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Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Bulletin 1, 1959 Supp. 1, Amdt. 1, Barley]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1959-Crop Barley Loan and Purchase Agreement Program

ELIGIBLE BARLEY AND DETERMINATION OF QUANTITY

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 23 F.R. 9651, 24 F.R. 3027, 4017 and 5236, and containing the specific requirements for the 1959-Crop Barley Price Support Program are hereby amended as follows:

1. Section 421.4078(c) (1) is amended to make barley grading No. 5 eligible for price support, so that the amended subparagraph reads as follows:

§ 421.4078 Eligible barley.

(c) * * *

(1) The barley must be of any class grading No. 5 or better (or No. 5 "Garlicky" or better), except that Western Barley shall have a test weight of not less than 40 pounds per bushel.

2. In § 421.4080, paragraph (c) is amended by extending the schedule therein to apply to barley testing as low as 36 pounds per bushel so that the amended paragraph reads as follows:

§ 421.4080 Determination of quantity.

(c) When the quantity of barley is determined by measurement, a bushel shall be 1.25 cubic feet of barley testing 48 pounds per bushel. The quantity determined shall be the following percentages of the quantity determined for 48-pound barley:

For barley testing:	Percent
50 pounds or over.....	104
49 pounds or over, but less than 50 pounds.....	102
48 pounds or over, but less than 49 pounds.....	100
47 pounds or over, but less than 48 pounds.....	98
46 pounds or over, but less than 47 pounds.....	96
45 pounds or over, but less than 46 pounds.....	94
44 pounds or over, but less than 45 pounds.....	92
43 pounds or over, but less than 44 pounds.....	90
42 pounds or over, but less than 43 pounds.....	88
41 pounds or over, but less than 42 pounds.....	85
40 pounds or over, but less than 41 pounds.....	83
39 pounds or over, but less than 40 pounds.....	81
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(Sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, sec. 105, 401, 63 Stat. 1051, as amended, 15 U.S.C. 714, 7 U.S.C. 1421, 1441)

Issued this 2d day of September 1959.

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-7477; Filed, Sept. 8, 1959; 8:50 a.m.]

[C.C.C. Grain Price Support Bulletin 1, 1959 Supp. 2, Amdt. 2, Barley]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1959-Crop Barley Loan and Purchase Agreement Program

SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 23 F.R. 9651, 24 F.R. 3027, 4017, and 5236, and containing the specific requirements for the 1959-Crop Barley Price Support Program are hereby amended as follows:

1. Section 421.4087(b) is amended by changing the basic county support rate

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in Lake County, Oregon, from \$0.65 to \$0.77 per bushel, and by adding to the list of basic county support rates a rate of \$0.96 per bushel for barley grading No. 2 or better produced in the State of Alaska.

2. Section 421.4087(c) is amended to provide a discount for barley grading No. 5 so that the amended paragraph reads as follows:

(c) *Discounts.* The discount for barley which grades No. 3 shall be 3 cents per bushel, for No. 4, 6 cents per bushel, and for No. 5, 18 cents per bushel. The support rates for barley of the class "Mixed Barley" shall be 2 cents per bushel less than the support rates for barley of the Classes Barley and Western Barley. In addition to any other applicable discounts, a discount of 10 cents per bushel shall be applied to barley grading "Garlicky".

(Sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, sec. 105, 401, 63 Stat. 1051, as amended, 15 U.S.C. 714, 7 U.S.C. 1421, 1441)

Issued this 2d day of September 1959.

CLARENCE D. PALMBY,
*Acting Executive Vice President,
Commodity Credit Corporation.*

[F.R. Doc. 59-7478; Filed, Sept. 8, 1959; 8:50 a.m.]

[C.C.C. Grain Price Support Bulletin 1, 1959 Supp. 2, Amdt. 2, Oats]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1959-Crop Oats Loan and Purchase Agreement Program

SUPPORT RATES

The regulations issued by Commodity Credit Corporation and Commodity

Stabilization Service published in 23 F.R. 9651, 24 F.R. 2933, 4545, 5214 and containing the specific requirements for the 1959-Crop Oats Price Support Program are hereby amended as follows:

Section 421.4287(a) is amended by adding to the list of basic county support rates a rate of \$0.64 per bushel for oats grading No. 3 produced in the State of Alaska.

(Sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended, 15 U.S.C. 714, 7 U.S.C. 1421, 1441)

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CLARENCE D. PALMBY,
*Acting Executive Vice President,
Commodity Credit Corporation.*

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[C.C.C. Grain Price Support Bulletin 1, 1959 Supp. 2, Amdt. 3, Wheat]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1959-Crop Wheat Loan and Purchase Agreement Program

SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in (24 F.R. 1633, 3151, 6315, 6232, and 6314), containing the specific requirements of the 1959-crop wheat price support program are hereby amended as follows:

1. Section 421.4047(b) is amended by adding to the list of basic county support rates a rate of \$1.20 per bushel for wheat grading No. 1 produced in the State of Alaska.

2. Section 421.4047(c) (3) is amended by providing that the variety discount is not applicable to any varieties of wheat produced in the State of Alaska.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421.)

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CLARENCE D. PALMBY,
*Acting Executive Vice President,
Commodity Credit Corporation.*

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SUBCHAPTER C—EXPORT PROGRAMS

[Rev. 1, Amdt. 2]

PART 483—WHEAT AND FLOUR

Subpart—Wheat Export Program; Payment in Kind (GR-345); Terms and Conditions

MISCELLANEOUS AMENDMENTS

The Terms and Conditions of Revision I of the Wheat Export Program—Payment in Kind (GR-345) (23 F.R. 5365), as amended (24 F.R. 5775), are further amended as follows:

1. Section 483.105(a) is amended to read as follows:

§ 483.105 General conditions of eligibility.

(a) Payment under this program will be made to an exporter in connection with the net quantity of wheat exported from the United States and the net quantity of wheat shipped to Canada via the Great Lakes only if exported from a Canadian port on the St. Lawrence River, provided such exportation is to a designated country pursuant to a sale to a foreign buyer for which the exporter receives a Notice of Registration from a designated Contracting Officer of CCC, in accordance with § 483.136, subject to the Terms and Conditions set forth in this subpart. Payment also will be made to an exporter for wheat which was exported prior to sale and for which the exporter has received a Notice of Registration from a designated Contracting Officer of CCC, subject to the terms and conditions of this subpart particularly § 483.109.

2. Section 483.147 is amended to read as follows:

§ 483.147 Documents required as evidence of export.

