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# FEDERAL REGISTER

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## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

##### SALARY RETENTION

1. Effective upon publication in the FEDERAL REGISTER, paragraphs (e) and (f) of § 25.103, Subpart B, are revoked.
2. Effective upon publication in the FEDERAL REGISTER, a new Subpart D is added as set out below.

##### SUBPART D—SALARY RETENTION RULES

- Sec.
- 25.401 Scope.
  - 25.402 Employee coverage.
  - 25.403 Definitions.
  - 25.404 Salary retention.
  - 25.405 Computation of service.
  - 25.406 Computation of retention period.
  - 25.407 Subsequent actions.
  - 25.408 General provisions.

**AUTHORITY:** §§ 25.401 to 25.408 issued under sec. 1101, 63 Stat. 971; 5 U. S. C. 1072.

##### SUBPART D—SALARY RETENTION RULES

§ 25.401 *Scope.* This subpart shall apply to salary retention in demotion actions.

**NOTE:** Paragraphs (e) and (f), § 25.103 have been revoked effective July 23, 1955. However, an employee having a saved rate thereunder shall retain such rate until he leaves his position.

§ 25.402 *Employee coverage.*—(a) *Employees covered.* At the discretion of his agency, the regulations in this subpart shall apply to an employee who is changed to a lower grade position under the Classification Act in which the maximum scheduled rate is less than his existing rate. The regulations are applicable without regard to whether the position from which he is changed is under the Classification Act.

(b) *Employees not covered.* The regulations in this subpart shall not apply to any employee who is demoted for personal cause, at his own request, or in a reduction in force. Further, they shall not apply to temporary, seasonal, intermittent or when actually employed (W. A. E.) employees, or to any employee hired on a fee, contract, or piece-work basis.

§ 25.403 *Definitions.* As used in this subpart, the term:

(a) "Existing rate" means the rate of basic compensation the employee would have received on the effective date of the demotion action had the demotion not taken place.

(b) "Retention period" means a period of 26 weeks or such longer period computed in accordance with the table under § 25.406, whichever is the greater.

§ 25.404 *Salary retention.* (a) Under the conditions set forth in § 25.402, an agency is authorized to save an employee's existing rate in a demotion action. An employee's saved rate shall be terminated at the expiration of his retention period. However, if one of the following actions occurs prior to the expiration of the retention period, his saved rate must be terminated at such time:

(1) He is demoted or reassigned for personal cause, at his own request, or in a reduction in force;

(2) He is changed to a new position which entitles him to a rate equal to or greater than his saved rate;

(3) He becomes entitled to a rate higher than his saved rate through entitlement to a longevity step increase which he earns in the grade to which he has been demoted;

(4) He is changed to a position not subject to the Classification Act of 1949, as amended; or

(5) He has a break in service of one workday or more.

§ 25.405 *Computation of service.* (a) For the purpose of determining the employee's retention period, the following service (including intervening service in public international organizations or military service in accordance with the provisions of Parts 26 and 35 of this chapter) shall be credited:

(1) Service in a Classification Act grade higher than the grade to which demoted; and

(2) Service in or under a department as defined in section 201 (a) of the Classification Act in a position not under the act at a salary rate higher than the maximum scheduled rate of the grade to which demoted.

(b) The above service shall be counted whether or not interrupted by a break in service, by service in a lower

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**Reprint Notice**

A reprint of the Federal Register dated April 8, 1955, is now available. This issue, containing a 57-page index of Federal laws and regulations relating to the retention of records by the public, is priced at 15 cents per copy.

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Classification Act grade, or by service at a lower rate in a position outside the act. Total periods of unpaid absence in excess of 26 weeks in any one calendar year shall be excluded in the computation of service toward the retention period.

§ 25.406 *Computation of retention period.* An employee's retention period shall be determined by computing his total creditable service and fixing the retention period in accordance with the following table:

RETENTION TABLE	
Creditable service	Retention period (weeks)
-3 years or less	20
Each additional year	8
For fractional part of a year:	
One quarter	2
Two quarters	4
Three quarters	6

Fractional periods of service less than a quarter shall be rounded off to the next higher quarter. In computing aggregate service (as distinguished from continuous service) a quarterly period shall consist of 91 calendar days.

*Example.* An employee whose aggregate service is 5 years, 8 months, and 27 days, retains his salary rate for a period of 48 weeks based on the above table. At the termination of his retention period, he is then paid an appropriate rate for his new grade, in accordance with existing regulations.

§ 25.407 *Subsequent actions.* If, upon further demotion of an employee receiving a saved rate, the agency determines that the regulations in this subpart are to be applied, his second retention period shall be computed beginning with the date of his subsequent demotion. However, in any case he shall retain his first saved rate until the termination of the original retention period. Upon termination of the origi-

nal retention period, the employee shall be given a saved rate based on the maximum scheduled rate of the grade of the position to which originally demoted for the remainder of his second retention period.

§ 25.408 *General provisions*—(a) *Step increases.* An employee is eligible to earn longevity step increases only in the grade to which demoted or regraded, and not in the grade from which he derives his saved rate.

(b) *Classification action.* When a determination is made that the employee's position should be regraded or allocated to a lower grade, prompt classification action shall be taken to place the position in the proper grade. A determination must be made by the agency at that time whether it will elect to retain the employee's existing rate.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F. R. Doc. 55-5992; Filed, July 22, 1955; 8:49 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter III—Farmers Home Administration, Department of Agriculture

#### Subchapter B—Farm Ownership Loans

#### PART 332—PROCESSING INITIAL LOANS

#### Subchapter D—Soil and Water Conservation Loans

#### PART 352—PROCESSING LOANS TO INDIVIDUALS

#### FARM OWNERSHIP AND SOIL AND WATER CONSERVATION LOANS TO CONTRACT PURCHASERS ON RECLAMATION PROJECTS

Parts 332 and 352 of this chapter (20 F. R. 3667, 20 F. R. 1967) are hereby amended to add a new § 332.15 and revise § 352.7 as follows:

§ 332.15 *Farm Ownership loans to contract purchasers on Reclamation projects*—(a) *General.* This section provides policies and procedure to be followed on the Columbia Basin Reclamation Project in Washington and on the Wellton-Mohawk Division of the Gila Project in Arizona in making insured and direct Farm Ownership loans to individuals who are contract purchasers of land from the Bureau of Reclamation.

(1) *Cooperation between the Department of Agriculture and the Department of the Interior.* The making of loans pursuant to this section will be facilitated through the cooperation of the Farmers Home Administration and the Bureau of Reclamation.

(2) *National Office consideration.* A loan application within the intent of, but not specifically covered by, this section will be submitted to the National Office for consideration.

(b) *Policies.* Existing Farm Ownership policies and loan approval authorities will be followed in processing loans to such contract purchasers with the following modifications: Farm Enlargement, Farm Development and Building Improvement loans may be made to con-

tract purchasers who receive a deed to the farm from the Bureau of Reclamation at or before the time of loan closing. Such loans will be secured by a first real estate mortgage. Loans to contract purchasers will include sufficient funds for essential farm buildings, land development, water facilities, and other improvements needed to put the farm in livable and operable condition at the outset, and, when necessary, to provide for refinancing the following:

(1) The unpaid balance under the purchase contract owed to the Bureau of Reclamation;

(2) The unpaid balance of any purchase contract or other lien on any portion of the farm unit acquired by the applicant from parties other than the Bureau of Reclamation in accordance with the provisions of paragraph 9 of the purchase contract with the Bureau of Reclamation;

(3) Any mortgage or other agreement creating a lien on improvements placed on the farm in accordance with paragraph 11 of the purchase contract with the Bureau of Reclamation;

(4) Any construction or operation and maintenance charges, or irrigation district charges against the land which are due at the time of loan closing;

(5) The outstanding balance of any land leveling contract which is necessary to assure that the Government will obtain a first mortgage on the farm unit; and

(6) Any taxes legally assessed against the farm which are due at the time of loan closing.

(7) If any items other than those specified are desired to be refinanced, the prior approval of the National Office will be required on an individual case basis.

(c) *Loan processing.* Farm Ownership loan docketts will be prepared and processed in accordance with the provisions of the applicable procedures with the following modifications:

(1) *Consent by Bureau of Reclamation.* Written consent of the Bureau of Reclamation will be obtained prior to the making of the proposed loan.

(2) *Supplemental information on applicant.* At the time of making application for a Farm Ownership loan, the contract purchaser may be required to authorize the Farmers Home Administration to secure from the Bureau of Reclamation any available information concerning his application for a purchase contract and which may be used by the Farmers Home Administration in determining his eligibility and qualifications for the loan.

(3) *Land leveling contracts.* When there is an outstanding land leveling contract, a copy of such contract will be included in the loan docket and marked for return to the County Supervisor.

