplemented, in which Applicant requests authorization for the construction and operation of approximately 18 miles of 20-inch natural-gas transmission pipeline extending from a point of connection with Applicant's 32.5 miles of 24-inch pipeline in its storage pool X-59, to Applicant's storage pool X-58 near Limestone, in Wood and Wirt Counties, West Virginia, and a compressor station, to be known as Compressor Station X-58, consisting of three 880 horsepower units each supercharged to 1,100 horsepower, together with auxiliary equipment and piping, to be located at said storage pool X-58; *Provided; however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding with respect to said facilities pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: June 9, 1953.

Issued: June 10, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-5292; Filed, June 15, 1953;  
8:48 a. m.]

[Docket No. G-2161]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

On April 27, 1953, Cities Service Gas Company (Applicant) a Delaware corporation having its principal place of business at Oklahoma City, Oklahoma filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission, as fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 9, 1953 (18 F. R. 2724).

<sup>1</sup>Docket No. G-1952 was one of the proceedings consolidated with Docket No. G-1175 for purpose of hearing.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on June 24, 1953, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: June 9, 1953.

Issued: June 10, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-5281; Filed, June 15, 1953;  
8:47 a. m.]

[Docket No. G-2181]

PHILADELPHIA ELECTRIC CO.

NOTICE OF APPLICATION

JUNE 10, 1953.

Take notice that Philadelphia Electric Company (Applicant) a Pennsylvania corporation having its principal place of business at 1000 Chestnut Street, Philadelphia, Pennsylvania, filed on June 1, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain facilities for the transportation and sale of natural gas, all as hereinafter described.

The facilities which Applicant proposes to construct and operate consist of the following:

(a) Approximately 12,626 feet of 6½ inch O. D. main (the proposed main) in Chester County, Pennsylvania, extending in public highways known as Ridge Road and Schuylkill Road and Across private property from a point of proposed connection with the transmission main of Texas Eastern in East Vincent Township to a point of connection with the herebelow mentioned proposed service supply pipe at a point in said Schuylkill Road approximately 800 feet west of the boundary line between Schuylkill Township and the Borough of Phoenixville.

(b) Approximately 21 feet of 6½ inch O. D. service supply pipe, in Schuylkill Township, Chester County, extending from its point of connection with the proposed main to a metering and delivery point on the land of Phoenix Iron and Steel Company, together with appurtenant facilities.

The service to be rendered by Applicant by means of Applicant's proposed facilities is the transportation, sale and

delivery of straight natural gas, on an interruptible basis, to Phoenix Iron & Steel Company, Schuylkill Road, Schuylkill Township, Chester County, Pennsylvania.

Applicant estimates the cost of the facilities at \$109,392. Financing initially will be by Applicant out of its general funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of June, 1953.

The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 53-5293; Filed, June 15, 1953;  
8:49 a. m.]

### SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-1544, 7-1545, 7-1546]

FIRTH STERLING, INC., ET AL.

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 9th day of June A. D. 1953,

In the matter of application by the Pittsburgh Stock Exchange for unlisted trading privileges in Firth Sterling, Inc., Common Stock, \$2.50 Par Value, 7-1544, Raytheon Manufacturing Company, Common Stock, \$5 Par Value, 7-1545; Robertshaw-Fulton Controls Company, Common Stock, \$1 Par Value, 7-1546.

The Pittsburgh 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, \$2.50 Par Value, of Firth Sterling, Inc., registered and listed on the American Stock Exchange; the Common Stock, \$5 Par Value, of Raytheon Manufacturing Company, registered and listed on the New York Stock Exchange and on the Midwest Stock Exchange; and the Common Stock, \$1 Par Value, of Robertshaw-Fulton Controls Company, registered and listed 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 23, 1953, 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 Commis-

slon, 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. 53-5233; Filed, June 15, 1953;  
8:47 a. m.]

