

Washington, Saturday, November 19, 1955

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture
 [Navel Orange Reg. 61]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.361 *Navel Orange Regulation 61—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 19 F. R. 2941) regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, 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 Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel 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 Navel Orange Administrative Committee held an open meeting on November 17, 1955, after giving due notice thereof, to consider supply and market conditions for navel 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 navel 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 navel 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., November 20, 1955, and ending at 12:01 a. m., P. s. t., November 27, 1955, is hereby fixed as follows:

- (i) District 1: 244,088 cartons;
 - (ii) District 2: Unlimited movement;
 - (iii) District 3: Unlimited movement;
 - (iv) District 4: Unlimited movement.
- (2) Navel 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," "District 1," "District 2," "District 3," and "District 4" have the same meaning as when used in said amended marketing agreement and order; and "carton" means the standard one-half orange, grapefruit, or lemon box set forth as standard container number 58 in section 828.83, as amended, of the Agricultural Code of California.

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

Dated: November 18, 1955.

[SEAL] **S. R. SMITH,**
*Director, Fruit and Vegetable
 Division, Agricultural Marketing Service.*

[F. R. Doc. 55-9392; Filed, Nov. 18, 1955; 11:35 a. m.]

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[Grapefruit Reg. 231]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.753 *Grapefruit Regulation 231—*

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, 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 recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than November 21, 1955. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 21, 1955; the recommendation and supporting information for continued regulation subsequent to November 20, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; 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 hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., November 21, 1955, and ending at 12:01 a. m., e. s. t., December 5, 1955, no handler shall ship:

(i) Any seeded grapefruit, grown in the State of Florida, which are not mature and do not grade at least U. S. No. 1 Russet;

(ii) Any seedless grapefruit, grown in Regulation Area I, which are not mature and do not grade at least U. S. No. 1 Russet;

(iii) Any seedless grapefruit, grown in Regulation Area II, which are not mature and do not grade at least U. S. No. 2;

(iv) Any seedless grapefruit, grown in Regulation Area II, which are mature and which grade U. S. No. 2 or U. S. No. 2 Bright unless such seedless grapefruit (a) are in the same container with seedless grapefruit which grade at least U. S. No. 1 Russet and (b) are not in excess of 50 percent, by count, of the number of all seedless grapefruit in such container;

(v) Any seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vi) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler," "ship," "Growers Administrative Committee," "Regulation Area I," and "Regulation Area II," shall have the same meaning as when used in said amended marketing agreement and order; the terms "U. S. No. 1 Russet," "U. S. No. 2," "U. S. No. 2 Bright," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title), and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, Chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (Chapters 25149 and 28090) and also by section 601.18, as amended on June 2, 1955 (Chapter 29760).

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

Dated: November 16, 1955.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 55-9336; Filed, Nov. 18, 1955;
8:53 a. m.]

[Orange Reg. 285]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.754 *Orange Regulation 285—*

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, 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 recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than November 21, 1955. Shipments of all oranges, except Temple oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 21, 1955; the recommendation and supporting information for continued regulation subsequent to November 20, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., November 21, 1955, and ending at 12:01 a. m., e. s. t., December 5, 1955, no handler shall ship:

(i) Any oranges, including Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than 2¹/₁₆ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum,

RULES AND REGULATIONS

diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title, 20 F. R. 7205) *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2\frac{1}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{4}{16}$ inches in diameter and smaller.

(2) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet" shall have the same meaning as when used in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title, 20 F. R. 7205)

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

Dated: November 16, 1955.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 55-9335; Filed, Nov. 18, 1955;
8:53 a. m.]

[Tangerine Reg. 162]

PART 933—ORANGES, GRAPEFRUIT, AND
TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.755 *Tangerine Regulation 162—*

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, 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 recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than November 21, 1955. Ship-

ments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 21, 1955; the recommendation and supporting information for continued regulation subsequent to November 20, 1955, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 15; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; 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 time hereof.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., November 21, 1955, and ending at 12:01 a. m., e. s. t., November 28, 1955, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1 Russet; or

(ii) Any tangerines, grown in the State of Florida, that are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2} \times 9\frac{1}{2} \times 19\frac{1}{8}$ inches; capacity 1,726 cubic inches)

(2) During the period beginning at 12:01 a. m., e. s. t., November 28, 1955, and ending at 12:01 a. m., e. s. t., December 5, 1955, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1 Russet; or

(ii) Any tangerines, grown in the State of Florida, that are of a size smaller than $2\frac{1}{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of tangerines smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title)

(3) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet" and "standard pack" shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title)

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

Dated: November 16, 1955.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 55-9334; Filed, Nov. 18, 1955;
8:52 a. m.]

[Lemon Reg. 616]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

LIMITATIONS OF SHIPMENTS

§ 953.723 *Lemon Regulation 616—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 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 November 16, 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,

[Amdt. 65]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area and control zone alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.1391 is added to read:

§ 601.1391 *Control area extension (Gettysburg, Pa.)* That airspace within a 5-mile radius of the Gettysburg Airport and within 5 miles either side of the 180° True radial of the Gettysburg terminal omnirange extending from the terminal omnirange station to VOR civil airway No. 223.

2. Section 601.6223 is added to read:

§ 601.6223 *VOR Civil Airway No. 223 control areas (Herndon, Va., to Harrisburg, Pa.)* All of VOR Civil Airway No. 223.

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., November 20, 1955, and ending at 12:01 a. m., P. s. t., November 27, 1955, is hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 162,750 cartons;
- (iii) District 3: 13,950 cartons.

(2) As used in this section, "handled," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order; and "carton" means the standard one-half orange, grapefruit or lemon box set forth as standard container number 58 in section 828.83, as amended, of the Agricultural Code of California.

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

Dated: November 17, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-9360; Filed, Nov. 18, 1955; 8:54 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 65]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATION; HERNDON, VA., TO HARRISBURG, PA.

The civil airway alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and is adopted to become effective when indicated in order to promote safety. Compliance with the notice procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 600 is amended as follows:
Section 600.6223 is added to read:

§ 600.6223 *VOR Civil airway No. 223 (Herndon, Va., to Harrisburg, Pa.)* From the Herndon, Va., omnirange station to the Harrisburg, Pa., omnirange station.

(Sec. 205, 52 Stat. 984, amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. November 25, 1955.

[SEAL] S. A. KEMP,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 55-9326; Filed, Nov. 18, 1955; 8:51 a. m.]

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1107, as amended; 49 U. S. C. 551).

This amendment shall become effective 0001 e. s. t., November 25, 1955.

[SEAL] S. A. KEMP,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 55-9327; Filed, Nov. 18, 1955; 8:51 a. m.]

[Amdt. 143]

PART 608—RESTRICTED AREAS

ALTERATION; MOLOKAI, HAWAII

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

In § 608.62, the West Molokai, Island of Molokai, Territory of Hawaii area (R-325 formerly D-325) amended on February 11, 1953, in 18 F. R. 844 is redesignated as follows:

Name and location (Chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Controlling agency
MOLOKAI (R-325) (Hawaiian Islands).	5-mile radius centered at latitude 21°09'00" N., longitude 157°16'45" W. excluding that portion overlapping Civil Airway No. 87.	Unlimited.....	Continuous day-light hours only.	Hawaiian Sea Frontier.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on December 15, 1955.

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

[F. R. Doc. 55-9304; Filed, Nov. 18, 1955; 8:45 a. m.]

[Amdt. 93]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

MISCELLANEOUS AMENDMENTS

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 610 is amended as follows: (Listed items to be placed in appropriate sequence in the sections indicated).

1. Section 610.13 *Green civil airway 3* is amended to read in part:

From—	To—	Minimum altitude
Ogden, Utah, LFR.....	Ft. Bridger, Wyo., LFR.	12,000

^{11,000'}—Minimum crossing altitude at Ogden LFR, eastbound.

2. Section 610.15 *Green civil airway 5* is amended to read in part:

From—	To—	Minimum altitude
Jackson, Tenn., LFR..	Fairview INT, Tenn.,	2,000
Fairview INT, Tenn...	Nashville, Tenn., LFR.	3,000
Nashville, Tenn., LFR.	Lebanon INT, Tenn.,	3,000
Lebanon INT, Tenn...	Smithville, Tenn., LFR.	3,000

3. Section 610.106 *Amber civil airway 6* is amended to read in part:

From—	To—	Minimum altitude
Jacksonville, Fla., LFR.	Alma, Ga., LFR.....	1,000

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4. Section 610.108 *Amber civil airway* 8 is amended to read in part:

From—	To—	Minimum altitude
Santa Barbara, Calif., LFR.	Bradley INT, Calif.	7,000

5. Section 610.216 *Red civil airway* 16 is amended to read in part:

From—	To—	Minimum altitude
Tallahassee, Fla. LFR.	Albany, Ga., LFR.	1,600

6. Section 610.219 *Red civil airway* 19 is amended by adding:

From—	To—	Minimum altitude
Traverse City, Mich., LFR.	Gladwin, Mich., LF/RBN.	2,500
Gladwin, Mich., LF/RBN.	Saginaw, Mich., LF/RBN.	2,000
Saginaw, Mich., LF/RBN.	Flint, Mich., ILS/LOM.	2,200
Flint, Mich., ILS/LOM.	White Lake INT, Mich.	2,200
White Lake INT, Mich.	Detroit, Mich., LFR.	2,500

7. Section 610.230 *Red civil airway* 30 is amended to read in part:

From—	To—	Minimum altitude
Bay Minette, Ala., LF/RBN.	Crestview, Fla., LFR.	1,400
Crestview, Fla., LFR.	Marianna INT, Fla.	1,400
Marianna INT, Fla.	Tallahassee, Fla., LFR.	1,500

8. Section 610.603 *Blue civil airway* 3 is amended to read in part:

From—	To—	Minimum altitude
Miami, Fla., LFR.	Tamiami INT, Fla.	1,100
Tamiami INT, Fla.	Ft. Myers, Fla., LF/RBN.	1,200
Ft. Myers, Fla., LF/RBN.	Tampa, Fla., LFR.	1,200

9. Section 610.613 *Blue civil airway* 13 is amended to read in part:

From—	To—	Minimum altitude
Toxarkana, Ark., LFR.	Hartford INT, Ark. ¹	3,800
Hartford INT, Ark.	Van Buren, Ark., LF/RBN.	3,800

10. Section 610.662 *Blue civil airway* 62 is amended to delete:

From—	To—	Minimum altitude
Detroit, Mich., LFR.	White Lake INT, Mich.	2,500
White Lake INT, Mich.	Flint, Mich., ILS/LOM.	2,200
Flint, Mich., ILS/LOM.	Saginaw, Mich., LF/RBN.	2,200
Saginaw, Mich., LF/RBN.	Gladwin, Mich., LF/RBN.	2,000
Gladwin, Mich., LF/RBN.	Traverse City, Mich., LFR.	2,500

11. Section 610.1001 *Direct routes—U. S.* amended by adding:

From—	To—	Minimum altitude
Int. Seattle, Wash., VOR 247° T rad. and Olympia, Wash., VOR 013° T rad.	Int. Olympia, Wash., VOR 013° T rad. and NW crs. Seattle, Wash., LFR.	5,000

12. Section 610.6001 *VOR civil airway* 1 is amended by adding:

From—	To—	Minimum altitude
Myrtle Beach, S. C., VOR.	Wilmington, N. O., VOR.	1,400
Wilmington, N. C., VOR.	New Bern, N. O., VOR.	1,400
New Bern, N. O., VOR.	Williamston, N. O., VAR.	1,200
Williamston, N. O., VAR.	Harrelsville INT, Va.	1,200
Harrelsville INT, Va.	Norfolk, Va. ILS localizer.	1,500
Norfolk, Va., ILS localizer.	Whitehurst INT, Va.	1,500

13. Section 610.6002 *VOR civil airway* 2 is amended by adding:

From—	To—	Minimum altitude
Seattle, Wash., ¹ VOR via S alter.	Cumberland INT, Wash., via S alter.: SE-bound.....	10,000
	NW-bound.....	4,000
Cumberland INT, Wash., via S alter.	Ranger Creek INT, Wash., via S alter.	10,000
Ranger Creek INT, Wash., via S alter.	Thorp INT, Wash., via S alter.	10,000
Thorp INT, Wash., via S alter.	Ellensburg, Wash., ² VOR via S alter.: Eastbound.....	7,000
	Westbound.....	10,000

¹ 6,000'—Minimum crossing altitude at Seattle VOR, southeast-bound.
² 6,700'—Minimum crossing altitude at Ellensburg VOR, westbound.

14. Section 610.6004 *VOR civil airway* 4 is amended to delete:

From—	To—	Minimum altitude
Kansas City, Mo., VOR, via S alter.	Columbia, Mo., VOR, via S alter.	14,000

¹ 2,400'—Minimum terrain clearance altitude.

15. Section 610.6004 *VOR civil airway* 4 is amended by adding:

From—	To—	Minimum altitude
Topeka, Kans., VOR, via S alter.	Bonner Springs INT, Kans., via S alter.	2,400
Bonner Springs INT, Kans., via S alter.	Blue Springs, Mo., VOR, via S alter.	14,000
Blue Springs, Mo., VOR, via S alter.	Columbia, Mo., VOR, via S alter.	14,000

¹ 3,000'—Minimum terrain clearance altitude.
² 2,400'—Minimum terrain clearance altitude.

16. Section 610.6004 *VOR civil airway* 4 is amended to read in part:

From—	To—	Minimum altitude
Seattle, Wash., ¹ VOR.	Cumberland INT, Wash.	
	Southeast-bound.....	10,000
	Northwest-bound.....	4,000
Cumberland INT, Wash.	Ranger Creek INT, Wash.	10,000
Ranger Creek INT, Wash.	Tieton INT, Wash.	10,000
Tieton INT, Wash.	Selah INT, Wash., ² Southeast-bound.....	5,000
	Northwest-bound.....	7,000
Selah INT, Wash.	Yakima, Wash. VOR.	4,500
Seattle, Wash., ³ VOR, via S alter.	Carbonado INT, Wash., ⁴ via S alter.	6,000
Carbonado INT, Wash., via S alter.	Mud Lake INT, Wash., via S alter.: Eastbound.....	10,000
	Westbound.....	8,500
Mud Lake INT, Wash., via S alter.	Ranger Creek INT, Wash., via S alter.	10,000
Ranger Creek INT, Wash., via S alter.	Tieton INT, Wash., via S alter.	10,000
Tieton INT, Wash., via S alter.	Selah INT, Wash., ³ via S alter.: Southeast-bound.....	5,000
	Northwest-bound.....	7,000
Selah INT, Wash., via S alter.	Yakima, Wash. VOR.	4,500
Excelsior INT, Mo., via N alter.	Tina INT, Mo., via N alter.	13,000

¹ 6,000'—Minimum crossing altitude at Seattle VOR, southeast-bound.
² 7,000'—Minimum crossing altitude at Selah INT, northwest-bound.
³ 3,000'—Minimum crossing altitude at Seattle VOR, southbound.
⁴ 8,500'—Minimum crossing altitude at Carbonado INT, eastbound.
⁵ 2,400'—Minimum terrain clearance altitude.

17. Section 610.6005 *VOR civil airway* 5 is amended by adding:

From—	To—	Minimum altitude
Columbus, Ohio, VOR, via E alter.	Mansfield, Ohio, VOR, via E alter.	2,500

18. Section 610.6005 *VOR civil airway* 5 is amended to read in part:

From—	To—	Minimum altitude
Jacksonville, Fla., VOR, via W alter.	Alma, Ga., VOR, via W alter.	1,600

19. Section 610.6006 VOR civil airway 6 is amended by adding:

From—	To—	Minimum altitude
Ogden, Utah, VOR, via N alter.	Fort Bridger, Wyo., VOR, via N alter.	13,000

¹ 11,000'—Minimum crossing altitude at Ogden VOR, eastbound.

20. Section 610.6006 VOR civil airway 6 is amended to read in part:

From—	To—	Minimum altitude
Sacramento, Calif., VOR.	Folsom INT, Calif.	3,000
Folsom INT, Calif.	Coloma INT, Calif., ¹	9,500
Coloma INT, Calif.	Reno, Nev., ² VOR.	13,000
Sacramento, Calif., ³ VOR, via N alter.	Mt. Lola INT, Calif., via N alter.	11,000
Mt. Lola INT, Calif., via N alter.	Reno, Nev., VOR, via N alter.	11,000
Ogden, Utah, ⁴ VOR.	Fort Bridger, Wyo., VOR.	12,000
Sidney, Nebr., VOR.	Ogallala INT, Nebr.	6,100
Ogallala INT, Nebr.	North Platte, Nebr., VOR.	5,600
Sidney, Nebr., VOR, via N alter.	North Platte, Nebr., via N alter.	6,100

¹ 9,500'—Minimum crossing altitude at Coloma INT, northeast-bound.

² 12,000'—Minimum crossing altitude at Reno VOR, southwest-bound.

³ 3,000'—Minimum crossing altitude at Sacramento VOR, northeast-bound.

⁴ 11,000'—Minimum crossing altitude at Ogden VOR, eastbound.

⁵ 5,400'—Minimum terrain clearance altitude.

21. Section 610.6007 VOR civil airway 7 is amended to read in part:

From—	To—	Minimum altitude
Cross City, Fla., VOR, via W alter.	Lobster INT, Fla., via W alter.	2,000
Lobster INT, Fla., via W alter.	St. Marks INT, Fla., ² via W alter.	2,000
St. Marks INT, Fla., via W alter.	Tallahassee, Fla., VOR, via W alter.	1,500
Marianna, Fla., VOR.	Shady Grove INT, Fla. ⁴	2,500
Shady Grove INT, Fla.	Montgomery, Ala., VOR.	2,000

¹ 1,500'—Minimum terrain clearance altitude.

² 2,000'—Minimum reception altitude.

³ 1,000'—Minimum terrain clearance altitude.

⁴ 3,500'—Minimum reception altitude.

⁵ 1,800'—Minimum terrain clearance altitude.

22. Section 610.6010 VOR civil airway 10 is amended to read in part:

From—	To—	Minimum altitude
Pueblo, Colo., VOR, via N alter.	Lamar, Colo., VOR, via N alter.	6,000
Excelsior INT, Mo., via S alter.	Kirkville, Mo., VOR, via S alter.	3,000

¹ 2,400'—Minimum terrain clearance altitude.

23. Section 610.6011 VOR civil airway 11 is amended to read in part:

From—	To—	Minimum altitude
Houston, Tex., VOR.	Humble INT, Tex. ¹	1,600
Humble INT, Tex.	Cleveland INT, Tex. ²	1,600
Cleveland INT, Tex.	Lufkin, Tex., VOR.	1,600

¹ 2,300'—Minimum reception altitude.

² 3,000'—Minimum reception altitude.

24. Section 610.6012 VOR civil airway 12 is amended by adding:

From—	To—	Minimum altitude
Columbus, Ohio, VOR, via N alter.	Wheeling, W. Va., VOR, via N alter.	3,500

¹ 2,500'—Minimum terrain clearance altitude.

25. Section 610.6012 VOR civil airway 12 is amended to read in part:

From—	To—	Minimum altitude
Santa Barbara, Calif., VOR.	Fillmore, Calif., VOR.	8,000
Gage, Okla., VOR, via N alter.	Actona INT, Okla., via N alter.	3,500
Actona INT, Okla., via N alter.	Rago INT, Kans., via N alter.	4,500
Rago INT, Kans., via N alter.	Wichita, Kans., VOR, via N alter.	3,400
Excelsior INT, Mo., via N alter.	Tina INT, Mo., via N alter.	3,000

¹ 3,500'—Minimum terrain clearance altitude.

² 2,500'—Minimum terrain clearance altitude.

26. Section 610.6013 VOR civil airway 13 is amended by adding:

From—	To—	Minimum altitude
Houston, Tex., VOR, via E alter.	Daketta INT, Tex., ¹ via E alter.	1,600
Daketta INT, Tex., via E alter.	Lufkin, Tex., VOR, via E alter.	4,000

¹ 4,000'—Minimum reception altitude.

² 1,500'—Minimum terrain clearance altitude.

27. Section 610.6013 VOR civil airway 13 is amended to read in part:

From—	To—	Minimum altitude
Houston, Tex., VOR.	Humble INT, Tex. ¹	1,600
Humble INT, Tex.	Cleveland INT, Tex. ²	1,600
Cleveland INT, Tex.	Lufkin, Tex., VOR.	1,600

¹ 2,300'—Minimum reception altitude.

² 3,000'—Minimum reception altitude.

28. Section 610.6014 VOR civil airway 14 is amended to read in part:

From—	To—	Minimum altitude
Roswell, N. Mex., VOR.	Caprock INT, N. Mex. ¹	27,000
Caprock INT, N. Mex.	Whitface INT, Tex. ²	27,000
Whitface INT, Tex.	Lubbock, Tex., VOR.	27,000
Roswell, N. Mex., VOR, via N alter.	Kenna INT, N. Mex., ³ via N alter.	28,000
Kenna INT, N. Mex., via N alter.	Pep INT, Tex., ⁴ via N alter.	28,000
Pep INT, Tex., via N alter.	Lubbock, Tex., VOR, via N alter.	28,000
Tulsa, Okla., VOR, via S alter.	Nowata, Mo., VOR, via S alter.	2,000

¹ 17,500'—Minimum reception altitude.