(4) *Purchase contracts.* The County Supervisor will obtain from the applicant a copy of the purchase contract.

(d) *Loan closing.* Existing Farm Ownership procedures will be followed in the closing of these loans.

(e) *Property insurance.* Property insurance will cover the interests of the United States as they may appear under the Farm Ownership mortgage and the purchase contract.

(Sec. 6, 50 Stat. 870; 16 U. S. C. 590w. Interpret or applies sec. 1, 63 Stat. 833, sec. 2, 50 Stat. 893; 7 U. S. C. 1006a, 16 U. S. C. 590s)

§ 352.7 *Soil and Water Conservation loans to contract purchasers on Reclamation projects*—(a) *General.* This section outlines the policies and procedures to be followed on the Columbia Basin Reclamation project in Washington and on the Wellton-Mohawk Division of the Gila Project in Arizona in making insured and direct Soil and Water Conservation loans which are to be secured by real estate to individuals who are contract purchasers of land from the Bureau of Reclamation.

(1) *Cooperation between the Department of Agriculture and the Department of the Interior.* The making of loans pursuant to this section will be facilitated through the cooperation of the Farmers Home Administration and the Bureau of Reclamation.

(2) *National Office consideration.* A loan application within the intent of, but not specifically covered by, this section will be submitted to the National Office for consideration.

(b) *Policies.* Existing Soil and Water Conservation policies and loan approval authorities will be followed in processing loans to such contract purchasers with the following modifications: Soil and Water Conservation loans may be made to contract purchasers from the Bureau of Reclamation for all authorized purposes even though a deed to the farm has not been obtained; provided:

(1) The applicant is not in default under his purchase contract, including, but not limited to:

(i) Delinquency on either principal or interest on the purchase contract, or delinquency on taxes, assessments, or irrigation district charges or assessments against his farm unit.

(ii) Default by reason of his failure to meet the residence requirements stated in his purchase contract, or his failure to be in a position to meet such residence requirements within the period prescribed in his purchase contract, either because he lacks the funds, a satisfactory source of credit, or the prospective farm income necessary to make the improvements in order to fulfill the residence requirements.

(2) His credit needs for farm development purposes, in order to place his farm unit in an operable and livable condition, can be met adequately under the Soil and Water Conservation and the Production and Subsistence loan programs.

(c) *Loan processing.* Soil and Water Conservation loan docketts will be prepared and processed in accordance with the provisions of the applicable procedures with the following modifications:

(1) *Consent by Bureau of Reclamation.* Written consent of the Bureau of Reclamation will be obtained prior to the making of the proposed loan.

(2) *Supplemental information on applicant.* At the time of making application for a Soil and Water Conservation loan, the contract purchaser may be required to authorize the Farmers Home Administration to secure from the Bureau of Reclamation any available information concerning his application for

[Lemon Reg. 599]

a purchase contract and which may be used by the Farmers Home Administration in determining his eligibility and qualifications for the loan.

(3) *Land leveling contracts.* When there is an outstanding land leveling contract, a copy of such contract will be included in the loan docket and marked for return to the County Supervisor.

(4) *Purchase contracts.* The County Supervisor will obtain from the applicant a copy of the purchase contract.

(d) *Loan closing.* Existing Soil and Water Conservation procedures will be followed in the closing of these loans, except that:

(1) The applicant will have filed for record in the County Recorder's office the purchase contract entered into with the Bureau of Reclamation on Bureau of Reclamation Form No. 300-137, approved 5-26-53.

(2) Form FHA-185-., "Real Estate Mortgage by Contract Purchaser in \_\_\_\_\_ (Direct Soil and Water Conservation Loan)" for direct loans, and Form FHA-444-., "Real Estate Mortgage by Contract Purchaser in \_\_\_\_\_ (Insured Soil and Water Conservation Loan)" for insured loans, will be used in securing such Soil and Water Conservation loans to contract purchasers on these Reclamation projects.

(e) *Property insurance.* Property insurance will cover the interests of the United States as they may appear under the Soil and Water Conservation mortgage and the purchase contract.

(Sec. 6, 50 Stat. 870; 16 U. S. C. 590w. Interprets or applies sec. 1, 63 Stat. 883, sec. 2, 50 Stat. 869; 7 U. S. C. 1006a, 16 U. S. C. 590s)

Dated: July 19, 1955.

[SEAL] R. B. McLEALSH,  
Administrator,  
Farmers Home Administration.

[F. R. Doc. 55-5970; Filed, July 22, 1955;  
8:45 a. m.]

## TITLE 7—AGRICULTURE

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

[Valencia Orange Reg. 46]

#### PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### LIMITATION OF HANDLING

§ 922.346 *Valencia Orange Regulation 46—(a) Findings.* (1) Pursuant to Order No. 22 (19 F. R. 1741) regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective March 31, 1954, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as

hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Valencia Orange Administrative Committee held an open meeting on July 21, 1955, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order* (1) The quantity of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., July 24, 1955, and ending at 12:01 a. m., P. s. t., July 31, 1955, is hereby fixed as follows:

- (i) District 1. Unlimited movement;
- (ii) District 2: 531,300 boxes;
- (iii) District 3: Unlimited movement.

(2) Valencia oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(3) As used in this section, "handled," "handler," "boxes," "District 1," "District 2," and "District 3," shall have the same meaning as when used in said order.

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

Dated: July 22, 1955.

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

[F. R. Doc. 55-6051; Filed, July 22, 1955;  
11:40 a. m.]

#### PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### LIMITATIONS OF SHIPMENTS

§ 953.706 *Lemon Regulation 599—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 19 F. R. 7175; 20 F. R. 2913), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on July 20, 1955, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., July 24, 1955, and

ending at 12:01 a. m., P. s. t., July 31, 1955, is hereby fixed as follows:

(i) District 1: Unlimited movement;  
 (ii) District 2: 450 carloads;  
 (iii) District 3: Unlimited movement.  
 (2) As used in this section, "handled," "carloads," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: July 21, 1955.

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

[F. R. Doc. 55-6035; Filed, July 22, 1955; 8:55 a. m.]

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### Subchapter G—Voluntary Inspection and Certification Service

#### PART 156—INSPECTION AND CERTIFICATION OF ANIMAL BYPRODUCTS

Pursuant to sections 203 and 205 of the Agricultural Marketing Act of 1946 (7 U. S. C. 1622 and 1624) regulations providing for inspection and certification of the class, quality, quantity, and condition of animal byproducts, upon request of interested persons, are hereby promulgated to appear in 9 CFR Part 156, as follows:

Sec.

- 156.1 Meaning of words.
- 156.2 Definitions.
- 156.3 Kind of service; records.
- 156.4 Application for service.
- 156.5 Availability of service.
- 156.6 Certificates.
- 156.7 Fees and charges.
- 156.8 Refusal of service; denial or withdrawal of service.

**AUTHORITY:** §§ 156.1 to 156.8 issued under sec. 205, 60 Stat. 1090; 7 U. S. C. 1624. Interpret or apply sec. 203, 60 Stat. 1087; 7 U. S. C. 1622.

§ 156.1 *Meaning of words.* Words used in this part in the singular form shall import the plural, and vice versa, as the case may demand.

§ 156.2 *Definitions.* For the purposes of this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) *Department.* The United States Department of Agriculture.

(b) *Administrator.* The Administrator of the Agricultural Research Service of the Department, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(c) *Chief.* The Chief, Animal Inspection and Quarantine Branch of the Agricultural Research Service of the Department, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(d) *Inspector.* Any officer or employee of the Department or cooperating agency authorized to perform any duties under a cooperative agreement at any plant furnished service under this part.

(e) *Inspector in charge.* An inspector of the Department assigned by the Chief to supervise, review, and perform official work pertaining to a plant furnished service under this part.

(f) *Person.* Any individual, corporation, company, association, firm, partnership, society, joint stock company, or other form of organization.

(g) *Applicant.* Any person who requests service under this part.

(h) *Animal byproducts.* Any inedible part, or combination of inedible parts, of carcasses of livestock or poultry, processed by cooking, curing, drying, or other methods acceptable to the trade, including but not limited to tankage, blood meal, bones, bone meal, hides, skins, wool, and hair.

(i) *Cooperative agreement.* An agreement, between the Department and some other Federal or State agency, board of trade, chamber of commerce, or other agency, association, organization, person, or corporation as provided for in section 205 of the Agricultural Marketing Act of 1946 (7 U. S. C. 1624), to conduct cooperatively service under this part.

