

Washington, Friday, May 15, 1959

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER K—FEDERAL SEED ACT PART 201—FEDERAL SEED ACT REGULATIONS

Miscellaneous Amendments

On November 14, 1958, there was published in the FEDERAL REGISTER (23 F.R. 8867) a notice of rule making and hearing with respect to proposed amendments of the regulations under the Federal Seed Act. After consideration of all relevant matters presented at the hearing, or in writing, pursuant to said notice, and under authority of section 402 of the Federal Seed Act (7 U.S.C. 1592), the regulations of the Secretary of Agriculture in 7 CFR Part 201, as amended, are hereby further amended as follows:

§ 201.2 [Amendment]

1. Amend § 201.2 as follows:
 - a. In paragraph (h) in the line beginning with the words, "Beet, field" delete "excluding sugar beet" so that the line will read "Beet, field—Beta vulgaris L."
 - b. In paragraph (h) delete "Oat—Avena spp."
 - c. In paragraph (h) insert in alphabetical order the following:
 - Beet, sugar—Beta vulgaris L.
 - Mustard—Brassica juncea (L) Coss.
 - Oat—Avena byzantina C. Koch., A. sativa L., A. nuda L.
 - Tobacco—Nicotiana tabacum L.
 - Sorghum—Rhizomatous derivatives of a Johnsongrass x sorghum cross or a Johnsongrass x Sudangrass cross.

d. Change paragraph (l) to read:

(l) (1) *Complete record.* The term "complete record" means information which relates to the origin, germination, and purity (including variety) of each lot of agricultural seed transported or delivered for transportation in interstate commerce, or which relates to the germination and variety of each lot of vegetable seed transported or delivered for

transportation in interstate commerce. Such information includes seed samples and records of declarations, labels, purchases, sales, cleaning, bulking, handling, storage, analyses, tests, and examinations.

(2) The complete record kept by each person for each lot of seed consists of the information pertaining to his own transactions and the information received from others pertaining to their transactions with respect to each lot of seed.

e. Delete paragraphs (q) and (x).

2. Amend the heading preceding § 201.4 to read "Records for Agricultural and Vegetable Seeds" and § 201.4 to read:

§ 201.4 Maintenance and accessibility.

(a) Each person transporting or delivering for transportation in interstate commerce agricultural or vegetable seed subject to the act shall keep for a period of 3 years a complete record of each lot of such seed so transported or delivered, including a sample representing each lot of such seed, except that any seed sample may be discarded 1 year after the entire lot represented by such sample has been disposed of by such person.

(b) Each sample of agricultural seed retained shall be at least the weight required for a noxious-weed seed examination as set forth in § 201.46 and each sample of vegetable seed retained shall consist of at least 400 seeds. The record shall be kept in such manner as to permit comparison with the records required to be kept by other persons for the same lot of seed so that the origin, germination and purity (including variety) of agricultural seed and the germination and variety of vegetable seed may be traced from the grower to the ultimate consumer and so that the lot of seed may be correctly labeled. The record shall be accessible for inspection by the authorized agents of the Secretary for purposes of the effective administration of the act at any time during customary business hours.

§ 201.7 [Amendment]

3. Amend § 201.7 as follows:

a. In the section heading, after the word "Purity", add the phrase "(Including Variety)".

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CFR SUPPLEMENTS

(As of January 1, 1959)

The following supplements are now available:

Title 7, Part 960 to end (\$2.25)
Title 16 (\$1.75)
Title 50 (\$0.75)

Previously announced: Title 3, 1958 Supp. (\$0.35); Titles 4-5 (\$0.50); Title 7, Parts 1-50, Rev. Jan. 1, 1959 (\$4.00); Parts 51-52, Rev. Jan. 1, 1959 (\$6.25); Parts 900-959 (\$1.50); Title 8 (\$0.35); Title 9, Rev. Jan. 1, 1959 (\$4.75); Titles 10-13, Rev. Jan. 1, 1959 (\$5.50); Title 14, Parts 1-39 (\$0.55); Parts 40-399 (\$0.55); Part 400 to end (\$1.50); Title 18 (\$0.25); Title 22-23 (\$0.35); Title 24, Rev. Jan. 1, 1959 (\$4.25); Title 25 (\$0.35); Title 26, Parts 1-79 (\$0.20); Parts 80-169 (\$0.20); Parts 170-182 (\$0.20); Part 300 to end, Title 27 (\$0.30); Titles 28-29 (\$1.50); Title 32, Parts 700-799 (\$0.70); Part 1100 to end (\$0.35); Title 32A (\$0.40); Title 33 (\$1.50); Titles 35-37 (\$1.25); Title 38 (\$0.55); Title 39 (\$0.70); Titles 40-42 (\$0.35); Title 43 (\$1.00); Titles 44-45 (\$0.60); Title 46, Parts 1-145 (\$1.00); Parts 146-149, 1958 Supp. 2 (\$1.50); Part 150 to end (\$0.50); Title 47, Parts 1-29 (\$0.70); Part 30 to end (\$0.30); Title 49, Parts 1-70 (\$0.25); Parts 71-90 (\$0.70); Parts 91-164 (\$0.40)

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b. In paragraph (b) after the second reference to the word "type" insert the words "or an invoice, or other document establishing the kind, variety, or type to be that stated."

§ 201.8 [Amendment]

4. In § 201.8 delete the third sentence and amend the first sentence to read: "The label shall contain the required information in any form that is clearly legible and complies with the regulations in this part."

5. Amend § 201.20 to read as follows:

§ 201.20 Germination.

The label shall show the percentage of germination for each kind or kind and variety or kind and type of agricultural seed present in excess of 5 percent or shown in the labeling to be present in a proportion of 5 percent or less: *Provided*, That this shall not apply to freshly harvested Kentucky bluegrass or sugar beet seed transported or delivered for transportation during the months of July, August, and September for seeding during the year in which the seed is produced.

6. Amend § 201.21 to read as follows:

§ 201.21 Hard seed.

The label shall show the percentage of hard seed, if any is present, for any seed required to be labeled as to the percentage of germination, and the percentage of hard seed shall not be included as part of the germination percentage.

§ 201.26 [Amendment]

7. Amend § 201.26 as follows:

a. Change the first sentence to read "The label shall bear the name of each kind and variety present as determined in accordance with § 201.34."

b. Insert after the first sentence the following: "If two or more kinds or varieties are present the percentage of each shall be shown."

§ 201.30 [Amendment]

8. Amend the first and second sentences in § 201.30 to read, respectively, as follows: "Each variety of vegetable seed which has a germination percentage less than the standard set forth in § 201.31 shall have the words 'Below Standard' clearly shown in a conspicuous place on the label or on the face of the container in type no smaller than 8 point. Each variety of vegetable seed which germinates less than the standard shall also be labeled to show the percentage of germination and the percentage of any hard seed present and the month and year in which the germination test was completed."

9. Immediately preceding § 201.32 insert a new § 201.31a to read as follows:

§ 201.31a Labeling treated seed.

(a) *Contents of label.* Any agricultural seed or any mixture thereof or any vegetable seed or any mixture thereof, for seeding purposes, that has been treated shall be labeled in type no smaller than 8 point to indicate that the seed has been treated and to show the name of any substance or a description of any process (other than application of a substance) used in such treatment, in accordance with this section; for example,

Treated with _____
(Name of substance or process)
or _____ treated.
(Name of substance or process)

If the substance used in such treatment in the amount remaining with the seed is harmful to humans or other vertebrate animals, the seed shall also bear a

label containing additional statements as required by paragraphs (c) and (d) of this section. The label shall contain the required information in any form that is clearly legible and complies with the regulations in this part. The information may be on the tag bearing the analysis information or on a separate tag, or it may be printed in a conspicuous manner on a side or top of the container.

(b) *Name of substance.* The name of any substance as required by paragraph (a) of this section shall be the commonly accepted coined, chemical (generic), or abbreviated chemical name. Commonly accepted coined names are free for general use by the public, are not private trade-marks, and are commonly recognized as names of particular substances; such as thiram, captan, lindane, and dichloro. Examples of commonly accepted chemical (generic) names are: bluestone, calcium carbonate, cuprous oxide, zinc hydroxide, hexachlorobenzene, and ethyl mercury acetate. The terms "mercury" or "mercurial" may be used in labeling all types of mercurials. Examples of commonly accepted abbreviated chemical names are: BHC (1,2,3,4,5,6-Hexachlorocyclohexane) and DDT (dichloro diphenyl trichloroethane).

(c) *Mercurials and similarly toxic substances.* (1) Seed treated with a mercurial or similarly toxic substance, if any amount remains with the seed, shall be labeled to show a representation of a skull and crossbones at least twice the size of the type used for information required to be on the label under paragraph (a) and shall also include in red letters on a background of distinctly contrasting color a statement worded substantially as follows: "This seed has been treated with Poison," "Treated with Poison," "Poison treated," or "Poison". The word "Poison" shall appear in type no less than 8 point.

(2) Mercurials and similarly toxic substances include the following:

Aldrin, technical.
Demeton.
Dieldrin.
Endrin.
Heptachlor.
O,O-diethyl S-(ethylthiomethyl) phosphorodithiolate.
O,O-diethyl S-2-(ethylthio) ethyl prosthosphorodithiolate.
Phenyl amino cadmium dilactate.
Mercurials (all types):
Ethyl mercury acetate.
N-ethylmercuri-1,2,3,6-tetrahydro-3,6,endo-methano-3,4,5,6,7,7-hexachlorophthalimide.
Ethyl mercury chloride.
Ethyl mercury 2,3-dihydroxy propyl mercaptide.
Ethyl mercury perthiocyanate.
Ethyl mercury phosphate.
Ethyl mercury p-toluene sulfonamide.
Ethyl propyl mercury bromide.
Hydroxymercuric cresol.
Hydroxy mercurichlorophenol.
Hydroxy mercurinitrophenol.
Mercuric chloride; corrosive sublimate.
Mercurous chloride; calomel.
Mercuric oxide.
Methyl mercury dicyan diamide.
Methyl mercury hydroxide.
Methyl mercury nitril.
2-methoxy ethyl mercury acetate.
Mercury-Zinc-chromate.

Phenyl mercury acetate.
Phenyl mercury ammonium acetate.
Phenyl mercury chloride.
Phenyl mercury ethylene diamine acetate.
Phenyl mercury formamide.
Phenyl mercury salicylate.
Phenyl mercury urea.
Sodium ethyl mercury salicylate.

Any amount of such substances remaining with the seed is considered harmful within the meaning of this section.