² 2,000'—Minimum terrain clearance altitude.

³ 0,000'—Minimum reception altitude.

⁴ 0,000'—Minimum reception altitude.

⁵ 11,000'—Minimum reception altitude.

29. Section 610.6016 VOR civil airway 16 is amended to read in part:

From—	To—	Minimum altitude
Graham, Tenn., VOR.	Nashville, Tenn., VOR.	3,000

30. Section 610.6019 VOR civil airway 19 is amended to read in part:

From—	To—	Minimum altitude
Raton, N. Mex., VOR.	Pueblo, Colo., VOR.	11,000

31. Section 610.6020 VOR civil airway 20 is amended by adding:

From—	To—	Minimum altitude
Houston, Tex., VOR, via N alter.	Croby INT, Tex., ¹ via N alter.	1,600
Croby INT, Tex., via N alter.	Beaumont, Tex., VOR, via N alter.	21,000
Houston, Tex., VOR, via S alter.	High Island INT, Tex., ² via S alter.	1,500
High Island INT, Tex., via S alter.	Waterway INT, Tex., via S alter.	3,000
Waterway INT, Tex., via S alter.	Lake Charles, La., VOR, via S alter.	2,000
Atlanta, Ga., VOR, via N alter.	Newnan, Ga., VOR, via N alter.	3,000
Newnan, Ga., VOR, via N alter.	Home INT, Ga., via N alter.	2,500
Home INT, Ga., via N alter.	Chamblee INT, S. C., via N alter.	4,500
Chamblee INT, S. C., via N alter.	Spartanburg, S. C., VOR, via S alter.	4,500

¹ 1,600'—Minimum reception altitude.

² 1,500'—Minimum terrain clearance altitude.

³ 3,000'—Minimum reception altitude.

⁴ 1,500'—Minimum terrain clearance altitude.

⁵ 3,000'—Minimum terrain clearance altitude.

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32. Section 610.6020 VOR civil airway 20 is amended to read in part:

From—	To—	Minimum altitude
Beaumont, Tex., VOR.	Lake Charles, La., VOR.	1,400
Lake Charles, La., VOR.	Lafayette, La., VOR.	1,300

33. Section 610.6022 VOR civil airway 22 is amended to read in part:

From—	To—	Minimum altitude
Marianna, Fla., VOR.	Tallahassee, Fla., VOR.	1,500
Via N alter.	Via N alter.	1,500
Mobile, Ala., VOR.	McDavid INT, Fla.	3,000
McDavid, INT, Fla.	Crestview, Fla., VOR.	1,500

¹1,600'—Minimum terrain clearance altitude.
²1,400'—Minimum terrain clearance altitude.

34. Section 610.6023 VOR civil airway 23 is amended to read in part:

From—	To—	Minimum altitude
Portland, Ore., VOR.	Seattle, Wash., VOR.	5,000
Ranier INT, Wash.	Seattle, Wash., VOR, northbound only.	3,000

35. Section 610.6027 VOR civil airway 27 is amended to read in part:

From—	To—	Minimum altitude
Santa Barbara, Calif., VOR.	Paso Robles, Calif., VOR.	8,000
Via W alter.	Via W alter.	7,000

¹8,000'—Minimum crossing altitude at Santa Barbara VOR, northwest-bound.

36. Section 610.6048 VOR civil airway 48 is amended to read:

From—	To—	Minimum altitude
Burlington, Iowa, VOR.	Peoria, Ill., VOR.	1,900
Peoria, Ill., VOR.	Pontiac, Ill., VOR.	2,200

37. Section 610.6059 VOR civil airway 59 is amended to read in part:

From—	To—	Minimum altitude
Springfield, Ill., VOR.	Peoria, Ill., VOR.	2,000
Peoria, Ill., VOR.	Bradford, Ill., VOR.	2,000

38. Section 610.6068 VOR civil airway 68 is amended to read in part:

From—	To—	Minimum altitude
Corona, N. Mex., VOR.	Roswell, N. Mex., VOR.	9,000
Via N alter.	Via N alter.	9,000
Roswell, N. Mex., VOR.	Hagerman INT, N. Mex. ¹	6,000
Hagerman INT, N. Mex. ¹	Hobbs, N. Mex., VOR.	6,000
Junction, Tex., VOR.	Boerne INT, Tex.	3,600
Boerne INT, Tex.	San Antonio, Tex., VOR.	2,800

¹6,500'—Minimum reception altitude.
²3,400'—Minimum terrain clearance altitude.

39. Section 610.6070 VOR civil airway 70 is amended to read in part:

From—	To—	Minimum altitude
Galveston, Tex., VOR.	Lake Charles, La., VOR.	3,000

¹1,400'—Minimum terrain clearance altitude.

40. Section 610.6074 VOR civil airway 74 is amended to read in part:

From—	To—	Minimum altitude
Tulsa, Okla., VOR, via N alter.	Salina INT, Okla., via N alter.	2,000
Salina INT, Okla., via N alter.	Fort Smith, Ark., VOR., via N alter.	14,000

¹2,600'—Minimum terrain clearance altitude.

41. Section 610.6076 VOR civil airway 76 is amended to read in part:

From—	To—	Minimum altitude
Kingsland INT, Tex. ¹	Lake Travis INT, Tex. ²	3,000
Austin, Tex., VOR.	McDade INT, Tex. ⁴	2,000
McDade INT, Tex. ⁴	Sealy INT, Tex. ³	3,700
Austin, Tex., VOR, via S alter.	Smithville INT, Tex. ⁵	2,000
Smithville INT, Tex., via S alter.	Eagle Lake, Tex., VOR, via S alter.	3,000

¹5,000'—Minimum reception altitude.
²3,600'—Minimum reception altitude.
³2,500'—Minimum terrain clearance altitude.
⁴2,800'—Minimum reception altitude.
⁵1,700'—Minimum terrain clearance altitude.
⁶2,300'—Minimum reception altitude.
⁷2,000'—Minimum terrain clearance altitude.

42. Section 610.6077 VOR civil airway 77 is amended by adding:

From—	To—	Minimum altitude
St. Joseph, Mo., VOR.	Lamoni, Iowa, VOR.	2,400
Lamoni, Iowa, VOR.	Osceola INT, Iowa ¹	2,300
Osceola INT, Iowa.	Des Moines, Iowa, VOR.	2,300

¹4,300'—Minimum reception altitude.

43. Section 610.6083 VOR civil airway 83 is amended to read in part:

From—	To—	Minimum altitude
Carlsbad, N. Mex., VOR.	Roswell, N. Mex., VOR.	5,000
Roswell, N. Mex., VOR, via E alter.	Corona, N. Mex., VOR, via E alter.	9,000

44. Section 610.6088 VOR civil airway 88 is amended to read in part:

From—	To—	Minimum altitude
White Oak INT, Okla.	Waco INT, Mo. ¹	10,000
Waco INT, Mo.	Avilla INT, Mo.	10,000
Avilla INT, Mo.	Springfield, Mo., VOR.	2,600

¹7,000'—Minimum reception altitude.
²2,600'—Minimum terrain clearance altitude.

45. Section 610.6097 VOR civil airway 97 is amended to read in part:

From—	To—	Minimum altitude
Lobster INT, Fla.	St. Marks INT, Fla. ¹	2,000
St. Marks INT, Fla.	Tallahassee, Fla., VOR.	1,500
Cross City, Fla., VOR, via E alter.	Lobster INT, Fla., via E alter.	2,000
Lobster INT, Fla., via E alter.	St. Marks INT, Fla. ¹	2,000
St. Marks INT, Fla., via E alter.	Tallahassee, Fla., VOR, via E alter.	1,500

¹2,000'—Minimum reception altitude.
²1,000'—Minimum terrain clearance altitude.
³1,500'—Minimum terrain clearance altitude.

46. Section 610.6106 VOR civil airway 106 is amended to read in part:

From—	To—	Minimum altitude
Walnut Grove INT, W. Va.	Clara INT, W. Va.	5,000
Clara INT, W. Va.	Morgantown, W. Va., VOR.	4,000
Morgantown, W. Va., VOR, via N alter.	Johnstown, Pa., VOR, via N alter.	4,500

¹3,000'—Minimum terrain clearance altitude.

47. Section 610.6115 VOR civil airway 115 is amended to read in part:

From—	To—	Minimum altitude
Knoxville, Tenn., VOR.	Rutledge INT, Tenn.	3,500
Rutledge INT, Tenn.	Charleston, W. Va., VOR.	6,000

48. Section 610.6116 VOR civil airway 116 is amended to read in part:

From—	To—	Minimum altitude
Excelsior INT, Mo.	Tina INT, Mo.	13,000
Quincy, Ill., VOR	Peoria, Ill., VOR	2,000
Peoria, Ill., VOR	Joliet, Ill., VOR	2,000

¹2,400'—Minimum terrain clearance altitude.

49. Section 610.6140 VOR civil airway 140 is amended by adding:

From—	To—	Minimum altitude
Amarillo, Tex., VOR	Sayre, Okla., VOR	4,700
Via N alter	Via N alter	4,700
Sayre, Okla., VOR	Oklahoma City, Okla., VOR	13,200
Via N alter	Via N alter	13,500
Oklahoma City, Okla., VOR	Drumright INT, Okla.	3,700
Drumright INT, Okla.	Tulsa, Okla., VOR	3,100

¹3,000'—Minimum terrain clearance altitude.

²3,300'—Minimum terrain clearance altitude.

50. Section 610.6140 VOR civil airway 140 is amended to read in part:

From—	To—	Minimum altitude
Tulsa, Okla., VOR	Salina INT, Okla.	2,000
Salina INT, Okla.	Fayetteville, Ark., VOR	2,000
Montebello, Va., VOR	Casanova INT, Va. ¹	6,000
Casanova INT, Va.	Herndon, Va., VOR	3,000
Graham, Tenn., VOR	Nashville, Tenn., VOR	3,000
Via S alter.	Via S alter.	

¹4,000'—Minimum reception altitude.

51. Section 610.6155 VOR civil airway 155 is amended to read in part:

From—	To—	Minimum altitude
Gordonsville, Va., VOR	Casanova INT, Va. ¹	3,000
Casanova INT, Va.	Front Royal, Va., VOR	4,000

¹4,000'—Minimum reception altitude.

52. Section 610.6161 VOR civil airway 161 is amended to read in part:

From—	To—	Minimum altitude
Excelsior INT, Mo.	Lawson INT, Mo.	2,400
Lawson INT, Mo.	Jameson INT, Mo. ¹	2,000

¹3,000'—Minimum reception altitude.

²2,400'—Minimum terrain clearance altitude.

53. Section 610.6171 VOR civil airway 171 is amended to read in part:

From—	To—	Minimum altitude
Joliet, Ill., VOR	Sycamore INT, Ill.	2,000
Sycamore INT, Ill.	Janesville, Wis., VOR	2,100

54. Section 610.6183 VOR civil airway 183 is amended to read in part:

From—	To—	Minimum altitude
Santa Barbara, Calif., VOR	Bakersfield, Calif., VOR	9,000

¹8,000'—Minimum crossing altitude at Santa Barbara VOR, northeast-bound.

55. Section 610.6185 VOR civil airway 185 is amended by adding:

From—	To—	Minimum altitude
Augusta, Ga., VOR, via W alter.	Int. Augusta, Ga., 345° mag. rad. and S. crs. Greenville, S. C., ILS localizer, via W alter.	1,600
Int. Augusta, Ga., 345° mag. rad. and S. crs. Greenville, S. C., ILS localizer, via W alter.	Greenville, S. C., ILS localizer, via W alter.	4,000
Int. N. crs. Greenville, S. C., ILS localizer, crs. and Asheville, N. C., 199° mag. rad., via W alter.	Int. N. crs. Greenville, S. C., ILS localizer, crs. and Asheville, N. C., 199° mag. rad., via W alter.	4,000
Int. N. crs. Greenville, S. C., ILS localizer, crs. and Asheville, N. C., 199° mag. rad., via W alter.	Acheyville, N. C., VOR, via W alter.	6,000

56. Section 610.6190 VOR civil airway 190 is amended by adding:

From—	To—	Minimum altitude
Gage, Okla., VOR	Penca City, Okla., VOR	13,000
Penca City, Okla., VOR	Waco INT, Mo. ¹	17,000
Waco INT, Mo.	Avilla INT, Mo.	2,000
Avilla INT, Mo.	Springfield, Mo., VOR	2,000
Springfield, Mo., VOR	Farmington, Mo., VOR	4,000
Farmington, Mo., VOR	Evansville, Ind., VOR	2,500

¹2,500'—Minimum terrain clearance altitude.

²7,000'—Minimum reception altitude.

³2,000'—Minimum terrain clearance altitude.

⁴2,800'—Minimum terrain clearance altitude.

57. Section 610.6194 VOR civil airway 194 is amended to delete:

From—	To—	Minimum altitude
Rocky Mount, N. C., VOR	Boykins INT, Va.	1,500

58. Section 610.6194 VOR civil airway 194 is amended by adding:

From—	To—	Minimum altitude
Raleigh, N. C., VOR	Rocky Mount, N. C., VOR	1,700
Rocky Mount, N. C., VOR	Harrleville INT, Va.	1,400
Harrleville INT, Va.	Norfolk, Va., ILS localizer	1,500
Norfolk, Va., ILS localizer	Whitchurch INT, Va.	1,500

59. Section 610.6194 VOR civil airway 194 is amended to read in part:

From—	To—	Minimum altitude
Charlotte, N. C., VOR	Norwood INT, N. C.	13,000
Norwood INT, N. C.	Monroe INT, N. C.	13,500
Monroe INT, N. C.	Raleigh, N. C., VOR	1,600

¹1,800'—Minimum terrain clearance altitude.

60. Section 610.6198 VOR civil airway 198 is amended to read in part:

From—	To—	Minimum altitude
San Antonio, Tex., VOR, via N alter.	Smithville INT, Tex. ¹	2,500
Smithville INT, Tex., via N alter.	Round Top INT, Tex., via N alter.	13,000

¹2,000'—Minimum reception altitude.

²1,700'—Minimum terrain clearance altitude.

61. Section 610.6199 VOR civil airway 199 is amended to read in part:

From—	To—	Minimum altitude
*San Francisco, Calif., VOR	Los Banes INT, Calif.	7,000

¹4,000'—Minimum crossing altitude at San Francisco VOR, eastbound.

62. Section 610.6205 VOR civil airway 205 is added to read:

From—	To—	Minimum altitude
Springfield, Mo., VOR	Bollivar INT, Mo. ¹	2,500
Bollivar INT, Mo.	Holden INT, Mo.	2,400
Holden INT, Mo.	Blue Springs, Mo., VOR	4,000
Blue Springs, Mo., VOR	Kansas City, Mo., VOR	4,000
Springfield, Mo., VOR, via W alter.	Schell City INT, Mo. ²	2,500
Schell City INT, Mo., via W alter.	Blue Springs, Mo., VOR, via W alter.	4,000

¹5,000'—Minimum reception altitude.

²2,400'—Minimum terrain clearance altitude.

³4,000'—Minimum reception altitude.

63. Section 610.6207 VOR civil airway 207 is added to read:

From—	To—	Minimum altitude
Denver, Colo., VOR	Int. Denver, Colo., VOR 092° mag. rad. and Cheyenne, Wyo., VOR 084° mag. rad.	7,000

64. Section 610.6208 VOR civil airway 208 is added to read:

From—	To—	Minimum altitude
Thermal, Calif., VOR	Neelec, Calif., VOR	10,000

¹6,000'—Minimum terrain clearance altitude.

65. Section 610.6211 *VOR civil airway 211* is added to read:

From—	To—	Minimum altitude
Cotulla, Tex., VOR----	Junction, Tex., VOR	14,000

¹3,500'—Minimum terrain clearance altitude.

66. Section 610.6213 *VOR civil airway 213* is added to read:

From—	To—	Minimum altitude
Rocky Mount, N. O., VOR.	Boykins, INT, Va.----	1,500

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective December 1, 1955.

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

[F. R. Doc. 55-9137; Filed, Nov. 18, 1955; 8:45 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[7th Gen. Rev. of Export Regs., Amdt. 45¹]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

MISCELLANEOUS AMENDMENTS

1. Section 373.2 *Confirmation of country of ultimate destination and verification of actual delivery* is amended in the following particulars:

a. Paragraph (a) *Scope* is amended by adding to the list of countries in subdivision (ii) of subparagraph (1) the country name: "Belgian Congo."

This part of the amendment shall become effective as of January 2, 1956.

b. The Explanatory Statements and Interpretations at the end of this section is amended by revising the last unnumbered paragraph of the answer to Question 5 to read as follows:

In some cases, an importer in Hong Kong may obtain an Import License from his government when the commodities to be exported from the United States to Hong Kong are destined to be reexported to another country. The Import License covering such a transaction will be endorsed:

For re-export to -----

(Approved destination)

¹This amendment was published in Current Export Bulletin No. 758, dated November 17, 1955.

diversion en route prohibited. To be delivered by shipping or airline company concerned to govt-designated godown. Overseide delivery not permitted. Release from godown subject to approval of export license.

2. Part 373, Licensing Policies and Related Special Provisions, is amended by adding a new section to read as follows:

§ 373.6 *Return of unused quota.* As soon as a licensee decides that he does not intend to export the entire licensed amount of a commodity subject to a quantitative quota he shall promptly request reduction of the quantity covered by the license to the amount he actually intends to export. The request for reduction shall be made by submitting to the Bureau of Foreign Commerce a Form IT- or FC-763, in accordance with the procedure set forth in § 380.2 of this subchapter. If none of the commodities covered by the license is to be exported, the license shall be returned to the BFC for cancellation in accordance with § 372.14 of this subchapter.

3. Section 373.68 *Cambodia, Laos, and Viet-Nam (the area formerly known as Indo-China)* is amended to read as follows:

§ 373.68 *Cambodia, Laos, and Viet-Nam (the area formerly known as Indo-China)* All license applications (Form IT- or FC-419) Ultimate Consignee and Purchaser Statements (Form IT- or FC-842 or 843, see § 373.65) and destination control statements (see § 379.10 (c) of this subchapter) which make reference to Indo-China shall also specify which of the following areas are referred to:

(a) Communist controlled areas of Viet-Nam and Laos.

(b) Cambodia and the non-Communist controlled areas of Viet-Nam and Laos.

4. Section 373.69 *Confirmation of country of ultimate destination and verification of actual delivery for Hong Kong* is amended in the following particulars: a. Paragraph (b) *Documents* is amended to read as follows:

(b) *Documents.* For export control purposes, an endorsed Import License (Form 3) issued by the Hong Kong Government to importers in Hong Kong is the equivalent document to the Import Certificate (Form IT- or FC-826) issued to U. S. importers. C & I Form 229, Delivery Verification, and C & I Form 42, Landing Certificate, as issued by the Government of Hong Kong to importers in Hong Kong, are the equivalent documents of the Delivery Verification (Form IT- or FC-908) issued to U. S. importers (see § 368.1 of this subchapter)

b. Paragraph (c) *Submission of import license* is amended to read as follows:

(c) *Submission of import license—*
(1) *Single transaction import license.*
(i) The applicant shall attach to his license application, covering a proposed exportation described in paragraph (a) of this section, the duplicate copy of the Import License, bearing the official authentication of the governmental authorities in Hong Kong, issued to the named importer or his agent and cover-

ing the commodity or commodities described in the export license application. The copy of the Hong Kong Import License attached to the application for a validated license shall include thereon one of the following stamped endorsements which shall bear the signature of an official of the Hong Kong Government:

(a) For consumption in Hong Kong. Diversion en route prohibited. Re-export not permitted except under special license and subject in addition to general or specific concurrence of government of supplying country concerned.

(b) For re-export to -----

(Approved destination)

Diversion en route prohibited. To be delivered by shipping or airline company concerned to Govt. designated godown. Overseide delivery not permitted. Release from godown subject to approval of export license.

(c) For local consumption in Hong Kong.

(ii) Where the Hong Kong Import License covers commodities for which more than one export license application is submitted, the Import License shall be attached to the first such application. Each subsequent application shall include the following certification:

I (we) certify that I (we) have not submitted applications, including the present application, against the Hong Kong Import License No. ----- in excess of the total quantity authorized thereon. This Import License was submitted in support of Application No. -----

(BFC Case No. or if Case No. is unknown, the Applicant's Reference No., date of submission of the application to which the Import License was attached, and Schedule B Nos. shown on that application)

NOTE: BFC Case No. Inclusion. Whenever possible, the BFC Case Number should be indicated on the certification set forth above since failure to supply the BFC Case Number may result in delay in processing the application.