[File Nos. 7-1547, 7-1548]

CENTRAL AND SOUTH WEST CORP. AND PHILIP MORRIS AND CO., LTD., INC.

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 9th day of June A. D. 1953,

In the matter of application by the Philadelphia-Baltimore Stock Exchange for unlisted trading privileges in Central and South West Corp. Common Stock, \$5 Par Value, 7-1547; Philip Morris and Co., Ltd., Inc., Common Stock, \$5 Par Value, 7-1548.

The Philadelphia-Baltimore 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, \$5 Par Value, of Central and South West Corp., registered and listed on the Midwest Stock Exchange and on the New York Stock Exchange; and the Common Stock, \$5 Par Value, of Philip Morris and Co., Ltd., Inc., registered and listed 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 22, 1953, 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. 53-5234; Filed, June 15, 1953;  
8:47 a. m.]

[File No. 70-3055]

GULF POWER CO.

## SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER RESULTS OF COMPETITIVE BIDDING FOR FIRST MORTGAGE BONDS AND OVER FEES AND EXPENSES

JUNE 10, 1953.

Gulf Power Company ("Gulf") a public utility subsidiary of The Southern Company, a registered holding company, having filed a declaration, and amendments thereto, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder, regarding the issuance and sale, at competitive bidding, of \$7,000,000 principal amount of First Mortgage Bonds, ... Percent Series, due 1983; and

The Commission, by order dated May 26, 1953, having permitted the declaration, as amended, to become effective, subject to the condition, among others, that the proposed sale of bonds by Gulf should not be consummated until the results of competitive bidding, pursuant to Rule U-50, had been made a matter of record in this proceeding and a further order entered by the Commission in the light of the record so completely and jurisdiction having been reserved over the payment of all fees and expenses, including fees and expenses of counsel for the underwriters, incurred or to be incurred in connection with the proposed transactions; and

Gulf, on June 10, 1953, having filed a further amendment to its declaration setting forth the action taken by it to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids on the bonds, the following bids were received:

Bidder	Annual interest rate (percent)	Price to company (percent of principal)	Annual cost to company (percent)
Halsey, Stuart & Co., Inc.-Kligger, Peabody & Co., and White, Weld & Co.	4 3/8	100.55	4.0930
Merrill Lynch, Pierce, Fenner & Beane, Salomon Bros. & Hutzler, and Drexel & Co.	4 3/8	100.15	4.1163
Equitable Securities Corp.	4 1/4	101.90	4.1368
Union Securities Corp.	4 1/4	101.899	4.1389
	4 1/4	101.766	4.1466

<sup>1</sup> Exclusive of accrued interest from June 1, 1953.

The amendment further stating that Gulf has accepted the bid of Halsey, Stuart & Co., Inc., for the bonds, as set forth above, and that the bonds will be initially offered for sale to the public at a price of 101.295 percent of their principal amount, plus accrued interest from June 1, 1953, resulting in an underwriting spread of .745 percent of the principal amount of the bonds, or an aggregate of \$52,150; and

The record having been completed with respect to the fees and expenses incurred or to be incurred in connection with the proposed transactions, and it appearing that total fees and expenses to be paid by Gulf are estimated at \$53,671, including \$6,100 to Winthrop, Stimson, Putnam & Roberts, counsel for Gulf; \$600 to Milbank, Tweed, Hope & Hadley, coun-

sel for the Indenture Trustee; \$4,950 to The Chase National Bank of the City of New York, Indenture Trustee; \$5,000 to Arthur Anderson & Co., accountant; and \$7,000 to Southern Services, Inc., an affiliated mutual service company and it further appearing that the fee of Reid & Priest, counsel for the underwriters, which is to be paid by said underwriters, amounts to \$5,000; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said bonds, redemption prices thereof, the interest rate thereon and the underwriter's spread; and it appearing to the Commission that the fees and expenses are not unreasonable, provided they do not exceed the amounts estimated, and it appearing appropriate to the Commission, that the jurisdiction heretofore reserved over the results of competitive bidding, and over the payment of all fees and expenses incurred or to be incurred in connection with the proposed transactions be released:

*It is ordered*, That the declaration, as further amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and that the jurisdiction heretofore reserved over the results of competitive bidding, pursuant to Rule U-50, with respect to the sale of the bonds be, and the same hereby is, released.