§ 156.3 *Kind of service; records.* Laws, regulations or other requirements of foreign countries and specifications of contracts for the purchase and sale of animal byproducts, on occasion require vendors of such byproducts to furnish official certificates concerning the class, quality, quantity, or condition of such byproducts to be imported into such countries or to be delivered under the contracts. The service under this part, shall consist of the inspection of the processing, handling, and storage of the byproducts at any plant at which service is furnished and the certification, on the basis of such requirements of foreign countries or such contract specifications, of the class, quality, quantity, or condition of such of the byproducts as are found to conform to such requirements or specifications as the case may be. Processing procedures will be actually supervised. The operator of the plant shall fully inform the inspector with respect to, and the inspector shall actually observe, the processing procedures, handling, and storage of the byproducts intended for certification. The inspector shall keep such records of the temperatures reached, the duration of time the temperatures are maintained, and the pounds of pressure under which the byproducts are cooked in the course of processing, and such other information, as are needed to justify the issuance of the certificates required.

§ 156.4 *Application for service.* Any person who is eligible under a cooperative agreement to receive service under this part may apply therefor to the Chief, upon an application form which will be furnished by the Chief upon request. The application form shall require the applicant to state, among other things, the forms of certificates desired.

§ 156.5 *Availability of service.* Subject to § 156.8, service under this part will be furnished, upon application, within the limits of available Department personnel and facilities, at any plant the operator of which applies for or endorses the application for the service if the Chief finds that: the forms of certificates desired by the applicant require the certification of class, quality, quantity, or condition; the plant and its methods of processing, handling and storage of the byproducts intended for certification are adequate to warrant the issuance of the desired certificates; service is to be furnished under a cooperative agreement; and the requirements of § 156.7 are met.

§ 156.6 *Certificates.* The inspector shall sign and issue certificates in forms approved by the Chief for animal byproducts inspected in accordance with this part, if he finds that the requirements as stated in the certification have been met. The original and one copy of each certificate shall be furnished to the applicant, and one copy of each certificate shall be retained by the Department until disposal is authorized in accordance with law. Additional copies may be furnished the applicant at his request upon payment of the fees prescribed in § 156.7. Copies of the certificates may be furnished without charge to other properly interested Federal agencies or under compulsory process.

§ 156.7 *Fees and charges.* Fees and charges for service (including travel and other expenses incurred in connection with the furnishing of service) under this part shall be paid by the applicant in accordance with the terms of the cooperative agreement under which service is furnished and in accordance with this section which shall be deemed to be incorporated in such agreement. If required by the Administrator, the fees and charges shall be paid in advance. Since the fees and charges are for the purpose of reimbursing the Department for all costs incurred in connection with the furnishing of service under this part, the appropriate fees and charges to cover any such costs shall be paid even though service is withheld pursuant to § 156.8.

§ 156.8 *Refusal of service; denial or withdrawal of service.* (a) Service under this part will be refused if the conditions stated in §§ 156.5 and 156.6 are not met.

(b) Service under this part may be withdrawn from, or denied to, any applicant by the Administrator, for such period as the Administrator may prescribe, when the Administrator is satisfied, after opportunity for hearing before a proper official has been accorded the applicant, that the applicant or other operator of the plant where service has been or would be furnished under the application, or the agent or employee of such applicant or operator within the scope of his employment, has persistently failed to give the inspector full and correct information with respect to the processing procedures, handling, and storage of animal byproducts intended for certification or certified; or has given to any employee of the Department false

information in connection with service under this part; or has altered or imitated any certificate, mark, or device provided for under this part; or has used any such certificate, mark, or device without authority from the Chief, or any imitation of any such certificate, mark, or device, on or with respect to any animal byproducts; or has knowingly and without promptly notifying the Chief retained possession of any such device or imitation thereof or altered or imitation certificate or of any animal byproducts marked with any such device without authority from the Chief or marked with any imitation of such device; or has given or attempted to give, for any purpose whatsoever, any money, favor, or other thing of value, to any employee of the Department authorized to perform any function under this part; or has interfered with or obstructed, or attempted to interfere with or to obstruct, any employee of the Department in or with respect to the performance of his duties under this part by intimidation, threats, assaults, or any other improper means. The inspector assigned to any plant may suspend service at such plant for any of the reasons set forth in this paragraph, without hearing, and in that event shall report his actions to the Chief, and the Chief may continue such suspension or otherwise deny or suspend service at any plant for any of such reasons, without hearing, pending final disposal of the matter under this paragraph.

(c) All final orders in any proceeding to deny or withdraw the service for any of the reasons set forth in paragraph (b) of this section (except orders required for good cause to be held confidential and not cited as precedents) shall be filed with the Hearing Clerk of the Department and be available to public inspection.

The heading for Subchapter G of Chapter I, Title 9, Code of Federal Regulations is hereby changed to read as set forth above.

The foregoing regulations provide for a voluntary service which will facilitate the marketing of animal byproducts. Numerous requests for the institution of such service, have been received. In order to be of maximum benefit to persons desiring the service, the regulations should be made effective as soon as possible. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the regulations are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making the regulations effective less than thirty days after their publication in the FEDERAL REGISTER.

NOTE: The reporting and record keeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

The foregoing regulations shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 19th day of July 1955.

[SEAL] M. R. CLARKSON,  
Acting Administrator,  
Agricultural Research Service.

[F. R. Doc. 55-5994; Filed, July 22, 1955; 8:50 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 6282]

#### PART 13—DIGEST OF CEASE AND DESIST ORDERS

FABRICON CO.

Subpart—*Advertising falsely or misleadingly*: § 13.15 *Business status, advantages, or connections*: Individual or corporate business as association or guild; § 13.55 *Demand, business, or other opportunities*; § 13.60 *Earnings*; § 13.85 *Government approval, action, connection, or standards*: States; § 13.170 *Qualities or properties of product or service*; § 13.205 *Scientific or other relevant facts*. Subpart—*Using misleading name*—Vendor: § 13.2395 *Individual or corporate business as association or guild*. In connection with the offering for sale, sale, and distribution of courses of instruction in reweaving in commerce: (1) Representing directly or by implication: (a) That it is easy to learn reweaving, or that one can become an expert reweaver by taking respondent's course of instruction, unless it is restricted to the patch or overlay method of reweaving and unless it is disclosed that anyone, taking said course of instructions must have normal use of hands, good eyesight with or without glasses, and is temperamentally disposed to learn reweaving; (a) that opportunities for employment as a reweaver are greater than they are in fact; (c) that the typical or potential earnings for persons completing respondent's course of instruction are greater than they are in fact; (d) that respondent's course of instruction has been approved by any number of the States of the United States unless such is the fact; and (2) using the name "Fabricon Invisible Reweavers Guild" or any other name of similar import to designate, describe, or refer to any organization of reweavers not composed of persons qualified to do commercial reweaving and which organization is not operated by its members for their mutual aid and benefit; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, William Bogolub d. b. a. Fabricon Company, Chicago, Ill., Docket 6282, July 6, 1955]

*In the Matter of William Bogolub, an Individual Doing Business as Fabricon Company*

This proceeding was heard by Frank Hier, hearing examiner, upon the complaint of the Commission which charged respondent, engaged in the sale and distribution in commerce of a course of

study and instruction designed to prepare students thereof for work as commercial reweavers, with making certain misrepresentations in connection with the offer and sale of their course, and upon a stipulation between the parties, which was filed with the Commission and which provided for the entry of a consent order.

By the terms of said stipulation, respondent admitted all the jurisdictional allegations set forth in the complaint; stipulated that the record in the matter might be taken as if the Commission had made findings of jurisdictional facts in accordance with such allegations; stipulated that the agreement was for settlement purposes only and did not constitute an admission by respondent that he had violated the law and respondent expressly withdrew his answer previously filed in the matter and waived a hearing before the hearing examiner or the Commission; the making of findings of fact or conclusions of law; the filing of exceptions or oral argument before the Commission and all other and further procedure before the hearing examiner and the Commission to which respondent might be entitled under the Federal Trade Commission Act or the Rules of Practice of the Commission.

Respondent further agreed in said stipulation that the order to be entered should have the same force and effect as if made after a full hearing, presentation of evidence and findings and conclusions thereon, and specifically waived any and all right, power, or privilege to challenge or contest the validity of the order entered in accordance with the stipulation, and said stipulation further provided that it, together with the complaint, might be used in construing the terms of the aforementioned order, which order might be altered, modified, or set aside in a manner provided by statute for the orders of the Commission, and further provided that it was subject to approval in accordance with Rules V and XXII (presently §§ 3.21 and 3.25) of the Commission's Rules of Practice, and that said order should have no force and effect unless and until it became the order of the Commission.

Thereafter said hearing examiner made his initial decision in which he set forth the aforesaid facts, and his conclusion, on the basis thereof, that the proceeding was in the public interest, and that the stipulation formed an appropriate disposition of the proceeding, and, in conformity with the action contemplated and agreed upon by said stipulation, issued his order to cease and desist.