(d) *Other harmful substances.* If a substance, other than one which would be classified as a mercurial or similarly toxic substance under paragraph (c) of this section, is used in the treatment of seed, and the amount remaining with the seed is harmful to humans or other vertebrate animals, the seed shall be labeled with an appropriate caution statement in type no smaller than 8 point worded substantially as follows: "Do not use for food," "Do not use for feed," "Do not use for oil purposes," or "Do not use for food, feed, or oil purposes." Any amount of any substance, not within paragraph (c) of this section, used in the treatment of seed, which remains with the seed is considered harmful within the meaning of this section when the seed is in containers of more than 4 ounces, except that the following substances shall not be deemed harmful when present at a rate less than the number of parts per million indicated:

Allethrin—2 p.p.m.
Malathion—8 p.p.m.
Methoxychlor—2 p.p.m.
Piperonyl butoxide—3 p.p.m.
Pyrethrins—1 p.p.m.

10. Amend § 201.33 to read as follows:

§ 201.33 Seed in bulk or large quantities; seed for cleaning or processing.

(a) In the case of seed in bulk, the information required under sections 201 (a), (b), and (i) of the act shall appear in the invoice or other records accompanying and pertaining to such seed. If the seed is in containers and in quantities of 20,000 pounds or more, regardless of the number of lots included, the information required on each container under § 201(a), (b), and (i) of the act need not be shown on each container: *Provided*, That: (1) The omission from each container of a label with the required information is with the knowledge and consent of the consignee prior to the transportation or delivery for transportation of such seed in interstate commerce; (2) each container has stenciled upon it or bears a label containing a lot designation; and (3) the invoice or other records accompanying and pertaining to such seed bear the various statements required for the respective seeds.

(b) Seed consigned to a seed cleaning or processing establishment, for cleaning or processing for seeding purposes, need not be labeled to show the information required on each container under sections 201 (a), (b), and (i) of the act if it is in bulk, or in containers and in quantities of 20,000 pounds or more regardless of the number of lots involved, and the invoice or other records accompanying and pertaining to such seed

show that it is "Seed for processing," or, if the seed is in containers and in quantities less than 20,000 pounds and each container bears a label with the words "Seed for processing." If any such seed is later to be labeled as to origin and/or variety, the origin and/or variety as the case may be, shall be shown on the invoice if the seed is in bulk, otherwise, on a label, at the time of transportation to such establishment, except that if it is covered by a declaration of origin and/or variety it will be sufficient if the lot designation appearing in the declaration is placed on the invoice if the seed is in bulk, or on a label if the seed is in containers, regardless of the quantity.

§ 201.34 [Amendment]

11a. Amend § 201.34(b) by adding at the end thereof: "except that a name which has become synonymous through broad general usage may be substituted therefor, provided the name does not apply to more than one kind and is not misleading."

b. Section 201.34(d) (3) is amended by adding at the end thereof the sentence "The same variety name shall not be assigned to more than one variety of the same kind of seed."

c. Amend § 201.34(e) as follows:

i. In subparagraphs (1), (3), (4), and (7) insert in proper alphabetical order under the headings indicated the following variety names:

In subparagraph (1) *Beans*:

Choctaw.
Harvester.
Pearlgreen.
White Seeded Contender.

In subparagraph (3) *Hybrid onions*:

Bronze Perfection.
Golden Beauty.
Spartan.
Yellow Spanish Hybrid P-W 160.

In subparagraph (4) *Soybeans*:

Blenville.
Roe.

In subparagraph (7) *Broomcorn*:

Pfeifer Head No. 125.

ii. In subparagraph (6) following the heading "Sorghum" insert a subheading "(Open-pollinated)" and following the variety name "39-30-S" insert the subheading "Sorghum, hybrid" with the following varieties listed thereunder:

| | |
|-----------|-----------|
| Amak R-10 | RS501 |
| Amak R-12 | RS590 |
| C-44A | RS610 |
| D-50A | RS630 |
| E-56A | RS650 |
| F-62A | S-210 |
| FS-1 | Texas 601 |
| RS301F | Texas 611 |
| RS302F | Texas 620 |
| RS303F | Texas 660 |

§ 201.46 [Amendment]

12. Amend § 201.46, Table 1, as follows: a. Under "Agricultural seed" insert in proper alphabetical order "Beet, sugar—Beta vulgaris" and in the three columns respectively with reference thereto insert "50", "300", and "54".

b. Under "Agricultural seed" insert in proper alphabetical order "Sorghum" and in the three columns respectively with reference thereto insert "25", "150", and "150".

c. Insert the footnote "Rhizomatous derivatives of a Johnsongrass × sorghum cross or a Johnsongrass × Sudangrass cross" at an appropriate position in Table 1.

§ 201.47 [Amendment]

13. Amend § 201.47 by changing the first sentence of paragraph (b) to read: "In the case of other crop seed and weed seed, the seeds of each species shall be separated and identified, when possible."

§ 201.51 [Amendment]

14. Amend § 201.51, paragraph (b) (5), by inserting the word "completely" immediately before the word "devoid" in the two places in which "devoid" appears in the paragraph.

§ 201.56-5 [Amendment]

15. Amend § 201.56-5 by changing paragraphs (a) (1) (ii), (b) (1) (ii), (c) (1) (iii), (d) (1) (ii), and (e) (1) (ii) to read as follows: "Well-developed green leaves, not badly split, regardless of whether the coleoptiles are split."

§ 201.58 [Amendment]

16. Amend § 201.58(c), Table 2, as follows:

a. Under "Agricultural seed" insert in proper alphabetical order "Beet, sugar—Beta vulgaris" and in the first five columns respectively with reference thereto insert "B, S", "20-30", "3", "14", and "Photos 19557, 19558; see par. (b) (3)."

b. Under "Agricultural seed" insert in proper alphabetical order "Sorghum" and in the six columns respectively with reference thereto insert "B, T, S", "15-35", "5", "21", "Photos 2413-2416", and "Prechill at 5° or 10° C. for 7 days."

c. Insert the footnote "Rhizomatous derivatives of a Johnsongrass × sorghum cross or a Johnsongrass × Sudangrass cross" at an appropriate position in Table 2.

d. Under "Vegetable seed" and following "Okra—Hibiscus esculentus" insert the numeral "1" as a footnote reference, indicating the presence of hard seed.

§ 201.59 [Amendment]

17. Amend § 201.59 by changing the section reference in the second sentence from "201.61" to "201.63."

§ 201.65 [Amendment]

18. Amend § 201.65 by inserting the following numbers in proper order in the table appearing at the end of the section:

| Number found by analysis: | The following are within the tolerance |
|---------------------------|----------------------------------------|
| 1 | 0 |
| 3 | 1 |
| 5 | 2 |
| 7 | 3 |
| 10 | 5 |
| 15 | 9 |
| 19 | 11 |
| 26 | 17 |

§ 201.106 [Amendment]

19. Amend the second sentence of § 201.106 to read as follows: "The staining in such case shall be at the expense of the owner or consignee who shall reimburse the Government for all expenses incurred in connection with such supervision, including travel, per diem or subsistence, and salaries of the officers or employees of the United States. Salary shall be reimbursed at the rate of \$4.50 per hour in connection with supervision during normal working hours of the officer or employee and \$5.80 per hour in connection with supervision outside the normal working hours of the officer or employee."

§ 201.107 [Amendment]

20. Amend § 201.107 as follows:

a. Change the introductory phrase in paragraph (b) to read as follows:

(b) The following agricultural and vegetable seeds are considered weed seeds when occurring in an importation of other agricultural or vegetable seeds unless they are declared in the entry papers for importation as agricultural or vegetable seeds:

b. Delete from the list of agricultural and vegetable seeds in paragraph (b) the following:

Barley, wild—*Hordeum* spp., except *vulgare* L.
Oat, wild—*Avena* spp., except *A. sativa* L. and *A. byzantina* C. Koch.

These amendments shall become effective on July 1, 1959.

(Sec. 402, 53 Stat. 1285; 7 U.S.C. 1592)

The proposed amendment to § 201.2 to provide for more specific labeling of ryegrass seed as to kind is not promulgated at this time but will be given further consideration.

Certain changes have been made to the amendments as proposed in the notice of rule making. These changes were based upon the hearing and information received in this Department with respect to said notice, and suggestions of the Bureau of the Budget. It is not believed that these changes will be objectionable to affected persons, and it does not appear that further public rule making procedure will make new information available to the Department. Therefore, it is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that further notice of rule making and other public procedure with respect to said changes are impracticable and unnecessary.

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

Done at Washington, D.C., this 12th day of May 1959.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-4128; Filed, May 14, 1959; 8:49 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 624, 3d Rev., Amdt. 1]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Soybean Cyst Nematode

AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS

Pursuant to § 301.79-2 of the regulations supplemental to the soybean cyst nematode quarantine (7 CFR 301.79-2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), administrative instructions appearing as 7 CFR 301.79-2a (24 F.R. 879) are hereby amended in the following respects:

§ 301.79-2a Administrative instructions designating regulated areas under the soybean cyst nematode quarantine.

1. The designation of farms, other premises, and parts thereof as soybean cyst nematode regulated areas in Mississippi County, Arkansas, is amended to read as follows:

ARKANSAS

Mississippi County. The irregular portion on the eastern boundary of the county lying between the Mississippi River levee and the indeterminate Arkansas-Tennessee State line.

That area bounded on the east by the Mississippi River levee; on the north by the Arkansas-Missouri State line; on the west by a line running due south along the west section lines of secs. 19, 30, and 31, T. 16 N., R. 10 E.; and secs. 6, 7, 18, 19, and 30, T. 15 N., R. 10 E., to the intersection of State Highway 181, thence due south along Highway 181 to the intersection of State Highway 158; and bounded on the south by a line beginning at the intersection of State Highways 158 and 181, thence due east along State Highway 158 to its intersection with U.S. Highway 61, and thence due south along U.S. Highway 61 to the Mississippi River levee.

All of sec. 24, T. 13 N., R. 10 E.

All of the property owned by Mrs. Charles Hale in sec. 19, T. 11 N., R. 11 E.

That portion of secs. 20 and 21, T. 12 N., R. 11 E., lying west of the Mississippi River levee.

All of the property owned by Mrs. R. C. Bryan, and all of the property owned by C. L. Whistle in sec. 13, T. 12 N., R. 10 E.

2. The designations of counties, civil divisions, farms, other premises, and parts thereof as soybean cyst nematode regulated areas in Kentucky, Missouri, and Tennessee are amended, respectively, by adding thereto the following:

KENTUCKY

Fulton County. * * *

The property of John E. Vaughn, consisting of 379 acres located in the S½ of sec. 7 and in the northern part of sec. 18, R. 6 W., T. 1 N.

MISSOURI

Dunklin County. The property owned and operated by Martis Overby, located in the E½ of sec. 23, T. 16 N., R. 7 E.

The property owned by H. O. Thrasher and operated by Charles Williams, being the NE¼ of the NE¼ of sec. 23, T. 16 N., R. 7 E.

* * *

Pemiscot County. * * *

The property owned and operated by Royal Sanders, being the N½ of sec. 24, and SW¼ of sec. 13, T. 17 N., R. 10 E.