Each Application for Wheat Export Payment (CCC Form 357) must be supported by the following documentary evidence, as applicable:

(a) If export is by water, a non-negotiable copy or photostat of the on-board-ship bill of lading issued at point of export certified by the exporter as true and correct and signed by an agent of the ocean carrier. The bill of lading must show the name of the vessel, the date and place of issuance, the weight of the wheat, the number or description of the hold or tank in which the wheat was stowed, the designated country to which the wheat was shipped, and if exported under Public Law 480, 83d Congress, the purchase authorization number. Where loss, destruction or damage to the wheat occurs subsequent to loading aboard the ocean carrier but prior to issuance of the on-board-ship bill of lading, one copy of a loading tally sheet or acceptable similar document may be substituted for the ocean bill of lading. If the country of destination shown on the ocean bill of lading differs from that shown on the Declaration of Sale or the country of destination approved by the Director pursuant to § 483.106, the exporter shall also furnish one copy of the Shipper's Export Declaration, authenticated by the appropriate United States Custom official, showing that the country of destination is, in fact, the country to which the wheat is required to be exported.

(b) If exportation is by rail or truck, one copy of the Shipper's Export Declaration, authenticated by the appropriate United States Custom official, which identifies the shipment(s), the date of clearance into the foreign country and the weight of the wheat.

(c) A copy of an official loading weight certificate as defined in § 483.196 applicable to the wheat described in the on-board-ship bill of lading issued at point of export or Shipper's Export Declaration and showing (1) date and place of issuance, and (2) name of vessel, and

description of hold or tank in which the wheat was stowed, or where exportation is by rail-car or truck, description of such rail-car or truck. In the case of bagged wheat, the official loading weight certificate and the bill of lading or Shipper's Export Declaration shall contain the gross weight of the wheat and either the tare or the number of bags and an acceptable certification as to the weight of the bags.

(d) A copy of a grain inspection certificate applicable to the wheat described in the on-board-ship bill of lading issued at point of export or Shipper's Export Declaration and showing (1) the date and place of issuance, (2) quantity of wheat, and (3) name of vessel and description of the hold or tank in which the wheat was stowed, or where exportation is by rail-car or truck, a description of such rail-car or truck in which exported. The grain inspection certificate shall be issued by an inspector licensed or authorized under the United States Grain Standards Act or the Agricultural Marketing Act of 1946 and shall show the grade of the wheat determined in accordance with the Official Grain Standards of the United States. If the certificate shows mixed wheat it will be necessary for the grade designation to show the approximate percentage of each class of wheat which constitutes more than 10 percent of the mixture.

(e) In the event of exportation from a point in Canada, (1) the bill of lading and other documentary evidence covering the movement of the wheat from the continental United States to the export vessel described in the on-board-ship bill of lading issued at the point of export, (2) a certification by the exporter that the wheat exported was produced in the continental United States, and (3) a copy of an official loading weight certificate and of a grain inspection certificate issued by an inspector licensed under the United States Grain Standards Act applicable to the grain shipped from the United States and showing date and place of issuance, name of vessel and description of hold or tank in which wheat was stowed.

(f) Where for good cause, the exporter establishes that he is unable to supply documentary evidence of export as specified in the above provisions of this section, CCC may accept such other evidence of export as will establish to the satisfaction of the Vice President, that the exporter has fully complied with his obligations to export.

(g) If the shipper or consignor named in the on-board bill(s) of lading or the Shipper's Export Declaration(s), is other than the exporter named in the Notice of Sale and Declaration of Sale, waiver by such shipper or consignor of any interest in the application for payment in favor of such exporter is required. Such waiver must clearly identify the on-board bill(s) of lading or Shipper's Export Declaration(s) submitted to evidence export.

(h) Where exportation of the wheat has been made by anyone or transshipment made or caused by the exporter to one or more countries or areas identified in § 483.134(b) (1), (2) or (3), the bills

of lading or other pertinent documentary evidence required to be furnished to CCC shall identify the license by number issued by the Bureau of Foreign Commerce, United States Department of Commerce, for such movement. With respect to any such movement to Hong Kong or Macao not requiring a specified license, the required documentary evidence shall contain a statement by the exporter that a specific license was not required.

(i) In case a single bill of lading or other documentary evidence of export covers more than the net quantity of wheat which is applied against the exporter's agreement with CCC, and such documentary evidence of export is to be used as evidence of export of such excess quantity in connection with a different contract with CCC under this program or under any other export program of CCC pursuant to which CCC has paid or agreed to pay an export allowance, each copy of such documentary evidence of export submitted pursuant to paragraph (a) of this section shall be accompanied by a statement certified by the exporter identifying all contracts with CCC to which the documentary evidence of export has been or will be applied and the quantity applicable to each contract.

3. Section 483.162 is amended to read as follows:

§ 483.162 Evidence of export.

Evidence of export shall consist of the following documentation, as applicable:

(a) If export is by water, a non-negotiable copy or photostat of the on-board-ship bill of lading certified by the exporter as true and correct and signed by an agent of the ocean carrier. The bill of lading must show the name of the vessel, the date and place of issuance, the weight of the wheat, the number or description of the hold or tank in which the wheat was stowed, the designated country to which the wheat was shipped, and the CCC sales contract number. Where loss, destruction or damage to the wheat occurs subsequent to loading aboard the ocean carrier but prior to issuance of the on-board-ship bill of lading, one copy of a loading tally sheet or acceptable similar document may be substituted for the ocean bill of lading.

(b) If export is by rail or truck, one unauthenticated copy of Shipper's Export Declaration (or photostat copy of an unauthenticated copy) which identifies the shipment(s), the date of clearance into the foreign country, the weight of the wheat, and the CCC sales contract number. The unauthenticated copy, or photostat copy, shall bear the following statement certified by the purchaser, "The authenticated copy of this Shipper's Export Declaration was forwarded to (name of the CSS Commodity Office) with application for Wheat Export Payment under Registration No. _____"

(c) A copy of an official loading weight certificate as defined in § 483.196 applicable to the wheat described in the on-board-ship bill of lading or Shipper's Export Declaration and showing (1) date and place of issuance, and (2) name of vessel, and description of hold or tank in which wheat was stowed, or where

exportation is by rail-car or truck, description of such rail-car or truck. In the case of bagged wheat, the official loading weight certificate and the bill of lading or Shipper's Export Declaration shall contain the gross weight of the wheat, and either the tare or the number of bags and an acceptable certification as to the weight of the bags.