Thereafter said initial decision, including said order, as announced and decreed by "Decision of the Commission and Order To File Report of Compliance", dated June 27, 1955, became, on July 6, 1955, pursuant to § 3.21 of the Commission's rules of practice, the decision of the Commission.

Said order to cease and desist is as follows:

*It is ordered*, That respondent, William Bogolub, an individual doing business as

<sup>1</sup> New.

Fabricon Company, or under any other name, his agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of courses of instruction in reweaving in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication:

(a) That it is easy to learn reweaving, or that one can become an expert reweaver by taking respondent's course of instruction, unless it is restricted to the patch or overlay method of reweaving and unless it is disclosed that anyone taking said course of instructions must have normal use of hands, good eyesight with or without glasses, and is temperamentally disposed to learn reweaving.

(b) That opportunities for employment as a reweaver are greater than they are in fact.

(c) That the typical or potential earnings for persons completing respondent's course of instruction are greater than they are in fact.

(d) That respondent's course of instruction has been approved by any number of the States of the United States unless such is the fact.

2. Using the name "Fabricon Invisible Reweavers Guild" or any other name of similar import to designate, describe or refer to any organization of reweavers not composed of persons qualified to do commercial reweaving and which organization is not operated by its members for their mutual aid and benefit.

By said "Decision of the Commission" etc., report of compliance was required as follows:

*It is ordered*, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: June 27, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 55-5999; Filed, July 22, 1955; 8:51 a. m.]

[Docket 6326]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

UNIVERSAL WOOL BATTING CORP. AND JACOB LOUIS

Subpart—*Misbranding or mislabeling*: § 13.1190 *Composition*. *Wool Products Labeling Act*: § 13.1325 *Source or origin*. *Maker or seller, etc.*. *Wool Products Labeling Act*. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure*: § 13.1845 *Composition*. *Wool Products Labeling Act*; § 13.1900 *Source or origin*: *Wool Products Labeling Act*. In connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale,

transportation, or distribution in commerce, of batts or battings or other "wool products" as such products are defined in and are subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool" or "reused wool", as such terms are defined in said Act, misbranding such products by: 1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers included therein; 2. failing to securely affix to or place on each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner: (a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; (c) the name or the registered identification number of the manufacturer of such wool product, or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution, or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939; prohibited subject to the proviso, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by Paragraphs (a) and (b) of Section 3 of the Wool Products Labeling Act of 1939; and to the further provision that nothing contained in the order shall be construed as limiting any applicable provisions of said Act or the Rules and Regulations promulgated thereunder.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, *secs. 2-5, 54 Stat. 1128-1130; 15 U. S. C. 45, 68-68c*) [Cease and desist order, Universal Wool Batting Corp. et al., New York, N. Y., Docket 6326, July 1, 1955]

*In the Matter of Universal Wool Batting Corp., a Corporation; and Jacob Louis, Individually, and as an Officer of Said Corporation*

This proceeding was heard by James A. Purcell, hearing examiner, upon the complaint of the Commission which charged respondents with violating the provisions of the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, through misbranding certain wool products, including, among other things, wool batts or battings, falsely labeled as "80% Reused Wool, 20% Cotton & Rayon or Other Fibers" and "80% Reused Wool, 20% Other Fibers", when in fact the merchandise consisted of substantially less quantities of reused wool and greater quantities of non-woolen fibers; and upon a stipulation for consent order disposing of all the issues of the proceeding, which was entered into by respondents with counsel supporting

the complaint following the filing of their formal answer, and which was submitted, pursuant thereto, to the hearing examiner.

Said stipulation set forth that respondents admitted all of the jurisdictional allegations set forth in the complaint and agreed that the record in the matter might be taken as if the hearing examiner and the Commission had made findings of jurisdictional facts in accordance therewith; that all parties agreed that the formal answer filed in the matter be withdrawn from record; that respondents expressly waived a hearing before the hearing examiner or the Commission; the making of findings of fact or conclusions of law by the hearing examiner or the Commission; and the filing of exceptions and oral argument before the Commission and all other and further procedure before the hearing examiner and the Commission to which the said respondents might otherwise be entitled under the provisions of the aforesaid acts and the rules of practice of the Commission.

Said stipulation provided further that it was executed for settlement purposes only and did not constitute an admission by said respondents that they had violated the law as alleged in the complaint; that respondents agreed that the order contained in the stipulation should have the same force and effect as if made after full hearing, presentation of evidence, and findings and conclusions thereon, specifically waived any and all right, power, or privilege to challenge or contest the validity of the order entered in accordance with said stipulation, and agreed that said stipulation, together with the complaint, should constitute the entire record in the proceeding and that the complaint in the matter might be used in construing the terms of the order to be entered, which might be altered, modified, or set aside in the manner provided by the statute for the orders of the Commission.

Thereafter said hearing examiner made his initial decision in which he set forth his conclusion in view of the aforesaid facts, and that the order embodied in said stipulation was identical with the order nisi accompanying the complaint, that acceptance thereof would effectively safeguard the public interest; and, pursuant to the express terms and provisions of said stipulation, found that the proceeding was in the public interest, accepted said stipulation for consent order, and issued order to cease and desist.

Thereafter said initial decision, including said order, as announced and decreed by "Decision of the Commission and Order To File Report of Compliance", dated June 20, 1955, became, on July 1, 1955, pursuant to § 3.21 of the Commission's rules of practice, the decision of the Commission.

Said order to cease and desist is as follows:

*It is ordered*, That respondent Universal Wool Batting Corp., a corporation, and its officers, and respondent Jacob Louis, individually, and as an officer of said corporation, and respondents' representatives, agents and employees, di-

## TITLE 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

#### PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

##### REMITTANCE OF REGISTRATION FEE

By virtue of the authority vested in the Secretary of Agriculture under the Commodity Exchange Act as amended (7 U. S. C. 1-17a) §§ 1.11 and 1.12 of the regulations promulgated under the said act (17 CFR 1.11, 1.12) are amended by deleting "Treasurer of the United States" in each of the said sections and substituting in lieu thereof "Commodity Exchange Authority, U. S. D. A."

(Sec. 8a, as added by sec. 10, 49 Stat. 1500; 7 U. S. C. 12a)

This amendment will operate to substitute the Commodity Exchange Authority—United States Department of Agriculture, for the Treasurer of the United States as the payee of checks, bank drafts, and money orders drawn in payment of registration fees or fees for duplicate registration certificates.

This amendment is primarily concerned with a matter of agency procedure and will not adversely affect the public. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and public procedure on the said amendment are impracticable and unnecessary, and that the amendment should be made effective less than 30 days after publication in the FEDERAL REGISTER.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Issued this 20th day of July 1955.

[SEAL]

EARL L. BUTZ,  
Acting Secretary.

[F. R. Doc. 55-5995; Filed, July 22, 1955; 8:50 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53849]

#### PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

##### ARTICLES EXPORTED FOR EXHIBITION OR SCIENTIFIC OR EDUCATIONAL PURPOSES; FREE ENTRY

In order to simplify the customs clearance of articles exported temporarily and imported under the provisions of paragraph 1815, Tariff Act of 1930, as amended, or section 194 or 195, title 19, United States Code, §§ 10.66 and 10.67 of the Customs Regulations are amended as follows:

1. Section 10.66 is amended by deleting the citation of authority at the end of paragraph (b) and by adding a new paragraph as follows:

§ 10.66 *Articles exported for temporary exhibition and returned, procedure on entry.* \* \* \*

(c) If, prior to the exportation of articles claimed to be exempt from duty under 19 U. S. C. 194 or 19 U. S. C. 195, an application on customs Form 4455 (accompanied by an appropriate inventory, when required by law or by the collector or appraiser) was filed with a declaration thereon that any right to drawback of customs duties with respect to that shipment was waived, and that any internal-revenue tax due has been paid and no refund thereof will be sought, and the merchandise was identified, registered, and exported in accordance with the regulations set forth in § 10.8 (d) (f) (g), and (h) governing the exportation of articles sent abroad for repairs, such articles may be returned free of duty without formal entry, without regard to the requirements of paragraphs (a) and (b) of this section, upon the filing of said duplicate customs Form 4455 (with accompanying inventory, if one was required), and a declaration of the importer on customs Form 3329.

(29 Stat. 122, 30 Stat. 1372; 19 U. S. C. 194, 195)

2. Section 10.67 is amended by deleting the citation of authority at the end of paragraph (b) and by adding a new paragraph as follows:

§ 10.67 *Articles exported for scientific or educational purposes and returned, procedure on entry.* \* \* \*

(c) If, prior to the exportation of articles claimed to be exempt from duty under paragraph 1815, Tariff Act of 1930, as amended, an application on customs Form 4455 (accompanied by an appropriate inventory when, in the discretion of the collector or appraiser, such inventory is deemed necessary) was filed and the merchandise was identified, registered, and exported in accordance with the regulations set forth in § 10.8 (d), (f), (g), and (h) governing the exportation of articles sent abroad for repairs, such articles may be returned for the account of the exporter free of duty without formal entry, without regard to the requirements of paragraphs (a) and (b) of this section, upon the filing of the duplicate customs Form 4455 (with accompanying inventory if one was required), and a declaration of the ultimate consignee in substantially the form set forth in paragraph (a) (3) of this section.