TENNESSEE

Haywood County. The farm owned by Jack Savage Gause, also known as the old Nail Place, consisting of 221 acres, located in Civil District 11 on the northside of the Nutbush-Durhamville Road, 2.1 miles southwest of the intersection at Nutbush of Haywood County Road 8051 and State Highway 19.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; U.S.C. 162, 150ee. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 7 CFR 301.79-2)

These amendments add a number of premises, and parts thereof to the areas now regulated in Arkansas, Kentucky, Missouri, and Tennessee.

These amendments shall become effective May 15, 1959.

These amendments should be made effective as soon as possible with respect to the newly regulated areas in order to be of maximum benefit in preventing the interstate spread of the soybean cyst nematode. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 12th day of May, 1959.

[SEAL]

E. D. BURGESS,
Director,

Plant Pest Control Division.

[F.R. Doc. 59-4129; Filed, May 14, 1959; 8:49 a.m.]

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

[Lemon Reg. 791, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), 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 handling of such lemons 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 amendment until 30 days after publication hereof 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 amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 953.898 (Lemon Regulation 791, 24 F.R. 3751) are hereby amended to read as follows:

(i) District 2: 395,250 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 12, 1959.

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

[F.R. Doc. 59-4127; Filed, May 14, 1959; 8:48 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 60—DOMESTIC URANIUM PROGRAM

Applications for Certification and Bonus Payment

Notice is hereby given of amendment of the Commission's regulations relating to bonus payments under this part. The amendment is designed to permit orderly termination of the initial production program described in § 60.6. The amendment establishes time limits extending beyond March 31, 1960 within which applications may be filed under this program; no bonus payments, however, will be made on ores delivered subsequent to March 31, 1960.

Effective upon publication in the FEDERAL REGISTER § 60.6 is amended in the following respects:

1. Section 60.6(i), *Application for certification*, is amended by adding the following sentence at the end thereof: "Applications as eligible to receive initial properties as eligible to receive initial production bonus payments must be received by the Grand Junction Operations Office, U.S. Atomic Energy Commission, Grand Junction, Colorado on or before April 18, 1960."

2. Section 60.6(j), *Application for bonus payment*, is amended by adding

the following sentence at the end thereof: "Application for bonus payments for production from certified properties must be received by the Grand Junction Operations Office, U.S. Atomic Energy Commission on or before May 31, 1960 or within forty-five (45) days after certification of the mining property, whichever is later."

Dated at Washington, D.C. this 9th day of May 1959.

A. R. LUEDECKE,
General Manager.

[F.R. Doc. 59-4092; Filed, May 14, 1959;
8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER A—CIVIL AIR REGULATIONS

[Amdt. 60-15]

PART 60—AIR TRAFFIC RULES

Flight Crew Members at Controls

On April 23, 1959, the Administrator issued Amendment 60-15 (24 F.R. 3155) amending Part 60 by adding a new § 60.24 entitled "Flight crew members at controls." This section should be corrected to read § 60.26 in lieu of § 60.24.

Issued in Washington, D.C. on May 11, 1959.

E. R. QUESADA,
Administrator.

MAY 11, 1959.

[F.R. Doc. 59-4097; Filed, May 14, 1959;
8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 54850]

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

Customs Exemptions Accorded to Public International Organizations and Certain Aliens Connected Therewith

By various Executive orders the President has designated the Intergovernmental Committee for European Migration, the Intergovernmental Maritime Consultative Organization, the International Atomic Energy Agency, the International Finance Corporation, the International Hydrographic Bureau, the Organization of American States, the Pan American Union, the Universal Postal Union, and the World Meteorological Organization, as public international organizations entitled to the free entry privileges, exemptions, and immunities conferred by the International Organizations Immunities Act of December 29, 1945.

The list of the public international organizations currently entitled to free

entry privileges in § 10.30a(a) of the Customs Regulations is therefore amended by inserting in the proper alphabetic order the following:

| Organization | Executive order | Date |
|------------------------------------------------------|-----------------|---------------|
| Intergovernmental Maritime Consultative Organization | 10795 | Dec. 13, 1958 |
| International Atomic Energy Agency | 10727 | Aug. 31, 1957 |
| International Finance Corporation | 10680 | Oct. 2, 1956 |
| International Hydrographic Bureau | 10769 | May 29, 1958 |
| Organization of American States | 10533 | June 3, 1954 |
| Universal Postal Union | 10727 | Aug. 31, 1957 |
| World Meteorological Organization | 10676 | Sept. 1, 1956 |

The designation of the Pan American Union as a public international organization made by Executive Order 9698 of February 19, 1946, was superseded by a similar designation in Executive Order 10533 of June 3, 1954. This entry in § 10.30a(a) is therefore amended by changing the Executive Order to read "10533" and the date to read "June 3, 1954."

For purposes of identification, the listing of "Provisional Intergovernmental Committee for the Movement of Migrants from Europe" under "Organization" in § 10.30a(a) is amended by adding thereto "(Now known as the Intergovernmental Committee for European Migration)".

(Secs. 498, 624, 46 Stat. 728, as amended, 759, sec. 3, 59 Stat. 669; 19 U.S.C. 1498, 1624, 22 U.S.C. 288b)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: May 7, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-4110; Filed, May 14, 1959;
8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

Skidaway River, Ga.

Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U.S.C. 471), § 202.179 is hereby prescribed designating an anchorage area in Skidaway River at Isle of Hope, Georgia, as follows:

§ 202.179 Skidaway River, Isle of Hope, Ga.

(a) *The anchorage ground.* An area in Skidaway River beginning at a point on the mean low water line 400 feet south of Brady Boat Works, thence 76°30' true, 300 feet to a buoy; thence 152°30' true, 900 feet to a buoy; thence 251°00' true, 450 feet to the mean low water line at Wymberly Yacht Club dock.

(b) *The regulations.* (1) Except in cases of great emergency, no vessels shall anchor in Skidaway River between the north end of Barbee's dock and southward to Day Marker 48 except in the anchorage area hereby defined and established: *Provided, however,* That vessels may moor to any lawfully constructed wharf.

(2) Except in cases of great emergency, no vessel shall be anchored where it can swing within 50 feet of any lawfully constructed wharf or within 50 feet of the mean low water line, nor shall any vessel be so anchored that any portion of the hull or rigging shall at any time extend outside the boundary of the anchorage area.

(3) Any vessel anchoring under circumstances of great emergency outside the anchorage area should be placed in such a position as not to interfere with the free navigation of the channel nor obstruct the approach to any lawfully constructed wharf nor impede the movement of any boat, and shall move away immediately after the emergency ceases or upon notification of the District Engineer, U.S. Army Engineer District, Savannah, Georgia.

(4) No vessels with an overall length greater than 65 feet will use the anchorage area except in cases of great emergency.

(5) Vessels operating within the anchorage area will not exceed a speed of five (5) miles per hour.

[Regs., 1 May 1959, 285/91 (Skidaway River, Ga.)-ENGWO] (Sec. 7, 38 Stat. 1053; 33 U.S.C. 471)

BRUCE EASLEY,
Major General, U.S. Army,
Acting The Adjutant General.

[F.R. Doc. 59-4122; Filed, May 14, 1959;
8:48 a.m.]

Title 42—PUBLIC HEALTH

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

SUBCHAPTER D—GRANTS

PART 51—GRANTS TO STATES FOR PUBLIC HEALTH SERVICES

Required Expenditure of State and Local Funds

Notice of proposed rule making and public rule making procedures have been omitted as unnecessary in the issuance of the following amendments to this subpart which relates solely to grants.

Pursuant to section 314(j) of the Public Health Service Act, as amended (58 Stat. 695, 42 U.S.C. 246(j)), these amendments are made after consultation with, and with the agreement of, a conference of the State health authorities and, with respect to grants for mental health, the State mental health authorities.

The purpose of the amendments is to increase from 50 percent to 100 percent of the Federal grant the amount of State and local funds required to be expended for venereal disease control, mental

health, general health, heart disease and cancer control as a condition of the Federal grant.

Effective July 1, 1959:

1. Paragraphs (a) and (c) of § 51.9 are amended to read:

§ 51.9 Required expenditure of State and local funds; funds of cooperating agencies.

(a) Moneys paid to any State or to a cooperating agency pursuant to section 314 of the act shall be paid upon the condition that there be expended in the State during the fiscal year for which payment is made and for purposes specified in the plan with respect to which payment is made, public funds of the State and its political subdivision (or, in the case of payments to a cooperating agency having an approved heart disease control plan, funds of the cooperating agency) in amounts which shall be exclusive of any funds derived from loan or grant from the United States and which shall equal, separately for venereal disease control, mental health, general health, and heart disease, 100 percent of the Federal grant funds expended pursuant to the plan.

(c) Moneys paid to any State for a cancer control program shall be paid upon the condition that there be expended in the State, during such fiscal year and for purposes specified in the State plan, public funds of the State and its political subdivisions (excluding any funds derived by loan or grant from the United States) and contributions made available by voluntary agencies for carrying out the State plan in an amount equal to 100 percent of the amount of Federal grant funds to be expended pursuant to the State plan.

2. Section 51.16(d) is amended to read:

§ 51.16 Grants to the Territory of Guam.

(d) Moneys paid to Guam under this part shall be paid upon the condition that there be expended in the Territory during the fiscal year for which payment is made and for purposes specified in the plan with respect to which payment is made, public funds of the Territory or contributions made available by non-Federal agencies for carrying out the plan in an amount equal to a total of 100 percent of the sum expended from such payments for the purposes authorized in this part.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply sec. 314, 58 Stat. 693, as amended; 42 U.S.C. 246)

Dated: April 27, 1959.

[SEAL] L. E. BURNEY,
Surgeon General.

Approved: May 11, 1959.

ARTHUR S. FLEMMING,
Secretary of Health, Education,
and Welfare.

[F.R. Doc. 59-4109; Filed, May 14, 1959;
8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 0—THE COMMISSION Credentials

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 24th day of March A.D. 1959.

The matter of credentials of persons appointed as special agents, accountants, and examiners of the Commission being under consideration; and

It appearing, that the matter of appointing and authorizing certain designated persons having credentials to enter upon, to inspect and examine any and all lands, buildings and equipment of carriers and other persons subject to the Interstate Commerce Act, as amended, and related Acts, and to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents of carriers, and other persons subject to the Act needs clarification;

And it further appearing, that the regulations to be effectuated by this order are a clarification of rules relating to agency personnel, and that public rule making procedures as required by section 4(a) of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003), are unnecessary; and good cause appearing therefor;

It is ordered, That a new § 0.5 *Credentials required by special agents, accountants, and examiners* be, and is hereby prescribed as follows:

§ 0.5 Credentials required by special agents, accountants, and examiners.