(d) A copy of a grain inspection certificate applicable to the wheat described in the on-board-ship bill of lading or Shipper's Export Declaration and showing (1) the date and place of issuance, (2) quantity of wheat, and (3) name of vessel and description of the hold or tank in which wheat was stowed, or where exportation is by rail-car or truck, a description of such rail-car or truck. The grain inspection certificate shall be issued by an inspector licensed or authorized under the United States Grain Standards Act or the Agricultural Marketing Act of 1946 and shall show the grade of the wheat determined in accordance with the Official Grain Standards of the United States. If the certificate shows mixed wheat it will be necessary for the grade designation to show the approximate percentage of each class of wheat which constitutes more than 10 percent of the mixture.

(e) In the event of exportation from a point in Canada, (1) the bill of lading and other documentary evidence covering the movement of the wheat from the continental United States to the export vessel described in the bill of lading issued at the point of export, (2) a certification by the exporter that the wheat exported was produced in the continental United States, and (3) a copy of an official loading weight certificate and of a grain inspection certificate issued by an inspector licensed under the United States Grain Standards Act applicable to the grain shipped from the United States and showing date and place of issuance, name of vessel and description of hold or tank in which wheat was stowed.

(f) If the wheat is delivered by CCC at a Great Lakes port and if exportation takes place other than from the place of delivery by CCC, the exporter must, in conformance with the requirement in § 483.161(a) submit a non-negotiable copy(s) of the applicable bill(s) of lading showing the shipment of wheat of the required quantity and kind, from the place of delivery by CCC to an export point not on the Great Lakes. This evidence of shipment must be accompanied by an affidavit of the exporter that the wheat represented by such bill(s) of lading was not unloaded at a point other than the destination indicated on the evidence of shipment. The affidavit must also affirm that the bill(s) of lading submitted therewith has not or will not be used in any other instance as proof of such movement pursuant to a similar requirement except as provided in § 483.147(i). Such evidence shall be submitted in the time required by § 483.161(b) or within such extension of that time as may be approved by CCC in writing.

(g) Where for good cause, the exporter establishes that he is unable to supply documentary evidence of export

as specified in the above provisions of this section, CCC may accept such other evidence of export as will establish to the satisfaction of the Vice President that the exporter has fully complied with his obligations to export.

(h) Where exportation of the wheat has been made by anyone or transshipment made or caused by the exporter to one or more of the countries or areas identified in § 483.184(b) (1), (2), or (3), the bills of lading or other pertinent documentary evidence required to be furnished to CCC shall identify the license by number issued by the Bureau of Foreign Commerce, U.S. Department of Commerce, for such movement. With respect to any such movement to Hong Kong or Macao not requiring a specified license, the required documentary evidence shall contain a statement by the purchaser that a specific license was not required.

(i) In case a single bill of lading or other documentary evidence of export covers more than the net quantity of wheat which is applied against any one contract with CCC and such documentary evidence of export is to be used as evidence of export of such excess quantity in connection with a different contract with CCC under any export program of CCC pursuant to which CCC has paid or agreed to pay an export allowance or has sold grain at prices which reflect any export allowance, each copy of such documentary evidence of export submitted, pursuant to this section shall be accompanied by a statement certified by the exporter identifying all contracts with CCC to which this documentary evidence of export has been or will be applied and the quantity applicable to each contract.

4. A new § 483.196, is added and shall read as follows:

§ 483.196 Official weight certificate.

"Official weight certificate" means a weight certificate issued:

(a) By Chambers of Commerce, Boards of Trade, Grain Exchanges, State Weighing Departments, or other organizations having qualified, independent, impartial, paid employees stationed at elevators, or

(b) By or on authority of Chambers of Commerce, Boards of Trade, Grain Exchanges, State Weighing Departments, or other organizations where weighing is performed by elevator employees under the supervision of a qualified, independent, impartial, supervising weighmaster employed by one of the above organizations.

(Sec. 5, 62 Stat. 1072; 15 U.S.C. 714c. Interpret or apply sec. 2, 63 Stat. 945 as amended; sec. 407, 63 Stat. 1051, as amended; sec. 201(a), 70 Stat. 188; 7 U.S.C. 1641, 1427, 1851)

Effective Date. These amendments shall become effective on September 5, 1959.

Issued this 3d day of September 1959.

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-7482; Filed, Sept. 8, 1959; 8:51 a.m.]

[Amtd. 1]

PART 483—WHEAT AND FLOUR

Subpart—Terms and Conditions of 1959-60 Export Program (GR-384)

MISCELLANEOUS AMENDMENTS

The Terms and Conditions of the 1959-60 Wheat and Wheat-Flour Export Program (IWA) (GR-384) (24 F.R. 5133), are amended as follows:

1. Section 483.305(a) is amended to read as follows:

§ 483.305 General conditions of eligibility.

(a) Payment under this program will be made to an exporter in connection with the net quantity of (1) wheat and flour exported from the continental United States (and Puerto Rico in the case of flour only), (2) wheat shipped to Canada via the Great Lakes only if exported from a Canadian port on the St. Lawrence River and (3) flour shipped to Canada and exported from Canadian ports, excluding West Coast Canadian ports, provided such exportation is to a designated country as defined in § 483.388, pursuant to a sale to a foreign buyer for which the exporter receives a Notice of Registration from a representative of the Secretary in accordance with § 483.326, subject to the Terms and Conditions set forth in this subpart. Payment also will be made to an exporter on wheat and flour exported prior to sale for which the exporter has received a Notice of Registration from a representative of the Secretary, subject to the Terms and Conditions of this subpart, particularly § 483.309.

2. Section 483.347 is amended to read as follows:

§ 483.347 Documents required to evidence exportation of wheat.

Each Public Voucher, Form CSS-21, must be supported by the following documentary evidence, as applicable, unless otherwise approved by the Director:

(a) If export is by water, a non-negotiable copy or photostat of the on-board-ship bill of lading issued at the point of export, certified by the exporter as true and correct, and signed by an agent of the ocean carrier. The bill of lading must show the name of the vessel, the date and place of issuance, the weight of the wheat, the number or description of the hold or tank in which the wheat was stowed and the designated country to which the wheat was shipped. Where loss, destruction or damage to the wheat occurs subsequent to loading aboard the ocean carrier but prior to issuance of the on-board-ship bill of lading, one copy of a loading tally sheet or acceptable similar document may be substituted for the ocean bill of lading. If the country of destination shown on the ocean bill of lading differs from that shown on the Declaration of Sale or the country of destination approved by the Director pursuant to § 483.306, the exporter shall also furnish one copy of the Shipper's Export Declaration, authenticated by the appropriate United States Custom official, showing that the country of destination

is, in fact, the country to which the wheat is required to be exported.