(2) *Multiple transaction import license.* Exporters may submit to the Bureau of Foreign Commerce the duplicate copy of the Hong Kong Import License issued by the Government of Hong Kong, appropriately endorsed as provided in subparagraph (1) (i) of this paragraph, covering all proposed exportations of a commodity or commodities, regardless of value, including commodities based on export orders amounting to less than \$500. However, to be acceptable, the multiple transaction Import License must indicate either a specific validity period or a specific quantity or value. The exporter shall submit the Import License bearing the official authentication of the Hong Kong governmental authorities, together with one additional copy for each Bureau of Foreign Commerce processing code to which the Import License applies and a listing of such processing codes. Each subsequent application for export license submitted against a multiple transaction Import License shall bear on the face of the application one of the following certifications (depending on whether a quantity is shown on the Import License) signed by the applicant:

I (we) certify that I (we) have not submitted applications including the present application against the Hong Kong Import License No. _____ in excess of the total quantity authorized thereon.

or (if no quantity is shown on the Import License)

This application is supported by the Hong Kong multiple transaction Import License No. _____

c. Paragraph (d) *Submission of Hong Kong landing certificate* is retitled and amended to read as follows:

(d) *Submission of verification of delivery.* (1) The Bureau of Foreign Commerce may require verification of delivery in the form of a Hong Kong Delivery Verification or Landing Certificate, for any exportation to Hong Kong for which a validated license is granted, including commodities not listed on the Positive List. Where a verification of delivery is required, the face of the export license will bear the stamped words "Delivery Verification Required, see attached Form IT- or FC-863." Where a Form IT- or FC-863 is attached to a license forwarded by the Bureau of Foreign Commerce to an agent or freight forwarder of the licensee, it shall be the responsibility of the agent to notify the licensee that a verification of delivery is required.

(2) Where verification of delivery is required on a shipment, the U. S. exporter shall submit the Hong Kong Delivery Verification (C & I Form 229) to the Bureau of Foreign Commerce. In instances where the Bureau of Foreign Commerce requires verification of delivery and the Hong Kong Government does not issue their Delivery Verification form, the U. S. exporter shall obtain a Landing Certificate (C & I Form 42) from the Hong Kong importer and submit this certificate to the Bureau of Foreign Commerce in lieu of the Delivery Verification form.

(3) The requirement that a verification of delivery be submitted for a particular commodity is canceled automatically if, subsequent to the issuance of a license, the commodity is authorized by the Bureau of Foreign Commerce to be shipped to Hong Kong under General License GHK.

d. Paragraph (e) *Applicability of IC/DV provisions in § 373.2* is amended to read as follows:

(e) *Applicability of IC/DV provisions in § 373.2.* The provisions of § 373.2 (a) (2) the note following § 373.2 (c) (d) (e) (f) (g) and (h) and the note and explanatory statements and interpretations following § 373.2 (h) shall be equally applicable to license applications and validated export licenses to Hong Kong.

5. Section 373.71 *Supplement 1, Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended by deleting the footnote reference in the heading and the footnote, and adding a note at the end of the schedule to read as follows:

NOTE: *Return of unused quotas.* As soon as a licensee determines that he will not export the entire licensed amount of a com-

modity subject to a quantitative quota he shall promptly submit to the Bureau of Foreign Commerce a request for an amendment reducing the quantity covered by the license to the amount he actually intends to export (see § 373.6). If none of the commodities covered by the license is to be exported, the license shall be returned to the Bureau of Foreign Commerce.

Where no filing dates are announced. Applications for licenses to export commodities for which no specified filing dates are announced may be submitted at any time (see § 372.5 (c)).

Intransit shipment. Export applications for commodities requiring a validated license when moving in transit through the United States may be submitted at any time and are not subject to specified filing dates (see Note following § 372.6 (d)).

This part of the amendment shall become effective December 19, 1955.

6. Section 379.10 *Destination control, paragraph (c) Statement regarding ultimate destination on declaration, bill of lading, and commercial invoice*, subparagraph (1) is amended by adding a footnote reference 1 at the end of each destination statement and the following footnote:

¹For shipments to Cambodia, Laos or Vietnam, the country area designations shown in § 373.63 of this subchapter shall be used.

7. Section 380.2 *Amendments or alterations of licenses* is amended in the following particulars:

a. Paragraph (d) *Changes by amendment* is amended by adding a new subparagraph (9) to read as follows:

(9) Decrease in quantity of commodity included in § 373.71.

b. Paragraph (f) *Where to file* is amended in the following particulars:

Subparagraph (1) *General* is amended to read as follows:

(1) *General.* All requests for amendments to licenses may be filed with the

Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C. However, certain types of amendments described in subparagraph (2) of this paragraph may be requested from those field offices of the Department of Commerce listed below:

Boston.	Miami.
Chicago.	New Orleans.
Cleveland.	New York.
Detroit.	Philadelphia.
El Paso.	Portland, Oreg.
Houston.	San Francisco.
Jacksonville.	Savannah.
Los Angeles.	Seattle.

Subparagraph (3) *Amendment requests on which field offices may not take action* is amended by amending subdivision (ii) and adding a new subdivision (vii) to read as follows:

(ii) Requests for amendment of licenses where the intended port of exit is not known to the licensee.

(vii) Decrease in quantity of commodity included in § 373.71.

c. Paragraph (g) *Procedure for submitting requests for amendments*, subparagraph (3) *Signature* is amended by revising the first sentence thereof to read as follows: "The signature of the licensee, or an officer or duly authorized agent of the licensee, shall be placed on the original 1 of Form IT- or FC-763, in the space provided."

¹Notwithstanding instruction No. 5 on the reverse side of Form IT- or FC-763, the duplicate copy need not be signed.

8. Section 382.51 *Table of compliance orders currently in effect denying export privileges*, paragraph (b) *Table of compliance orders* is amended by adding the following entries:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Bierma, Sipke N., Keltersgracht 702, Amsterdam, Netherlands.	10-23-55	10-23-55 (Duration)*	General and validated licenses, all commodities, any destination, also exports to Canada.	20 F. R. 8224, 11-2-55.
Chemische Industrie, "Den Haag," N. V., Le van der Kunststraat 55-57, The Hague, Netherlands.	10-27-55	10-27-57 (Duration)*	do	20 F. R. 8252, 11-1-55.
Continental Import and Export Co., N. V., Stadhouderskade 51, Amsterdam Z, Netherlands.	10-23-55	10-23-55 (Duration)*	do	20 F. R. 8224, 11-2-55.
de Pesters, Jhr. O. A., Adjunct Managing Director, Chemische Industrie, "Den Haag," N. V., Le van der Kunststraat 55-57, The Hague, Netherlands.	10-27-55	10-27-57 (Duration)*	do	20 F. R. 8252, 11-1-55.
Fisher, P., 46-47 Chanery Lane, London, W. C. 2, England.	9-23-55	Until further notice.	do	20 F. R. 7333, 10-4-55.
Gintz, F., 46-47 Chanery Lane, London, W. C. 2, England.	9-23-55	do	do	20 F. R. 7333, 10-4-55.
Lijnzaad, D., N. V., Transport en Handelsmaatschappij, CS Coolsingel, Boursegebouw, Rotterdam, Netherlands.	(10-27-55)	(Duration)*	General and validated licenses, all commodities, any destination, also exports to Canada. (No actual period of suspension. On probation from 10-27-55 for duration of export controls.)	20 F. R. 8255, 11-2-55.
Lijnzaad, Dirk, 7 Dulweg, Wassenaar, Netherlands.	(10-27-55)	do	do	20 F. R. 8255, 11-2-55.
Nedimtrans, N. V., CS Coolsingel, Boursegebouw, Rotterdam, Netherlands.	(10-27-55)	do	do	20 F. R. 8255, 11-2-55.
Noord-Hollandsche Handelsmaatschappij, N. V., Keltersgracht 702, Amsterdam, Netherlands.	10-23-55	10-23-55 (Duration)*	General and validated licenses, all commodities, any destination, also exports to Canada.	20 F. R. 8224, 11-2-55.
Pesters, Jhr. O. A., Adjunct Managing Director, Chemische Industrie, "Den Haag," N. V., Le van der Kunststraat 55-57, The Hague, Netherlands.	10-27-55	10-27-57 (Duration)*	do	20 F. R. 8252, 11-1-55.

*This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph (a) (1) of this section.

RULES AND REGULATIONS

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Stemmler, Carl Herman Ferdinand, Manager and Director, Stemmler-Imex, N. V., Leidsplein Hirschgebouw, Post Box 649, Amsterdam, Netherlands.	10-27-55	10-27-57..... (Duration.)*	General and validated licenses, all commodities, any destination, also exports to Canada.	20 F. R. 8202, 11-1-55.
Zemanek & Co., Ltd., 46-47 Chancery Lane, London, W. O. 2, England.	9-20-55	Until further notice.do.....	20 F. R. 7383, 10-4-55.

*This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph (a) (1) of this section.

This amendment shall become effective as of November 17, 1955, except as otherwise specifically provided.

(Sec. 3, 63 Stat. 7, as amended; 50 U. S. C. App. 2023. E. O. 9630, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director

Bureau of Foreign Commerce.

[F. R. Doc. 55-9325; Filed, Nov. 18, 1955;
8:50 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

SUMMARY PROSPECTUS PREPARED BY INDEPENDENT ORGANIZATIONS

The Securities and Exchange Commission announced today the adoption of § 230.434 (Rule 434) which specifies the conditions under which a bulletin or card prepared by certain independent statistical services, primarily engaged in publishing statements and financial information for distribution to subscribers and summarizing information contained in a preliminary prospectus might be deemed a summary prospectus meeting the requirements of section 10 of the act for the purpose of section 5 (b) (1) prior to the effective date of the registration statement. This rule implements section 10 (b) of the act under the amendment made by Public Law 577, 83d Congress, which authorizes the Commission to adopt rules and regulations deemed necessary or appropriate in the public interest or for the protection of investors to permit the use of a summary prospectus for the purposes of subsection (b) (1) of section 5 which omits in part or summarizes information in the preliminary prospectus filed as part of the registration statement. The rule is adopted pursuant to sections 10 (b) (1) (d) and 19 (a) of the Securities Act of 1933.

It is understood to be the policy of such statistical services preparing bulletins or cards for sale in bulk to underwriters and dealers for distribution, promptly to prepare a revised bulletin or card if a material amendment to the preliminary prospectus is filed with the Commission and the previously published bulletin or card is no longer a fair summary of information contained in the amended preliminary prospectus, and to transmit such revised bulletin or

card to all persons to whom the original document was furnished by the statistical service together with a notice that the original bulletin or card should no longer be used. In adopting this rule it is assumed that this practice will be continued.

The text of § 230.434 is as follows:

§ 230.434 *Summary prospectus prepared by independent organizations.* (a) A bulletin, card or other document which summarizes information contained in a form of prospectus (hereinafter called a "preliminary prospectus") filed as a part of the registration statement and containing the information specified in paragraph (a) of § 230.433 (Rule 433) shall be deemed to be a summary prospectus which meets the requirements of section 10 of the act for the purpose of section 5 (b) (1) thereof prior to the effective date of the registration statement, provided the following conditions are met:

(1) Such summary prospectus is prepared by an independent organization primarily engaged in publishing statistical and financial manuals with respect to securities generally, as distinct from particular classes, issuers or localities, and in circulating to subscribers statistical and financial information and summaries.

(2) The issuer of the securities to which the prospectus relates is required to file reports pursuant to sections 13 or 15 (d) of the Securities Exchange Act of 1934.

(3) No consideration is paid directly or indirectly by such issuer, any underwriter or dealer participating or proposing to participate in the distribution, or any affiliate of any of the foregoing, for the preparation of the summary. *Provided, however* That nothing herein shall prevent the payment of the usual subscription price, or the regular purchase price of reprints or copies.

(4) The summary prospectus shall be dated, shall contain a fair summary of information contained in the latest form of preliminary prospectus which has been filed as part of the registration statement at the time when the summary prospectus is issued by the organization preparing it, shall not stress the favorable as against the unfavorable aspects of the issuer or the security, and shall not include or be accompanied by any rating, recommendation, or other expression of opinion as to the merits of the issuer or the security. The summary may contain the name and address of the organization issuing it, and the name and address of the person distributing it.

(5) The summary prospectus shall include on the front thereof substantially the following statement:

Information contained herein is based upon a registration statement filed under the Federal Securities Act of 1933 which is subject to correction and amendment. These securities may not be sold nor may offers to buy them be accepted prior to the time when the registration statement becomes effective. Further and more complete information is contained in the prospectus which must be furnished to purchasers.

The summary prospectus may also contain any statement or legend required by state law or administrative authority.

(b) A summary prospectus used pursuant to this section shall be subject to the suspension power of the Commission under section 10 (b) of the act, but need not be filed with the Commission as part of any registration statement or otherwise.

On September 20, 1955, the Commission published notice that it had under consideration the adoption of a proposed § 230.434 (Rule 434) and all interested persons were invited to submit their views and comments on the proposed rule on or before October 15, 1955. The foregoing action adopting Rule 434 shall become effective immediately.

(Sec. 19, 48 Stat. 85; 15 U. S. C. 77s)

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

NOVEMBER 8, 1955.

[F. R. Doc. 55-9322; Filed, Nov. 18, 1955;
8:50 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53946]

PART 12—SPECIAL CLASSES OF MERCHANDISE

MEAT AND MEAT-FOOD PRODUCTS; INSPECTION; BOND; RELEASE

Section 12.8, Customs Regulations, amended to delegate authority to collectors of customs to settle certain claims for liquidated damages under bonds.

In order to expedite the disposition of claims for liquidated damages under bonds for failure to comply with the requirements of the Meat Inspection Branch, Agricultural Research Service, Department of Agriculture, and also to correctly state the name of that Branch, section 12.8 of the Customs Regulations is hereby amended by designating the matter in the present section following the headnote as paragraph (a), by substituting "Meat Inspection Branch" for "Animal Inspection and Quarantine Branch" each place where it appears, and by adding a new paragraph (b) reading as follows:

(b) Liquidated damages assessed for breach of bonds taken under this section, if not in excess of \$20,000, and if a written application for relief is filed, may be canceled by the collector of customs upon the payment of less than the full amount

as he shall deem appropriate, or without the payment of any amount, as may be deemed appropriate, but the collector shall not act under this paragraph unless the officer in charge of the local office of the Meat Inspection Branch, Agricultural Research Service, Department of Agriculture, is in full agreement with the proposed action. If there is no local inspector of the Meat Inspection Branch, the collector shall not act unless he has obtained the full agreement of the Meat Inspection Branch in Washington.

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624. Interprets or applies sec. 623, 46 Stat. 759, as amended; 19 U. S. C. 1623)

Approved: November 14, 1955.

[SEAL] RALPH KELLY,
Commissioner of Customs.

DAVID W KENDALL,
Acting Secretary of the Treasury.

[F. R. Doc. 55-9323; Filed, Nov. 18, 1955;
8:50 a. m.]

TITLE 21—FOOD AND DRUGS

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

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

EXEMPTION FROM REQUIREMENT OF A TOLERANCE FOR RESIDUES OF ALLETHRIN

A petition was filed with the Food and Drug Administration requesting an exemption from the requirement of a tolerance for residues of allethrin used in the production of growing crops.

The Secretary of Agriculture has not certified that this pesticide chemical is useful in the production of all growing crops. He has certified that it is useful in the production of vegetables for which exemption from the requirement of a tolerance is granted by this order.

After consideration of the data submitted in the petition and other relevant material which show that a tolerance is not necessary to protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (2) 68 Stat. 512; 21 U. S. C. 346a (d) (2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7 (g) 20 F. R. 759) the regulations for tolerances and exemptions from tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR Part 120; 20 F. R. 1473) are amended by adding the following new section: -

§ 120.113 *Exemption from the requirement of a tolerance for residues of allethrin.* (a) Allethrin (allyl homolog of cinerin D) is exempted from the requirement of a tolerance for residues when used before harvest in the production of beans, broccoli, brussels sprouts, cabbage, cauliflower, collards, horse-radish, kale, kohlrabi, lettuce, mush-

rooms, mustard greens, radish, rutabagas, turnips.

(b) Allethrin is not exempted from the requirement of a tolerance when used at time of or after harvest.

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 701, 53 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 403, 68 Stat. 412; 21 U. S. C. 346a)

Dated: November 14, 1955.

[SEAL] JOHN L. HARVEY,
Acting Commissioner
of Food and Drugs.

[F. R. Doc. 55-9317; Filed, Nov. 18, 1955;
8:48 a. m.]

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

TOLERANCES FOR RESIDUES OF FERBAM, ZINEB, AND ZIRAM

Petitions were filed with the Food and Drug Administration requesting the establishment of tolerances for residues of ferbam, zineb, and ziram in or on certain raw agricultural commodities.

The Secretary of Agriculture has certified that these pesticide chemicals are useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petitions and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (2) 68 Stat. 512; 21 U. S. C. 346a (d) (2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7 (g) 20 F. R. 759) the regulations for tolerances and exemptions from tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR Part 120; 20 F. R. 1473) are amended by adding the following new sections:

§ 120.114 *Tolerance for residues of ferbam.* A tolerance of 0.1 part per million is established for residues of ferbam (ferric dimethyldithiocarbamate), calculated as zinc ethylenebisdithiocarbamate, in or on almonds.

§ 120.115 *Tolerance for residues of zineb.* A tolerance of 7 parts per million is established for residues of zineb (zinc ethylenebisdithiocarbamate) in or on mushrooms.

§ 120.116 *Tolerances for residues of ziram.* (a) A tolerance of 7 parts per million is established for residues of ziram (zinc dimethyldithiocarbamate) calculated as zinc ethylenebisdithiocarbamate, in or on strawberries.

(b) A tolerance of 0.1 part per million is established for residues of ziram (zinc dimethyldithiocarbamate), calculated as zinc ethylenebisdithiocarbamate, in or on almonds and pecans.

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 403, 68 Stat. 512; 21 U. S. C. 346a)

Dated: November 14, 1955.

[SEAL] JOHN L. HARVEY,
Acting Commissioner
of Food and Drugs.

[F. R. Doc. 55-9318; Filed, Nov. 18, 1955;
8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter G—Personnel

PART 874—AVIATION CADET TRAINING

AVIATION CADETS—AIR FORCE

In Part 874, §§ 874.1 to 874.13 are rescinded and the following substituted therefor:

- Sec. 874.1 General.
- 874.2 Requirements.
- 874.3 Waivers of minor offences.
- 874.4 Application.
- 874.5 Processing.
- 874.6 Information to be furnished applicants.
- 874.7 Selection and assignment.
- 874.8 Termination and reassignment.
- 874.9 Graduates.

Authority: §§ 874.1 to 874.9 issued under R. S. 161, sec. 262, 61 Stat. 500, as amended; 5 U. S. C. 23, 171a. Interpret or apply secs. 1, 3, 4, 55 Stat. 239, 240, as amended; sec. 6, 62 Stat. 653; 10 U. S. C. 237a, 239, 304, 304b, 50 U. S. C. App. 459.

Derivation: AFR 51-3, August 25, 1955.

§ 874.1 *General.*—(a) *Purpose.* Sections 874.1 to 874.9 tell how to apply for flying training in either aviation cadet or noncommissioned officer grade.

(b) *Definitions*—(1) *Aviation cadet training program.* Includes all aircrew training courses whose graduates are awarded the aeronautical rating of pilot or aircraft observer and are tendered appointments as commissioned officers of the Air Force.

(2) *Airmen applicants.* Male enlisted personnel of the Air Force who are in the active military service of the United States and airmen of the Air Force Reserve who are assigned to Air Force Reserve Programs in Training Categories A, B-1, B-2, C, or D as outlined in §§ 861.1 to 861.14 of this chapter. All other airmen of the Air Force Reserve not serving on extended active duty may apply as civilian applicants.

(3) *Air National Guard applicant.* Enlisted personnel of the Air National Guard who apply for aviation cadet training under the separate Air National Guard quota.

(4) *Civilian applicants.* United States male citizens who are not in the active military service. The term "civilian" includes members of reserve components of armed forces, other than those Air Force Reserve Airmen defined in subparagraph (2) of this paragraph and airmen of the Air National Guard, who are neither in nor alerted for active military service.

(5) *"Tentatively qualified" applicant.* An applicant who has successfully completed the aviation cadet preliminary examinations.

(6) *"Fully qualified" applicant.* An applicant who has successfully completed all qualifying examinations and who has been furnished written notification of his eligibility to compete for selection by the Commander, Flying Training Air Force.

(7) *"Selected applicant"* A fully qualified applicant who has received written notice of his selection and class assignment.

(8) *Aviation cadet preliminary examination (medical)* A Class I or Class IA Medical Examination.

(9) *Aviation cadet preliminary test (written)* A written examination for the purpose of determining the tentative qualification of applicants who are otherwise eligible for aviation cadet training in accordance with paragraph (c) of this section.

(10) *Final qualifying examination.* A series of tests used for final qualification of aviation cadet applicants. Results of these tests determine aptitude for pilot and/or aircraft observer training as well as officer quality.

(11) *Aviation students.* Noncommissioned officers of the Air Force who attend the aviation cadet training program in their enlisted grades (E-5 through E-7) The eligibility requirements for training as an aviation student are the same as for aviation cadet training, except that applicants must be serving in a noncommissioned officer grade at the time of application. Aviation students undergoing aviation cadet training receive all pay and allowances of their respective grades; however, they receive identical training, quarters messing facilities, and treatment accorded aviation cadets. Aviation students suc-

cessfully completing the flying training course will be commissioned Second Lieutenants, Reserve of the Air Force, in the same manner as are aviation cadets.