(a) *Carrier records and property subject to inspection and examination.* Persons appointed as special agents, accountants, and examiners of the Commission are authorized to enter upon, to inspect and examine any and all lands, buildings and equipment of carriers and other persons subject to the Interstate Commerce Act and related Acts, and to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents of carriers, and other persons subject to the Act. Inspection or copying authority with respect to persons who furnish cars or protective service against heat or cold to or on behalf of a carrier or an express company, shall be limited to accounts, books, records, memoranda, correspondence or other documents which pertain or relate to cars or protective service. Carriers and other persons subject to the Act shall submit their accounts, books, records, memoranda, correspondence, and other documents for inspection and copying, and such carriers and other persons shall submit their lands, buildings and equipment for examination and inspection, to any special agent, accountant or examiner of the Commission upon demand and the display of a Commission credential identifying him as a special agent, accountant or examiner.

(b) *Definition of "other persons subject to the Act."* The term "other persons subject to the Act" as used herein, includes brokers subject to part II of the Interstate Commerce Act, freight forwarders subject to part IV of the Act, lessors of carrier operating rights, receivers, trustees, Administrators, executors and other persons having custody, possession, or control of carrier operations or the business of other persons subject to the Act; persons who furnish railroad cars or protective service against heat or cold to or on behalf of railroads or express companies (but only with respect to records pertaining to the cars or protective services so furnished); associations of carriers or brokers subject to the Act which perform any service or engage in any activities in connection with any traffic, transportation, or facilities subject to the Act; and, to the extent specified in orders of the Commission issued under section 5 of the Act, persons controlling two or more carriers.

(c) *Definition of special agents, accountants, and examiners.* The duties of the following described employees include those of a special agent, accountant or examiner and they are hereby authorized to inspect and copy records and to inspect and examine lands, buildings and equipment in the same manner and to the same extent as special agents, accountants and examiners:

Directors and Assistant Directors of the:
Bureau of Accounts, Cost Finding and Valuation.
Bureau of Inquiry and Compliance.
Bureau of Motor Carriers.
Bureau of Safety and Service.
Bureau of Water Carriers and Freight Forwarders.
Attorneys.
Chief, Section of Motor Carrier Safety.
Assistant Chief, Section of Motor Carrier Safety.
District Directors.
Assistant District Directors.
District Supervisors.
Field Assistants.
Safety and Service Agents.
Land Appraisers.
Motor Carrier Safety Inspectors.
Mechanical Engineers.
Rate Agents.
Safety Supervisors.
Valuation Engineers.

(d) *Locomotive inspection.* Persons appointed as Director and Assistant Director of Locomotive Inspection and district inspectors—locomotives are authorized and empowered to exercise all the powers of inspection and examination conferred by the Locomotive Inspection Act, as amended, including, to the extent deemed necessary by them to carry out their duties, authority to inspect and copy records of carriers pertaining to locomotives and to enter and be upon and to inspect property of carriers, other than locomotives.

(e) *Inspection of railroad equipment while in operation.* The Director and Assistant Director of Locomotive Inspection; district inspectors—locomotives; Director and Assistant Directors, Bureau of Safety and Service; and safety and service agents, when engaged in the inspection or examination of equipment

with respect to safety of operations or standards of equipment, are authorized to inspect or examine such equipment while in operation (including traveling or riding in or upon such equipment), when, in their opinion, it is necessary to determine the operational characteristics of such equipment with respect to safety of operation or compliance with standards prescribed by law or by regulations of the Commission.

(f) *Examination and testing of railway signals and train controls.* Persons appointed as inspectors of railway signals and train controls are authorized to enter and be upon property of carriers including vehicles in operation and to inspect and test any signal or train control system, device, and appliance used by any railroad to determine whether such system, device and appliance is in proper condition to operate and to provide adequate safety protection. These persons are also authorized to inspect and copy any carrier records pertaining to any signal or train control system, device and appliance or which they may deem necessary to the investigation of accidents.

(g) *Inspection of motor vehicles while in operation.* Persons appointed in the Bureau of Motor Carriers as Director, Assistant Director, Chief, Section of Motor Carrier Safety, Assistant Chief, Section of Motor Carrier Safety, mechanical engineer, district director, assistant district director, district supervisor, field assistant, safety inspector, safety supervisor are authorized to ride on or in any motor vehicle of carriers subject to the safety provisions of the Interstate Commerce Act whenever such action is deemed to be necessary in order to determine the operational characteristics of the vehicle or any equipment thereof with respect to safety of operation or compliance with standards prescribed by law or regulations of the Commission.

(h) *Facsimile of the Commission's credential.*

UNITED STATES OF AMERICA
INTERSTATE COMMERCE COMMISSION
WASHINGTON

THIS IS TO CERTIFY, _____
whose signature appears hereon, has
been appointed _____

of the Interstate Commerce Commission with authority to enter upon, to inspect and examine lands, buildings and equipment and to inspect and copy records and papers of carriers and other persons subject to the Interstate Commerce Act as provided in the said Act and related Acts and in regulations of the Commission.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Commission at its office in Washington, District of Columbia, this _____ day of _____, A.D. 19 _____

Secretary of the Interstate Commerce
Commission.

No. _____

(Sec. 12(1), 24 Stat. 383, as amended; 49 U.S.C. 12. Sec. 20(5), 24 Stat. 386, as amended; 49 U.S.C. 20. Sec. 220(d), 49 Stat. 563, as amended; 49 U.S.C. 320. Sec. 313(f), 54 Stat. 944, as amended; 49 U.S.C. 913. Sec. 412(d), 56 Stat. 294, as amended; 49 U.S.C. 1012. Sec. 25(d), 41 Stat. 498, as amended; 49 U.S.C. 26. Sec. 6, 36 Stat. 915, as amended; 45 U.S.C. 29)

It is ordered, That this order shall be effective forthwith.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Interstate Commerce Commission, Washington, D.C., and by filing a copy with the Director, Federal Register Division.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-4102; Filed, May 14, 1959;
8:46 a.m.]

Rum" that such rum be a straight rum and not a mixture of rums.

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

[F.R. Doc. 59-4125; Filed, May 14, 1959;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 902]

[Docket AO-293]

MILK IN WASHINGTON, D.C.,
MARKETING AREA

Notice of Extension of Time for Completing Referendum Provided for in Decision of the Secretary

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 governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for completing the referendum pursuant to the referendum order in the Assistant Secretary's decision, issued on May 1, 1959 (24 F.R. 3645) with respect to a proposed marketing agreement and order regulating the handling of milk in the Washington, D.C., marketing area, is hereby extended to May 25, 1959.

Dated: May 12, 1959, Washington, D.C.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-4111; Filed, May 14, 1959;
8:48 a.m.]

[7 CFR Part 927]

[Docket AO-71-A33]

MILK IN NEW YORK-NEW JERSEY
MILK MARKETING AREA

Notice of Extension of Time for Filing Exceptions to Recommended Decision On Proposed Amendments to Tentative Marketing Agreement and to Order

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 governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the New York-New Jersey milk marketing area, which was issued April 30, 1959 (24 F.R. 3608), is hereby extended to June 15, 1959.

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[27 CFR Part 5]

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 10:00 a.m. on May 22, 1959, at Room 3601, Internal Revenue Service Building, 10th and Pennsylvania Avenue NW, Washington, D.C., at which time and place all interested parties will be afforded opportunity to be heard, in person or by authorized representative, with reference to a proposal, the sub-

stance 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 hearing. 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 5(b) (27 CFR 5.21(e) (2)) to delete the requirement in the present standard of identity for "New England

Dated: May 12, 1959, Washington, D.C.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 59-4112; Filed, May 14, 1959;
8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

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

Notice of Filing of Petition for Establishment of Tolerances for Residues of 2,4-Dichloro-6-(o-Chloroanilino)-Triazine

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (1), 68 Stat. 512; 21 U.S.C. 346a (d) (1)), the following notice is issued:

A petition has been filed by Chemagro Corporation, Post Office Box 4913, Hawthorn Road, Kansas City 20, Missouri, proposing the establishment of tolerances of 10 parts per million for residues of 2,4-dichloro-6-(o-chloroanilino)-triazine in or on the raw agricultural commodities garlic, leeks, onions, and shallots.

The analytical method proposed in the petition for determining residues of 2,4-dichloro-6-(o-chloroanilino)-triazine is that described in the FEDERAL REGISTER of July 12, 1957 (22 F.R. 4918).

Dated: May 8, 1959.

[SEAL] ROBERT S. ROE,
Director, Bureau of
Biological and Physical Sciences.

[F.R. Doc. 59-4108; Filed, May 14, 1959;
8:47 a.m.]

FEDERAL AVIATION AGENCY

Bureau of Air Traffic Management

[14 CFR Part 60]

AIR TRAFFIC RULES

Special Civil Air Regulation No. SR-424A; Positive Air Traffic Control Experiment; Extension of Experimental Special Regulation for Indefinite Period

Pursuant to the authority delegated to me by the Administrator (§ 405.27, 24 F.R. 2196), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to extend Special

No. 95—2

Civil Air Regulation No. 424, which is scheduled to expire on June 15, 1959, for an indefinite future period. SR-424 authorized the Administrator to designate as a "positive control route segment" certain portions of the airspace between the altitudes of 17,000 and 35,000 feet on an experimental basis. This amendment adopts and extends the provisions of this special regulation without any substantive modifications of its terms or scope.

The underlying purpose of this experimental authorization was to provide for an accurate determination of the nature and extent of traffic handling problems involved in the actual application of the novel all-weather positive control concept. Subsequent to the adoption of SR-424, positive control was implemented on three transcontinental airways linking New York and Washington with Los Angeles and San Francisco at altitudes from 17,000 to 22,000 feet. While experience gained thus far has been limited to these airways and altitudes, it has served the purpose of identifying the special problems inherent in positive control procedures. Such knowledge provides a sound basis for the continued formulation of plans, procedures and equipment improvements in the further operational development of the positive control concept. Future plans for the development of this general concept contemplate experimentation with positive control areas as well as positive control route segments. It is anticipated that specific areas at high altitudes, i.e., between altitudes such as 22,000 and 35,000 feet encompassing airspace within a 100 mile radius of a particular major air terminal (such as Chicago or Indianapolis) will be designated for such experimentation.

In addition to providing ample time to completely determine the extent of traffic control problems and to develop improved procedures, there is a need to maintain the increased degree of air safety presently provided in the designated segments of positive control airspace.

Since the termination of SR-424 on June 15, 1959, would cause a currently productive program to be discontinued and also result in the loss of the increased degree of safety presently provided by the positive control airways, it is proposed to extend the present provisions of this special regulation for an indefinite future period. However, the Agency intends to finalize these positive control procedures and incorporate them in a permanent part of the Civil Air Regulations when the necessary additional operating experience has been acquired.