(b) If exportation is by rail or truck, one copy of the Shipper's Declaration, authenticated by the appropriate United States Customs official, which identifies the shipment(s), the date of clearance into the foreign country and the weight of the wheat.

(c) A copy of an official loading weight certificate as defined in § 483.401 applicable to the wheat described in the on-board-ship bill of lading issued at the point of export or Shipper's Export Declaration and showing (1) date and place of issuance and (2) name of vessel, and description of hold or tank in which the wheat was stowed, or where exportation is by rail-car or truck, description of such rail-car or truck. In the case of bagged wheat, the official loading weight certificate and the bill of lading or Shipper's Export Declaration shall contain the gross weight of the wheat and either the tare or the number of bags and an acceptable certification as to the weight of the bags.

(d) A copy of a grain inspection certificate applicable to the wheat described in the on-board-ship bill of lading issued at the point of export or Shipper's Export Declaration and showing (1) the date and place of issuance, (2) quantity of wheat and (3) name of vessel and description of the hold or tank in which the wheat was stowed, or where exportation is by rail-car or truck, a description of such rail-car or truck in which exported. The grain inspection certificate shall be issued by an inspector licensed or authorized under the United States Grain Standards Act or the Agricultural Marketing Act of 1946 and shall show the grade of the wheat determined in accordance with the Official Grain Standards of the United States. If the certificate shows mixed wheat it will be necessary for the grade designation to show the approximate percentage of each class of wheat which constitutes more than 10 percent of the mixture.

(e) In the event of exportation from a point in Canada, (1) the bill of lading and other documentary evidence covering the movement of the wheat from the continental United States to the export vessel described in the on-board-ship bill of lading issued at the point of export, (2) a certification by the exporter that the wheat exported was produced in the continental United States, and (3) a copy of an official loading weight certificate and of a grain inspection certificate issued by an inspector licensed under the United States Grain Standards Act applicable to the grain shipped from the United States and showing date and place of issuance, name of vessel and description of hold or tank in which wheat was stowed.

(f) Where for good cause, the exporter establishes that he is unable to supply documentary evidence of export as specified in the above provisions of this section, the Director may accept such other evidence of export as will establish to the satisfaction of the Director that the exporter has fully complied with his obligations to export.

(g) If the shipper or consignor named in the on-board bill(s) of lading or the

Shipper's Export Declaration(s), is other than the exporter named in the Notice of Sale and Declaration of Sale waiver by such shipper or consignor of any interest in the application for payment in favor of such exporter is required. Such waiver must clearly identify the on-board bill(s) of lading or Shipper's Export Declaration(s) submitted to evidence export.

(h) Where exportation of the wheat has been made by anyone or transshipment made or caused by the exporter to one or more countries or areas identified in the Appendix to these Terms and Conditions the bills of lading or other pertinent documentary evidence required to be furnished to the Director shall identify the license by number issued by the Bureau of Foreign Commerce, U.S. Department of Commerce, for such movement. With respect to any such movements to Hong Kong or Macao not requiring a specified license, the required documentary evidence shall contain a statement by the exporter that a specific license was not required.

(i) In case a single bill of lading or other documentary evidence of export covers more than the net quantity of wheat which is applied against the exporter's agreement with the Secretary, and such documentary evidence of export is to be used as evidence of export of such excess quantity in connection with a different contract with the Secretary under this program or under any other export program of CSS or CCC pursuant to which CSS or CCC has paid or agreed to pay an export allowance, each copy of such documentary evidence of export submitted pursuant to paragraph (a) of this section shall be accompanied by a statement certified by the exporter identifying all contracts with CSS and/or CCC to which the documentary evidence of export has been or will be applied and the quantity applicable to each contract.

3. A new § 483.401 is added which shall read as follows:

§ 483.401 Official Weight Certificate.

"Official Weight Certificate" means a weight certificate issued:

(a) By Chambers of Commerce, Boards of Trade, Grain Exchanges, State Weighing Departments, or other organizations having qualified, independent, impartial, paid employees stationed at elevators, or

(b) By or on authority of Chambers of Commerce, Boards of Trade, Grain Exchanges, State Weighing Departments, or other organizations where weighing is performed by elevator employees under the supervision of a qualified, independent, impartial, supervising weighmaster employed by one of the above organizations.

Sec. 32, 49 Stat. 774, as amended; 7 U.S.C. sec. 612C)

Effective date. The amendment shall become effective on September 5, 1959.

Issued this 3d day of September 1959.

CLARENCE D. PALMRY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-7481; Filed, Sept. 8, 1959; 8:51 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Khapra Beetle

TEXAS; QUARANTINE

On May 23, 1959, there were published in the FEDERAL REGISTER (24 F.R. 4184) notices of public hearing and of proposed rule making concerning the quarantining of the State of Texas because of the khapra beetle.

After public hearing and due consideration of all relevant matters presented pursuant to the notices, and under the authority of sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), notice of quarantine relating to the khapra beetle (7 CFR, 1958 Supp., 301.76) is hereby amended by deleting the word "and" before the words "New Mexico" therein, and by adding the words "and Texas" after the words "New Mexico".

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 19 F.R. 74, as amended)

This amendment shall become effective September 9, 1959.

The purpose of this amendment is to include the State of Texas within the area quarantined because of the khapra beetle, the pest having been recently discovered in certain parts of that State. Supplementary administrative instructions are being issued concurrently to place under regulation premises in the State infested with the khapra beetle.

This amendment should be effective as soon as possible in order to be of maximum benefit in preventing the spread of the khapra beetle. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 3d day of September 1959.

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

[F.R. Doc. 59-7475; Filed, Sept. 8, 1959; 8:50 a.m.]

[P.P.C. 612, 23d Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Khapra Beetle

Revised Administrative Instructions Designating Premises as Regulated Areas

Pursuant to § 301.76-2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76-2) under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), revised administrative instructions

are hereby issued as follows, listing premises in which infestations of the khapra beetle have been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

§ 301.76-2a Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.

Infestations of the khapra beetle have been determined to exist in the premises listed in paragraphs (a) and (b) of this section. Accordingly, such premises are hereby designated as regulated areas within the meaning of the provisions in this subpart:

(a)

ARIZONA

Mila Booth Farm, located 2¾ miles south and ¼ mile east of Colorado River Indian Agency, P.O. Box 1993, Parker.

Don Calder Dairy, 915 South Horne Lane, Mesa.

Camelback Inn Horse Stable, 5402 East Lincoln Drive, Phoenix.