(12) *Student.* Unless otherwise specified herein, the term "student" used alone applies to both aviation cadets and aviation students.

(13) *Air Force Academy and Aircrew Examining Center* An Air Force base, centrally located with respect to source of applicants and having facilities adequate for final examination of such applicants. The following bases have been designated as Air Force Academy and Aircrew Examining Centers:

- (i) Barksdale AFB, Shreveport, Louisiana.
- (ii) Bolling AFB, Washington, D. C.
- (iii) Chanute AFB, Rantoul, Illinois.
- (iv) Davis-Monthan AFB, Tucson, Arizona.
- (v) Ellington AFB, Houston, Texas.
- (vi) Ellsworth AFB, Rapid City, South Dakota.
- (vii) Great Falls AFB, Great Falls, Montana.
- (viii) Hill AFB, Ogden, Utah.
- (ix) Keesler AFB, Biloxi, Mississippi.
- (x) Langley AFB, Hampton, Virginia.
- (xi) Lowry AFB, Denver, Colorado.
- (xii) MacDill AFB, Tampa, Florida.
- (xiii) McChord AFB, Tacoma, Washington.
- (xiv) March AFB, Riverside, California.
- (xv) Maxwell AFB, Montgomery, Alabama.
- (xvi) Mitchel AFB, Hempstead, Long Island, New York.
- (xvii) Moody AFB, Valdosta, Georgia.
- (xviii) Offutt AFB, Omaha, Nebraska.
- (xix) Olmsted AFB, Middletown, Pennsylvania.
- (xx) Parks AFB, Pleasonton, California.
- (xxi) Randolph AFB, San Antonio, Texas.
- (xxii) Sampson AFB, Geneva, New York.
- (xxiii) Scott AFB, Belleville, Illinois.
- (xxiv) Selfridge AFB, Mt. Clemens, Michigan.
- (xxv) Sewart AFB, Smyrna, Tennessee.
- (xxvi) Shaw AFB, Sumter, South Carolina.
- (xxvii) Sheppard AFB, Wichita Falls, Texas.
- (xxviii) Tinker AFB, Oklahoma City, Oklahoma.
- (xxix) Travis AFB, Fairfield, California.
- (xxx) Walker AFB, Roswell, New Mexico.
- (xxxi) Westover AFB, Chicopee Falls, Massachusetts.
- (xxxii) Wright-Patterson AFB, Dayton, Ohio.
- (xxxiii) Ramey AFB, Aguadilla, Puerto Rico.
- (xxxiv) FEAMCOM Air Base, Tachikawa, Honshu, Japan.
- (xxxv) Albrook AFB, Balboa, Canal Zone.
- (xxxvi) Clark AFB, Luzon, Philippine Islands.
- (xxxvii) Elmendorf AFB, Anchorage, Alaska.
- (xxxviii) Ernest Harmon AFB, Stephenville, Newfoundland.
- (xxxix) Hickam AFB, Honolulu, Oahu Island, T. H.
- (xl) Third Air Force Hq, Victoria Park Estate, South Ruislip, Middlesex, England.
- (xli) Welsbaden Air Base, Welsbaden, Germany.

§ 874.2 *Requirements*—(a) *Eligibility*—(1) *Age and citizenship.* Applicants must be United States male citizens between 19 and 26½ years of age at the time of application. Selected applicants must be enrolled in a specific flying training class prior to their 27th birthday. Applicants below age 21 must secure the written consent of parents or guardian in accordance with § 874.4.

(2) *Marital status.* Applicants must be unmarried at the time of application and must agree in writing to remain unmarried for the duration of the training program. Unmarried civilian applicants may have no more than one dependent unless eligible to enlist in grade E-4 or higher.

(3) *Base or residence.* (i) Civilian applicants must be residing at time of application, in the continental United States, Alaska, Hawaii, Puerto Rico, or the Panama Canal Zone.

(ii) Airmen may apply and undergo processing at any time unless prohibited under paragraph (d) of this section.

(4) *Educational qualifications.* The minimum educational requirement is high school graduate level. Civilian applicants must have completed high school as evidenced by a diploma or certificate of graduation. Airmen and prior service applicants not graduated from high school may apply if they have completed the entire battery of USAFI high school level GED tests with a minimum standard score of 35 on any one or with an average standard score of not less than 45 on all five tests as evidenced by a USAFI certificate. Documentary evidence of highest education level achieved will be required with application.

(5) *Eligibility for enlistment.* All applicants must be eligible to enlist or reenlist in the Air Force under the provisions of §§ 871.1 to 871.7 of this subchapter.

(6) *Moral character* Applicants must be of good moral character and must possess other personal qualities desired in a commissioned officer.

(7) *Medical standards.* All applicants must meet the medical standards for flying training as outlined in pertinent regulations. Waiver of substandard medical findings will not be granted.

(b) *Ineligibility.* The following persons are ineligible to apply for this training:

(1) An airman based within the continental United States who has been alerted for overseas assignment.

(2) An airman based in an overseas area who has been reported on rotation forecast for return to the zone of interior.

(3) A person not eligible for enlistment or reenlistment in the Air Force in accordance with §§ 871.1 to 871.7 of this subchapter.

(4) For pilot training, a person who holds or has held the aeronautical rating of pilot or comparable rating in any of the Armed Forces of the United States. (Army aviator is not comparable.) Such a person, if otherwise qualified, may apply for aircraft observer training.

(5) For aircraft observer training, a person who holds or has held the aeronautical rating of aircraft observer or comparable rating in any of the Armed Forces of the United States. Such a person, if otherwise qualified, may apply for pilot training.

(6) A person eliminated or disenrolled from a course of training leading to commissioned status conducted by any of the Armed Forces or service academies of the United States unless recom-

mended by the eliminating authority for further training leading to a commission.

(7) A person eliminated from a flying training course conducted by any of the Armed Forces of the United States unless recommended by the eliminating authority for further aircrew training.

(8) A person in the active military service of the United States other than the Air Force.

(9) A member of a Reserve Force of the United States who has been alerted for active military service with any of the Armed Forces other than the Air Force.

(10) A person currently enrolled in a training program conducted by any of the Armed Forces of the United States leading to commissioned status, unless his application is approved and further training is recommended by an authorized official of the parent service conducting the training.

(11) An airman who is enrolled in or selected for enrollment in a foreign language training course or a formal technical training course leading to the award of an Air Force Specialty Code or upgrading of skill level in Air Force Specialty Code. This restriction does not apply to airmen who will become over age for this training while enrolled in such a course.

(12) An airman who is undergoing court-martial proceedings.

(13) A person who is undergoing board action directed toward the revocation of information indicating that the applicant possess undesirable personal qualities, or a person concerning whom a personnel security clearance has been denied or revoked.

(14) A person who has a record of conviction by any type of court-martial or civilian court, other than for a minor traffic violation, except that, if appropriate, a request for waiver of a minor offense not considered prejudicial to the performance of duty as an officer may be sent to the Commander, Flying Training Air Force, Waco, Texas, for consideration in accordance with § 874.3. A waiver will not be granted for an offense that involves moral turpitude. Requests for waiver will not be submitted if moral turpitude is clearly evident.

(15) An airman who has pending an application for hardship discharge or who is under investigation for any type of offense.

(16) A person who is or ever has been:

(i) A conscientious objector.

(ii) Affiliated or sympathetic with an organization, movement, or group advocating a subversive policy or seeking to alter the Government of the United States by unconstitutional means or seeking to deny the constitutional rights of others unless or until the applicant has had a final determination favorable to him by Headquarters USAF in accordance with §§ 886.1 to 886.21 of this subchapter.

(17) A Selective Service Registrant who has been ordered to report for active military service with any of the Armed Forces other than the Air Force.

(18) Minor applicants (below age 21) without the written consent of parents or guardian.

(19) Applicants who have previously applied for aviation cadet training and who were disqualified or not selected, within a period of 1 year from the date of last written examination either preliminary or final.

§ 874.3 Waivers of minor offenses.

(a) A civilian applicant may submit a request for waiver of a minor offense to any USAF recruiting detachment or station. An airman applicant may submit a request for waiver to his commander. Each request for waiver will contain complete information in regard to the offense and circumstances involved and will be considered on its own merits as substantiated by the following:

(1) Copy of court record if applicant has a record of conviction by any military or civilian court.

(2) Detailed statement by the applicant concerning the offense and circumstances involved.

(3) Any additional documentary evidence substantiating the applicant's statement or justifying the request, such as statements from other persons, records of outstanding achievements, awards, and so forth.

(b) Request for waiver will not be submitted until the applicant has been released from all restraint, probation, or parole for a minimum period of 6 months, or until 6 months has expired from date of conviction.

§ 874.4 Application—(a) AF Form 56.

Application will be accomplished by completing AF Form 56 in duplicate. The applicant's attention will be directed to item V (B) of AF Form 56 whereby he agrees that, on completion of the training course, he will accept an appointment as a Reserve Officer of the Air Force for an indefinite term and will serve in the active military service as a commissioned officer for a period of 3 years after graduation unless sooner relieved by competent authority. In the case of a minor (below age 21 years) such agreement shall be signed with the consent of his parents or guardian. The signature of parents or guardian will be notarized by a notary public or other person authorized to perform notarial acts.

(b) *Content.* Each application will contain:

(1) Evidence of date of birth which may be in the form of a birth certificate, an authenticated copy thereof, or any other documentary evidence which is considered sufficient in establishing the applicant's date of birth.

(2) Evidence of citizenship, if the applicant is not a citizen by birth, in the form of a certificate, signed by an officer, notary public, or other person authorized by law to administer oaths, giving the following information:

I certify that I have this date seen the original certificate of naturalization number _____ (or certified copy of court order establishing citizenship) stating that _____ was

(Full name)

admitted to United States Citizenship by

the _____ Court of _____

(District or County)

_____ on _____

(State)

(Date)

The following person was named in the certificate as a minor child: _____, age _____

(3) Evidence of college work completed, where applicable, in the form of an official transcript of scholastic credits earned, a diploma, or statement signed by an official of the school in which the applicant matriculated.

(4) Evidence of having completed high school, where applicable, as evidenced by a diploma or certificate of graduation, or, if applicable, a certificate from the United States Armed Forces Institute indicating standard scores of not less than 35 on any one or an average standard score of not less than 45 on all five tests of the United States Armed Forces Institute high school level General Educational Development tests.

(5) A loyalty certificate: Each applicant will be required to complete DD Form 98, "Loyalty Certificate for Personnel of the Armed Forces." If, after proper instruction, the applicant fails to complete the certificate in its entirety or completes it with qualifications or makes entries thereon which provide reason to believe that his appointment would not be clearly consistent with interests of national security, the applicant will be requested to complete five copies of DD Form 398, "Statement of Personal History," and an FBI Applicant Fingerprint Card.

(6) Members of Reserve Forces of the United States will attach a statement indicating service number, military status at time of application, and Reserve assignment.

(7) Data Processing Control sheet, AF Form 338.

(c) *Applications from students enrolled in their senior year of college.* Applications from students enrolled in their senior year of college submitted within 135 days of scheduled graduation date will be processed as college graduate applicants. Applications from these persons will include a statement from the student attesting to the fact that he is enrolled in his senior year of college and giving the date he is scheduled to graduate.

§ 874.5 Processing—(a) Preliminary—

(1) *All applicants.* All applicants, in order to qualify for aviation cadet training, must attain passing scores on all tests administered for the type training desired in addition to meeting the required medical standards. Applicants may apply for either pilot or aircraft observer training or for both programs indicating their preference. If an applicant who applies for both programs is found disqualified for the training of his first choice he will be automatically considered for his second choice. If an applicant declines to indicate a second choice but is found qualified for the alternate training, he may be considered for the alternate training, providing upon notification, he indicates his acceptance in writing or his application is changed accordingly and initialed by the applicant.

(2) *Civilians.* A civilian applicant will normally apply at a USAF Recruiting Station or Detachment. In remote areas

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applicants may apply at the nearest Air Force base.

(3) *Armen.* (1) Airmen will submit applications to their immediate commanders.

(ii) Airmen who have applications pending for aviation cadet or aviation student training will not be assigned to oversea shipments nor assigned to technical training schools.

(b) *Final.*—(1) *General.* Each tentatively qualified applicant referred to an Air Force Academy and Aircrew Examining Center for final processing will be administered the Air Force Officer Qualifying Test, a complete medical examination for flying training as prescribed in pertinent regulations, and such other examinations as may be directed by Headquarters USAF. If, at any time during the processing, an applicant is determined to have a medical defect which is unquestionably disqualifying for both pilot and aircraft observer training, processing of that applicant will cease and disposition as a disqualified applicant will be made.

§ 874.6 *Information to be furnished applicants.*—(a) *General.* Each applicant who successfully completes the final processing will, prior to his departure from the examining center, be advised that he is fully qualified, subject to administrative and medical review by the Commander, Flying Training Air Force. Selections will be based on the results of the examinations completed together with the overall qualifications of each applicant. Each applicant will be advised in writing of his status by the Commander, Flying Training Air Force, as soon as possible but not later than 4 weeks from receipt of application. Applicants who are not selected within a period of 1 year will be notified and their personal documents will be returned. If eligible, a nonselected applicant may reapply after 1 year has elapsed from the date of his last preliminary testing.

(b) *Qualified applicants.*—(1) *Draft deferment for "selected" civilian applicants.* A draft-eligible civilian applicant who is subsequently notified of his acceptance for aviation cadet training will be furnished a 4-month draft deferment by the Commander, Flying Training Air Force. If an applicant is ordered to report to active military service by the Selective Service System before his deferment is issued or after his deferment expires his application for aviation cadet training will be canceled since such persons are not assigned for service with the Air Force. There are no provisions of law which authorize the transfer of military personnel between the separate military departments of the Department of Defense.

(2) *Medical status.* A report of medical examination (SF 88) must be accomplished within 90 days of the date of application for aviation cadet training. At time of entry into training, the report of medical examination must not be more than 1 year old. If the date of the report of medical examination has expired, the selected applicant will be required to undergo a second medical examination. Fully qualified civilian

applicants will be instructed that the two copies of the completed SF 88 furnished them must be submitted to the enlisting agency.

(3) *Enlistment.* After notification of selection and class assignment, selected civilian applicants will be required to enlist in the Regular Air Force for a period of 2 years in the grade of basic airman (E-1) unless authorized under current enlistment directives to enlist in a higher grade. They will be appointed as aviation cadets upon arrival at the Air Force Pre-Flight Training School.

(4) *Changes affecting status of accepted applicants.* Applicants notified of their acceptance by the Commander, Flying Training Air Force, need not take any further action regarding their applications unless requested to do so. However, Flying Training Air Force must be informed of any changes which affect an applicant, such as:

(i) Enlistment in the Regular Air Force.

(ii) For airmen, advancement to non-commissioned officer grade which would permit assignment to training as an aviation student.

(iii) Change of address.

(iv) Modification of physical status which would be disqualifying for flying training.

(v) Change in marital status.

(vi) Change of desire for training.

(vii) Receipt of notification from the Selective Service System ordering the applicant into the active military service of the United States or alerting him for such service.

(viii) Receipt of orders to enter the active military service by a fully qualified applicant who is a member of a Reserve Force of the United States other than the Air Force.

(5) *College seniors applying as college graduates.* Applications of students enrolled in their senior year of college who apply for aviation cadet training within 135 days of their scheduled graduation date will be processed as other applicants and those found fully qualified will be advised to furnish, upon graduation, a copy of their college transcript to the Commander, Flying Training Air Force, in order that they may receive selection priority as college graduates. Immediately upon receipt of college transcript the Commander, Flying Training Air Force, will furnish the applicant with a tentative class assignment.

(c) *Disqualified applicants.* Disqualified applicants will be advised as soon as possible of the reason for disqualification. An applicant who fails to attain the minimum qualifying score on the Air Force Officer Qualifying Test will not be furnished information as to scores made on the tests but only that he failed to attain the minimum qualifying score. If disqualified because of failure to pass the Air Force Officer Qualifying Test, he may reapply for aviation cadet training 1 year from the date of disqualification provided he is otherwise qualified.

(d) *Reserve personnel.*—(1) *Air Force.* Eligible Air Force Reserve personnel may apply and will be processed as outlined in § 874.5 (a) (3)

(2) *Other services.* Members of Reserve Forces, other than airmen of the Air Force Reserve as defined in paragraph (b) (2) of § 874.1, who are neither in nor alerted for active military service may apply for aviation cadet training and will be processed as civilian applicants. Those persons selected for training may be enlisted in the Regular Air Force in accordance with §§ 871.1 to 871.7 of this subchapter after notification of their selection. The policy in §§ 871.1 to 871.7 of this subchapter pertaining to enlistment of personnel of Reserve Forces other than the Air Force will apply.

§ 874.7 *Selection and assignment.*—

(a) *Selection of applicants.* Fully qualified and accepted applicants will be selected for training by the Commander, Flying Training Air Force, in the following order of priority:

(1) College graduates with baccalaureate degrees or higher.

(2) Persons having completed two or more years of college (60 semester hours or 90 quarter hours) but less than a baccalaureate degree.

(3) All others, based on results of examinations taken and by date of qualification.

(b) *Airmen in the active military service.*—(1) *Reassignment.* Reassignment of airmen will be in grade held, on a permanent change of station basis. Selected applicants who applied for aviation cadet training while assigned to military units based in oversea areas will be returned to the zone of interior for aviation cadet training only after completing one-half of their oversea tour.

(2) *Extension of enlistment.* An airman of the Regular Air Force selected for aviation cadet training who does not have 16 months of service remaining in his current enlistment contract as of the class starting date will be required to extend his enlistment contract to include such period prior to departure from his unit of assignment. An airman of the Regular Air Force who has been notified in writing that he is "fully qualified" for aviation cadet training but who has not been selected for a specific training Class may, immediately following discharge upon normal expiration of term of service, be reenlisted for a period of 2 years pending assignment to a training class. In the event airman fails to complete the course of training, he may, upon request, be separated from the service in accordance with § 874.8 (a) (3)

(3) *Reserve airmen.* Reserve airmen selected for aviation cadet training will be discharged from their Reserve status upon enlisting in the Regular Air Force. Enlistment in the Regular Air Force will be for a period of 2 years.

(4) *Appointment.* On arrival at the Air Force Pre-Flight School the airman will be appointed an aviation cadet unless eligible to undergo flying training as an aviation student as defined in paragraph (b) (11) of § 874.1.

(c) *Civilian applicants.* The Commander, Flying Training Air Force, will furnish draft deferments (DD Form 44), letters of acceptance, and class assignments to fully qualified and selected ap-

licants. Letters of acceptance will authorize selected applicants to enlist in the Regular Air Force for a period of 2 years. After enlisting, the selected applicant who has received class assignment instructions will be assigned to the Air Force Pre-Flight Training School. On arrival at the Pre-Flight Training School, he will be appointed an aviation cadet by the Commandant. An applicant who declines to accept appointment as an aviation cadet after enlisting for a 2-year period will be disposed of in the same manner as an eliminated cadet. However, such a person will be advised that he will not be considered at a future date for a direct commission in the Air Force or for training leading to a commission in the Air Force without prior approval of the Chief of Staff, USAF. In addition, he will be informed that since his enlistment was subsequent to June 19, 1951, he is obligated for an additional 6 years of Reserve service with the Air Force following the completion of his 2-year enlistment contract in the Regular Air Force. Upon completing the 2 years of service in the Regular Air Force, he will be processed under pertinent regulations for separation from active military service.

(d) *National agency check*—(1) *For selected airman applicants.* Immediately upon determination that an airman applicant will be selected, the Commander, Flying Training Air Force, will request the airman's commander to initiate a National Agency Check for the applicant, if the applicant's records do not show a record of one having been accomplished or initiated.

(2) *For civilian applicants.* The Commandant, USAF Pre-Flight Training School will, when the applicant is appointed to the grade of aviation cadet, initiate a National Agency Check.

§ 874.8 *Termination and reassignment*—(a) *Termination of training*—(1) *Suspension.* When the faculty board of an Air Force school determines that an aviation cadet or aviation student is no longer qualified to continue in his course of training, the commandant or Air Force supervisor, as applicable, will suspend the student from training. Upon final approval of the faculty board proceedings, the commandant will terminate the student's appointment as an aviation cadet or status as an aviation student.

(2) *Grade.* In the case of aviation cadets eliminated from training, the commandant will appoint the eliminated student to the airman grade held immediately prior to appointment as an aviation cadet.

(3) *Discharge from the Air Force.* The commandant will afford an eliminated aviation cadet, whose current enlistment was specifically for aviation cadet training, and who, at the time of enlistment, had completed a tour of active service (6 months or more in duration) required by the Universal Military Training and Service Act, as amended, the opportunity to request discharge from the Air Force. The eliminated student must indicate in writing, at the

time of elimination his desire either to complete his enlistment contract or to be immediately separated from the service. Should he elect to complete his enlistment contract, he will not be permitted to request separation from the Air Force at a later date because of his elimination. Eliminated students who request separation and who have remaining obligated service as outlined in §§ 864.31 to 864.43 of this chapter, will be transferred to the Air Force Reserve.