*It is further ordered*, That the jurisdiction heretofore reserved over the payment of all fees and expenses, including fees and expenses of counsel for the underwriters, be, and the same hereby is, released, provided such fees and expenses do not exceed the amounts indicated above.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.[F. R. Doc. 53-5282; Filed, June 15, 1953;  
8:47 a. m.]

## UNITED STATES TARIFF COMMISSION

[Investigation No. 7]

## OATS

## NOTICE OF INVESTIGATION INSTITUTED AND HEARING SET

*Institution of investigation.* By direction of the President, dated June 6, 1953, and received by the United States Tariff Commission on June 10, 1953, the Commission, on the 10th day of June, 1953, instituted, and hereby gives notice of an investigation under section 22 of the Agricultural Adjustment Act, as amended, and Executive Order No. 7233 of November 23, 1935, for the purpose of determining whether oats, hulled or unhulled and unhulled ground oats are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective or materially interfere with the price-support program undertaken by the

United States Department of Agriculture with respect to oats pursuant to sections 301 and 401 of the Agricultural Act of 1949, or to reduce substantially the amount of products processed in the United States from domestic oats.

*Hearing.* All parties interested will be given opportunity to be present, to produce evidence, and to be heard at a public hearing to be held in the Tariff Commission Building, Eighth and E Streets NW., Washington, D. C., beginning at 10 a. m., e. d. s. t., on the 7th day of July 1953.

*Request to appear.* Interested parties desiring to appear at the public hearing should notify the Secretary of the Commission in writing at its offices in Washington, D. C., in advance of the hearing.

*Rules.* The Commission's rules of practice and procedure set forth in part 204 the rules governing investigations under section 22. Copies of these rules may be obtained from the United States Tariff Commission, Washington 25, D. C.

I hereby certify that the above investigation was instituted by the United States Tariff Commission on the 10th day of June 1953.

Issued: June 11, 1953.

[SEAL] DONN N. BENT,  
Secretary.[F. R. Doc. 53-5301; Filed, June 15, 1953;  
8:50 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28163]

LUMBER FROM PACIFIC COAST TERRITORY TO KEOKUK, IOWA

APPLICATION FOR RELIEF

JUNE 10, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W J. Prueter, Agent, for carriers parties to schedules listed below. Commodities involved: Lumber and related articles, carloads.

From: Pacific coast territory.

To: Keokuk, Iowa.

Grounds for relief: Competition with rail carriers, circuitous, to maintain grouping.

Schedules filed containing proposed rates: Alternate Agent C. J. Hennings ICC No. 1504, suppl. 157; Alternate Agent C. J. Hennings ICC No. 1545, suppl. 33.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary

relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-5246; Filed, June 12, 1953;  
8:48 a. m.]

[4th Sec. Application 28165]

SOYBEAN OIL FROM ILLINOIS, INDIANA, AND OHIO TO ST. ANDREWS AND PENNFIELD, N. B., CANADA

APPLICATION FOR RELIEF

JUNE 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by L. C. Schuldt, Agent, for carriers parties to schedule listed below.

Commodities involved: Soybean oil, carloads.

From: Points in Illinois, Indiana, and Ohio.

To: St. Andrews and Pennfield, N. B., Canada.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: L. C. Schuldt, Agent, ICC No. 4460, supl. 22.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-5294; Filed, June 15, 1953;  
8:49 a. m.]

[4th Sec. Application 28166]

SPODUMENE ORE FROM KINGS MOUNTAIN, N. C., TO BALTIMORE, MD.