While the positive control program had its inception in an express delegation of authority from the Civil Aeronautics Board to the Administrator of Civil

Aeronautics, the Administrator of the Federal Aviation Agency now has the power to prescribe such rules under the Federal Aviation Act of 1958. Accordingly, the proposed rule prescribes the special air traffic rules applicable within portions of the airspace between 17,000 and 35,000 feet, having a maximum width of 40 miles, which have been designated as "positive control route segments", by the Administrator. As in the past, the Administrator will continue to designate such route segments under Part 601 (14 CFR Part 601).

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section, of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received within 15 days after publication of this notice in the FEDERAL REGISTER will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination by interested persons in the Docket Section when the prescribed date for return of comments has expired.

This amendment is proposed under the authority of sections 313(a) and 307(c) of the Federal Aviation Act of 1958 (72 Stat. 752, 749; 49 U.S.C. 1354, 1348).

In consideration of the foregoing, it is proposed to make and promulgate the following Special Civil Air Regulation to be effective June 15, 1959:

(1) The special air traffic rules prescribed in paragraphs (2), (3), and (4) of this special regulation shall be applicable to any operation of an aircraft in airspace, between the altitudes of 17,000 and 35,000 feet, having a width of not in excess of 40 miles which has been designated by the Administrator as a "positive control route segment" in Part 601 of the Administrator's Regulations (14 CFR Part 601).

(2) No person shall operate an aircraft within such designated airspace without prior approval of air traffic control.

(3) All VFR flight activities, irrespective of weather conditions, are prohibited from operating in this designated airspace.

(4) All aircraft operated within this designated airspace shall have the instruments and equipment currently required for IFR operations and all pilots shall be rated for instrument flight.

This special regulation supersedes Special Civil Air Regulation No. SR-424 and shall remain in effect until superseded or rescinded by the Administrator.

Issued in Washington, D.C., on May 8, 1959.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 59-4096; Filed, May 14, 1959;
8:45 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Department Order 150-35
(Rev. 1)]

COMMISSIONER OF INTERNAL
REVENUEDelegation of Authority With Respect
to the Inspection of Certain Tax
Returns

There are hereby delegated to the Commissioner of Internal Revenue the functions of the Secretary of the Treasury prescribed by any Treasury decision relating to the granting of permission to inspect returns to any agency of the Executive Branch of the United States Government.

The functions herein delegated to the Commissioner may be exercised by any officer or employee of the Internal Revenue Service who is so authorized by the Commissioner, under such rules as may be prescribed by him.

Dated: May 8, 1959.

[SEAL] FRED C. SCRIBNER, JR.,
Acting Secretary of the Treasury.

[F.R. Doc. 59-4113; Filed, May 14, 1959;
8:48 a.m.]

[1959 Department Circular 1025]

4 PERCENT TREASURY CERTIFICATES
OF INDEBTEDNESS OF SERIES B-
1960

Offering of Certificates

MAY 11, 1959.

I. Offering of certificates. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at 99.95 percent of their face value, from the people of the United States for certificates of indebtedness of the United States, designated 4 percent Treasury Certificates of Indebtedness of Series B-1960, in exchange for 1¼ percent Treasury Certificates of Indebtedness of Series B-1959, maturing May 15, 1959. A cash adjustment representing the discount from the face value of the new certificates will be made in favor of the subscriber, as provided in Section IV, Payment, hereof. The amount of the offering under this circular will be limited to the amount of maturing certificates tendered in exchange and accepted. The books will be open only on May 11 and May 12 for the receipt of subscriptions for this issue.

II. Description of certificates. 1. The certificates will be dated May 15, 1959, and will bear interest from that date at the rate of 4 percent per annum, payable semiannually on November 15, 1959, and May 15, 1960. They will mature May 15, 1960. They will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates is subject to all taxes imposed under the Internal Revenue Code of 1954. The certificates are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, \$1,000,000, \$100,000,000 and \$500,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, and to allot less than the amount of certificates applied for; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment for the face amount of certificates allotted hereunder must be made on or before May 15, 1959, or on later allotment, and may be made only in a like face amount of Treasury Certificates of Indebtedness of Series B-1959, maturing May 15, 1959, which will be accepted at par, and should accompany the subscription. Coupons dated May 15, 1959, should be detached from the certificates by holders and cashed when due. The discount of \$0.50 per \$1,000 on certificates allotted will be paid subscribers following acceptance of the maturing certificates.

V. General provisions. 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules

and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] ROBERT B. ANDERSON,
Secretary of the Treasury.

[F.R. Doc. 59-4126; Filed, May 14, 1959;
8:48 a.m.]

DEPARTMENT OF JUSTICE

Immigration and Naturalization
ServiceAMENDMENTS TO STATEMENT OF
ORGANIZATION

Correction

In F.R. Doc. 59-3965, appearing at page 3808 of the issue for Tuesday, May 12, 1959, the Class A list under item 7 should read as follows:

Class A

Anchorage, Alaska (the port of Anchorage includes, among others, the port facilities at Kodiak, Seward, Whittier, and Valdez, Alaska).

*Haines, Alaska.

Juneau, Alaska.

*Ketchikan, Alaska (the port of Ketchikan includes, among others, the port facilities at Pelican, Petersburg, Sitka and Wrangell, Alaska).

Skagway, Alaska.

*Tok, Alaska.

DEPARTMENT OF THE INTERIOR

Bureau of Mines

HELIUM ACTIVITY

Redelegations of Authority to Execute
Contracts

Pursuant to the authority delegated in subparagraph 205.2.4A, Bureau of Mines Manual, the following redelegations are hereby made:

(1) The following officials of the Helium Activity may approve contracts up to the amounts listed, subject to the special provisions and limitations in Helium Activity Administrative Order No. 6 dated April 30, 1959:

Chief, Helium Operations, \$100,000.

Division Chiefs, \$25,000.

Plant Superintendents, \$200.

Chief, Branch of Property Management, \$2,500.

(2) The authority contained in paragraph (1) above may not be redelegated without the approval of the Assistant Director—Helium.

(3) Helium Activity Administrative Order No. 5 (21 F.R. 2665) is hereby rescinded.

Dated: May 8, 1959.

C. W. SEIBEL,
Assistant Director—Helium.

[F.R. Doc. 59-4101; Filed, May 14, 1959;
8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

GEORGE E. LAWRENCE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of April 30, 1959.

GEORGE E. LAWRENCE,

[F.R. Doc. 59-4121; Filed, May 14, 1959; 8:48 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 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), Administrative Order No. 485 (23 F.R. 200) and Administrative Order No. 507 (23 F.R. 2720), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) 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 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of ten percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Barblizon of Utah, Inc., 150 West 12th North, Provo, Utah; effective 4-28-59 to 4-27-60 (ladies' lingerie).

Cowden Manufacturing Co., 109 Mackville Hill, Springfield, Ky.; effective 5-1-59 to 4-30-60 (men's and boys' denim dungarees, and work pants).

Glen Lyon Bra Co., Enterprise and Market Streets, Glen Lyon, Pa.; effective 5-4-59 to 5-3-60 (ladies' brassieres and girdles).

La Follette Shirt Co., Inc., 125 First Street, La Follette, Tenn.; effective 5-7-59 to 5-6-60 (dress and sport shirts).

Lee-Mar Shirt Co., Inc., Pulaski, Tenn.; effective 5-13-59 to 5-12-60 (boys' sport shirts).

Metter Manufacturing Co., Metter, Ga.; effective 5-1-59 to 4-30-60 (ladies' blouses, men's shirts).

Norris Manufacturing Co., Taylors, S.C.; effective 4-30-59 to 4-29-60 (sport shirts).

Wentworth Manufacturing Co., 148 East Darlington Street, Florence, S.C.; effective 5-1-59 to 4-30-60 (women's cotton house dresses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Barad Lingerie Company of Salem, Salem, Mo.; effective 5-4-59 to 5-3-60; 10 learners (ladies' sleepwear).

"Bundle O' Joy" Baby Wear Co., 43 South Pennsylvania Avenue, Wilkes-Barre, Pa.; effective 4-27-59 to 4-26-60; 10 learners (infants' apparel).

C.B.S. Dress Co., 101-117 Third Street, Henderson, Ky.; effective 4-28-59 to 4-27-60; 10 learners (ladies' cotton dresses).

Carol Ann Apparel Corp., Municipal Building, Cherry Tree, Pa.; effective 5-16-59 to 5-15-60; 10 learners (women's dresses).

Glen Lyon Brassiere & Corset Co., 44 Carey Avenue, Wilkes-Barre, Pa.; effective 5-1-59 to 4-30-60; five learners (corsets and allied garments).

Gaspar La Fata and Co., 14 Bush Avenue, Staten Island, N.Y.; effective 5-4-59 to 11-3-59; five learners (pants).

North Shore Manufacturing Co., Broadway, Rocky Point, Long Island, N.Y.; effective 5-4-59 to 5-3-60; 10 learners (ladies' sportswear).

Norway Needlecraft Corp., Norway, Michigan; effective 5-1-59 to 4-30-60; five learners engaged in the production of women underwear, nightwear and negligees (women's, misses' and children's underwear).

Fanther Valley Dress Co., Inc., 114 East Kline Avenue, Lansford, Pa.; effective 5-2-59 to 5-1-60; five learners (children's dresses).

Pickens Manufacturing Co., Pickens, S.C.; effective 5-3-59 to 5-2-60; 10 learners (men's dress and sport shirts; ladies' blouses).

Ruth Originals Corp., 2029 Asheville Highway, Hendersonville, N.C.; effective 5-9-59 to 5-8-60; 10 learners (children's dresses).

San-Dar Dress, 618-620 Washington Avenue, Jermyn, Pa.; effective 4-29-59 to 4-28-60; four learners (ladies' dresses).

Boris Smoler & Sons, Inc., 507 Jefferson, La Porte, Ind.; effective 5-1-59 to 4-30-60; 10 learners (dresses).

Tunxis Sportswear Mfg. Co., Inc., 82 Union Street, New London, Conn.; effective 5-1-59 to 4-30-60; seven learners (outerwear for girls).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Jeansco, Inc., Petersburg, Va.; effective 4-30-59 to 7-4-59; 25 learners (boys' dungarees) (supplemental certificate).

Kent Sportswear Inc., Beech Street, Curwensville, Pa.; effective 5-4-59 to 9-9-59; 20 learners (supplemental certificate) (men's jackets).

Lemarco Manufacturing Co., Inc., 206 Fifth Street NW, Roanoke, Va.; effective 5-5-59 to 11-4-59; 30 learners (ladies' wash dresses).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.65, as amended).

Indianapolis Glove Co., Inc., Glenwood, Ark.; effective 5-11-59 to 5-10-60; 10 learners for normal labor turnover purposes (canton flannel and leather palm work gloves).

North Star Glove Co., Inc., 2317 Pacific Avenue, Tacoma, Wash.; effective 5-1-59 to

4-30-60; six learners for normal labor turnover purposes (canton flannel and leather faced work gloves).