(b) *Student relieved from training*—(1) *Reassignment.* Eliminated or disqualified students, other than those separated from the service in accordance with paragraph (a) (3) of this section, will be reassigned as follows:

(i) Eliminees who reported to aviation cadet training from civilian status or from overseas commands, other than from units of Strategic Air Command or Military Air Transport Service, will be reassigned within Air Training Command.

(ii) Those who were previously assigned to overseas units of Strategic Air Command or Military Air Transport Service will be reported to the appropriate headquarters for reassignment to the airman's former command.

(iii) Those who were previously assigned to major air commands with station assignment within the zone of interior will be reported to the headquarters of that command for assignment.

(2) *Service credited.* Periods of service as an aviation cadet or aviation student will be credited as time spent in the airman grade held at time of appointment as an aviation cadet or designation as an aviation student and will be credited in computing the service remaining under the original enlistment contract.

(3) *Extended enlistments.* If applicable, the extension required by paragraph (b) (2) of § 874.7 will be canceled in accordance with §§ 871.1 to 871.7 of this subchapter.

(4) *Discharge.* If an airman is eliminated during the extension period, he will be separated from the service. Such an airman will be given time to reenlist as specified in current enlistment directives.

(c) *Reinstatement of former students*—(1) *Flying deficiency.* A student eliminated from training because of flying deficiency will not be considered for reinstatement into the same course of training. An application may be submitted for other flying training if the eliminated student is recommended by the eliminating authority and is otherwise qualified.

(2) *Academic deficiency.* Students eliminated from training because of academic deficiency will not be reinstated at a later date unless recommended for further officer training by the faculty board. They must also have substantially improved their educational qualifications and at least 1 year must elapse from the date of termination of student status before reapplication.

(3) *Military deficiency.* Students eliminated from training because of military deficiency will not be reinstated.

(4) *Medical.* Students eliminated from training because of substantiated medical disqualification may reapply, if a subsequent medical examination indicates that the previous disqualification has been corrected or no longer exists. However, the former student must meet all other requirements for appointment and must have been recommended for reinstatement by the eliminating authority.

(5) *Resignation.* A student who resigns from the training program will not be reinstated.

(6) *Emergency leave.* Under such regulations as may be issued by the Commander, Air Training Command, a student may be granted emergency leave in instances of a severe personal hardship. In such an instance, he will be held over for succeeding classes, if necessary. The length of time involved or the number of "hold overs" granted any one student will be determined by the Commander, Air Training Command.

(7) *Reinstated students.* The phase of training to which eligible students may be reinstated will be determined by the Commander, Flying Training Air Force.

§ 874.9 *Graduates*—(a) *Appointment as Reserve Officer of the Air Force*—(1) *Tendering appointment.* Students who successfully complete the prescribed basic flying training course and who are mentally, morally, and physically qualified will be tendered appointments as second lieutenant Reserve of the Air Force for an indefinite term. Each graduate, so appointed, will be ordered into active military service and will serve for a continuous period of 3 years from the date of graduation from basic flying training unless sooner relieved by orders of competent authority. Each graduate will be awarded the aeronautical rating appropriate to his training and concurrently will be ordered to participate in regular and frequent aerial flights.

(2) *Graduates who decline to accept appointment.* A graduate who declines to accept an appointment as a Reserve officer of the Air Force will be disposed of as an eliminated student. His appointment as an aviation cadet, or status as an aviation student, will be terminated as outlined in § 874.8 (a), and he will be reassigned within the Air Force in accordance with § 874.8 (b).

(b) *Discharge.* When commissioned in accordance with paragraph (a) of this section, the student will be discharged from his airman status. The commandant will prepare a discharge certificate and report of separation as of the day preceding the date of appointment as a commissioned officer. The discharge certificate and report of separation will not be delivered to the graduate until after the oath (AF Form 133) as commissioned officer has been administered.

[SEAL]

E. E. TORO,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 55-9303; Filed, Nov. 18, 1955; 8:45 a. m.]

Chapter XII—National Advisory Committee for Aeronautics

PART 1220—CONTRACT DISPUTES AND APPEALS

Sec.	
1220.1	Introduction.
1220.2	NACA Board of Contract Appeals.
1220.3	Action by contracting officer.
1220.4	Appeal by contractor.
1220.5	Preparation of appeal file.
1220.6	Proceedings of NACA Board of Contract Appeals.
1220.7	Final decision.
1220.8	Effective date.

AUTHORITY: §§ 1220.1 to 1220.8 issued under R. S. 161; 5 U. S. C. 22, interpret or apply 62 Stat. 21, as amended; 41 U. S. C. 151.

§ 1220.1 *Introduction*—(a) *Purpose.* The regulations in this part establish an NACA Board of Contract Appeals and prescribe administrative procedures for hearing, considering, and deciding disputes and appeals arising under NACA contracts.

(b) *Authority.* The Armed Services Procurement Act of 1947, 62 Stat. 21, as amended (41 U. S. C. 151) and NACA General Administrative Directive No. 1-49, May 19, 1949, vest in the NACA Executive Secretary authority to make final decisions on all appeals arising under the disputes clause of NACA contracts.

§ 1220.2 *NACA Board of Contract Appeals*—(a) *Establishment.* There is hereby established an NACA Board of Contract Appeals. The functions of this Board shall be to:

(1) Review appeals arising under NACA contracts.

(2) Conduct hearings, where necessary.

(3) Submit reports of findings and recommendations to the NACA Executive Secretary for his final decision.

(b) *Membership.* (1) The NACA Board of Contract Appeals shall consist of the NACA Legal Adviser, who shall be designated the permanent Board member, and at least two ad hoc members to be appointed by the NACA Executive Secretary.

(2) No person directly involved in the awarding or administration of the contract in dispute shall be appointed to the Board of Contract Appeals.

§ 1220.3 *Action by contracting officer*—NACA contracting officers shall follow the procedure outline in this section in resolving disputes on questions of fact arising under NACA contracts containing the standard disputes clause or similar provisions:

(a) *Statement of facts from contractor*—Whenever a dispute arises which is not disposed of by mutual agreement, the contracting officer shall request the contractor to furnish a full statement of the pertinent facts and the reasons in support of the contractor's contention, with a reference to the contract provisions relied upon in support of such contention.

(b) *Decision by contracting officer*—The contracting officer executing the contract shall in each instance decide the dispute and furnish directly to the contractor a statement in writing of his decision, together with his findings of

fact. It is the responsibility of the contracting officer to exercise his own judgment in making his findings of fact and in reaching his decision.

§ 1220.4 *Appeal by contractor*—(a) *Notice of appeal.* An appeal from a finding of fact or decision of a contracting officer shall be made by notice of appeal in writing, addressed to the NACA Executive Secretary, and shall be mailed or filed with the contracting officer within the time allowed by the contract. The notice of appeal shall specify the portion of the findings of fact or decision from which the appeal is taken, the reasons why the findings or decision are deemed erroneous, and the relief sought by the appeal. A suggested form of notice of appeal is attached as Appendix A.¹

(b) *Appeal brief.* A brief in support of the appeal may be submitted with the notice of appeal or within 30 days after the mailing or filing of such notice.

§ 1220.5 *Preparation of appeal file*—(a) *Documents to be filed by contracting officer*—Within 15 days after receipt of a notice of appeal, the contracting officer shall transmit the appeal file to the NACA Board of Contract Appeals. The appeal file shall consist of the notice of appeal and any supporting briefs, and copies of all pertinent documents, including the following:

(1) The findings of fact and the decision from which the appeal is taken,

(2) The invitation for bids, the contract, pertinent plans, specifications, and amendments, and

(3) Correspondence² and other data material to the appeal.

§ 1220.6 *Proceedings of NACA Board of Contract Appeals*—(a) *Renew and consideration of record.* The Board shall review and consider the record presented to it and shall take whatever action is necessary to insure a full and fair consideration of the case. A hearing will be held if requested by the contractor or determined by the Board to be necessary. Requests for a hearing shall be submitted with the notice of appeal or within 30 days thereafter.

(b) *Hearings.* (1) Hearings will be held at NACA Headquarters, Washington, D. C., unless the Board determines that the holding of the hearing elsewhere will best serve the interests of the parties concerned.

(2) Hearings shall be conducted in an orderly manner and in a serious, business-like atmosphere of dignity and decorum and shall be expedited as much as possible. Attendance shall be limited to persons officially concerned with the hearing, including representatives of the contractor and contracting officer and any witness while actually testifying. Testimony shall be given under oath or affirmation. Rules of evidence shall not be binding on the Board, but reasonable restrictions shall be imposed as to the relevancy, competency, and materiality of matters considered.

¹Filed as part of the original document. Copies available upon request to NACA Board of Contract Appeals, National Advisory Committee for Aeronautics, 1512 H Street NW., Washington 25, D. C.

(3) The contractor and the contracting officer, or their representatives, may offer at a hearing such evidence or argument as they deem appropriate, subject to the exercise of reasonable discretion by the presiding officer as to the extent and manner of presenting such argument.

(4) Provision shall be made for an adequate record of the hearings. It shall be discretionary with the Board as to whether a summary record or verbatim transcript or recording will be made. A copy of the summary or transcript shall be furnished to the contractor.

(c) *Deliberations and findings of Board.* Deliberations of the Board shall be made in executive session. No record shall be made of such deliberations nor of the vote of a particular member unless such member desires to submit a minority opinion. The Board shall base its findings on the complete record. The finding of the Board shall be in writing, shall indicate whether reached by unanimous decision, and shall be signed by all members of the Board. The findings of the Board, together with the complete record of the case, shall be sent to the NACA Executive Secretary.

§ 1220.7 *Final decision.* The NACA Executive Secretary shall review the complete record of the case and shall render a final decision in writing, a copy of which shall be furnished to the contractor and the contracting officer.

§ 1220.8 *Effective date.* The regulations in this part shall be effective November 14, 1955.

Issued at Washington, D. C., November 14, 1955.

J. F. VICTORY,
Executive Secretary.

[F. R. Doc. 55-9324; Filed, Nov. 18, 1955; 8:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders
[Public Land Order 1252]

[Sacramento 048400]

CALIFORNIA

RESERVING PUBLIC LANDS IN CONNECTION WITH TOPAZ LAKE PUBLIC FISHING AREA

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, and the act of March 10, 1934, as amended by the act of August 14, 1946 (48 Stat. 401, 60 Stat. 1080; 16 U. S. C. 661-666c), it is ordered as follows:

Subject to valid existing rights, the following-described public lands in California are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use of the Department of Fish and Game of the State of California in connection with the

Topaz Lake Public Fishing Area, under such conditions as may be prescribed by the Secretary of the Interior: *Provided*, That the Bureau of Land Management, its permittees and licensees, shall have the use of the lands when trailing livestock and as may be needed to secure access to water for such livestock:

MOUNT DIABLO MERIDIAN

T. 9 N., R. 22 E.,
Sec. 2, $W\frac{1}{2}NW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$.
T. 10 N., R. 22 E.,
Sec. 34, $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$.

The areas described aggregate 200.40 acres.

This order shall be subject to existing withdrawals for reclamation purposes so far as they affect any of the above-described lands.

WESLEY A. D'EWART,
Assistant Secretary of the Interior

NOVEMBER 15, 1955.

[F. R. Doc. 55-9305; Filed, Nov. 18, 1955;
8:45 a. m.]

[Public Land Order 1253]

[Fairbanks 012594]

[Misc. 1966031]

[Misc. 2119370]

ALASKA

PARTIALLY REVOKING PUBLIC LAND ORDER NO. 225 OF APRIL 21, 1944; WITHDRAWING PORTIONS OF RELEASED LANDS FOR VARIOUS PUBLIC PURPOSES

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 sections 2380 and 2381 of the Revised Statutes (43 U. S. C. 711, 712) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 225 of April 21, 1944, temporarily withdrawing lands in Alaska from settlement, location, sale, or entry, for classification, which was partially revoked by Public Land Order No. 537 of December 15, 1948, is hereby revoked so far as it affects the following-described lands:

BIRCH LAKE

Latitude 64°19' N., longitude 146°40' W.

All lands within one-half mile of Birch Lake, including all islands, embracing among other lands the following surveyed subdivisions:

FAIRBANKS MERIDIAN

T. 7 S., R. 5 E.,
Sec. 13;
Sec. 14, lots 2, 3, and $NE\frac{1}{4}$,
Sec. 24, $NW\frac{1}{4}NE\frac{1}{4}$ and $NE\frac{1}{4}NW\frac{1}{4}$.

The areas described aggregate approximately 2,300 acres, including 1,838 acres of public land and 300 acres of non-public land.

Excepting, however, the following-described tract, which shall remain within the withdrawal created by Public Land Order No. 225:

FAIRBANKS MERIDIAN

T. 7 S., R. 5 E.,
Sec. 12, lots 7, 8, 10, and 11.

The tracts described contain 8.36 acres.

2. The following-described lands released from withdrawal are patented lands:

FAIRBANKS MERIDIAN

T. 7 S., R. 5 E.,
Sec. 12, lots 1, 2, and 9;
Sec. 13, lots 1, 2, 5, 6, and 7;
Sec. 14, lots 2, 3, $S\frac{1}{2}NE\frac{1}{4}$.

The areas described aggregate 300.13 acres.

3. Subject to valid existing rights, the following-described public lands, which are a portion of the lands released from withdrawal by paragraph 1 of this order, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and the mineral-leasing laws, and reserved as follows:

(a) For townsite purposes to be hereafter disposed of under applicable townsite laws:

FAIRBANKS MERIDIAN

T. 7 S., R. 5 E.,
Sec. 13, lots 3, 4, $NE\frac{1}{4}SE\frac{1}{4}$.

The tracts described contain 73.24 acres.

(b) Under the jurisdiction of the Department of the Interior for recreation and other public purposes:

FAIRBANKS MERIDIAN

T. 7 S., R. 6 E.,
Sec. 18, lots 1, 2, and 10.

The tracts described contain 36.37 acres.

4. The following-described lands released from withdrawal by this order, shall not become subject to the initiation of any rights or to any disposition under the public-land laws until it is so provided by an order of classification to be issued by an authorized officer, opening such lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609-43 U. S. C. 682a) as amended, with a 91-day preference-right period for filing such applications by veterans of World War II, the Korean Conflict, and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended:

FAIRBANKS MERIDIAN

T. 7 S., R. 6 E.,
Sec. 12, lots 3, 4, and 5.
T. 7 S., R. 6 E.,
Sec. 7, lots 1, 2, 3, 4, 5, $NE\frac{1}{4}NW\frac{1}{4}$.

The areas described aggregate 273.99 acres.

5. The $SW\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$ and the $SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$ (part of lot 5) sec. 12, T. 7 S., R. 5 E., containing 5 acres, are included in an application for withdrawal filed by the Territorial Department of Lands, Alaska (Fairbanks 012594) with respect to which lands, applications under the public-land laws will be suspended in accordance with 43 CFR 295.10 until action on the application for withdrawal has been taken.

6. The following public lands are restored to disposition under the public-land laws by this order:

FAIRBANKS MERIDIAN

T. 7 S., R. 5 E.,
Sec. 1, $SE\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$,
Sec. 11, $E\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}$,
Sec. 12, $W\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$,
Sec. 13, $S\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$,
Sec. 14, $N\frac{1}{2}NE\frac{1}{4}$,
Sec. 24, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$.
T. 7 S., R. 6 E.,
Sec. 6, $SW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, unsurveyed;
Sec. 7, $NE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$, $NE\frac{1}{4}SE\frac{1}{4}$,
Sec. 18, lots 3, 4, 11, 12, 16, 17, $S\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$.

The areas described aggregate 1,760.89 acres.

7. Subject to any valid existing rights and the requirements of applicable law, the surveyed public lands described in paragraphs 5 and 6 hereof are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Alaska Home Site, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended) presented prior to 10:00 a. m. on December 21, 1955, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on March 21, 1956, will be governed by the time of filing.

8. Subject to any valid existing rights and the requirements of applicable law, the unsurveyed public lands released from withdrawal by paragraph 6 of this order, are hereby opened to filing of applications, selections, and locations as are allowable on unsurveyed lands in accordance with the following:

a. Subject to the applications and claims described in paragraph b (1) below, the lands beginning 10:00 a. m. on December 21, 1955, will be subject to settlement under the Homestead and Alaska Home Site Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747-43 U. S. C. 279-284 as amended). Beginning 10:00 a. m. on March 21, 1956, any remaining lands will be subject to settlement under those laws by other qualified persons.

b. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having preference rights conferred by existing laws or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended) presented prior to 10:00 a. m. on December 21, 1955, will be considered as simultaneously filed at that hour. Rights under such preference right applications after that hour and before 10:00 a. m. on March 21, 1956, will be governed by the time of filing.

9. All valid applications and selections under the non-mineral public-land laws, other than those coming under paragraphs 7 (a) (1) and (2) and 8 (b) (1) and (2) above, presented prior to 10:00 a. m. on March 21, 1956, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

10. The lands have been open to applications and offers under the mineral-leasing laws and to location for metalliferous minerals. They will be open to location for non-metalliferous minerals under the United States mining laws beginning at 10:00 a. m. on March 21, 1956.

11. Persons claiming veterans preference rights under paragraphs 7 (a) (2) and 8 (b) (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons

claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

WESLEY A. D'EWART,
Assistant Secretary of the Interior

NOVEMBER 15, 1955.

[F. R. Doc. 55-9306; Filed, Nov. 18, 1955;
8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 11094]

[Rules Amdt. 3-60]

PART 3—RADIO BROADCAST SERVICES

TELEVISION BROADCAST STATIONS

The Commission's Report and Order in the above-entitled matter, adopted November 3, 1955 (FCC 55-1096) published in the FEDERAL REGISTER November 9, 1955 at page 8384, is corrected in the following respects:

1. In paragraph (a) of § 3.691, the last two words are changed to read, "the requirements of this subpart."

2. In paragraph (d) of § 3.692, the date "December 12, 1955" is inserted following the words "prior to"

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-9328; Filed, Nov. 18, 1955;
8:51 a. m.]

ing. At the conclusion of the hearing a reasonable opportunity will be afforded interested parties for examination of the record and for the submission of briefs.

Substance of proposal: To amend section 21, class 4 (27 CFR 5.21 (d)) and other pertinent sections of the regulations to require a grape distillate, produced in the United States or imported and not aged for at least 2 years, to be designated as "wine spirits", "grape distillate" "immature brandy", "young brandy" "substandard brandy", "brandy ---- years and/or months old", or some similar designation, with or without such further statement of composition as may be required; or, in the alternative, to amend section 21, class 4 (27 CFR 5.21 (d)) and other pertinent sections of the regulations to authorize the use of the designation "aged brandy" and/or "mature brandy" or some other designation or device to indicate that the product has been matured, on labels and in advertising in the case of grape brandy aged for not less 2 years, and to prohibit the use of these designations on labels and in advertising in the case of brandy aged for less than 2 years.

[SEAL] DWIGHT E. AVIS,
Director Alcohol and Tobacco Tax Division, Internal Revenue Service.

[F. R. Doc. 55-9348; Filed, Nov. 18, 1955;
8:54 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 903]

[Docket No. AO 10-A10]

HANDLING OF MILK IN ST. LOUIS, MO., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO 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 the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposals to amend the tentative marketing agreement and the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 3rd day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended,

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[27 CFR Part 5]

ALCOHOL AND TOBACCO TAX DIVISION;
LABELING AND ADVERTISING OF DISTILLED SPIRITS

NOTICE OF HEARING

Notice is hereby given, pursuant to the provisions of section 5 of the Federal Alcohol Administration Act (49 Stat. 981 as amended; 27 U. S. C. 205) of a public hearing to be held on December 1, 1955, at 10 a. m., at Room 3303, Internal Revenue Building, Washington, D. C., at which time and place all in-

terested parties will be afforded opportunity to be heard, in person or by authorized representative, with reference to the proposal, the substance of which is stated below, to amend Regulations No. 5 (27 CFR Part 5) relating to labeling and advertising of distilled spirits.

Written data, views or arguments relevant and material to this proposal may be submitted in duplicate for incorporation into the record of hearing (1) by mailing the same to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington 25, D. C., provided that they are received prior to the termination of the hearing, or (2) by presenting the same at the said hear-

was formulated, was held at St. Louis, Missouri, on October 25, 1955, pursuant to notice thereof which was issued October 19, 1955 (20 F. R. 7967)

The sole material issue of the hearing related to the pricing of Class I milk.

Findings and conclusions. Based upon the evidence presented at the hearing and the record thereof it is found and concluded that:

1. No change should be made in the Class I price differential on the basis of this record; adjustment of the Class I price on the basis of the ratio of receipts from producers to Class I sales should be modified to reflect a combination of changes in recent months with the 12-month average utilization, and through August 1956 an increased rate of adjustment for such changes should be provided.