(Par. 1815, sec. 201, 46 Stat. 672, as amended; 19 U. S. C. 1201, par. 1815)

[SEAL]

RALPH KELLY,  
Commissioner of Customs.

Approved: July 15, 1955.

H. CHAPMAN ROSE,  
Acting Secretary of the Treasury.

[F. R. Doc. 55-5989; Filed, July 22, 1955; 8:49 a. m.]

rectly or through any corporate or other device in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of batts or battings or other wool products," as such products are defined in and are subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as such terms are defined in said Act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling or adulterating matter.

(c) The name or the registered identification number of the manufacturer of such wool product, or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

*Provided*, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and

*Provided further* That nothing contained in this order shall be construed as limiting any applicable provisions of said Act or the Rules and Regulations promulgated thereunder.

By said "Decision of the Commission" etc., report of compliance was required as follows:

*It is ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 20, 1955.

By the Commission.

[SEAL]

ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 55-5998; Filed, July 22, 1955; 8:51 a. m.]

**TITLE 42—PUBLIC HEALTH**

**Chapter I—Public Health Service,  
Department of Health, Education,  
and Welfare**

**PART 21—COMMISSIONED OFFICERS**

**SUBPART C—APPOINTMENT**

PROVISIONS APPLICABLE BOTH TO REGULAR AND RESERVE CORPS; SUBMISSION OF DOCUMENTARY EVIDENCE OF QUALIFICATIONS

Section 21.22 (b) of Subpart C is amended to read as follows:

(b) *Documentary evidence.* The application shall be accompanied by such documentary evidence as may be required by the Surgeon General.

(Sec. 215, 58 Stat. 690; 42 U. S. C. 216)

[SEAL] LEONARD A. SCHEELE,  
*Surgeon General.*

Approved: July 18, 1955.

OVETA CULP HOBBY,  
*Secretary.*

[F. R. Doc. 55-5971; Filed, July 22, 1955;  
8:45 a. m.]

**TITLE 43—PUBLIC LANDS:  
INTERIOR**

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

**Appendix C—Public Land Orders**

[Public Land Order 1188].

[Arizona 06110]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE BUREAU OF PUBLIC ROADS AS A MATERIAL SITE AND ACCESS ROAD

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

Subject to valid existing rights, the following-described public lands within the Tonto National Forest in Arizona are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and the mineral-leasing laws, and reserved for use of the Bureau of Public Roads, Department of Commerce, as a material site and access road:

GILA AND SALT RIVER MERIDIAN

T. 10 N., R. 10 E.,  
Sec. 3, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
Sec. 4, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The tracts described contain 40 acres.

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

ORME LEWIS,  
*Assistant Secretary of the Interior.*

JULY 19, 1955.

[F. R. Doc. 55-5972; Filed, July 22, 1955;  
8:45 a. m.]

[Public Land Order 1169]

[Oregon 03801]

[Colorado 010589]

COLORADO AND OREGON

RESERVATION OF LANDS WITHIN NATIONAL FORESTS AS CAMP GROUNDS AND A RECREATION AREA

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

Subject to valid existing rights, the following-described public lands within the national forests hereinafter designated are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as camp grounds and a recreation area as indicated:

COLORADO—NEW MEXICO PRINCIPAL MERIDIAN

SAN ISABEL NATIONAL FOREST

[Colorado 010589]

*North Fork Lake Camp Grounds*

T. 50 N., R. 6 E.,  
Sec. 4, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Sec. 5, NE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate 110 acres.

SIXTH PRINCIPAL MERIDIAN

ARAPAHO NATIONAL FOREST

*Blue River Camp Ground*

T. 4 S., R. 78 W.,  
Sec. 4, lots 4, 5, 12, 13, 14, 20;  
Sec. 9, lot 14.

The tracts described contain 220.12 acres.

OREGON—WILLAMETTE MERIDIAN

SISKIYOU NATIONAL FOREST

[Oregon 03801]

*Rainie Falls Recreation Area*

T. 34 S., R. 8 W.,  
Sec. 2, lots 1 to 8 incl., S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ .

The areas described aggregate 395.5 acres.

This order shall be subject to existing withdrawals for other than national forest purposes so far as they affect any of the above-described lands, and shall take precedence over, but not otherwise affect the existing reservation of the lands for national forest purposes.

ORME LEWIS,  
*Assistant Secretary of the Interior.*

JULY 19, 1955.

[F. R. Doc. 55-5973; Filed, July 22, 1955;  
8:45 a. m.]

[Public Land Order 1190]

[Misc. 2074394]

CALIFORNIA

PARTIAL REVOCATION OF CERTAIN EXECUTIVE ORDERS CREATING PUBLIC WATER RESERVES

By virtue of the authority vested in the President by Section 1 of the act of

June 25, 1910 (36 Stat. 847; 43 U. S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The orders described below, withdrawing public lands as public water reserves, are hereby revoked so far as they affect the hereinafter described lands:

(a) The Executive order of January 24, 1914, creating Public Water Reserve No. 14, California No. 2, as construed by Departmental Interpretation No. 113 of January 4, 1930:

SAN BERNARDINO MERIDIAN

T. 11 S., R. 10 E.,  
Sec. 2, NE $\frac{1}{4}$ .  
T. 10 $\frac{1}{2}$  S., R. 11 E.,  
Sec. 6, lots 10 and 11, E $\frac{1}{2}$ SW $\frac{1}{4}$ .

The areas described aggregate 320 acres.

(b) The Executive order of April 17, 1926, creating Public Water Reserve No. 107 (Public Water Interpretation No. 209).

SAN BERNARDINO MERIDIAN

T. 11 S., R. 10 E.,  
Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described aggregates 40 acres.

The lands are withdrawn for reclamation purposes by Departmental order of October 19, 1920, in connection with the Yuma Project.

ORME LEWIS,  
*Assistant Secretary of the Interior.*

JULY 19, 1955.

[F. R. Doc. 55-5974; Filed, July 22, 1955;  
8:46 a. m.]

[Public Land Order 1191]

[Misc. 2034551]

WASHINGTON

MODIFYING PUBLIC LAND ORDER NO. 1067 OF FEBRUARY 9, 1955

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Public Land Order No. 1067 of February 9, 1955, reserving lands for use of the Department of the Air Force for aviation purposes, is hereby modified to the extent necessary to permit the granting of a right-of-way under Section 2477, U. S. Revised Statutes (43 U. S. C. 932) to the State of Washington for the construction of a highway, designated Secondary State Highway No. 11 G, Jct. P. S. H. No. 18 to Ephrata Wye, Grant County, as delineated on sheets 15 and 16 of 29 sheets comprising the map of such highway, on file in the Bureau of Land Management at Washington, D. C. (Misc. 66050), over and across the following-described lands:

WILLAMETTE MERIDIAN

T. 20 N., R. 28 E.,  
Sec. 30, lot 3 and E $\frac{1}{2}$ SW $\frac{1}{4}$ .

The area described contains 118.70 acres.

ORME LEWIS,  
*Assistant Secretary of the Interior.*

JULY 19, 1955.

[F. R. Doc. 55-5975; Filed, July 22, 1955;  
8:46 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### Subchapter F—Alaska Commercial Fisheries

##### PART 108—KODIAK AREA

##### MISCELLANEOUS AMENDMENTS

*Basis and purpose.* On the basis of strong early pink salmon runs and good escapements throughout the Kodiak area, it has been determined that the midseason closed period can be eliminated without jeopardizing the runs if coupled with slightly increased weekly closed periods.

Therefore, effective immediately upon publication in the FEDERAL REGISTER:

1. Section 108.3 is amended in the proviso by changing "August 1" to "July 26, 1955."

2. For 1955 only, §§ 108.3a, 108.3b, 108.3c, 108.4, 108.5 and 108.5a are amended in text by changing "July 23" to "August 13" and by deleting from each the redundant phrase, "from 6 o'clock antemeridian August 1 to 6 o'clock postmeridian August 13."

3. A new section designated § 108.5b is added to read as follows:

§ 108.5b *Weekly closed period.* Prior to August 13, 1955, the weekly closed

period is extended to include the period from 6 o'clock postmeridian Saturday to 6 o'clock antemeridian Tuesday.

Since immediate action is necessary, notice and public procedure on this amendment are impracticable (60 Stat. 237, 5 U. S. C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

Dated: July 21, 1955.