Racine Glove Co., Rio, Wis.; effective 5-5-59 to 5-4-60; 10 learners for normal labor turnover purposes (work gloves).

20th Century Glove Co., Reeseville, Wis.; effective 5-5-59 to 5-4-60; six learners for normal labor turnover purposes (work gloves).

Wells Lamont Corp., 801 East Main Street, Brownsville, Tenn.; effective 5-2-59 to 5-1-60; 10 percent of the total number of workers engaged in the authorized learner occupations for normal labor turnover purposes (children's and men's fabric gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.44, as amended).

Slane Hosiery Mills, Inc., Mangum Avenue, High Point, N.C.; effective 5-3-59 to 4-29-60; five percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Tower Hosiery Mills, Burlington, N.C.; effective 5-4-59 to 5-3-60; five percent of the total number of factory production workers for normal labor turnover purposes (full-fashioned, seamless).

Vermont Hosiery & Machinery Co., 39-45 North Main Street, Northfield, Vt.; effective 5-1-59 to 4-30-60; five learners for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Bashore Knitting Mills Co., Schuylkill Haven, Pa.; effective 4-29-59 to 4-28-60; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' cotton-knit underwear).

Norway Needlecraft Corp., Norway, Mich.; effective 5-1-59 to 4-30-60; five learners for normal labor turnover purposes engaged in the production of knitted underwear for women, misses and children.

Pons Full Fashion Mills, Inc., Valdese, N.C.; effective 5-1-59 to 4-30-60; 5 percent of the total number of factory production workers for normal labor turnover purposes (sweaters).

Shoe Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.50 to 522.55, as amended).

Houlton Footwear Corp., Houlton, Maine; effective 4-27-59 to 10-26-59; 50 learners for plant expansion purposes (women's shoe uppers).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

Tie Rite Neckwear Co., Asheboro, N.C.; effective 4-30-59 to 10-29-59; five learners for normal labor turnover purposes in the occupations of sewing machine operator, presser, and hand sewer each for a learning period of 320 hours at the rates of at least 90 cents an hour for the first 160 hours and 95 cents an hour for the remaining 160 hours (men's and boys' ties and bows).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Beatrice Needle Craft, Inc., Malecon Road Plant, Mayaguez, P.R.; effective 4-6-59 to 4-5-60; 16 learners for normal labor turnover purposes in the occupation of sewing ma-

chine operators for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (brassieres).

Beatrice Needle Craft, Inc., 60 Comerio Street, Mayaguez, P.R.; effective 4-6-59 to 10-5-59; 30 learners for plant expansion purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (brassieres).

De la Rosa Embroidery Corp., 804 Condado Ave., Santurce, P.R.; effective 4-2-59 to 10-1-59; 20 learners for plant expansion purposes in the occupations of: (1) machine embroidery operators for a learning period of 480 hours at the rates of 53 cents an hour for the first 240 hours and 62 cents an hour for the remaining 240 hours; (2) hand cutting of applique for a learning period of 240 hours at the rates of 53 cents an hour for the first 160 hours and 62 cents an hour for the remaining 80 hours (machine applique embroidery).

Paradise Manufacturing, Inc., Gurabo, P.R.; effective 4-6-59 to 4-5-60; 13 learners for normal labor turnover purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (brassieres).

San Lorenzo Corp., San Lorenzo, P.R.; effective 4-2-59 to 10-1-59; 15 learners for plant expansion purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 58 cents an hour for the first 240 hours and 68 cents an hour for the remaining 240 hours (draperies).

Sunny Isle, Inc., Palmer, P.R.; effective 4-1-59 to 9-30-59; 21 learners for plant expansion purposes in the occupations of: (1) sewing machine operators: lace runners; seamers; sewing operators; elastic operators; sleeve setters; single needle sewing and tackers; final pressers, each for a learning period of 480 hours at the rates of 53 cents an hour for the first 240 hours and 62 cents an hour for the remaining 240 hours; (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 53 cents an hour (pajamas and half slips).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at sub-minimum 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 annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. 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 29 CFR 522.9.

Signed at Washington, D.C., this 5th day of May 1959.

MILTON BROOKE,
*Authorized Representative
of the Administrator.*

[F.R. Doc. 59-4105; Filed, May 14, 1959; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-19]

MILITARY SEA TRANSPORTATION SERVICE, DEPARTMENT OF THE NAVY

Notice of Application for Byproduct, Source and Special Nuclear Material License

Please take notice that an application for a license to dispose of waste byproduct, source and special nuclear material in the Pacific and Atlantic Oceans has been filed by the Military Sea Transportation Service, Washington 25, D.C.

The application specifies a maximum possession limit of 100 curies of byproduct material, 500 pounds of source material and 5 grams of special nuclear material which may be possessed on any one vessel or ship.

The applicant proposes to dispose of the wastes in the Atlantic Ocean within 3 miles of;

- (1) parallel of 41°33' north latitude, meridian of 65°30' west longitude
- (2) parallel of 36°30' north latitude, meridian of 74°18' west longitude
- (3) parallel of 38°30' north latitude, meridian of 72°06' west longitude
- (4) On meridian of 45° west longitude between parallels of 35° north and 45° north latitudes

and in the Pacific Ocean within 10 miles of;

- (1) parallel of 32° north latitude, meridian of 120°30' west longitude
- (2) parallel of 37°15' north latitude, meridian of 124°00' west longitude

at a minimum depth of 1,000 fathoms.

The Military Sea Transportation Service would be responsible only for the sea transportation and final disposal of radioactive wastes which would be received pre-packaged in containers meeting the recommendations of the National Committee on Radiation Protection contained in National Bureau of Standards Handbook No. 58, "Disposal of Radioactive Material in the Ocean".

A copy of the application is available for public inspection in the Atomic Energy Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 7th day of May 1959.

For the Atomic Energy Commission.

H. L. PRICE,
*Director, Division of
Licensing and Regulation.*

[F.R. Doc. 59-4093; Filed, May 14, 1959; 8:45 a.m.]

[Docket No. 50-13]

BABCOCK & WILCOX CO.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 1, set forth below, to License No. CX-10. The amendment authorizes The

Babcock & Wilcox Company, in connection with investigation of the proposed fuel assembly and core for the Nuclear Merchant Ship Reactor, to conduct in its Critical Experiment Laboratory near Lynchburg, Virginia, critical experiments with stainless steel-clad uranium-dioxide fuel manufactured by General Electric Company. The Commission has found that operation of the facility in accordance with the terms and conditions of the license as amended will not present any undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the conduct of the proposed experiments does not present any substantial changes in the hazards to the health and safety of the public from those presented by the previously approved operation of the facility.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within thirty days after issuance of the license amendment. For further details, see (1) the application for license amendment submitted by The Babcock & Wilcox Company and (2) a hazards analysis of the proposed experiments prepared by the Hazards Evaluation Branch of the Division of Licensing and Regulation, both on file at the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 7th day of May 1959.

For the Atomic Energy Commission.

R. L. KIRK,
*Deputy Director, Division of
Licensing & Regulation.*

[License CX-10 Amdt. 1]

In addition to the activities previously authorized by the Commission in License No. CX-10, The Babcock & Wilcox Company is authorized to conduct, in its Critical Experiment Laboratory located near Lynchburg, Virginia, the experiments requested in its application for license amendment dated April 3, 1959, and described in "Application for Extension of AEC License No. CX-10 To Cover Critical Experiments Using Slightly Enriched UO₂ Fuel Manufactured by the General Electric Company, April 1, 1959, BAW-1141" in accordance with the procedures and subject to the limitations contained therein.

This amendment is effective as of the date of issuance.

Date of issuance: May 7, 1959.

For the Atomic Energy Commission.

R. L. KIRK,
*Deputy Director, Division of
Licensing and Regulation.*

[F.R. Doc. 59-4094; Filed, May 14, 1959; 8:45 a.m.]

[Docket No. 50-54]

UNION CARBIDE CORP.**Notice of Amendment to Construction Permit No. CPRR-18**

Please take notice that the Atomic Energy Commission has issued Amendment No. 1 to Construction Permit No. CPRR-18, set forth below, which extends the latest completion date for Union Carbide Corporation's nuclear reactor to be built in Sterling Forest, New York, for 21 months to April 1, 1961.

Dated at Germantown, Md., this 8th day of May 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of
Licensing and Regulation.

[Construction Permit CPRR-18, Amdt. 1]

Condition A of Construction Permit No. CPRR-18 is hereby amended by changing the second sentence thereof to read as follows: "The latest date for completion of the reactor is April 1, 1961."

This amendment is effective as of the date of issuance.

Date of issuance: May 8, 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of
Licensing and Regulation.

[F.R. Doc. 59-4095; Filed, May 14, 1959; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-18416]

REPUBLIC NATURAL GAS CO.**Order for Hearing and Suspending Proposed Change In Rate**

MAY 8, 1959.

Republic Natural Gas Company (Republic), on April 10, 1959, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated April 7, 1959.

Purchaser: Coastal States Gas Producing Company.

Rate schedule designation: Supplement No. 7 to Republic's FPC Gas Rate Schedule No. 2.

Effective date: July 2, 1959 (stated effective date is the effective date proposed by Republic).

The increased rate and charge so proposed is based in part on the periodic pricing provisions of the basic contracts. Republic's contract also provides that Republic will receive 85 percent of any redetermined increase in Coastal's base rate beyond the minimum provided by Coastal's contract. On January 2, 1959, Coastal tendered for filing a rate increase of this type, which increase was suspended until July 2, 1959 by an order issued January 30, 1959 in Docket No. G-17733. Republic's present filing in-

cludes 85 percent of Coastal's suspended increase.

The increased rate and charge so proposed has not been shown to be justifiable, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 7 to Republic's FPC Gas Rate Schedule No. 2 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 7 to Republic's FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement hereby is suspended and the use thereof deferred until July 3, 1959, or until such time as Coastal's related increase (now under suspension in Docket No. G-17733) is made effective subject to refund, whichever is later, and until such further time thereafter as it may be made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-4098; Filed, May 14, 1959; 8:46 a.m.]

[Docket No. G-18420]

UNITED FUEL GAS CO.**Order for Hearing, Suspending Proposed Revised Tariff Sheets, and Allowing Revised Tariff Sheets To Become Effective Upon Filing of Motion and Undertaking To Assure Refund of Excess Charges**

MAY 8, 1959.

United Fuel Gas Company (United Fuel) on April 10, 1959, tendered for filing Third Revised Sheets Nos. 7, 27 and 33, and Fourth Revised Sheet No. 22 to its FPC Gas Tariff Fifth Revised Volume No. 1, proposing an annual increase in its wholesale revenues totaling approximately \$4,485,340 based on claimed costs

for the test year ended May 31, 1958. United Fuel claims that the requested increase is for the sole purpose of recovering increased purchased gas costs which will be incurred as the result of an increase filed by a supplier, Tennessee Gas Transmission Company, whose increased rates are suspended until May 15, 1959, in Docket No. G-17166.