Tom Drennen Farm, located ½ mile north and 2 miles east of LOFO No. 1, ½ Colorado River Trading Co., Parker.

Carl Eaves Stables, 1604 North Center Street, Mesa.

Mrs. J. C. Lincoln Goat Dairy, East McDonald Road and Saguaro Road, Scottsdale.

Joseph Smiley Chicken Yard, 1308 West Tonto Avenue, Phoenix.

George Willis Chicken Yard, 928 North Center Street, Mesa.

CALIFORNIA

Coachella Valley Feed Yard, located east side of Highway 111, south of Avenue 54, P.O. Box 226, Thermal.

TEXAS

W. J. Bailey property, 7137 Dale Road, El Paso.

Held Brothers Feed and Seed Store, 1705 Texas Avenue, El Paso.

(b) The portion of each of the following premises in which live khapra beetles were found has received the approved fumigation treatment, but these premises must continue under frequent observation and inspection for a period of one year following fumigation before a determination can be made as to the adequacy of such treatment to eradicate the khapra beetle in and upon such premises. During this period regulated articles may be moved from the premises only in accordance with the regulations in this subpart.

ARIZONA

Advance Seed & Grain Co. (Grain Division), 310 South 24th Avenue, Phoenix.

Hi-Jolly Date Farm, 4500 East Main Street, Mesa.

NEW MEXICO

Jim Akers Dairy Farm, Highway 85, located 2 miles south of Hatch, P.O. Box 12, Hatch.

Frank Erdell (dairy), located 2 miles west and 1 mile north of the junction of Highways 70-80 and 85, Route 2, Box 85, Las Cruces.

TEXAS

Clint Grocery Store, Clint.

A. H. Dean property, 8211 Carpenter Drive, El Paso.

El Paso Union Stock Yards, 1800 East 11th Street, El Paso.

Emmett's Poultry and Egg Company, 150 North Piedras Street, El Paso.

Furr's Super Market, 7690 North Loop Road, El Paso.
 H&M Grocery Store, Fort Hancock.
 L. M. Hamilton property, 4036 Emery Way, El Paso.
 The Penn Dairy Farm, Mesa Road, El Paso.
 (Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161. 19 F.R. 74, as amended; 7 CFR 301.76-2)

This revision has the effect of revoking the designation as a regulated area of certain premises in Arizona and New Mexico, it having been determined by the Director of the Plant Pest Control Division that adequate sanitation measures have been practiced for a sufficient length of time to eradicate the khapra beetle in and upon such premises. It also adds certain premises in Arizona and Texas to the list of premises in which khapra beetle infestations have been determined to exist, and designates such premises as regulated areas under the khapra beetle quarantine and regulations.

As an informative item, the revision segregates certain regulated premises in Arizona, New Mexico, and Texas where the approved fumigation treatment has been applied to the portion of the premises in which live khapra beetles were found and which are consequently in a somewhat different category than untreated premises.

These administrative instructions shall become effective September 9, 1959, when they shall supersede P.P.C. 612, Twenty-second Revision, effective July 22, 1959 (24 F.R. 5819).

These instructions, in part, impose restrictions supplementing khapra beetle quarantine regulations already effective. They also relieve restrictions insofar as they revoke the designation of certain regulated areas. They must be made effective promptly in order to carry out the purposes of the regulations and to be of maximum benefit in permitting the interstate movement, without restriction under the quarantine, of regulated products from the premises being removed from designation as regulated areas. 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 foregoing administrative instructions are impracticable and unnecessary, 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 3d day of September 1959.

[SEAL] E. D. BURGESS,
 Director,
 Plant Pest Control Division.

[F.R. Doc. 59-7476; Filed, Sept. 8, 1959; 8:50 a.m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 723—CIGAR-FILLER TOBACCO, CIGAR-BINDER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

Marketing Quota Regulations, 1960-61 Marketing Year

Correction

In F.R. Doc. 59-7090, appearing at page 6889 of the issue for Wednesday, August 26, 1959, the words "county committee" should be inserted following "community committee," in § 723.1112(a).

PART 725—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO

Marketing Quota Regulations, 1960-61 Marketing Year

Correction

In F.R. Doc. 59-7091, appearing at page 6895 of the issue for Wednesday, August 26, 1959, the numerals "1056" terminating § 725.1113 should read "1056."

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

[Orange Reg. 360]

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

Limitation of Shipments

§ 933.974 Orange Regulation 360.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the bases of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, except Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure,

and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, except Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on September 1, 1959, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, except Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140-51.1186 of this title; 22 F.R. 6676).

(2) During the period beginning at 12:01 a.m., e.s.t., September 14, 1959, and ending at 12:01 a.m., e.s.t., September 21, 1959, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, except Temple oranges, grown in the production area, which do not grade at least U.S. No. 2 Russet; or

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than a size that will pack 324 oranges, packed in ac-

cordance with the requirements of a standard pack, in a standard nailed box. (Secs. 1-19, 49 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 3, 1959.

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

[F.R. Doc. 59-7471; Filed, Sept. 8, 1959;
8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTA- TION OF ANIMALS AND POULTRY

[B.A.I. Order 309, Amdt. 20]

PART 73—SCABIES IN CATTLE

PART 74—SCABIES IN SHEEP

Permitted Dips; Substances Allowed

Pursuant to the provisions of sections 1 and 3 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 and 5 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 120, 121, 123, 125), Parts 73 and 74 of Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, containing the regulations restricting the interstate movement of cattle and sheep because of scabies, are amended as follows:

§ 73.2 [Amendment]

1. The portion of paragraph (a) of § 73.2 preceding subparagraph (1) is amended to read:

(a) *Conditions under which permitted after one dipping.* Cattle which, just prior to shipment, were affected with scabies but have been dipped once in a permitted dip (other than a lindane or toxaphene dip) under the supervision of a Division inspector within 10 days prior to the date of shipment may be shipped or transported interstate for immediate slaughter to a recognized slaughtering center, upon compliance with the following conditions:

§ 73.10 [Amendment]

2a. Paragraph (a)(3) of § 73.10 is amended to read:

(3) Dips made from wettable powders containing lindane (gamma isomer only) as the active ingredient, and maintained at a concentration of 0.075 percent. Animals treated with such dips should not be slaughtered for food purposes until the expiration of such period as may be required under the Meat Inspection Act (21 U.S.C. 71 et seq.). The length of this required period shall be specified on each certificate issued by the Division inspector who supervises the dipping with such dips.

b. A new subparagraph (4) is added to paragraph (a) of § 73.10 to read:

(4) Dips made from toxaphene emulsions (specifically permitted proprietary brands)¹ and maintained at a concentration of 0.5 percent. Animals treated by such dips should not be slaughtered for food purposes until the expiration of such period as may be required under the Meat Inspection Act (21 U.S.C. 71 et seq.). The length of this required period shall be specified on each certificate issued by the Division inspector who supervises the dipping with such dips.

c. Paragraph (c) of § 73.10 is amended to read:

(c) The dipping bath for the lime-sulphur and nicotine dips must be used at a temperature of 95° to 105° F., and must be maintained at all times at a strength of not less than 2 percent of "sulphide sulphur" in the case of the lime-sulphur dip, and not less than five one-hundredths of 1 percent of nicotine in the case of the nicotine dip, as indicated by the field tests for such baths approved by the Division.² The dipping bath for the lindane dips must be used at a temperature of less than 80° F., and must be maintained at all times at a concentration of 0.075 percent.³ The dipping bath for toxaphene emulsions must be kept within a temperature range of 40°-80° F., and at a concentration of 0.5 percent during dipping operations.³

3. The introductory paragraph of § 74.9 is amended to read:

§ 74.9 Conditions under which permitted after one dipping.

Sheep which, just prior to shipment, were affected with scabies but have been dipped once in a permitted dip (other than a lindane or toxaphene dip) under the supervision of a Division inspector within 10 days prior to the date of shipment may be shipped or transported interstate, for immediate slaughter, to a recognized slaughtering center provided the following conditions are strictly observed and complied with:

§ 74.24 [Amendment]

4 a. Paragraph (a)(3) of § 74.24 is amended to read:

(3) Dips made from wettable powders containing lindane (gamma isomer only) as the active ingredient, and maintained at a concentration of 0.06 percent. Sheep treated with such dips should not be slaughtered for food purposes until the expiration of such period as may be

¹ Names of such dips may be obtained from the Division or a Division inspector.

² The field test for lime-sulphur dipping baths is described in United States Department of Agriculture Bulletin 163, for sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C., at 5 cents a copy. A field test outfit at present approved by the Division for nicotine-dipping baths is that designated for the purpose of identification as "Field test outfit N-2." (Description available on application to the Department.)

³ Care must be exercised in dipping animals and in maintaining the bath at the standard concentration. Detailed instructions will be issued for the guidance of employees who may be called upon to use them in the scabies eradication program.

required under the Meat Inspection Act (21 U.S.C. 71 et seq.). The length of this required period shall be specified on each certificate issued by the Division inspector who supervises the dipping with such dips.

b. A new subparagraph (4) is added to paragraph (a) of § 74.24 to read:

(4) Dips made from toxaphene emulsions (specifically permitted proprietary brands)¹ and maintained at a concentration of 0.5 percent. Sheep treated with such dips should not be slaughtered for food purposes until the expiration of such period as may be required under the Meat Inspection Act (21 U.S.C. 71 et seq.). The length of this required period shall be specified on each certificate issued by the Division inspector who supervises the dipping with such dips.

c. Paragraph (c) of § 74.24 is amended to read:

(c) The dipping bath for the lime-sulphur and nicotine dips must be used at a temperature of 95° to 105° F., and must be maintained at all times at a strength of not less than 1½ percent of "sulphide sulphur" in the case of the lime-sulphur dip, and not less than five one-hundredths of 1 percent of nicotine in the case of the nicotine dip, as indicated by the field tests for such baths approved by the Division.² The dipping bath for the lindane dips must be used at a temperature of less than 80° F., and must be maintained at all times at a concentration of 0.06 percent.³ The dipping bath for toxaphene emulsions must be kept within a temperature range of 40°-80° F., and at a concentration of 0.5 percent during dipping operations.³

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 120, 121, 123, 125. Interpret or apply secs. 6, 7, 23 Stat. 32, as amended, secs. 2, 4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 115, 117, 124, 126. 19 F.R. 74, as amended)

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

The purpose of this amendment is to add dips made from toxaphene emulsions (specifically permitted proprietary brands), maintained at a concentration of 0.5 percent, to the list of dips permitted by the Department for the treatment, under Division supervision, of cattle and sheep affected with or exposed to scabies.

This amendment relieves restrictions and should be made effective immediately to be of maximum benefit to the persons subject to the restrictions being relieved. 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 pro-

⁴ The field test for lime-sulphur dipping baths is described in United States Department of Agriculture Bulletin 163, for sale by the Superintendent of Documents, Government Printing Office, Washington 25, D.C., at 5 cents a copy. A field test outfit at present approved by the Division for nicotine-dipping baths is that designated for the purpose of identification as "Field test outfit N-3." (Description available on application to the Department.)

cedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 2d day of September 1959.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 59-7474; Filed, Sept. 8, 1959;
8:50 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 111—POSTAL UNION MAIL

PART 112—PARCEL POST

PART 122—REGISTRATION

PART 131—POSTAL CHARGES

PART 132—NON POSTAL CHARGES AND IMPORT REGULATIONS

PART 161—SHIPPER'S EXPORT DECLARATION

PART 162—COMMERCE DEPARTMENT REGULATIONS (COMMODITIES AND TECHNICAL DATA)

Miscellaneous Amendments

Regulations of the Post Office Department are amended as follows:

§ 111.1 [Amendment]

In § 111.1 *All categories*, make the following changes:

A. Subparagraph (1) of paragraph (b) is amended to add requirements as to envelopes. As amended, subparagraph (1) reads as follows:

(1) *Preparing*. (i) Prepare the articles securely, especially if they are for distant countries. International mail is handled more often and subjected to greater pressure and friction than domestic mail, hence it must be enclosed in strong envelopes or other wrappings.

(ii) Use envelopes of any light color on which the address and postmark will be legible. Do not use three-cornered envelopes. Window envelopes meeting the conditions in § 12.4 of this chapter with the exception of open-panel envelopes, are acceptable in the international mail. Open-panel envelopes are accepted only in the ordinary (unregistered) mail to Canada.

NOTE: The corresponding Postal Manual section is 221.121.

B. In paragraph (c) make the following changes for the purpose of clarification:

1. Amend subparagraph (1) to read as follows:

(1) *Prepayment*. Articles must be fully prepaid to assure dispatch without delay and without penalty against the addressees. If the missing postage cannot be collected from the mailer, the shortpaid articles are either sent to destination and double the shortage col-

lected from the addressees or they are sent to dead letter offices for treatment.