APPLICATION FOR RELIEF

JUNE 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Spodumene ore, carloads.

From: Kings Mountain, N. C.

To: Baltimore, Md.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 1346, supl. 11.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-5295; Filed, June 15, 1953;  
8:49 a. m.]

[4th Sec. Application 28167]

FERTILIZER BETWEEN OFFICIAL AND SOUTHERN TERRITORIES

APPLICATION FOR RELIEF

JUNE 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. W. Boin, Agent, for carriers parties to schedules listed below.

Commodities involved: Fertilizer and fertilizer materials, carloads and less than carloads.

Between: Points in official and points in southern territories.

Grounds for relief: Competition with rail carriers, circuitous routes, market competition, to maintain grouping, to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. W. Boin, Agent, ICC No. A-984; C. A. Spaninger, Agent, ICC No. 1366.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission,

in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-5236; Filed, June 15, 1953;  
8:49 a. m.]

[4th Sec. Application 28163]

PAPER FROM SOUTH TO KANSAS

APPLICATION FOR RELIEF

JUNE 11, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Paper and paper articles, carloads.

From: Points in southern territory.

To: Points in Kansas.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping, to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 4027, supl. 21.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-5237; Filed, June 15, 1953;  
8:49 a. m.]

[M-83893]

WAIVE TARIFF RULES

POSTPONEMENT OF SUSPENDED MATTER

Permission under section 217 or 218 of Part II of the Interstate Commerce Act, to depart from the requirements of

the Commission's regulations governing the filing of tariffs and schedules of minimum charges. No. M-83800. Cancels No. M-22070.

*It is ordered,* That: 1. All carriers subject to the publishing rules contained in Tariff Circulars MF No. 3, MF No. 2 and MP No. 3, and their duly appointed agents are hereby authorized to publish the following provisions in supplements announcing suspension of the rates, fares and other provisions of tariffs and schedules:

If this supplement is not canceled on or before (here insert date to which suspended), the effective date of the above-described suspended publication or publications remaining under suspension until that date is hereby postponed to the date upon which this supplement is canceled. The rates, fares, charges, classifications, rules, regulations, practices, and other provisions, continued in force by the above-mentioned order of suspension, will apply during the period of suspension and postponement unless and until lawfully changed.

2. If the Commission has requested that the effective date of suspended matter be postponed beyond the period pre-

scribed by its order, or orders, of suspension, or beyond the date to which postponement has been made under the authority of this special permission, the carrier or publishing agent may within the period of suspension or postponement file a supplement making the requested postponement effective on statutory notice whenever practicable, but in no case on less than one day's notice.

3. When the Commission has found justified matter, the effective date of which is under postponement by authority of this permission, the carrier or publishing agent may within that period of postponement publish and file on not less than one day's notice, unless otherwise directed by the Commission, a supplement or revised page establishing the matter thus found justified.

*Provided,* That any supplement filed under this authority shall not include the announcement of suspension or postponement in more than one investigation and suspension docket.

*Provided further* That matter under suspension or postponement will be disposed of promptly and in accordance

with the decision of the Commission in the investigation and suspension proceeding.

*It is further ordered,* That publications filed under this authority must bear the following notation in conjunction with the particular matter to which this permission relates: "Tariff circular departure authorized by I. C. C. permission No. M-83800."

This permission does not, except as expressly indicated, waive or modify any outstanding formal order of the Commission, any of the requirements of its published rules relative to the construction and filing of tariffs or minimum schedules, nor any of the provisions of the Interstate Commerce Act. This permission shall continue in force and effect until otherwise ordered by the Commission.

Dated at Washington, D. C., this 8th day of June 1953.

By the Commission.

[SEAL]

GEORGE W LAIRD,  
*Acting Secretary.*

[F. R. Doc. 53-5298; Filed, June 15, 1953;  
8:50 a. m.]