The Class I price of the St. Louis order is determined by adding to a basic formula price 70 cents for April through June, \$1.45 for September through November, and \$1.15 for other months, adjusted on the basis of the extent to which the ratio of producers' receipts to Class I sales in a recent 12-month period varies from 125 percent. The rate of adjustment per percentage point of such variation is 1 cent for April through June, 3 cents for September through November and 2 cents for all other months.

Producers proposed that the differentials added to the basic formula price be increased. One cooperative association proposed that the present \$0.70, \$1.15 and \$1.45 be increased to \$0.90, \$1.40, and \$1.70, respectively. Two other associations proposed that these differentials be \$0.90, \$1.60, and \$1.90.

During the past year Class I sales in the St. Louis market have increased more rapidly than have receipts of milk from producers. For September 1955 Class I sales exceeded those of September 1954 by 5.1 percent while producer receipts had increased only 2.35 percent over those of a year earlier. September 1955 production represented 100.3 percent of Class I sales for that month. For each of the first nine months of 1955 except July comparison with the same month a year earlier shows that sales have increased substantially more than has production. As a result, for the 12 months ending with September 1955 producer receipts are 121.3 percent of Class I sales, whereas for the 12 months ending with September 1954 this ratio was 125.4 percent. Since this 12-month ratio is the factor used in adjusting the Class I price, a 12-cent increase is in effect for November 1955, based on the 121.3 ratio for the period through September. Upward adjustments ranging from 2 cents to 9 cents have occurred each month from February through October.

Effective in January 1956, the city of St. Louis will require that milk be delivered to plants at a temperature of 50 degrees Fahrenheit. The present temperature requirement at time of delivery is 70 degrees. Numerous producers testified to the effect that meeting the temperature requirements soon to become effective would require substantial additional investment in refrigeration equipment. It is claimed that a sub-

stantial proportion of producers on the St. Louis market do not have sufficient cooler capacity to refrigerate all of their milk at the same time, so that the current practice is to remove the nights' milk from the cooler in order to cool the mornings' milk. Present temperature requirements can be met by this system but continuous refrigeration will be required to meet the lower 50 degree delivery requirement.

Truck refrigeration may be required to maintain temperatures while milk is en route from farms to plants. Much of the St. Louis milk supply is collected on stub routes from which cans are transferred to larger trucks for movement to the city. Increased hauling costs to producers were predicted as a result of the investments that will be required of milk haulers.

Proponents of increased differential contend that the necessity for additional capital investment by a large percentage of producers supplying the market at a time when sales are increasing faster than production creates a situation requiring a substantial price increase. They claim that many producers without adequate cooling capacity will not add the necessary equipment under present pricing provisions but will either (1) seek other markets with less stringent requirements, (2) reduce production to the cooling capacity of their present equipment or (3) discontinue production. A number of secondary markets in the Illinois portion of the milkshed which have not heretofore required Grade A milk will require such milk in the near future under the terms of a recently enacted State law' temperature requirements for such markets will not, however, be as low as 50 degrees. Some St. Louis producers could sell Grade A milk to Illinois plants without the additional investment necessary for them to continue delivery to St. Louis.

The extent to which the St. Louis milk supply will be affected by this situation cannot be determined, however, from this record; neither can the amount or duration of price change necessary to maintain the supply at an adequate level. The extent and duration of price change should be determined by the changes that occur in the relationship of supply to sales. It is evident, however, that price changes brought about by the present supply-demand adjuster of the order occur much more slowly than changes in supply-sales relationships. With respect to the increased temperature requirements of the St. Louis ordinance, it is to be expected that the maximum impact on the volume of milk supply will be within a short period of the effective date of enforcement. This impact will not, however, be reflected to any substantial extent in the 12-month relationship until considerable time after it has occurred. An adjustment more responsive to current conditions should be employed.

Supply-demand adjustments most responsive to current conditions base price adjustments on the supply-sales ratio in recent months, usually the two most recent months for which data are available when the price is to be an-

nounced. However, no proposal to use such a basis of adjustment was made at the hearing. Such adjustment devices require determination of a normal relationship for each month of the year. While the record shows the actual relationships that have occurred each month for several years, it fails to show the factors which might have caused them to vary from the normal pattern from time to time.

Some additional responsiveness to current conditions can be provided by adjusting the 12-month mover now provided in the order so as to give more significant effect to changes in recent months. A proposal was made at the hearing to use the amount of change in the 12-month supply-demand ratio in recent months as an additional basis for price adjustment. Under this proposal the 12-month ratio would be adjusted by the amount that it had changed within the most recent three-month period. The adjusted ratio so computed would be compared with the 125 percent standard of the order to determine the amount of price change.

Such a provision would, in effect, give recognition to the amount by which utilization in the three most recent months included in the 12-month average has changed from that in the same three months a year previous. By giving added weight to supply relationships in this recent period the responsiveness of the adjuster to current conditions will be substantially enhanced. As indicated in previous decisions and testimony in this record, alignment of the St. Louis Class I price with that of the Chicago market is necessary because of the considerable volumes of milk that move from Chicago to St. Louis. The supply-demand adjustment of the Chicago order now contains a provision similar to that proposed at the hearing. Adoption of such a provision in the St. Louis order will tend to restore and preserve the alignment of prices between the two markets.

For the period through August 1956 an increase in the rate of adjustment should be made so that more substantial price adjustments will result during the initial period of effectiveness of the increased temperature requirements. While normal seasonal increases in production may be expected to prevent any shortage of supply for Class I needs in the coming spring and early summer months, it is important that production be maintained at a level that will not result in a serious shortage of supply in the fall months of 1956. An increase in the rate of adjustment of from 1 cent to 4 cents per percentage point of variation for months of April through June 1956, and from 2 cents to 5 cents for other months through August 1956 will provide wider price changes in response to changes in supply-sales relationships. Such price changes appear appropriate for this period in view of the likelihood that at this time need for long term capital investments may influence producers' decisions to a greater than normal extent.

Rulings on proposed findings and conclusions. Written arguments and proposed findings and conclusions submitted

on behalf of interested persons concerning issues on which decision is herein recommended were considered, along with the evidence in the record, in making the findings and reaching the conclusions herein set forth. To the extent that the proposed findings and conclusions differ from the findings and conclusions contained herein, the specific or implied requests to make such findings are denied because of the reasons stated in support of the findings and conclusions in this decision.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) 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 of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be 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

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be 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.

Recommended marketing agreement and order amending the order as amended. The following amended order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the amended order.

1. Add to § 903.51 (a) (2) the following proviso: "Provided, That for the months of April 1956 through June 1956, such rate shall be 4 cents, and for all other months from the effective date hereof through August 1956 such rate shall be 5 cents."

2. Amend § 903.51 (a) (3) to read as follows:

(3) For each month calculate a utilization percentage by (i) dividing the net pounds of Class I milk disposed of from all pool plants (except non-Grade A milk disposed of outside the marketing area and allocated to other source milk), plus the Class I milk disposed of in the marketing area from nonpool plants, all for the 12-month period ending with the beginning of the preceding month, into the total pounds of producer milk during such 12-month period, (ii) multiplying by 100, (iii) adding or subtracting, respectively, any amount by which such result is greater or less than the comparable result as computed for the third month preceding, and (iv) rounding the

resultant figure to the nearest whole percent.

Filed at Washington, D. C., this 18th day of November 1955.

[SEAL] ROY W LENNARTSON,
Deputy Administrator

[F. R. Doc. 55-9369; Filed, Nov. 18, 1955; 10:49 a. m.]

17 CFR Part 913 J

[Docket No. AO-23-A15]

HANDLING OF MILK IN GREATER KANSAS CITY MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS THERETO WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENTS TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) hereinafter referred to as the act, and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area.

Interested parties may file written exceptions to the decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed marketing agreement and order were formulated was conducted at Kansas City, Missouri, on September 7-8, 1955, pursuant to notice thereof which was issued on August 16, 1955 (20 F. R. 6052).

The material issues of the hearing related to:

- (1) Extension of the marketing area;
- (2) Pool plant qualifications;
- (3) Obligations of handlers operating nonpool plants;
- (4) Extension of the surplus disposal area; and
- (5) Location adjustments to producers and handlers.

Findings and conclusions. The following findings and conclusions are based on the evidence received at the hearing and the record thereof:

1. **Marketing area.** The marketing area should be expanded by the addition of a portion of Carroll Township, Platte County, Missouri. This addition should not, however, include the town of Platte City.

The Greater Kansas City marketing area presently includes four townships in Platte County, Missouri, that are lo-

cated close to the corporate limits of Kansas City, Missouri, and directly north (across the Missouri River) from Kansas City, Kansas. It was proposed that the northern boundary of the marketing area in Platte County be State Highway 92, which presently constitutes most of the northern boundary of the marketing area as it extends eastward in Clay County, Missouri. It was also proposed that all of Platte City, through which State Highway 92 passes, be included. The proposed boundary lies 2 to 5 miles north of the present boundary.

The city of Kansas City, Missouri, has purchased a tract of 4,590 acres of land in Platte County and is constructing on it the Mid-Continent International Airport. This tract of land lies partly within and partly beyond the present marketing area. Contracts totaling 26.5 million dollars have been awarded for construction to be completed by mid-1956. Additional expenditures of approximately 20 million dollars are proposed. One facility now under construction is expected to employ 4,000 persons at the start of operations and 10,000 persons ultimately. Certain of these operations are presently performed at the Kansas City Municipal Airport in the marketing area.

Kansas City producers and handlers consider this development to be a part of the economic life of Kansas City and that the potential milk sales outlets to be created in this area by municipal action should be subject to the same rules as prevail in the territory now included in the marketing area. They predict that employment opportunities at this point, approximately 15 miles from the center of Kansas City, will stimulate residential development in a continuous area extending from Kansas City to points beyond the airport.

Present milk sales in the additional area proposed for consideration at the hearing are almost entirely in Platte City, for which present population is estimated to be approximately 900 people. Three Kansas City handlers and two handlers from St. Joseph, Missouri, now sell milk in Platte City. The volume of sales claimed by Kansas City handlers appeared to be about equal to that claimed by St. Joseph handlers. In no case does the present volume of sales represent any significant proportion of any handler's total business. The plants of St. Joseph handlers would not qualify as pool plants on the basis of present distribution in the area proposed and these handlers would therefore be regulated under the provisions applicable to operators of nonpool plants discussed elsewhere in this decision if the hearing notice proposal on marketing area should be adopted and present sales volumes continued.

It is concluded that the major part of the area proposed should be included in the marketing area because of the close association of Kansas City interests with the airport and the development in progress there. Increased importance of Platte City as a market for milk appears to depend largely upon speculation as to the trend and direction of housing development that may be stimulated by the airport. It is therefore concluded that

expansion of the marketing area to include Platte City should not be made on the basis of this record. The record fails to show that competition between Kansas City and St. Joseph for the present volume of sales in Platte City has created any marketing problems.

2. *Pool plant qualifications.* The standards which determine the plants that participate in the marketwide pool should be revised.

The Kansas City order presently provides three standards by which plants approved by health authorities may qualify their receipts for inclusion in the marketwide pool of the order:

(1) Route operating plants, which qualify by disposing of 15 percent or more of their receipts as Class I milk in the marketing area;

(2) Supply plants, which qualify for current status in September through February by shipping 30 percent or more of their receipts to route operating pool plants and may retain pool plant status in March through August following by being a pool plant in each of such earlier months;

(3) Cooperative plants, for which no plant performance standards apply, but the association operating the plant must supply three-fourths or more of its member milk direct to the pool plants of other handlers.

Where the same handler operates more than one plant, aggregate performance determines the pool plant status of all plants of the multiple plant operation.

It was proposed that route operating plants should be required to dispose of 20 to 25 percent (seasonally varied) of their receipts on routes in the marketing area and that as a further requirement total Class I sales, both within and without the marketing area, should be not less than 30-45 percent (also varied seasonally) of such receipts. It was further proposed to delete the present provision for supply plants.

Additional specification should be included in the route operating plant definition. A route operating plant which confines its distribution to the marketing area need have Class I disposition for only 15 percent of its receipts. A plant with such a small proportion of its business as Class I milk is not primarily engaged in the distribution of fluid milk and accordingly should not be considered to be a route operating plant. It is concluded that a requirement with respect to total Class I use should be added to the present requirement with respect to Class I sales in the marketing area, and that the latter requirement should be increased from 15 to 20 percent of receipts.

Typically, a route operating plant has a substantial proportion of its receipts used as Class I milk each month. In many markets, all route operating plants maintain Class I utilizations of greater than 50 percent of their receipts from producers, and a provision is included in many orders specifying that such a plant shall be one which, among other things, maintains a Class I utilization each month of 50 percent or more of its receipts of producer milk. In this market, Class I utilization in some plants is

normally somewhat lower than 50 percent. Certain producers proposed at the hearing that route operating plants be defined as those which, among other things, have Class I utilizations of 30 percent for four spring months, 40 percent for December, January, and February, and 45 percent for all other months. Such a definition would appear to meet the particular operations of the Kansas City market. However, a specification of Class I usage of 30 percent in the four spring months and 40 percent in all other months will accomplish the same objective but with less complication and such a provision should be adopted.

In addition to these requirements with respect to total Class I disposition, the order should continue to require substantial Class I disposition in the marketing area as identification with the trade of the area. Seasonal variation of this requirement does not appear necessary if such variation is provided in the total Class I percentage required. Disposition of 20 percent of a plant's receipts on routes in the marketing area will provide adequate identification with the trade of the area. A route operating plant having more than 80 percent of its business outside the marketing area or in other outlets should not be considered as being an essential part of the marketing area supply.

A plant which has met such pool plant requirements in any month should continue to be a pool plant in the following month. Such a provision will promote stability by limiting frequent changes from pool to nonpool status with consequent uncertainty concerning the extent of regulation from one month to the next.

In connection with pool plant determination when milk is transferred between approved plants in packaged form credit, as route sales in the marketing area, should be attributed to the plant at which the milk is packaged. In the Kansas City market the packaging plant normally arranges for the milk supply and must carry the reserve milk supply required for such sales.

The proposal to delete any provision whereby an independently operated supply plant may qualify as a pool plant should not be adopted. There are presently four receiving plants in the Kansas City market. Two handlers each operate two such plants as the principal sources of supply for their route operating plants, and these plants are, consequently, pooled as parts of multiple plant operations which qualify under the percentages applicable to route operating plants. Since no independently operated supply plants have operated in the Kansas City market it was contended that no provision for such plants need be retained in the order. Nevertheless, some provision should be in the order in the event such a plant should enter the market.

In view of the increased requirements herein adopted for route operating plants, it is appropriate that the shipping requirement for supply plants be increased from 30 to 50 percent of receipts in the short season and that six-month short season compliance be retained as a qualification for retention in the pool

in the six spring and summer months. The specific months have been changed slightly to conform to changes in the seasonal pattern of use recognized in other features of the order. While there was testimony in the record to the effect that credit for shipments should be restricted to those needed for Class I use, the matter was not sufficiently developed to provide a basis for action. Bulk receipts from other plants are included in the base on which route operating plants percentages are computed. This will deter to some extent movements made without regard to need.

3. *Obligations of nonpool handlers.* The Kansas City order presently requires that a handler who disposes of Class I milk on routes in the marketing area from a plant which is approved, but nonpool, shall pay into the pool the difference between the Class I and Class II values of all milk so disposed of. No handler has operated in such a manner as to be subject to this provision since its inclusion in the order in 1951. As indicated elsewhere in the decision, under the expansion of the marketing area originally proposed two handlers from St. Joseph, Missouri, would have been subject to this provision if they maintained their present distribution. The proposal to increase requirements for pool plant participation makes it more likely that the provision will become effective. While this decision with respect to each of these issues would not cause any handler who maintains present distribution and relative receipts and sales volumes to be affected by the provision, the record clearly indicates increased probability of such a situation.

In opposing extension of the marketing area St. Joseph handlers contended that the present provisions would place them at a prohibitive competitive disadvantage with respect to sales in the marketing area. These handlers and the manager of the cooperative association with which they have arrangements for their milk supply claim that they buy milk from the association on a classified price plan which uses the Kansas City order classification and prices, except for a Class I price adjustment of 15 cents as compared to the 16-cent location adjustment which would apply under the present order. The record indicates some exceptions to this pricing scheme and indicates that the lack of systematic audits may result in the classified price plan not being fully effective at all times. Nevertheless, it is clear that it cannot be assumed that in the Kansas City area a continuing supply of milk of quality suitable for the day-to-day distribution associated with route operations will be available under all circumstances to a nonpool handler at the Class II price.

The nonpool handler must presently report to the market administrator his receipts and utilization of milk in order that his status and pool obligations may be determined. The payments he makes to dairy farmers for milk approved for fluid use are also ascertainable. The amount, if any, by which the sum of these payments is less than the pool obligation that would be computed under

full regulation, represents the maximum payment necessary to prevent any competitive advantage to the nonpool handler. It is concluded that the payment required of nonpool handlers should be the lesser of the amount so computed or that presently required. Retention of the present payment provision as a ceiling to that determined by comparison of payments for milk with its use value at order prices will provide adequate protection to the pool. In addition the nonpool handler should pay administrative costs of the order on the same basis as pool handlers. Determination of payments in relation to use value will entail complete audits by the market administrator.

The provisions herein adopted will afford necessary protection to the regulatory plan and will recognize the payments that nonpool handlers make through choice or for competitive reasons to dairy farmers supplying milk qualified for fluid use.

4. *Surplus disposal area.* The area within which milk and skim milk may be moved to nonpool plants for Class II use should be enlarged. This area is presently 150 highway miles from the approved plant at which the milk is received (or from which it is diverted). Handlers proposed that this distance be 200 miles in order that certain additional manufacturing plants might be within the defined area. The record shows the desirability of measurement of distance from a common central point so that a common surplus area is available to all handlers. For this purpose a distance of 250 miles from the City Hall in Kansas City, Missouri, is appropriate.

5. *Location adjustments.* No changes should be made on the basis of this record with respect to location adjustments to producers or to handlers.

The Kansas City order presently provides that 16 cents per hundredweight may be deducted from the uniform prices to be paid producers delivering their milk to plants located from 50 to 70 miles from the City Hall in Kansas City, Missouri. A credit of 16 cents is given handlers on milk received at such plants and used as Class I milk; other rates are provided for plants more than 70 miles from the City Hall but the only plants presently affected are in the 16-cent zone.

A producer organization proposed that the producer location adjustment apply only on Class I milk, thus being restricted in total amount to the credit received by the handler at the same plant. Nearly all the members of this organization deliver their milk to a plant in the 55-70 mile zone. The location adjustment to producers is intended to measure the advantage the producer receives in being able to deliver his milk at a point nearer his farm than is the marketing area. Under the marketwide pooling of the Greater Kansas City order all producers wherever situated share equally in the Class I sale of the market. The proposal would seek to adjust the prices reflecting this equal sharing by an amount that would vary with the Class I utilization of a single plant. Furthermore, the proposal would result in producers who de-

liver to country plants receiving the least money in relation to other producers at the time at which there was the greatest need for their milk, and vice versa. For these reasons the proposal should be denied.

A handler proposal would substitute air miles for highway miles as the basis of measurement and provide adjustments only beyond 55 air miles. The purpose of these proposals was to remove one plant from the area to which adjustments apply without affecting the status of another plant in another part of the milkshed. At the first plant the handler currently is paying producers without deducting the location adjustment. It was testified that competition of the Topeka market (for which the Class I price is the same as Kansas City) required payment of this 16-cent premium at this location. By deleting provision for adjustments, the handler hoped to transfer to the pool the cost of this premium with respect to his Class II milk at this plant. While location adjustments to handlers apply equally in all directions in order to equalize the minimum costs that handlers operating distant plants are required to incur in comparison with those who receive milk at plants in the marketing area, it is not expected that competitive conditions are identical in all areas of a milk shed. When competition from other markets is of a nature to affect the adequacy of the market supply, examination of the Class I price structure may be warranted. Otherwise, it is to be expected that the milk supply of the market will develop in these areas in which the price proves most attractive to producers in comparison with alternative outlets. Location adjustments need not and cannot be adjusted to equalize competition which may arise from other markets. The proposal should be denied.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) 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 the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be 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

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as and will be 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.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of producer organizations and handlers

subject to the proposed marketing agreement and order, as hereby proposed to be further amended. The briefs contained proposed findings, conclusions, and arguments with respect to the provisions of the proposed amendments. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended marketing agreement and amendment to the order. The following order, amending the order, as amended, is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The proposed marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order, as amended, and as hereby proposed to be further amended.

1. Amend § 913.6 to read as follows:

§ 913.6 *Greater Kansas City marketing area.* "Greater Kansas City marketing area" hereinafter called "marketing area", means all of the territory in Jackson County, Missouri; that part of Clay County, Missouri, south of Highway 92, beginning at the Platte County and Clay County line, east to the west section line of section 26 in Washington Township, north to the north section line of said section 26, east to the Clay County and Ray County Line; Lee, Waldron, May and Pettis Townships, and that portion of Carroll Township lying south of a line extending from the northeast corner of Lee Township east to the intersection of State Highway 92 and U. S. Highway 71, thence along State Highway 92 to Platte County and Clay County line, all in Platte County, Missouri; Wyandotte County, Kansas; Shawnee and Mission Townships in Johnson County, Kansas; and Delaware, Leavenworth, and that part of Kickapoo and High Prairie Townships east of the 95th principal meridian in Leavenworth County, Kansas.