In support of its proposed rate increase, United Fuel resubmitted the cost data submitted in October 1958 in support of its general rate increase, suspended and in effect subject to refund in Docket No. G-16815, with adjustments to reflect the additional costs incident to Tennessee Gas Transmission Company's suspended increase.

United Fuel proposes an effective date of May 11, 1959, and requests that in the event of suspension, in order to avoid irreparable injury, the suspension period end on May 15, 1959, concurrently with that of Tennessee Gas Transmission Company's suspension period in Docket No. G-17166.

Since, the claimed increase in the cost of purchased gas is based entirely on an increase which is presently under suspension, the claimed increased cost is not supported. In addition the present filing includes the rates suspended and in effect subject to refund in Docket No. G-16815.

The proposed changes in rates, charges, classifications, or services provided for in the tariff sheets tendered by United Fuel on April 10, 1959, have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the proposed changes in rates, charges, classifications, and services, and that the above-designated tariff sheets be suspended and the use thereof deferred as hereinafter ordered.

(2) It is appropriate in the public interest and in carrying out the provisions of the Natural Gas Act that United Fuel's proposed tariff sheets be made effective as hereinafter provided and that United Fuel be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications, and services contained in United Fuel's FPC Gas Tariff as proposed to be amended by the above-designated tariff sheets.

(B) Pending such hearing and decision thereon, Third Revised Sheets Nos. 7, 27, and 33, and Fourth Revised Sheet No. 22, to United Fuel's FPC Gas Tariff, Fifth Revised Volume No. 1, are hereby suspended and the use thereof deferred until May 15, 1959, and until such further time as they are made effective in the manner hereinafter prescribed.

(C) The rates, charges, classifications, and services set forth in the above-designated filings shall be effective as of May 15, 1959: *Provided, however, That, within 20 days from the date of this order, United Fuel shall file a motion as required by section 4(e) of the Natural Gas Act and concurrently execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.*

(D) United Fuel shall refund at such times and in such amounts to persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates and charges found by the Commission in this proceeding not justified, together with interest thereon at the rate of 6 percent per annum from the date of payment to United Fuel until refunded; shall bear all costs of any such refunding, shall keep accurate accounts in detail of all amounts received by reason of the increased rates or charges effective as of May 15, 1959, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, for each billing period and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom as computed under the rates in effect immediately prior to July 14, 1957, until Commission determination of the rates and charges in Docket No. G-12195, and in Docket No. G-16815, then under each of those rates, and under the rates and charges allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance hereof, United Fuel shall concurrently execute and file (original and three (3) copies) with the Secretary of the Commission its motion to make rates effective and its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the Board of Directors, and accompanied by a certificate showing service of copies thereof upon all purchasers under the tariff sheets involved, as follows:

Agreement and Undertaking of United Fuel Gas Company to Comply with the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order for Hearing, Suspending Proposed Revised Tariff Sheets, and Allowing Revised Tariff Sheets to Become Effective Upon Filing of Motion and Undertaking to Assure Refund of Excess Charges.

In conformity with the requirements of the order issued (Date), in Docket No. G-18420, United Fuel Gas Company hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto this _____ day of _____, 1959.

UNITED FUEL GAS COMPANY

By _____

Attest:

(Secretary)

Unless United Fuel is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If United Fuel shall, in conformity with the terms and conditions of paragraph (D) of this order, make the refunds as may be required by order of the Commission, the undertaking shall be discharged, otherwise it shall remain in full force and effect.

(G) Neither the tariff here proposed to be amended nor the revised tariff sheets hereby suspended shall be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-4099; Filed, May 14, 1959;
8:46 a.m.]

[Docket No. G-18422]

ATLANTIC SEABOARD CORP.

Order for Hearing, Suspending Proposed Revised Tariff Sheets, and Allowing Revised Tariff Sheets to Become Effective Upon Filing of Motion and Undertaking to Assure Refund of Excess Charges

MAY 8, 1959.

Atlantic Seaboard Corporation (Atlantic) on April 10, 1959, tendered for filing Second Revised Sheets Nos. 7, 12, 16A, 17A, 26 and 28 and Third Revised Sheets Nos. 22 and 24 to its FPC Gas Tariff Seventh Revised Volume No. 1 and Sixth Revised Sheet No. 54 to its FPC Gas Tariff Original Volume No. 2, proposing an annual increase in its wholesale revenues totaling approximately \$1,556,265 based on claimed costs for the test year ended May 31, 1958. Atlantic claims that the requested increase is for the sole purpose of recovering increased purchased gas costs which will be incurred as the result of an increase filed by a supplier, United Fuel Gas Company, whose increased rates are suspended concurrently this day until May 15, 1959, in Docket No. G-18420.

In support of its proposed rate increase, Atlantic resubmitted the cost data submitted in October 1958 in support of its general rate increase, suspended and in effect subject to refund in Docket No. G-16817, with adjustments to reflect the additional costs incident to United Fuel Gas Company's suspended increase.

Atlantic proposes an effective date of May 11, 1959, and requests, that in the event of suspension, in order to avoid irreparable injury, the suspension period end on May 15, 1959, concurrently with that of United Fuel Gas Company's suspension period in Docket No. G-18420.

Since the claimed increase in the cost of purchased gas is based entirely on an increase which is under suspension, the claimed increased cost is not supported. In addition the present filing includes the rates suspended and in effect subject to refund in Docket No. G-16817.

The proposed changes in rates, charges, classifications, or services provided for in the tariff sheets tendered by Atlantic on April 10, 1959, have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the proposed changes in rates, charges, classifications, and services, and that the above-designated tariff sheets be suspended and the use thereof deferred as hereinafter ordered.

(2) It is appropriate in the public interest and in carrying out the provisions of the Natural Gas Act that Atlantic's proposed tariff sheets be made effective as hereinafter provided and that Atlantic be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications, and services contained in Atlantic's FPC Gas Tariff as proposed to be amended by the above-designated tariff sheets.

(B) Pending such hearing and decision thereon, Second Revised Sheets Nos. 7, 12, 16A, 17A, 26 and 28 and Third Revised Sheets Nos. 22 and 24 to Atlantic's FPC Gas Tariff Seventh Revised Volume No. 1 and Sixth Revised Sheet No. 54 to Atlantic's FPC Gas Tariff Original Volume No. 2 are hereby suspended and the use thereof deferred until May 15, 1959, and until such further time as they are made effective in the manner hereinafter prescribed.

(C) The rates, charges, classifications, and services set forth in the above-designated filings shall be effective as of May 15, 1959: *Provided, however, That, within 20 days from the date of this order, Atlantic shall file a motion as required by section 4(e) of the Natural Gas Act and concurrently execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.*

(D) Atlantic shall refund at such times and in such amounts to persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates and charges found by the Commission in this proceeding not justified, together with interest thereon at the rate of 6 percent per annum from the date of payment to Atlantic until refunded; shall bear all costs of any such refunding, shall keep accurate accounts

in detail of all amounts received by reason of the increased rates or charges effective as of May 15, 1959, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (Original and one copy), in writing and under oath, to the Commission monthly, for each billing period and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom as computed under the rates in effect immediately prior to July 14, 1957, until Commission determination of the rates and charges in Docket No. G-12196 and in Docket No. G-16817, then under each of those rates, and under the rates and charges allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance hereof, Atlantic shall concurrently execute and file (original and three (3) copies) with the Secretary of the Commission its motion to make rates effective and its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the Board of Directors, and accompanied by a certificate showing service of copies thereof upon all purchasers under the tariff sheets involved, as follows:

Agreement and Undertaking of Atlantic Seaboard Corporation To Comply With the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order for Hearing, Suspending Proposed Revised Tariff Sheets, and Allowing Revised Tariff Sheets To Become Effective, Upon Filing of Motion and Undertaking To Assure Refund of Excess Charges.

In conformity with the requirements of the order issued (Date), in Docket No. G-18422, Atlantic Seaboard Corporation hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto this ----- day of -----, 1959.

ATLANTIC SEABOARD CORPORATION

By _____

Attest:

(Secretary)

Unless Atlantic is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Atlantic shall, in conformity with the terms and conditions of paragraph (D) of this order, make the refunds as may be required by order of the Commission, the undertaking shall be discharged, otherwise it shall remain in full force and effect.

(G) Neither the tariff here proposed to be amended nor the revised tariff sheets hereby suspended shall be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested State commissions may participate as provided by §§ 1.8

and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-4100; Filed, May 14, 1959;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1222]

LOOMIS-SAYLES FUND OF CANADA LTD.

Notice of Application by Canadian Investment Company for Order Permitting Its Registration and Sale of Its Securities in the United States

MAY 8, 1959.

Notice is hereby given that Loomis-Sayles Fund of Canada Ltd. ("Applicant"), an investment company organized under the companies Act of the Dominion of Canada, has filed an application under section 7(d) of the Investment Company Act of 1940 (the "Act") and Rule N-7D-1 thereunder, seeking an order of the Commission permitting Applicant to register as an investment company under the Act and to make a public offering of its securities in the United States.

Section 7(d) of the Act prohibits a foreign investment company from selling its securities to the public through the mails or any means or instrumentalities of interstate commerce unless the Commission issues a conditional or unconditional order permitting such company to register under the Act and to make a public offering of its securities in the United States. To issue such an order the Commission must find that, by reason of special circumstances or arrangements, it is both legally and practically feasible effectively to enforce the provisions of the Act against such company and that the issuance of such order is otherwise consistent with the public interest and the protection of investors.

Applicant was organized on January 19, 1959 for the purpose of carrying on business as an investment company, concentrating its investment principally in Canadian companies or companies whose principal activities are in Canada and securities of the Canadian government, provinces, and municipalities. Its authorized capital stock consists of 3,000,000 Common Shares of \$1 par value and 100 Deferred Shares of \$10 par value. Common Shares and Deferred Shares have the same rights except that Deferred Shares have no redemption rights and additional shares may be issued only upon the approval of the common shares. The initial capital of Applicant in the amount of at least \$100,000 will be provided by Loomis, Sayles & Company, Inc., Boston, Massachusetts and certain of Applicant's directors. Thereafter Applicant proposes to make a continuous public offering of its Common Shares at net

asset value in the United States. Applicant proposes to operate as an open-end diversified management investment company.

The application contains certain undertakings and agreements, all as specified in Rule N-7D-1, which together with the provisions of the Applicant's charter and by-laws, are proposed by the Applicant as "special circumstances and arrangements" justifying the entry of the requested order.

Applicant's charter and by-laws contain, in substance and effect, the substantive provisions of the Act applicable to open-end investment companies, which provisions the Applicant has agreed may be enforced as a matter of contract right in the United States or Canada by Applicant's shareholders.