ARNIE J. SUOMELA,  
Acting Director

[F. R. Doc. 55-6038; Filed, July 22, 1955;  
9:34 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Agricultural Marketing Service

##### [7 CFR Part 941]

[Docket No. AO-101-A19]

#### HANDLING OF MILK IN CHICAGO, ILL., MARKETING AREA

##### DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Chicago, Illinois, on May 9 and 10, 1955, pursuant to notice thereof which was issued on May 2, 1955 (20 F. R. 3027)

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Agricultural Marketing Service, June 29, 1955 (20 F. R. 4688) filed with the Hearing Clerk, United States Department of Agriculture, a recommended decision with respect to certain issues, and an opportunity to file written exception thereto.

The material issues, findings and conclusions, and general findings of the recommended decision (20 F. R. 4688; F. R. Doc. 55-5333) are hereby approved and adopted as the findings and conclusions of this decision as if set forth in full herein, except as follows:

1. On page 4688 delete the third paragraph in column 3.

2. On page 4690, in the second full paragraph beginning in column 2, delete the sentences, "Opportunity for consideration of the related provisions of the order on this basis will be provided in the hearing on July 5, 1955, as set forth in a supplemental notice of hearing. Accordingly, no action is taken at this time on the proposal to eliminate the 70-cent differential" and substitute the following: "Opportunity for consideration of the related provisions of the order on this basis was given at a hearing beginning

July 5, 1955, pursuant to notice thereof issued June 28, 1955, (20 F. R. 4690) Accordingly, action on the proposal to eliminate the 70-cent differential is reserved for a further decision."

*Rulings on exceptions.* In arriving at the findings and conclusions included in this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions herein are at variance with the exceptions, such exceptions are overruled.

*Determination of representative period.* The month of March 1955 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Chicago, Illinois, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

*Marketing agreements and orders.* Annexed hereto and made a part hereof are documents entitled, respectively, "Marketing agreement regulating the handling of milk in the Chicago, Illinois, marketing area," and "Order amending the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

*It is hereby ordered.* That all of this decision except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

Issued at Washington, D. C., this 20th day of July 1955.

[SEAL]

EARL L. BUTZ,  
Acting Secretary of Agriculture.

Order<sup>1</sup> Amending the Order, as Amended, Regulating the Handling of Milk in the Chicago, Illinois, Marketing Area

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at each hearing and the record thereof, it is found that:

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

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in

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

the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

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

*Order relative to handling.* It is therefore ordered, that on and after the effective date hereof the handling of milk

in the Chicago, Illinois, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended, as follows:

1. Amend § 941.51 by adding paragraph (d) as follows:

(d) If the current supply-demand ratio is greater or less than the current supply-demand ratio computed by the market administrator during the third delivery period immediately preceding, add or subtract the difference respectively to or from the percentage computed pursuant to paragraph (c) of this section. The result is the "adjusted

supply-demand ratio" and if the current supply-demand ratio does not differ from that computed during the third delivery period preceding, the current supply-demand ratio shall be the "adjusted supply-demand ratio".

2. Amend § 941.52 (a) (1) by deleting the words "current supply-demand ratio" and the words "supply-demand ratio" and substitute therefor in both instances the words "adjusted supply-demand ratio."

3. In § 941.52 (a) (1) delete the words "3 cents" and substitute the words "2 cents."

[F. R. Doc. 55-5933; Filed, July 22, 1955; 8:50 a. m.]

## NOTICES

### CIVIL AERONAUTICS BOARD

[Docket No. 7301]

OZARK AIRLINES, INC.

#### NOTICE OF PREHEARING CONFERENCE

In the matter of an investigation into whether the public convenience and necessity require the certification of Ozark Airlines, Inc. to provide air transportation between Peoria, Illinois and Fort Dodge, Iowa, via the intermediate points Galesburg, Illinois, Burlington, Ottumwa and Des Moines, Iowa.

Notice is hereby given that a prehearing conference in the above-entitled application is assigned to be held on July 29, 1955, at 10:00 a. m. (eastern daylight saving time) in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., July 20, 1955.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner

[F. R. Doc. 55-5997; Filed, July 22, 1955; 8:51 a. m.]

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

##### ALASKA

#### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JULY 15, 1955.

Department of the Army has filed an application, Serial No. Anchorage 030489, for the withdrawal of the lands described below, from all forms of appropriation including the mining and mineral leasing laws. The applicant desires the land for classified purposes for the Alaska Communications System.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

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

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

The lands involved in the application are:

U. S. Survey 3263: Lot 4 of Tract A, 4.87 acres; Tract B, 4.01 acres; Tract C, 22.93 acres; and Tract D, 0.04 acre; a total of 31.85 acres, located approximately 5 miles north of Juneau, Alaska.

ROGER R. ROBINSON,  
Acting Area Administrator

[F. R. Doc. 55-5990; Filed, July 22, 1955; 8:49 a. m.]

##### ALASKA

#### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JULY 15, 1955.

Territorial Department of Lands has filed an application, Serial No. Anchorage 030441, for the withdrawal of the lands described below, from all forms of appropriation including the mining laws. The applicant desires the land for public service sites for public recreational and camp ground needs.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior.

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

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

The lands involved in the application are:

##### SEAWARD MERIDIAN

T. 16 N., R. 3 W.,

Section 3: that portion of E½E½ of Lot 5.

Containing approximately 7.5 acres.

T. 17 N., R. 2 W.,

Section 8: Lot 10.

Containing 4.32 acres.

T. 18 N., R. 3 W.,

Section 35: Lot 3.

Containing 16.24 acres.

T. 18 N., R. 3 W.,

Section 25: that portion of the SE¼SE¼ NW¼ above mean high water.

Containing approximately 7.5 acres.

Aggregating a total of approximately 40 acres.

ROGER R. ROBINSON,  
Acting Area Administrator.

[F. R. Doc. 55-5991; Filed, July 22, 1955; 8:49 a. m.]

### DEPARTMENT OF AGRICULTURE

#### Office of the Secretary

##### FARMERS HOME ADMINISTRATION

#### ASSIGNMENT OF FUNCTIONS WITH RESPECT TO SPECIAL LIVESTOCK LOAN AND SPECIAL EMERGENCY LOAN PROGRAMS

Pursuant to authority contained in section 161, Revised Statutes (5 U. S. C. 22) and Reorganization Plan No. 2 of 1953, sections 1400e, 1400p and 1401a (8) of the Secretary's Order of December 24, 1953 (19 F. R. 74) as amended, are hereby further amended so as to assign to the Farmers Home Administration the functions and responsibilities with respect to making and servicing Special Livestock loans under Public Law 115, 83d Congress, as amended by Public Law 166, 84th Congress, and Special Emergency loans under Public Law 727, 83d Congress, as amended by Public Law 117, 84th Congress, and to reserve to the Secretary the area designation authority contained in said Public Law 727. Such amendments are accomplished by revising sections 1400e, 1400p and 1401a (8) to read as follows:

**SEC. 1400. Assignment of Functions.**

e. The Special Livestock Loan Program (Pub. Law 115, 83d Congress, Pub. Law 166, 84th Congress).

p. The Special Emergency Loan Program (Pub. Law 727, 83d Congress, Pub. Law 117, 84th Congress)

**SEC. 1401. Reservations—*a. Reservations to the Secretary:***

(8) The designation of areas in which Special Emergency loans may be made (Pub. Law 727, 83d Congress, Pub. Law 117, 84th Congress)

Done at Washington, D. C., this 20th day of July 1955.

[SEAL] EARL L. BUTZ,  
*Acting Secretary.*

[F. R. Doc. 55-5996; Filed, July 22, 1955; 8:51 a. m.]

**FEDERAL POWER COMMISSION**

[Docket No. E-6610]

CENTRAL MAINE POWER CO.

**NOTICE OF FINDINGS AND ORDER**

JULY 18, 1955.

Notice is hereby given that on July 5, 1955, the Federal Power Commission issued its findings and order adopted June 29, 1955, in the above-entitled matter, directing Central Maine Power Company to apply for a license under the provisions of the Federal Power Act within ninety (90) days from the date of issuance of this order.

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

[F. R. Doc. 55-5976; Filed, July 22, 1955; 8:46 a. m.]

[Docket Nos. G-4564, G-4582, G-4583, G-4585, G-4586, G-4602, and G-4603]

SOHIO PETROLEUM CO.

**NOTICE OF FINDING AND ORDER**

JULY 18, 1955.

Notice is hereby given that on July 1, 1955, the Federal Power Commission issued its findings and order adopted June 29, 1955, issuing certificates of public convenience and necessity in the above-entitled matters, and severing proceedings in Docket No. G-4582.

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

[F. R. Doc. 55-5977; Filed, July 22, 1955; 8:46 a. m.]