2. Amend § 913.10 to read as follows:

§ 913.10 *Pool plant.* "Pool plant" means any approved plant other than that of a producer-handler.

(a) Which during the current or immediately preceding delivery period:

(1) Disposes of as Class I milk on routes in the marketing area, an amount equal to 20 percent or more of such plant's total receipts of milk from dairy farmers qualified to become producers (as defined in § 913.7) and in bulk from other approved plants; and also

(2) During the same delivery period disposes of, as Class I milk in total an amount equal to not less than the applicable percentage of such receipts, as follows:

(i) March through June, 30 percent;
(ii) July through February, 40 percent;

(3) For the purposes of calculating the percentages specified in subparagraphs (1) and (2) of this paragraph:

(i) Milk in packaged form transferred from one approved plant to another approved plant shall be credited as Class I disposition on routes by the transferor plant and an equal volume shall be excluded from the Class I disposition of the transferee plant; and

(ii) The combined receipts and disposition of the multiple plant operation shall be used in the case of each handler who disposes of any milk on a route in the marketing area and also operates more than one approved plant;

(b) Which during any delivery period of August through January transfers in bulk to a plant described in paragraph (a) of this section an amount of milk equal to 50 percent or more of such plant's receipts of milk from dairy farmers qualified to become producers (as defined in § 913.7) Any such plant which is a pool plant in each of the delivery periods of August through January shall be a pool plant for each of the following delivery periods of February through July regardless of the quantity of milk then disposed of to other pool plants, if a written request for pool plant status for such six-month period is received from the operator of such plant by the market administrator before February 1, or

(c) Which is operated by a cooperative association and 75 percent or more of the milk delivered during the delivery period by producers who are members of such association is received at the pool plants of other handlers.

3. Amend § 913.44 (c) and (d) to read as follows:

(c) As Class I milk if transferred or diverted in the form of milk, skim milk or cream to a nonpool plant located more than 250 miles from the City Hall in Kansas City, Missouri, by the shortest highway distance as determined by the market administrator, except that (1) cream so transferred may be classified as Class II milk if its utilization as Class II milk is established through the operation of another Federal order for another milk marketing area, or (2) cream so transferred with prior notice to the market administrator, and with each container labeled or tagged with a certificate of the transferor that such cream is sold as "Grade C cream for manufacturing only" may be classified as Class II milk, subject to such verification of alternate utilization as the market administrator may make.

(d) As Class I milk, if transferred or diverted in the form of milk, skim milk or cream to a nonpool plant located not more than 250 miles from the City Hall in Kansas City, Missouri, by shortest highway distance as determined by the market administrator, unless the market administrator is permitted to audit the records of receipts and utilization at such nonpool plant, in which case the classification of all skim milk and butterfat received at such nonpool plant shall be determined and the skim milk and butterfat transferred from the pool plant shall be allocated to the highest use remaining after subtracting in series be-

ginning with Class I milk, receipts of skim milk and butterfat at such nonpool plant direct from dairy farmers who the market administrator determines constitute the regular source of supply for fluid usage of such nonpool plant in markets supplied by such plant.

4. Amend § 913.61 to read as follows:

§ 913.61 *Handler operating an approved plant which is not a pool plant.* Each handler who operates an approved plant which is not a pool plant but from which Class I milk is disposed of on routes in the marketing area shall, in lieu of the payments required by § 913.80 through § 913.89, pay to the market administrator on or before the 25th day after the end of the delivery period as follows:

(a) For the producer-settlement fund, the lesser of the amounts resulting from the following computations:

(1) From the value of all skim milk and butterfat disposed of as Class I milk on routes in the marketing area at the Class I price applicable at the location of such handler's plant, deduct the value of such skim milk and butterfat at the Class II price; or

(2) Any plus amount remaining after deducting from the value that would have been computed pursuant to § 913.70 if such handler had operated a pool plant the gross payments made by such handler for milk received during the delivery period from dairy farmers whose milk was approved for fluid use; and

(b) As his pro rata share of the expense of administration hereof, an amount equal to that which would have been computed pursuant to § 913.89 had such handler operated a pool plant.

Filed at Washington, D. C., this 16th day of November 1955.

[SEAL] ROY W. LEHNWARTSON,
Deputy Administrator

[F. R. Doc. 55-9337; Filed, Nov. 18, 1955;
8:53 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 40]

WEATHER REPORTING FACILITIES AND REQUIREMENTS COVERING LANDING LIMITATIONS OUTSIDE CONTINENTAL UNITED STATES

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board amendments to Part 40 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by January 20, 1956. Copies of

such communications will be available after January 24, 1956, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

Part 40 of the Civil Air Regulations contains the certification and operation rules for scheduled air carriers conducting interstate operations. Part 41, on the other hand, contains the regulations applicable to scheduled air carriers operating outside the continental limits of the United States. However, § 40.1 of Part 40 permits the Administrator to authorize air carriers whose operations are essentially domestic in character to operate on routes extending beyond the continental limits of the United States in accordance with the provisions of Part 40 in lieu of the provisions of Part 41 in order to permit continuity of operating procedures throughout the air carriers' systems.

Currently effective § 40.35 of Part 40 requires air carriers to show that sufficient weather reporting services are available en route to insure necessary weather reports and forecasts prepared and released by the United States Weather Bureau or by a source approved by the Weather Bureau. However, reports prepared by the United States Weather Bureau or a source approved by the Weather Bureau are not normally available for areas under the jurisdiction of other nations.

Currently effective § 40.406 of Part 40 prescribes the take-off and landing weather minimum requirements for IFR flight. These requirements include provisions allowing pilots to "take-a-look" to determine whether conditions at the airport are at or above prescribed weather minimums and, if so, to continue to approach and land. Authority to "take-a-look" is limited to airports served by ILS and GCA in operative condition or to airports at which certain instrument approach procedures are commenced when weather conditions above prescribed minimums exist but which a later report indicates are below minimum requirements. Part 41, on the other hand, prohibits air carriers from "taking-a-look" only at airports at which United States Weather Bureau reports indicate below minimum conditions exist. At airports outside the United States which do not possess a United States Weather Bureau reporting service, a pilot may in his discretion "take-a-look." If he finds that weather conditions at the airport are at or above prescribed weather minimums, he may complete the approach and land.

The inapplicability of § 40.35 to air carrier operations outside the United States and the inconsistency between Parts 40 and 41 with respect to "take-a-look" restrictions appear to have been an oversight. The Bureau proposes, therefore, to recommend to the Board the amendment of § 40.35 to provide for the use of weather reports prepared by sources other than those approved by the United States Weather Bureau on routes extending beyond the continental limits of the United States on which operations are conducted pursuant to § 40.1. The

Bureau proposes that these "other" sources shall be approved by the Administrator.

The Bureau also proposes to amend § 40.406 by prohibiting pilots from "take-a-look" only when the latest United States Weather Bureau report or a report from a source authorized by the Weather Bureau indicates the ceiling or visibility to be less than the prescribed minimum.

In view of the foregoing, notice is hereby given that it is proposed to amend Part 40 of the Civil Air Regulations:

1. By amending § 40.35 to read as follows:

§ 40.35 *Weather reporting facilities.* The air carrier shall show that sufficient weather reporting services are available along the route to insure weather reports and forecasts necessary for the operation. Forecasts used to control flight movements shall be prepared from weather reports made in accordance with paragraphs (a) and (b) of this section as appropriate.

(a) Except as provided in paragraph (b) of this section, weather reports used to control flight movements shall be those prepared by the United States Weather Bureau, or by a source authorized by the Weather Bureau.

(b) For operations authorized in accordance with § 40.1 to be conducted outside the continental limits of the United States, weather reports used to control flight movements may be those prepared by any source approved by the Administrator.

2. By amending § 40.406 (a) to read as follows:

§ 40.406 *Take-off and landing weather minimums; IFR.* (a) Except as provided in paragraphs (c) and (d) of this section, irrespective of any clearance which may be obtained from air traffic control, no airplane shall take off or land under IFR when the ceiling or ground visibility reported by a source authorized in accordance with § 40.35 (a) is less than that approved for the airport when used as a regular airport.

3. By amending § 40.406 (b) by deleting the reference "§ 40.35" and inserting

in lieu thereof the reference "§ 40.35 (a)"

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended, and may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated at Washington, D. C., November 10, 1955.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director

[F. R. Doc. 55-9329; Filed, Nov. 18, 1955; 8:51 a. m.]

I 14 CFR Parts 42, 45, 47 I

AIR TAXI CERTIFICATION AND OPERATION RULES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Bureau of Safety Regulation is instituting rule-making proceedings by circulating Civil Air Regulations Draft Release No. 55-24 to persons on the Bureau's current distribution list. Other interested persons may secure a copy of this draft release upon request made to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C.

It has become apparent that a distinct difference exists between the operation of large and small aircraft currently governed by regulations in Part 42 of the Civil Air Regulations, and that the regulations applicable to each should be divided into two separate parts. Accordingly, this draft release proposes to revise those regulations in current Part 42 which apply to small aircraft and incorporate them into a new Part 47. This new part would govern the certification and operation of air taxi operators and also the operation of Part 45 commercial operators who use aircraft of 12,500 pounds or less in their operations. The Bureau will propose an appropriate amendment to Part 45 to require commercial operators using small aircraft to conduct their operations in accordance

with the operating rules of proposed Part 47 rather than those of current Part 42. This proposal is being circulated as the first step in the rule-making process in the hope that it will serve to narrow or eliminate the areas of substantive difference between interested persons as to the adequacy or the desirability of the proposed rules.

The Bureau desires that all persons who will be affected by the requirements of this proposal be given an opportunity to participate in the consideration of these rules and to submit such comment as they may desire not only in the final rule-making stage, but throughout the entire rule-making process. Draft Release No. 55-24 requires that comment be submitted on or before February 15, 1956. If the nature of the comment is such that a discussion between the Board's staff and interested members of the public would be of constructive assistance in the further development of the proposed rules, all interested parties will be invited to participate in such a discussion to be held in Washington, D. C. Notice of the time and place of such a meeting, together with advance documentation, will be circulated to persons who have signified their interest prior to February 15, 1956.

Since it is intended that the rule as finally evolved as a result of the foregoing procedure will be published in its entirety as a notice of proposed rule making, interested persons who do not care to participate in the rule-making proceedings at this stage will have a further opportunity for commenting thereon.

The foregoing procedure is proposed under the authority of sec. 4 of the Administrative Procedure Act, and Title VI of the Civil Aeronautics Act of 1938, as amended.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated at Washington, D. C., November 9, 1955.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director

[F. R. Doc. 55-9330; Filed, Nov. 18, 1955; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

CENTRAL UTAH PROJECT, UTAH

FIRST FORM RECLAMATION WITHDRAWAL

DECEMBER 17, 1954.

Pursuant to the authority delegated by Department Order No. 2515 of April 7, 1949, I hereby withdraw the following-described lands from public entry, under the first form of withdrawal, as provided by Section 3 of the Act of June 17, 1902 (32 Stat. 388)

SALT LAKE BASE AND MERIDIAN, UTAH

T. 2 S., R. 1 E.,
Sec. 36: NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 5 S., R. 1 E.,
Sec. 29: That portion unsurveyed.
T. 10 S., R. 1 E.,
Sec. 12: SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 13: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 11 S., R. 1 E.,
Sec. 10: Lots 7, 8 and 9;
Sec. 15: Lots 1 to 4, inclusive, W $\frac{1}{2}$ NE $\frac{1}{4}$
and E $\frac{1}{2}$ NW $\frac{1}{4}$.
Sec. 22: Lots 1 to 4, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 28: S $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 12 S., R. 1 E.,
Sec. 9: Lot 2 and SE $\frac{1}{4}$,
Sec. 16: E $\frac{1}{2}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 21: E $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 28: Lots 1, 2, and 4, and NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 34: NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 13 S., R. 1 E.,
Sec. 3: Lot 1A.
T. 7 S., R. 2 E.,
Sec. 4: That portion unsurveyed;
Secs. 5 and 8: Unsurveyed;
Secs. 9, 10, 13, and 14: Those portions unsurveyed;
Sec. 15: Lot 1 and that portion unsurveyed;
Secs. 16, 17 and 20 to 24 inclusive, unsurveyed;

Sec. 25: Lots 2 and 3, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and that portion unsurveyed;
 Sec. 26: Lots 1 to 4 inclusive, and that portion unsurveyed;
 Sec. 27: Lot 1 and that portion unsurveyed;
 Secs. 28 and 29: Unsurveyed;
 Sec. 32: Lots 5 to 8 inclusive, and that portion unsurveyed;
 Secs. 33 and 34: Those portions unsurveyed.
 T. 8 S., R. 2 E.,
 Sec. 5: That portion unsurveyed.
 T. 9 S., R. 2 E.,
 Sec. 27: W $\frac{1}{2}$ SW $\frac{1}{4}$,
 Sec. 28;
 Sec. 31: N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and and SE $\frac{1}{4}$,
 Sec. 33;
 Sec. 34: W $\frac{1}{2}$ W $\frac{1}{2}$.
 T. 10 S., R. 2 E.,
 Sec. 5: Lots 1 to 4 inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$,
 Sec. 6: Lots 5 to 10 inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 7: Lots 5 to 10 inclusive, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 8: N $\frac{1}{2}$ and SW $\frac{1}{4}$.
 T. 7 S., R. 3 E.,
 Secs. 18, 19, and 30: Those portions unsurveyed.
 T. 9 S., R. 3 E.,
 Sec. 15: E $\frac{1}{2}$.
 Sec. 16.
 T. 5 S., R. 4 E.,
 Sec. 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 8 S., R. 4 E.,
 Sec. 35: SE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 9 S., R. 4 E.,
 Sec. 9: Lots 1 and 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 6 E., R. 5 E.,
 Sec. 7: Lots 1 to 4 inclusive, and E $\frac{1}{2}$ E $\frac{1}{2}$,
 Secs. 8 and 17;
 Sec. 18: Lots 1 to 4 inclusive, and E $\frac{1}{2}$ E $\frac{1}{2}$.
 T. 8 S., R. 5 E.,
 Sec. 16: E $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$ W $\frac{1}{2}$.
 Sec. 17: NE $\frac{1}{4}$ and S $\frac{1}{2}$.
 Sec. 18: Lot 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 19: Lot 4, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20: N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 21: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$,
 Sec. 29: SW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 9 S., R. 5 E.,
 Sec. 5: Lots 1 to 4 inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$.
 T. 2 S., R. 6 E.,
 Sec. 30: Lot 4 and SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 Sec. 32: S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 3 S., R. 21 E.,
 Sec. 23: NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 Sec. 24: N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 Sec. 25: NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$,
 Sec. 27: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 33: Lots 1 and 2, NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$,
 Sec. 34: Lot 4 and NW $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 4 S., R. 21 E.,
 Sec. 3: SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$,
 Sec. 4: Lots 2 and 3, and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 4 S., R. 1 W.,
 Sec. 21: Lot 3, S $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$,
 Sec. 27: Lots 1 to 4 inclusive, and E $\frac{1}{2}$ SW $\frac{1}{4}$.
 T. 5 S., R. 1 W.,
 Sec. 24: Lots 2 and 4.
 T. 10 S., R. 1 W.,
 Sec. 35: S $\frac{1}{2}$ S $\frac{1}{2}$,
 Sec. 36: Lots 1 to 16 inclusive.
 T. 11 S., R. 1 W.,
 Sec. 1: Lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
 Sec. 12: N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The above areas contain approximately 30,566.39 acres.

FLOYD E. DOMINY,
 Acting Assistant Commissioner.

[68235]

NOVEMBER 14, 1955.

I concur. The records of the Bureau of Land Management will be noted accordingly.

EDWARD WOOLEY,
 Director,
 Bureau of Land Management.

[F. R. Doc. 55-9268; Filed, Nov. 18, 1955; 8:45 a. m.]

CENTRAL VALLEY PROJECT, CALIFORNIA

ORDER OF REVOCATION

OCTOBER 26, 1955.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954 (19 F. R. 5004), I hereby revoke Departmental Orders of March 11, 1936, and July 7, 1936, insofar as said orders affect the following described lands; provided, however, that such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter described:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 32 N., R. 5 W.,
 Sec. 14, Lot 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The above areas aggregate 369.84 acres.

S. W. CROSTHWAIT,
 Acting Commissioner.

[1678415]

NOVEMBER 14, 1955.

1. I concur. The records of the Bureau of Land Management will be noted accordingly.

2. Portions of the lands have been classified and opened to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended. Additional lands are deemed suitable for such classification and will be so classified by an order of an authorized officer of the Bureau of Land Management.

3. The following-described lands are located near Buckeye and Redding, Shasta County, California. A paved road passes near the lands and other roads serve them. The topography is rough and adverse to small tract development, and many are covered by mining claims:

MOUNT DIABLO MERIDIAN

T. 32 N., R. 5 W.,
 Sec. 14, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The tracts described contains 65 acres.

4. No application for the lands described in paragraph 3 may be allowed under the homestead, desert land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

5. Subject to any existing valid rights and the requirements of applicable law, the lands described in paragraphs 3, are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead and Desert Land Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended) presented prior to 10:00 a. m. on December 20, 1955, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on March 20, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on March 20, 1956, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands will be open to location under the United States mining laws, beginning 10:00 a. m., on March 20, 1956.

Persons claiming veteran's preference rights under Paragraph a (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant

to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries regarding the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

EDWARD WOOLEY,
Director

Bureau of Land Management.

[F. R. Doc. 55-9307; Filed, Nov. 18, 1955;
8:46 a. m.]

BELLE FOURCHE PROJECT, SOUTH DAKOTA
ORDER OF REVOCATION

Correction

In F. R. Document 55-8570, appearing in the issue for Tuesday, October 25, 1955, on page 8020, make the following change: Line 3 of the land description for Black Hill Meridian, South Dakota, should read "Sec. 12, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$."

National Park Service

[Order 14, Amdt. 3]

REGIONAL DIRECTOR

DELEGATION OF AUTHORITY WITH RESPECT
TO APPEAL

NOVEMBER 1, 1955.

Section 3 of Order No. 14, issued December 1, 1954 (19 F. R. 8824) is amended to read as follows:

Sec. 3. *Appeal.* Except in matters relating to contracts for construction, supplies, or services, any party aggrieved by any action or decision of a Regional Director or the Superintendent, National Capital Parks, shall have a right of appeal to the Director. Any such appeal shall be in writing and shall be submitted to the Director within 30 days after receipt by the aggrieved party of notice of the action taken or decision made by the Regional Director or the Superintendent, National Capital Parks, as the case may be.

(Secretary's Order No. 2640; 39 Stat. 535; 16 U. S. C., 1952 ed., sec. 2.)

[SEAL] CONRAD L. WIRTH,
Director

[F. R. Doc. 55-9320; Filed, Nov. 18, 1955;
8:49 a. m.]

[Order 21]

ASSISTANT DIRECTORS ET AL.

DELEGATION OF AUTHORITY WITH
RESPECT TO CONTRACTS

NOVEMBER 1, 1955.

The Assistant Directors, and officers designated by them to serve as Acting Assistant Directors in their absence, may enter into contracts, irrespective of the amount involved, for construction, supplies, or services, in conformity with applicable regulations and statutory requirements and subject to the availability of appropriations.

(Secretary's Order No. 2509, as amended; 17 F. R. 6793)

[SEAL] CONRAD L. WIRTH,
Director

[F. R. Doc. 55-9321; Filed, Nov. 18, 1955;
8:49 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended April 19, 1955, 20 F. R. 2304)

Ahoskie Manufacturing Co., Sunset Drive, Ahoskie, N. C., effective 10-31-55 to 2-29-56; 70 learners for plant expansion purposes (children's outerwear).

Benjamin & Johnes, Inc., 413 South Clinton Avenue, Dunn, N. C., effective 11-5-55 to 11-4-56; 10 learners for normal labor turnover purposes (foundation garments).

Duquesne Manufacturing Co., 852 Stanton Avenue, New Kensington, Pa., effective 11-15-55 to 11-14-56; 10 learners for normal labor turnover purposes (cotton dresses, brunch coats, etc.).

Honea Path Shirt Co., Simpsonville, S. C., effective 11-1-55 to 10-31-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's sport shirts).

Kentucky Pants Co., 117 North Race Street, Glasgow, Ky., effective 11-15-55 to 11-14-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work pants).

Monroe Trouser Manufacturing Co., Inc., Smithville, Miss., effective 11-1-55 to 10-31-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' trousers).

Newport News Children's Dress Co., 824 South 39th Street, Newport News, Va., effective 11-17-55 to 11-16-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and girls' dresses and play suits).

J. H. Rutter-Rex Manufacturing Co., Inc., Franklinton, La., effective 11-15-55 to 11-14-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work pants).

Salant and Salant, Inc., South First Street, Union City, Tenn., effective 11-13-55 to 11-12-56; 10 percent of the total number of

factory production workers for normal labor turnover purposes (men's cotton work pants, etc).