2. Amend subdivision (iii) of subparagraph (5) to read as follows:

(iii) International reply coupons issued in other countries are exchangeable at United States post offices for postage stamps at the rate of 8 cents each, except that Canadian and Mexican international reply coupons are exchanged at the rate of 4 cents each in postage. Not more than 10 coupons may be redeemed at one time unless the article or articles which are to be prepaid are presented and the postage is affixed at the post office.

3. Amend subdivision (iv) of subparagraph (5) to read as follows:

(iv) Reply coupons issued by the Postal Union of the Americas and Spain up to March 1, 1956, are no longer valid. These coupons are printed in green ink and bear the caption "Cupón Respuesta Americo-Español." If any such coupons are received, it is suggested that they be returned to the sender for redemption through the selling post office.

4. Amend subparagraph (8) to read as follows:

(8) *Remailed articles*. New postage is required when remailing an article which has been returned from abroad because of insufficient address.

NOTE: The corresponding Postal Manual sections are 221.131, 221.135c, 221.135d and 221.138.

C. In paragraph (d) make the following changes:

1. Subdivision (iii) of subparagraph (1) is amended to relax the quantity restrictions on aerosol containers holding mailable liquid and gas under pressure less than 40 pounds. As amended, subdivision (iii) reads as follows:

(iii) Poisons, including narcotics (opium, morphine, cocaine, etc.), explosives and inflammable articles (see § 112.3(a) (8) of this chapter), and all other articles excluded from the domestic mail, which either from their nature or packing are likely to soil or damage the mail or are injurious to health, life, or property. Articles containing gas or liquid under pressure, except that products incorporating compressed gas are acceptable if the mist produced is noninflammable, the quantity of contents are not more than a pint, and not more than one container per package. These restrictions as to quantity do not apply to aerosol containers holding mailable liquid and gas under pressure less than 40 pounds per square inch absolute (25 pounds gauge pressure) at 70° F. Liquids with flash point below 150° F are restricted as stated in § 112.3(b) (1) of this chapter. The container must be completely surrounded with sawdust, bran, or other absorbent material sufficient to take up all the liquid contents.

2. Subparagraph (2) is amended to include instructions regarding the mailing of perishable biological materials in letter packages. As amended, subparagraph (2) reads as follows:

(2) *Restricted articles*—(i) *Gold and gold certificates*. (See § 164.1 of this chapter.)

(ii) *Tobacco seed and plants*. (See § 165.2 of this chapter.)

(iii) *Plant material generally*. (See § 112.3(b) (6) of this chapter.)

(iv) *Perishable biological materials*—(a) *Mailing restrictions*. Perishable biological materials including those of pathogenic nature, when sent in the postal union mail, may be sent only as letter packages packed as prescribed in (c) of this subdivision, and may be sent only to the countries that have agreed to accept them. The packages must bear distinctive violet labels by which they can readily be recognized and receive careful handling and prompt delivery. The countries that have agreed to accept letter packages containing perishable biological materials are:

Aden.	Malta.
Argentina.	Mauritius.
Australia.	Netherland Antilles.
Austria.	New Zealand.
Barbados.	Nigeria.
Belgian Congo.	North Borneo.
Belgium.	Norway.
Bermuda.	Persian Gulf Ports.
Cayman Islands.	Philippines.
Cyprus.	Poland.
Czechoslovakia.	Portugal.
Denmark.	Rhodesia and Nyasaland.
Falkland Islands.	Saint Helena.
Fiji Islands.	Salvador (El).
Germany (Eastern).	Sarawak.
Ghana.	Sierra Leone.
Gibraltar.	Somaliland Prot.
Gilbert and Ellice Islands.	Spain.
Great Britain and Northern Ireland.	Sudan.
Hong Kong.	Sweden.
Hungary.	Switzerland.
Iceland.	Tanganyika.
Jamaica.	Trinidad.
Japan.	Turkey.
Kenya and Uganda.	Turks Islands.
Lebanon.	Uruguay.
Malaya.	Zanzibar.

(b) *Qualification of mailers*. (1) Only officially recognized laboratories may send or receive letter packages containing perishable biological materials. Laboratories of the following categories are so designated:

(i) Laboratories of local, State and Federal Government agencies.

(ii) Laboratories of federally licensed manufacturers of biologic substances derived from bacteria and viruses.

(iii) Laboratories affiliated with or operated by hospitals, universities, research facilities, and other teaching institutions.

(iv) Private laboratories licensed, certified, recognized, or approved by a public authority.

(2) A laboratory desiring to mail letter packages containing materials of this kind shall make written application on its letterhead stationery to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., explaining its qualifications and those of the prospective addressee to send and receive such materials, and stating how many packages are to be mailed. On approval, the mailer will receive a sufficient number of violet labels for the contemplated shipments.

(c) *Packaging.* (1) Perishable biological material not of a pathogenic nature must be packed in a nonporous container surrounded by sufficient absorbent material to take up all the liquid and must be placed in an outer protective container where it should fit tightly to avoid any shifting.

(2) Perishable biological material of a pathogenic nature must be packed in a tightly closed bottle or tube of heavy glass wrapped in thick absorbent material rolled several times around the bottle or tube and tied at the ends, sufficient in quantity to absorb all the liquid; the wrapped container must be placed in a strong well-closed metal box so constructed as to prevent any contamination outside of it. This metal box must be wrapped in cushioning material and placed in an outer protective box where it should fit tightly so as to avoid shifting. The outer container must consist of a hollow block of strong wood, metal, or other equally strong material with a tight lid so fitted that it cannot open during transportation.

(3) In addition to the requirements in (1) and (2) of this subdivision, packages must comply with the regulations governing the transmission of such materials in the domestic mail.

(4) The mailer must place on each package one of the violet labels mentioned in (a) and (b) of this subdivision.

3. Subparagraph (3) is amended for the purpose of clarification to read as follows:

(3) *Individual country prohibitions and restrictions.* See Individual country items in § 168.5 of this chapter.

NOTE: The corresponding Postal Manual sections are 221.141c, 221.142, and 222.143.

D. In subparagraph (1) of paragraph (e) that part of subdivision (iii) which precedes the customs forms is amended for the purpose of clarification to read as follows:

(iii) Facsimiles of the old Form 2976 and the revised form (completed to illustrate the information required) are shown below:

NOTE: The corresponding Postal Manual section is 221.151c. (R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372).

§ 111.2 [Amendment]

In § 111.2 *Specific categories*, make the following changes:

A. In subdivision (i) of paragraph (a) (5) strike out "Salvador, El", where it appears in the list of countries therein. The Postal Administration of El Salvador has given notice that dutiable articles may be sent in letter packages.

NOTE: The corresponding Postal Manual section is 221.215a.