[Docket No. G-8623]

PHILLIPS PETROLEUM CO.

**NOTICE OF ORDER MAKING PROPOSED RATE CHANGES EFFECTIVE UPON FILING OF UNDERTAKING TO ASSURE REFUND OF EXCESS CHARGES**

JULY 18, 1955.

Notice is hereby given that on July 1, 1955, the Federal Power Commission issued its order adopted June 29, 1955,

making effective proposed rate changes upon filing of undertaking to assure refund of excess charges in the above-entitled matter.

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

[F. R. Doc. 55-5978; Filed, July 22, 1955; 8:46 a. m.]

[Docket No. G-8633]

KIO OIL & DEVELOPMENT CO.

**NOTICE OF ORDER MAKING PROPOSED RATE CHANGES EFFECTIVE UPON FILING OF BOND TO ASSURE REFUND OF EXCESS CHARGES**

JULY 18, 1955.

Notice is hereby given that on July 1, 1955, the Federal Power Commission issued its order adopted June 29, 1955, making effective proposed rate changes upon filing of bond to assure refund of

Description	Purchaser	Rate schedule designation	Date effective <sup>1</sup>
Notice of change, dated June 16, 1955.	Northern Natural Gas Co...	Supplement No. 2 to Applicant's F. P. C. Gas Rate Schedule No. 2.	July 21, 1955

<sup>1</sup> The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Applicant if later.

Supplement No. 2 to Applicant's F. P. C. Gas Rate Schedule No. 2 includes a proposed change effective September 1, 1955, in Texas gas production tax, as well as a proposed periodic increase in rates for gas sold.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, insofar only as the designated supplement pertains to a periodic increase in rates for gas sold, and that the above-designated supplement to that extent be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in Sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges, and, pending such hearing and decision thereon, the above-designated supplement, insofar only as it pertains to proposed periodic increase in rates for gas sold, be and the same hereby is suspended and the use thereof deferred until December 21, 1955, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37) of

excess charges in the above-entitled matter.

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

[F. R. Doc. 55-5979; Filed, July 22, 1955; 8:46 a. m.]

[Docket No. G-9146]

SHAMROCK OIL & GAS CORP

**ORDER SUSPENDING PROPOSED CHANGES IN RATES**

Shamrock Oil & Gas Corporation (Applicant) on June 20, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing which is proposed to become effective on the date shown:

the Commission's rules of practice and procedure.

Adopted: July 13, 1955.

Issued: July 19, 1955.

By the Commission.<sup>1</sup>

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

[F. R. Doc. 55-5983; Filed, July 22, 1955; 8:48 a. m.]

[Docket Nos. E-6586, E-6523]

SOUTHEASTERN POWER ADMINISTRATION,  
DEPARTMENT OF THE INTERIOR

**NOTICE OF ORDER CONFIRMING AND APPROVING RATES AND CHARGES**

JULY 19, 1955.

In the matters of United States Department of the Interior Southeastern Power Administration, Docket No. E-6586; John H. Kerr Project and Philpott Project, Docket No. E-6523.

Notice is hereby given that on July 5, 1955, the Federal Power Commission issued its order adopted June 30, 1955, confirming and approving rates and charges in the above-entitled matters.

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

[F. R. Doc. 55-5984; Filed, July 22, 1955; 8:48 a. m.]

[Docket No. G-2503]

TEXAS EASTERN TRANSMISSION CORP.

**NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

JULY 19, 1955.

Notice is hereby given that on July 1, 1955, the Federal Power Commission

<sup>1</sup> Commissioner Digby dissenting.

issued its order adopted June 30, 1955, in the above-entitled matter, amending order issuing certificate of public convenience and necessity authorizing Texas Eastern Transmission Corporation to construct a 30-inch pipeline instead of the 24-inch pipeline.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 55-5985; Filed, July 22, 1955;  
8:48 a. m.]

[Docket Nos. G-1116, etc.]

PANHANDLE EASTERN PIPE LINE CO. ET AL.  
ORDER FIXING DATE FOR ORAL ARGUMENT

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417, G-1725, G-1754, and G-2101, City of Port Huron, City of Marysville, City of St. Clair, Michigan municipal corporations, Docket No. G-1152; Southeastern Michigan Gas Company, Michigan Consolidated Gas Company, Docket No. G-1415; Complainant v. Panhandle Eastern Pipe Line Company, Defendant, Docket No. G-1379; Northern Indiana Fuel and Light Company, Docket Nos. G-1457 and G-2234; Missouri Central Natural Gas Company, Docket No. G-1509; The Central West Utility Company, Docket No. G-1616; Michigan Gas Utilities Company, Docket No. G-1625; City of Auburn, Illinois, Docket No. G-1659.

Panhandle Eastern Pipe Line Company on July 6, 1955, filed a request for oral argument before the Commission with respect to exceptions to the Presiding Examiner's decision issued June 7, 1955, in the above-entitled proceedings. The Commission orders:

(A) Oral argument be had before the Commission September 7, 1955, at 10:00 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved and the issues presented in these proceedings.

(B) Each party to the proceeding desiring to participate in the oral argument shall notify the Secretary of the Commission on or before August 26, 1955, of such intention and of the amount of time requested for presentation of its argument.

Adopted: July 8, 1955.

Issued: July 19, 1955.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 55-5986; Filed, July 22, 1955;  
8:48 a. m.]

[Docket No. G-9033]

MICHAELIS DRILLING CO.

NOTICE OF APPLICATION AND DATE OF  
HEARING

JULY 19, 1955.

Take notice that Michaelis Drilling Company (Applicant) a partnership, whose address is 1019 East Second Street,

Wichita, Kansas, filed on June 13, 1955, an application for itself and the Aladdin Petroleum Corporation, William Graham Oil Company, Harry J. Williams and J. R. Maxfield for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to produce natural-gas from the Keller Gas Unit and the Ellsaesser Gas Unit, Hugoton Field in Finney and Haskell Counties, Kansas, and to sell it in interstate commerce to Colorado Interstate Gas Company for resale.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 19, 1955, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure.

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 August 8, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 55-5987; Filed, July 22, 1955;  
8:48 a. m.]

[Docket No. G-9137]

MID-ATLANTIC OIL & GAS CO.

NOTICE OF APPLICATION AND DATE OF  
HEARING

JULY 19, 1955.

Take notice that Mid-Atlantic Oil & Gas Company (Applicant) a Pennsylvania corporation with a principal place of business in Pittsburgh, Pennsylvania, filed on July 15, 1955, an application for permission to abandon by sale to New York State Natural Gas Corporation three gas wells together with facilities appurtenant thereto located in Daugherty Lease, Sandbach Lease, and Furick Lease, pursuant to Section 7 of the Natural Gas Act, subject to the jurisdiction of the Commission, all as more fully represented in the application which is

on file with the Commission and open for public inspection.

The application recites that there will not be an abandonment or curtailment of any service and that New York State Natural Gas Corporation will continue to produce natural gas from these wells. The result of the abandonment proposed here is simply to effect a change in ownership of the gas wells referred to.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 9, 1955, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure.

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 July 27, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 55-5988; Filed, July 22, 1955;  
8:48 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3401]

CONSOLIDATED NATURAL GAS CO. ET AL.

NOTICE OF FILING REGARDING ISSUANCE AND  
SALE OF SHORT-TERM NOTES TO BANKS BY  
PARENT, AND BY SUBSIDIARIES AND ACQUI-  
SITION THEREOF BY PARENT

JULY 19, 1955.

In the matter of Consolidated Natural Gas Company, The East Ohio Gas Company, Hope Natural Gas Company, New York State Natural Gas Corporation.

Notice is hereby given that Consolidated Natural Gas Company ("Consolidated"), a registered holding company, and three of its wholly owned subsidiaries, The East Ohio Gas Company ("East Ohio"), Hope Natural Gas Company ("Hope"), and New York State Natural Gas Corporation ("New York State") have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"). Applicants-declarants have designated sections 6 (a), 7, 9 (a), 10 and 12 (f) of the Act and Rules U-43 and U-45 promul-

gated thereunder as applicable to the proposed transactions, which are summarized as follows:

Consolidated proposes to borrow from one or more banks on one or more dates after August 15, 1955, and prior to December 31, 1955, an aggregate principal amount of \$8,000,000 upon its unsecured promissory note or notes at an interest rate of 3 percent per annum, such notes to have a maturity date of not more than 12 months from the first date of borrowing of funds.

Consolidated proposes to loan to East Ohio, Hope and New York State, after August 15, 1955, an aggregate principal amount of \$9,500,000 upon the non-negotiable notes of such companies, bearing an interest rate of 3 percent per annum and having a maturity date on or before the date of maturity of the Consolidated notes. It is expected that Consolidated will supply \$1,500,000 from its general funds and the balance of \$8,000,000 will be obtained from the proposed bank loans.