Shane Manufacturing Co., Inc., 2015 West Maryland Street, Evansville, Ind., effective 11-16-55 to 11-16-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work clothes).

Steiner-Lobman Dry Goods Co., 230 Commerce Street, Montgomery, Ala., effective 11-2-55 to 11-1-56; 5 learners for normal labor turnover purposes (men's and boys' bib overalls, dungarees, work pants).

Glove Industry Learner Regulations (29 CFR 522.60 to 522.65, as amended April 19, 1955, 20 F. R. 2304)

Newton Glove Manufacturing Co., Newton, N. C., effective 11-21-55 to 11-20-56; 10 percent of the total number of machine stitchers for normal labor turnover purposes (cotton work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.43, as amended April 19, 1955, 20 F. R. 2304)

Villa Rica Hosiery Mills, Villa Rica, Ga., effective 11-18-55 to 11-17-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Independent Telephone Industry Learner Regulations (29 CFR 522.70 to 522.74, as amended April 19, 1955, 20 F. R. 2304)

Hooper Telephone Co., Hooper, Nebr., effective 11-7-55 to 11-6-56.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended February 28, 1955, 20 F. R. 645)

Nail'1 Fashions, Ltd., Pier 7, Honolulu, Hawaii; effective 11-7-55 to 11-6-56; 2 learners for normal labor turnover purposes in the occupation of sewing machine operating, for 480 hours at 70 cents per hour for the first 320 hours of employment and 73 $\frac{1}{2}$ cents per hour for the remaining 160 hours (children's outer play clothes and sports-wear).

Regulations Applicable to the Employment of Student-Workers (29 CFR 527.1 to 527.9, October 14, 1955, 20 F. R. 7737)

Atlantic Union College, Main Street, South Lancaster, Mass., effective 10-31-55 to 8-31-56; 15 learners in the print shop industry in the occupations of compositor, pressman, bindery worker and related skilled and semi-skilled occupations for 500 hours at 65 cents an hour and 500 hours at 70 cents an hour; 20 learners in bookbindery industry in occupations of bookbinder, bindery worker and related skilled and semiskilled occupations for 300 hours at 65 cents an hour and 300 hours at 70 cents an hour.

Newbury Park Academy, Newbury Park, Calif., effective 10-26-55 to 8-31-56; 12 learners in the broom shop in the occupations of broom maker, stitcher, sorter winder, handle painter and related skilled and semi-skilled occupations for 200 hours at 65 cents an hour and 200 hours at 70 cents an hour.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance

of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 10th day of November 1955.

MILTON BROOKE,
Authorized Representative
of the Administrator.

[F. R. Doc. 55-9308; Filed, Nov. 18, 1955;
8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6646]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF PROMISSORY NOTES

NOVEMBER 15, 1955.

Notice is hereby given that on November 2, 1955, the Federal Power Commission issued its order adopted November 2, 1955, authorizing issuance of promissory notes in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-9309; Filed, Nov. 18, 1955;
8:47 a. m.]

[Docket No. E-6647]

FLORIDA POWER CORP.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF PROMISSORY NOTE

NOVEMBER 15, 1955.

Notice is hereby given that on November 3, 1955, the Federal Power Commission issued its order adopted November 2, 1955, authorizing issuance of promissory notes in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-9310; Filed, Nov. 18, 1955;
8:47 a. m.]

[Project No. 1990]

FRANCIS N. DLOUHY

NOTICE OF ORDER ISSUING PRELIMINARY PERMIT

NOVEMBER 15, 1955.

Notice is hereby given that on November 9, 1955, the Federal Power Commission issued its order adopted November 2, 1955, issuing preliminary permit in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-9311; Filed, Nov. 18, 1955;
8:47 a. m.]

[Docket Nos. G-2318, G-2320]

LATERAL GAS PIPELINE CO. AND IOWA ELECTRIC LIGHT AND POWER CO.

NOTICE OF DATE OF HEARING

NOVEMBER 15, 1955.

In the matters of Lateral Gas Pipeline Company, Docket No. G-2318; Iowa

Electric Light and Power Company, Docket No. G-2320.

Take notice that Lateral Gas Pipeline Company (Lateral), and Iowa Electric Light and Power Company (Iowa Electric), Applicants, Iowa corporations with their principal place of business at Cedar Rapids, Iowa, filed on April 22, 1955, a joint petition to amend the Commission's Order issued on July 12, 1954, issuing a certificate of public convenience and necessity which authorized Lateral to construct and operate certain facilities.

Applicants, by said joint petition, seeks authorization which would authorize Lateral to construct and operate a town border station near the City of Villisca, Iowa, for the purpose of delivering natural gas to Iowa Electric for local distribution by it in the aforementioned city, subject to the jurisdiction of the Commission and as more fully represented in the joint petition which is on file with the Commission and open for public inspection.

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 December 8, 1955, at 9:30 a. m., e. 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.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-9312; Filed, Nov. 18, 1955;
8:47 a. m.]

[Docket No. G-5795 etc.]

CONTINENTAL OIL CO.

NOTICE OF APPLICATIONS AND DATE OF HEARING

NOVEMBER 15, 1955.

In the matters of Continental Oil Co., Docket Nos. G-5795, G-5796, G-5799, G-5800, G-5833, G-5834, G-5837 to G-5840, incl., G-5857 to G-5868, incl., G-5875 to G-5884, incl., G-6337.

Take notice that there have been filed with the Federal Power Commission applications by Continental Oil Company (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Applicant produces natural gas and sells natural gas in interstate commerce

for resale (Applicant to Warren Petroleum Corporation to Lone Star Gas Company or El Paso Natural Gas Company) as indicated in the following tabulation:

Docket No., Purchaser and Sale Date;
Field; County and State

- G-5795; Lone Star Gas Company (5-26-51); Golden Trend; Garvin, Okla.
- G-5796; Lone Star Gas Company (5-26-51); Golden Trend; Garvin, Okla.
- G-5799; Lone Star Gas Company (6-23-49); Southwest Mayaville; Garvin, Okla.
- G-5800; Lone Star Gas Company (6-23-49); Southwest Mayaville; Garvin, Okla.
- G-5833; El Paso Natural Gas Company (3-13-53); Staggs area, Warren-McKee Pool; Lee, N. Mex.
- G-5834; El Paso Natural Gas Company (3-13-53); Staggs area, Warren-McKee Pool; Lee, N. Mex.
- G-5837; Lone Star Gas Company (12-13-48); Southwest Mayaville; Garvin, Okla.
- G-5838; Lone Star Gas Company (12-13-48); Southwest Mayaville; Garvin, Okla.
- G-5839; Lone Star Gas Company (10-20-44); Graham Field; Carter, Okla.
- G-5840; Lone Star Gas Company (10-20-44); Graham Field; Carter, Okla.
- G-5857; Lone Star Gas Company (5-26-51); Golden Trend; Garvin, Okla.
- G-5858; Lone Star Gas Company (5-26-51); Golden Trend; Garvin, Okla.
- G-5859; Lone Star Gas Company (12-12-51); Golden Trend; Garvin, Okla.
- G-5850; Lone Star Gas Company (12-12-51); Golden Trend; Garvin, Okla.
- G-5861; Lone Star Gas Company (12-12-51); Golden Trend; Garvin, Okla.
- G-5862; Lone Star Gas Company (12-12-51); Golden Trend; Garvin, Okla.
- G-5863; Lone Star Gas Company (12-12-51); Golden Trend; Garvin, Okla.
- G-5864; Lone Star Gas Company (12-12-51); Golden Trend; Garvin, Okla.
- G-5865; Lone Star Gas Company (12-12-51); Golden Trend; Garvin, Okla.
- G-5866; Lone Star Gas Company (12-12-51); Golden Trend; Garvin, Okla.
- G-5867; Lone Star Gas Company (12-26-51); Golden Trend; Garvin, Okla.
- G-5868; Lone Star Gas Company (12-26-51); Golden Trend; Garvin, Okla.
- G-5875; Lone Star Gas Company (8-11-52); Golden Trend; Garvin, Okla.
- G-5876; Lone Star Gas Company (8-11-52); Golden Trend; Garvin, Okla.
- G-5877; Lone Star Gas Company (8-11-52); Golden Trend; Garvin, Okla.
- G-5878; Lone Star Gas Company (8-11-52); Golden Trend; Garvin, Okla.
- G-5879; Lone Star Gas Company (10-1-55); Golden Trend; Garvin, Okla.
- G-5880; Lone Star Gas Company (10-1-55); Golden Trend; Garvin, Okla.
- G-5831; Lone Star Gas Company (11-3-52); Golden Trend; Garvin, Okla.
- G-5882; Lone Star Gas Company (11-3-52); Golden Trend; Garvin, Okla.
- G-5883; Lone Star Gas Company (12-11-52); Golden Trend; Garvin, Okla.
- G-5884; Lone Star Gas Company (12-11-52); Golden Trend; Garvin, Okla.
- G-6337; El Paso Natural Gas Company (3-13-53); Monument Field; Lee, N. Mex.

These related matters should be heard on a consolidated record and 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 December 19, 1955, at 9:45 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Wash-

ington, D. C., concerning the matters involved in and the issues presented by such applications: *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. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear to be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 5, 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. 55-9313; Filed, Nov. 18, 1955;
8:47 a. m.]

[Docket No. G-9305]

MONTANA-DAKOTA UTILITIES CO.
NOTICE OF APPLICATION AND DATE
OF HEARING

NOVEMBER 15, 1955.

Take notice that the Montana-Dakota Utilities Company, Applicant, a Delaware corporation whose address is 831 Second Avenue South, Minneapolis 2, Minnesota, filed on September 7, 1955, an application for a certificate of public convenience and necessity to acquire on December 31, 1955, all of the facilities of the Montana-Wyoming Gas Pipe Line Company, which facilities are now leased and operated by Applicant under the Commission's jurisdiction. Supplement to the application was filed on September 9, 1955.

The facilities proposed to be acquired by Applicant included:

(1) Approximately 340 miles of 12¾-inch natural gas transmission line extending north and east from Worland Field, Washkie County, Wyoming, to a connection with Applicant's system at its Cabin Creek compressor station in Fallon County, Montana, together with the Worland Compressor Station, dehydration and sulphur removal plant in the Worland Field.

(2) The 880 horsepower compressor units added to the Worland Compressor Station after 1949.

(3) A 2,640 horsepower compressor station and appurtenant facilities located near Hardin, Montana, along the above-mentioned Worland-Cabin Creek 12 inch line.

Applicant has simultaneously applied to the Commission under section 204 (a) of the Federal Power Act, at Docket No. E-6643 for authority to issue common stock and assume first mortgage bonds for the purpose of acquiring the property of Montana-Wyoming.

The original cost of the facilities involved herein as recorded on the books

of Montana-Wyoming as of June 30, 1955, was \$9,924,644. The depreciation reserves accrued at 4 percent annually against this plant is \$1,733,339 making a net investment of \$8,191,305.

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 December 16, 1955, at 9:30 a. m., e. 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) 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 rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 1, 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. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-9314; Filed, Nov. 18, 1955;
8:48 a. m.]

[Docket No. G-9400]

VICTOR HALE AND GROVER LOWE

NOTICE OF APPLICATION AND DATE OF
HEARING

NOVEMBER 15, 1955.

Take notice that Victor Hale and Grover Lowe, hereinafter referred to as Applicant, a partnership whose address is Prestonsburg, Kentucky, filed an application on September 26, 1955, 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 sell natural gas produced from the Willard Prater et al. Lease, Middle Creek, Floyd County, Kentucky, to Kentucky West Virginia Gas Company at 15 cents per Mcf for transportation in interstate commerce 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 December 20, 1955, at 9:30 a. m., e. 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. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 5, 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. 55-9315; Filed, Nov. 18, 1955;
8:48 a. m.]

[Docket No. G-9438]

J. ROBERT HORNER

NOTICE OF APPLICATION AND DATE OF
HEARING

NOVEMBER 15, 1955.

Take notice that J. Robert Horner (Applicant) an individual whose address is P. O. Box 225, Clarksburg, West Virginia, filed an application on October 5, 1955, 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 sell natural gas produced from the Marple, Reger and Rinehart Leases, Warren District, Upshur County, West Virginia, to Equitable Gas Company at 20 cents per Mcf, for transportation in interstate commerce 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 De-

ember 20, 1955, at 9:35 a. m., e. 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. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 5, 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. 55-9316; Filed, Nov. 18, 1955;
8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4294]

NORTHWEST AIRLINES, INC., PITTSBURGH-
CLEVELAND AND DETROIT RESTRICTION
CASE-

NOTICE OF HEARING

In the matter of the application of Northwest Airlines, Inc., for amendment of its certificate of public convenience and necessity for route No. 3 to effect removal of restriction or modification thereof, on turn-around service between Detroit and Cleveland, on the one hand, and Pittsburgh, on the other.

Pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, notice is hereby given that a hearing in the above-entitled proceeding is assigned to be held on December 13, 1955, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C. before Examiner James S. Keith.

Without limiting the scope of the issues presented in said proceeding, particular attention will be directed to the following question:

Do the public convenience and necessity require the modification of the restriction in Northwest's certificate for route No. 3 which prevents Northwest from providing turn-around service between Detroit and Cleveland, on the one hand, and Pittsburgh, on the other?

Notice is further given that any person other than the applicant and interveners of record desiring to be heard in this proceeding may file with the Board on or before December 13, 1955, a statement setting forth the issues of fact and of law raised by this proceeding which he desires to controvert and such person may appear and participate in the hearing in accordance with sec-

tion 302.14 of the Procedural Regulations under Title I of the Civil Aeronautics Act, as amended.

Dated at Washington, D. C., November 15, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 55-9331; Filed, Nov. 18, 1955;
8:52 a. m.]

[Docket No. 7173]

FOREIGN AIR CARRIER CHARTER SERVICE
INVESTIGATION

NOTICE OF HEARING

In the matter of a proceeding to amend the permits held by various foreign air carriers so as to provide that said carriers may make charter trips without regard to points named in their permits, under regulations prescribed by the Board.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 1 (21) 2, 205 (a), 401 (f) 402 (g), 801, and 1002 (b) of said act, and the applicable regulations thereunder, that a public hearing in the above-entitled proceeding is assigned to be held on December 5, 1955, at 10:00 a. m., e. s. t., in Room No. E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Paul N. Pfeiffer.

Without limiting the scope of the issues raised by the Board's order of investigation instituting this proceeding, particular attention will be directed to the following matters and questions:

(1) Does the public interest require the alteration, modification, or amendment of section 402 permits now held by or which may be issued to the foreign air carrier parties to this proceeding so as to provide that such carriers may operate charter trips without regard to the points named in their permits under regulations prescribed by the Board?

(2) Does the public interest require the promulgation of regulations to govern the performance of charter trips by foreign air carriers, and if so, in what form should said regulations be issued?

(a) In what manner should "charter trip" be defined?

(b) Should off-route charter service be limited to a fixed number of trips per calendar period?

(c) Should performance of off-route charters require prior Board approval, and if so, what standards should apply thereto?

For further details regarding this proceeding, interested parties are referred to Board Order No. E-9217, adopted May 19, 1955, the Prehearing Conference Report served June 30, 1955, and other documents contained in the formal docket in this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Notice is hereby further given that any person not a party of record desiring to be heard in this proceeding must file with the Board on or before December 5, 1955, a statement setting forth

the matters of fact or of law which he desires to advance. Any person filing such a statement may participate in the hearing in accordance with section 302.14 of the Board's Rules of Practice in Economic Proceedings.

Dated at Washington, D. C., November 16, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-9332; Filed, Nov. 18, 1955;
8:52 a. m.]

[Docket No. 1705]

AMERICAN AIRLINES, INC., AND FLYING
TIGER LINE, INC., PETITION TO MODIFY
MINIMUM RATES

NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference in the above-entitled matters is assigned to be held on November 22, 1955, at 10:00 a. m., e. s. t., in Room 2062, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner F. Merritt Ruhlen.

Dated at Washington, D. C., November 15, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-9333; Filed, Nov. 18, 1955;
8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS
FOR RELIEF

NOVEMBER 16, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 31312: *Sorghum grains to Texas.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on sorghum grains, whole, broken, chopped, cracked, crushed, or ground, carloads from points in Oklahoma and Kansas to points in Texas.

Grounds for relief: Motor carrier competition and to permit storage in transit.

Tariff: Supplement 112 to Agent Kratzmeir's I. S. C. 3941.

FSA No. 31313: *Motor-rail rates—Chicago and North Western Ry. Co., et al.* Filed by Chicago and North Western Railway Company for interested rail carriers. Rates on motor truck trailers or semi-trailers, loaded, transported on flat cars from points in Illinois, Minnesota, and Wisconsin to points in official territory.

Grounds for relief: Motor carrier competition.

Tariff: Chicago and North Western Railway I. C. C. 11319.

FSA No. 31314: *Petroleum coke brquettes from Superior, Wis.* Filed by

W J. Prueter, Agent, for interested rail carriers. Rates on petroleum coke briquettes, carloads from Superior, Wis., to points in Minnesota, North Dakota, and South Dakota.

Grounds for relief: Market competition and circuitry.

Tariff: C. M. St. P & P R. R. tariff I. C. C. No. B-7767 and four other tariffs.

FSA No. 31315: *Iron and steel articles to Iowa and Nebraska*. Filed by W J. Prueter, Agent, for interested rail carriers. Rates on iron and steel articles, carloads from points in Illinois, Missouri and Wisconsin to Council Bluffs, Iowa, Omaha, and South Omaha, Nebr.

Grounds for relief: Rail and truck competition and circuitry.

Tariff: Supplement 46 to Agent Prueter's I. C. C. A-4038.

FSA No. 31316: *Logs from Virginia to North Carolina*. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on logs, native wood, Canadian wood, or Mexican pine, carloads from Norfolk and Western Railway stations in Virginia to High Point, Thomasville, and Statesville, N. C.

Grounds for relief: Short-line distance formula and circuitry.

Tariff: Supplement 95 to Agent Spaninger's I. C. C. 1297.

FSA No. 31317 *Lumber from the South to Portsmouth, Ohio*. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on lumber and related articles, carloads from Atlantic Coast Line Railroad stations to Portsmouth, Ohio.

Grounds for relief: Rail competition and circuitry.

Tariff: Supplement 74 to Agent C. A. Spaninger's I. C. C. No. 1230.

FSA No. 31318: *Gram and gram products from Texas to St. Joseph, Mo.* Filed by W J. Prueter, Agent, for interested rail carriers. Rates on gram, grain products and related articles, also seeds, carloads from points in Texas to St. Joseph, Mo., and stations in Iowa, Missouri, and Nebraska.

Grounds for relief: Circuitry.

Tariff: Supplement 6 to Chicago, Burlington & Quincy Railroad tariff I. C. C. No. 20293.

FSA No. 31319: *Iron or steel pipe from Washington C. H., Ohio, to Southwest*. Filed by F C. Kratzmeir, Agent, for interested rail carriers. Rates on pipe, steel or wrought iron, and related articles, carloads from Washington C. H., Ohio, to points in the Southwest.

Ground for relief: Market competition.

Tariff: Supplement 48 to Agent Kratzmeir's I. C. C. 4116.

FSA No. 31320: *Roofing or building materials from Stephens, Ark.* Filed by F C. Kratzmeir, Agent, for interested rail carriers. Rates on roofing and building materials and roofing slate, straight or mixed carloads from Stephens, Ark., to Mississippi River crossings, points in southern territory and Louisiana.

Grounds for relief: Market competition and circuitry.

Tariffs: Supplement 261 to Agent Kratzmeir's I. C. C. 3908; Supplement 3 to Agent Kratzmeir's I. C. C. 4148.

FSA No. 31321: *Lumber from the South to Western Canada*. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on lumber and related articles, carloads from points in southern territory to points in western Canada.

Grounds for relief: Rail competition, circuitry and grouping.

Tariff: Supplement .129 to Agent Spaninger's I. C. C. 1101.

FSA No. 31322: *Sulphuric acid from Pulaski, Va., to Amco, Ga.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on sulphuric acid, tank-car loads from Pulaski, Va., to Amco, Ga.

Grounds for relief: Short-line distance formula, circuitry, and market competition.

Tariff: Supplement 103 to Agent Spaninger's I. C. C. 1357.

FSA No. 31323: *Cheese from Harrodsburg, Ky., to the South*. Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on Cheese, carload from Harrodsburg, Ky., to points in southern territory.

Ground for relief: Short-line distance formula, circuitry, and market competition.

Tariff: Supplement 3 to Agent Spaninger's I. C. C. 1497.

FSA No. 31324: *Perlite, rock from Socorro, N. Mex., to New Jersey*. Filed by F C. Kratzmeir, Agent, for interested rail carriers. Rates on perlite rock, broken, crushed or ground, carloads from Socorro, N. Mex., to Hillside and Paterson, N. J.

Ground for relief: Short-line distance formula and circuitry.

Tariff: Supplement 113 to Agent Kratzmeir's I. C. C. No. 4139.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 55-9319; Filed, Nov. 18, 1955; 8:49 a. m.]