Applicant's by-laws also contain, among other things, provisions summarized as follows: (1) That all of its securities and cash, other than cash in an amount necessary to meet Applicant's current administrative expenses, will be maintained in the sole custody of a bank in the United States; (2) that at least a majority of Applicant's directors and of its officers will be citizens of the United States of whom a majority will be residents of the United States; (3) that Applicant will retain an independent public accountant with a permanent office and place of business in the United States; (4) that Applicant's investment adviser will maintain its books and records relating to Applicant in the United States; and (5) that Applicant's principal underwriter will be a resident and citizen of the United States.

Applicant has undertaken and agreed in its application, among other things, (i) that its charter and by-laws will not be amended in any manner inconsistent with the agreements and undertakings contained in its application or the Act and rules thereunder unless authorized by the Commission; (ii) that Applicant's present and future officers, directors, investment advisers, principal underwriters and custodian will enter into agreements to comply with the Act, Applicant's charter, by-laws, and the undertakings and agreements contained in the instant application; (iii) that Applicant's agreements shall inure to the benefit of Applicant's shareholders as parties and beneficiaries; (iv) that breach of the aforesaid agreements or violation of the Act by any of the contracting parties will permit revocation of the requested order and the liquidation and distribution of Applicant's assets; and (v) that the original or duplicate copy of its books and records will be maintained in the United States.

Other agreements and undertakings contained in the application are designed to facilitate the enforcement of the Act by the Commission or Applicant's shareholders. To that end each of the contracting parties who are not citizens and residents of the United States will appoint, irrevocably, an agent within the United States for service of process. To ensure the applicability of the Act to purchases and sales of portfolio securities not made on established securities exchanges. Applicant has agreed that its

custodian will consummate such transactions only in the United States and that the mails or means of interstate commerce will be employed.

Applicant requests an exemption pursuant to section 6(c) of the Act (i) from section 22(e) (1) of the Act to the extent that it may be permitted to suspend the right of redemption of its shares during periods when the Toronto Stock Exchange or the Montreal Stock Exchange, on which some of the portfolio securities of the Applicant will be traded, is closed or trading thereon is restricted, as well as when, as already provided in section 22(e) (1), the New York Stock Exchange is closed or trading thereon is restricted and (ii) from section 32(a) of the Act to the extent necessary to permit Applicant's independent public accountants to be selected by its shareholders rather than selected by its Board of Directors and such selection ratified by its shareholders.

Notice is further given that any interested person may, not later than May 22, 1959, at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the Act.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-4106; Filed, May 14, 1959;
8:47 a.m.]

[File No. 1-2645]

F. L. JACOBS CO.

Order Summarily Suspending Trading

MAY 11, 1959.

In the matter of trading on the New York Stock Exchange and the Detroit Stock Exchange in the \$1.00 par value common stock of F. L. Jacobs Co., File No. 1-2645.

I. The common stock, \$1.00 par value, of F. L. Jacobs Co. is registered on the New York Stock Exchange and admitted to unlisted trading privileges on the Detroit Stock Exchange, national securities exchanges, and

II. The Commission on February 11, 1959 issued its order and notice of hearing under section 19(a) (2) of the Securities Exchange Act of 1934 to determine at a hearing beginning March 16, 1959 whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the capital stock of F. L. Jacobs Co. on the New York Stock Exchange and Detroit

Stock Exchange for failure to comply with section 13 of the Act and the rules and regulations thereunder.

On May 1, 1959, the Commission issued its order summarily suspending trading of said securities on the exchanges pursuant to Section 19(a) (4) of the Act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices for a period of ten days ending May 11, 1959.

III. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the New York Stock Exchange and Detroit Stock Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the further opinion that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, trading in the stock of F. L. Jacobs Co. will be unlawful under section 15(c) (2) of the Securities Exchange Act of 1934 and the Commission's § 240.15c2-2 (17 CFR 240.15c2-2) thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934 that trading in said security on the New York Stock Exchange and Detroit Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, May 12, 1959 to May 21, 1959 inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-4107; Filed, May 14, 1959;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH-SECTION APPLICATIONS FOR RELIEF

MAY 12, 1959.

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. 35423: *Roofing and building materials within and from and to points in Illinois territory.* Filed by Illinois Freight Association, Agent, (No. 60), for interested rail carriers. Rates on roofing and building materials, and related articles, carloads between points in Illinois territory, and between points in Illinois territory, on the one hand, and southern territory, on the other.

Grounds for relief: Short-line distance formulas, maintenance of higher-level rates at intermediate points in Illinois and official territories and market competition.

Tariffs: Supplement 4 to Illinois Freight Association tariff I.C.C. 917. Supplement 4 to Illinois Freight Association tariff I.C.C. 919.

FSA No. 35424: *Wheat and flour—Texas points to Lake Charles, La.* Filed by Texas-Louisiana Freight Bureau, Agent, (No. 353), for interested rail carriers. Rates on wheat and flour, carloads from specified points in Texas on applicants' lines to Lake Charles, La., for export.

Grounds for relief: Port competition with the ports of Galveston and Port Arthur, Tex.

Tariff: Supplement 50 to Texas-Louisiana tariff I.C.C. 774.

FSA No. 35435: *Perlite Rock—Socorro, N.M., to Connecticut and New Hampshire points.* Filed by Southwestern Freight Bureau, Agent, (B-7542), for interested rail carriers. Rates on perlite rock, carloads from Socorro, N.M., to New Haven and Hartford, Conn., and Portsmouth, N.H.

Grounds for relief: Short-line distance formula to additional destinations.

Tariff: Supplement 585 to Southwestern Lines Freight Tariff I.C.C. 4139.

FSA No. 35426: *Petroleum and Products—Twin Cities to Points in Wisconsin.* Filed by Western Trunk Line Committee, Agent, (No. A-2058) for interested rail carriers. Rates on petroleum and petroleum products, carloads from Fordson, Minneapolis, Minnesota Transfer, Roseport, and St. Paul, Minn., to specified points in Wisconsin.

Grounds for relief: Motor truck competition.

Tariff: Supplement 20 to Western Trunk Lines tariff I.C.C. A-4198.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-4104; Filed, May 14, 1959;
8:46 a.m.]

[Notice 121]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 12, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61153. By order of May 6, 1959, The Transfer Board approved the transfer to Glen V. Brubaker and Gerald B. Tweek, a partnership, doing business as Cargo Carriers, San Diego, California, of Certificates Nos. MC 38673 and MC 38673 Sub 5, issued June 30, 1944, and September 9, 1952, respectively, to Ralph E. Sorkness, doing business as Sorkness Truck Lines, San Diego, California, authorizing transportation, over irregular routes, of specified commodities and general commodities, excluding household goods and other specified commodities, between designated points in California, and of liquid carbon dioxide, in bulk, in tank vehicles, from Midland, Calif., and Greeley, Colo., to points in California, Oregon, Washington, Montana, Idaho, Wyoming, Utah, Nevada, Colorado, Arizona, and New Mexico, and from Agnew, Calif., to points in Oregon, Washington, Idaho, and Montana, and solidified carbon dioxide, from Niland, Calif., to points in Arizona, Nevada, and New Mexico, and to the boundary of United States and Mexico at Calexico and San Ysidro, Calif.

No. MC-FC 61955. By order of May 8, 1959, The Transfer Board approved the transfer to Carole F. Mills, doing business as Fullerton Transfer and Storage Company, Youngstown, Ohio, of a certificate in No. MC 71305, issued by the Commission December 27, 1949, to Mildred I. Fullerton, Youngstown, Ohio, and subsequently acquired by Mildred I. Fullerton, Carole F. Mills, Executrix, authorizing the transportation of general commodities, excluding household goods, as defined by the Commission, and commodities in bulk, over irregular routes,

between Youngstown, Ohio, on the one hand, and, on the other, specified points in Pennsylvania. Walter E. Shaeffer, 44 East Broad Street, Columbus 15, Ohio.

No. MC-FC 62168. By order of May 6, 1959, The Transfer Board approved the transfer to Willett Bros. Transportation, Incorporated, 315 Carver Avenue, N. E. Roanoke, Virginia, of the operating rights in Certificates Nos. MC 109557 Sub 8, issued September 14, 1950, and August 27, 1956, respectively, to John Eldridge Willett, doing business as Willett Bros. Transportation, authorizing the transportation, over irregular routes, of gasoline, fuel oil and kerosene, in bulk, in tank vehicles, from Friendship, N.C., to points in a described portion of Virginia, petroleum products, in bulk, in tank vehicles, from Cabin Creek, W. Va., and points within three miles thereof, to Roanoke, Lynchburg, East Lexington, Waynesboro, Middletown and Covington, Va., and petroleum products, except petroleum chemicals, in bulk, in tank vehicles, from Charleston and Boomer, W. Va., to points in fourteen specified Virginia Counties.

No. MC-FC 62178. By order of May 8, 1959, The Transfer Board approved the transfer to Star Carriers, Inc., East Earl, Pennsylvania, of certificates in Nos. MC 107513 Sub 2, and MC 107513 Sub 3, issued July 25, 1947, and April 15, 1959, respectively, to George M. Reed, East Earl, Pennsylvania, authorizing the transportation, over irregular routes, of agricultural pulverized limestone, from points in Lancaster County, Pa., to points in Delaware and Maryland except incorporated municipalities, and sand, from points in New Castle County, Del.,

and Cecil County, Md., to points in Lancaster County, Pa. Charles B. Grove, Jr., 49 North Duke Street, Lancaster, Pa.

No. MC-FC 62185. By order of May 8, 1959, The Transfer Board approved the transfer to Knapp's Express, Inc., Ridgefield Park, N.J., of certificate in No. MC 59098, issued June 21, 1941, to Edward C. Knapp, Sr., doing business as Knapp's Express, Ridgefield Park, N.J., authorizing the transportation of: General commodities, excluding household goods and other specified commodities between points in New Jersey and New York. Bernard F. Flynn, Jr., Attorney, 1060 Broad Street, Newark 2, New Jersey.

No. MC-FC 62199. By order of May 8, 1959, The Transfer Board approved the transfer to Brownnett Bros. Trucking Inc., of Bayonne, N.J., of Certificate No. MC 20183, issued October 17, 1959, in the name of Nellie A. Brownnett and Harry A. Brownnett, Jr., a partnership, doing business as Brownnett Bros., of Bayonne, N.J., authorizing the transportation of arsenic, over irregular routes, from New York, N.Y., to points in Cumberland and Middlesex Counties, N.J.; cables and asphalt in drums, over irregular routes, from Bayonne, N.J., to points in Nassau and Suffolk Counties, N.Y.; and empty cable reels and rejected, refused or damaged shipments of cables and asphalt in drum, from points in Nassau and Suffolk Counties, N.Y. to Bayonne, N.J. Bart R. Boyle, 793 Broadway, Bayonne, N.J., for applicants.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 59-4103; Filed, May 14, 1959; 8:46 a.m.]

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