The principal amounts to be loaned to each of the subsidiaries are as follows:

East Ohio-----	\$3,000,000
Hope-----	2,000,000
New York State-----	4,500,000
Total-----	9,500,000

It is represented that the funds thus to be obtained by the subsidiaries are needed for additions to gas storage inventories, for increases in plant construction budgets and for other reasons as follows:

Further additions to gas storage inventories made possible by additional gas supply available-----	\$4,400,000
Increases in plant construction budgets for the balance of the year-----	3,600,000
Other changes in cash position--	1,500,000
	9,500,000

The increases in plant budget items consist principally of \$1,300,000 for distribution system mains and services of East Ohio to provide for a further increase in new customers, mostly house-heating customers, resulting in large part from home construction at a higher level than was expected; and of \$1,800,000 for the initial phase of the replacement and enlargement of a portion of New York State's main transmission system required by the expected increased demands of its customers during the coming winter season.

According to the filing it is anticipated that the sale of gas from storage during the coming winter season will provide \$4,500,000 in funds with which the subsidiaries will repay a part of the above described loans and the balance not so repaid will be included in plans for the system's 1956 financing program.

Applicants-declarants state that the Public Service Commission of West Virginia has jurisdiction over the proposed issuance of notes by Hope. Applicants-declarants further state that no fees, commissions and expenses are to be paid in connection with the proposed transactions.

Applicants-declarants request that the Commission's order herein be issued and

become effective on or before August 10, 1955.

Notice is further given that any interested person may, not later than August 8, 1955, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the Rules and Regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100 or take such other action as it deems appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 55-5980; Filed, July 22, 1955;  
8:47 a. m.]

[File No. 812-899]

REAL SILK HOSIERY MILLS, INC.

NOTICE OF FILING OF APPLICATION FOR ORDER  
DECLARING THAT COMPANY IS NOT INVESTMENT  
COMPANY

JULY 19, 1955.

Notice is hereby given that Real Silk Hosiery Mills, Inc. ("Real Silk") Indianapolis, Indiana, has filed an application pursuant to Section 3 (b) (2) of the Investment Company Act of 1940 ("Act") for an order declaring it to be primarily engaged in a business other than that of investing, reinvesting, owning, holding, or trading in securities.

The application states that Real Silk is, and has been for a number of years, engaged in the business of manufacturing and merchandising hosiery. During the past few years Real Silk has expanded its products to include other women's wear and men's and children's wear. Some of these items Real Silk manufactures in its own plants; others it buys and resells. Real Silk, since 1951, has been curtailing its wholesale operations and manufacturing activity. It presently has a manufacturing plant in Mississippi and a processing plant in Indiana.

The application states that Real Silk employs directly between 600 and 700 persons, approximately one-half of whom are engaged in manufacturing and related operations and the balance in distribution. In addition, some 4000 to 5000 persons are engaged in selling applicant's products on a full or part-time basis. Sales are conducted from some eighty branch sales offices located in the major cities of the United States and Hawaii. For the year 1954 gross sales amounted to \$7,696,636.

In connection with the curtailment of Real Silk's manufacturing operations, it

has liquidated part of its plant and equipment and from this source, plus reduction in inventories and other sources, it has received large amounts of cash not immediately useful in its operations. The application states that after exploring the possibilities of purchasing other going businesses it was decided that Real Silk's capital could be better employed by investment in securities. Accordingly in September 1953, its charter was changed to permit it to invest in securities. Since that time, Real Silk has purchased various corporate securities, and at February 28, 1955, it had invested in securities the amount of \$2,023,000 which securities had a market value at that date of \$2,950,000. The application states that Real Silk's investments exceed 40 percent of its assets on an unconsolidated basis and that it falls within the definition of an investment company contained in section 3 (a) (3) of the act.

The application states that the applicant's investment activities have been almost entirely conducted by its president and vice-president, that no investment counselors or advisers have been employed, nor has its president or vice-president received special or additional compensation for their investment activities. For the year 1954, Real Silk received \$119,224 in interest and dividends on its portfolio and realized capital gains of \$45,783 on sales of securities. It is estimated that total expenses incurred in connection with the investment activities of the company, including custodian fees and allocation of salaries and expenses, are estimated at \$15,000 annually. The application further states that the company has "no present intention of holding at any time investments securities with a total cost in excess of \$3,000,000 and seeks exemption on that basis."

Section 3 (b) (2) of the act, inter alia, excepts from the definition of an investment company contained in section 3 (a) (3) any issuer which the Commission finds, and by order declares to be primarily engaged in a business other than investing, reinvesting, owning, holding, or trading in securities.

Notice is further given that any interested person may, not later than August 3, 1955, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the Rules and Regulations promulgated under the Act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 55-5981; Filed, July 22, 1955;  
8:47 a. m.]

[File No. 24D-1238]

## SAN JUAN URANIUM CORP.

## ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

JULY 19, 1955.

I. San Juan Uranium Corporation, 219 Fidelity Building, Oklahoma City, Oklahoma, having filed with the Commission on March 18, 1954 a Notification on Form 1-A relating to a proposed public offering of 599,000 shares of its common stock, one cent par value, at 50 cents per share for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and regulation A promulgated thereunder; and

II. The Commission having reasonable cause to believe:

A. That an exemption under regulation A was not available to San Juan Uranium Corporation in that the aggregate offering price of the securities offered exceeded the limitation of \$300,000 prescribed by Rule 217 (a) for an issuer, its predecessors and affiliates under the following circumstances:

San Juan Uranium Corporation and Arkansas Minerals, Inc. are affiliated in that said companies at the time of the commencement of the offering by San Juan Uranium Corporation were, and at the present time are, under common control.

Arkansas Minerals, Inc., filed a Notification on Form 1-A under Regulation A with the Commission on August 14, 1953, for a public offering of \$295,500 of its stock, and thereafter on September 11, 1953, said offering was commenced and continued until the unsold portion of the offering was withdrawn on June 25, 1954.

San Juan Uranium Corporation commenced its offering under its Notification on April 9, 1954, within one year of the commencement of said offering by Arkansas Minerals, Inc.

B. That the terms and conditions of Regulation A had not been complied with by San Juan Uranium Corporation in respect of its Notification, in that said Notification and the offering circular, filed as a part thereof and as amended,

contained untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly, among others, with respect to:

1. The failure to disclose said affiliation between Arkansas Minerals, Inc. and San Juan Uranium Corporation and pertinent information in connection therewith;

2. The statements identifying the persons who were in control of the issuer and were its promoters, when, in fact, they were not, and the failure to identify the persons who were in fact in control of the issuer;

3. The failure to identify the persons for whom the assignor of the property was acting;

4. The statements concerning the amount of consideration to be paid for the assignment of the properties transferred to San Juan Uranium Corporation, and the persons to whom such consideration was to be paid;

5. The failure to disclose the existence of a contract which provided for the distribution to the disclosed and undisclosed promoters of the consideration to be paid for the assignment of such properties.

6. The failure to disclose that the proceeds of the sale of stock were to be used for purposes other than those set out in the offering circular;

7. The statements that a designated person is to receive a finder's fee as compensation for locating the mineral deposit and enabling the Corporation to acquire its lease and option to lease, when, in fact, he did not perform any such activities and had no connection with, or interest in, the location or acquisition of such properties.

C. That the terms and conditions of Regulation A have not been complied with in that the issuer failed to file, as required by Rule 221, sales literature sent or given to the stockholders of San Juan Uranium Corporation, and in that such sales literature contained untrue statements of material facts and failed to state material facts necessary in order to make the statements made in the light of the circumstances under which they

are made, not misleading, particularly with respect to the equipment acquired by the issuer and the progress made on its properties.

D. That the offering by San Juan Uranium Corporation operated as a fraud or deceit upon the purchasers in that, in addition to the foregoing, the proceeds of the sale of stock of the offering were used for purposes other than those set out in the offering circular, including, among others, the use of the proceeds to defray the personal expenses of one of the promoters of the issuer, to make advances to such promoter and to finance the promotion of a corporation controlled by such promoter.

It is ordered, Pursuant to Rule 223 (a) of the General Rules and Regulations under the Securities Act of 1933 that the exemption under Regulation A be, and it hereby is, suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

It is further ordered, That this Order and Notice shall be served upon San Juan Uranium Corporation, E. W. Whitney, P. O. Box 600, Wewoka, Oklahoma, Moran & Co., 10 Commerce Court, Newark, New Jersey, Registrar and Transfer Company, 15 Exchange Place, Jersey City, New Jersey, personally or by registered mail or by confirmed telegraphic notice, and shall be published in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[P. R. Doc. 55-5282; Filed, July 22, 1955; 8:47 a. m.]