B. Amend subdivision (ii) of paragraph (a) (5) for the purpose of clarification to read as follows:

(ii) *Customs label to be attached.* The sender must complete and fix to the address side of such article the green (customs) label, Form 2976, referred to in § 111.1(e)(1). If he knows that the contents of the package are not duti-

able he may, if he prefers, omit Form 2976. Acceptance for mailing will then be at his risk and the Post Office Department will assume no responsibility for the treatment that may be given the article by the foreign customs authorities. Omission of this form may, however, result in delayed delivery and possible penalties against the addressee regardless of whether the contents are dutiable or not. Special restrictions exist with respect to certain countries.

NOTE: The corresponding Postal Manual section is 221.215b.

C. In paragraph (b) make the following changes for the purpose of clarification:

1. Amend subdivision (ii) of subparagraph (1) to read as follows:

(ii) *Airmail.* Canada and Mexico, 5 cents single; reply-paid, 7 cents on message half, 3 cents on reply half. St. Pierre and Miquelon, 8 cents single; reply-paid 8 cents on message half, 5 cents on reply half. All other countries, 10 cents single; reply-paid, letter rate (10, 15, or 25 cents) on message half and 5 cents on reply half. There is no provision whereby the reply half may be prepaid for return to the United States by airmail. See § 121.3(c) of this chapter regarding prepayment of foreign reply-paid cards to be transmitted to other countries by airmail.

2. Amend subdivision (iii) of subparagraph (3) to read as follows:

(iii) *Attachments.* Do not join or attach samples of merchandise or similar articles to post cards. However, illustrations, photographs, stamps of any kind, labels and clippings of any kind, of paper or other very thin material, as well as address labels or slips to be folded back, may be glued thereto, on condition that they do not alter the character of the post cards and that they adhere completely to the card. These articles may be glued only on the back or left half of the address side of the card, except address labels or slips which may occupy the entire address side. Stamps of any kind, likely to be confused with postage stamps, may be placed only on the back.

NOTE: The corresponding Postal Manual sections are 221.221b and 221.223c.

D. In paragraph (d) make the following changes:

1. Subdivision (iv) of subparagraph (2) is amended to eliminate the 60-pound weight limit for a single printed book when addressed to Cuba, Mexico, Panama, or El Salvador. As amended, subdivision (iv) reads as follows:

(iv) A single volume may weigh up to 22 pounds when addressed to Paraguay or Peru.

2. In subdivision (ii) of subparagraph (4), as amended by Federal Register Document 59-3245, 24 F.R. 2992, make the following changes for the purpose of clarification:

a. Subdivision (b) is amended to read as follows:

(b) Books and pamphlets, including those composed of sheets produced by

mimeograph, multigraph, or other similar process, whether or not permanently bound or furnished with covers of cardboard or other material.

b. Subdivision (n) is amended to read as follows:

(n) Communications in the form of reproductions of handwriting or type-writing obtained by means of the printing press, mimeograph, multigraph, or similar mechanical process are acceptable as printed matter provided a minimum of 20 identical copies are mailed at one time.

NOTE: The corresponding Postal Manual sections are 221.242d, 221.244b(2), and 221.244b(14).

3. Subparagraph (6), as added by Federal Register Document 59-3245, 24 F.R. 2992, is amended to remove the limitation on the size of packages which may be enclosed in direct sacks of prints, and to prescribe that postage shall be placed on the address tags attached to the outside of the sacks rather than on the wrapper of each package enclosed in the sacks. As amended, subparagraph (6) reads as follows:

(6) *Direct sacks of prints.* Publishers and news agents sending printed matter abroad in quantity may prepare direct sacks containing ordinary (unregistered) packages of books or other printed matter all addressed to one addressee under the following conditions:

(i) The minimum amount that may be mailed in a direct sack is 30 pounds; maximum per sack, 60 pounds.

(ii) Each package enclosed in a direct sack must bear the name and address of the sender and addressee, and must not be sealed. The packages enclosed in such sacks need not conform to the weight limits and dimensions prescribed in subparagraphs (2) and (3) of this paragraph.

(iii) An address tag or label showing the name and address of the mailer and of the addressee must be attached to the neck of the sack by means of heavy twine. Postage is calculated on the total weight of each individual sack and its contents and must be prepaid by means of postage stamps or meter stamps affixed to the address tag or label. The label holder of the sack is used by the post office for insertion of the proper post office label.

(iv) The local post office will furnish the necessary string sacks as they are needed.

(v) If a mailer has several sacks for the same addressee, the address tag on each sack must be marked with an identifying fractional number in the manner prescribed in § 112.5(b) of this chapter for group shipments of parcel-post packages.

NOTE: The corresponding Postal Manual section is 221.246.

E. In subparagraph (2) of paragraph (i) make the following changes:

1. Amend subdivision (i) for the purpose of clarification to read as follows:

(i) *Grouping permitted.* A single package may contain commercial papers, samples of merchandise, and

printed matter subject to the following conditions:

(a) Each article taken singly must not exceed the limits of weight applicable to it.

(b) The total weight must not exceed 4 pounds 6 ounces per package if it consists solely of commercial papers and samples.

(c) The weight limit is raised to 6 pounds 9 ounces if the package also contains prints, but in such case the total weight of the commercial papers and samples must not exceed 4 pounds 6 ounces.

(d) The dimensions of the package must not exceed those of letters.

2. Subdivision (ii), as amended by Federal Register Document 59-2388, 24 F.R. 2117, is further amended to show that the 10 cent minimum charge applicable to articles mailed under the classification of "samples of merchandise," pursuant to the Universal Postal Convention of Ottawa, applies also in cases where samples and printed matter are grouped together in a single package or envelope. As amended, subdivision (ii) reads as follows:

(ii) *Rates.* Postage will be charged at the rate of 10 cents for the first 8 ounces and 2 cents for each additional 2 ounces or fraction. The initial 10-cent rate reflects the minimum charge applicable to packages or envelopes containing commercial papers and/or samples for transmission by surface mail. For airmail rates see individual country items in § 168.5 of this chapter.

NOTE: The corresponding Postal Manual sections are 221.292a and 221.292b.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

§ 112.2 [Amendment]

In § 112.2 *Preparing, packing, and mailing*, amend subparagraph (4) of paragraph (d) for the purpose of clarification to read as follows:

(4) *Shortpaid parcels.* Shortpaid parcels, unless intercepted at the mailing office and returned for payment of the deficient postage, are dispatched to destination. The mailer will be requested to supply the deficient postage.

NOTE: The corresponding Postal Manual section is 122.244.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

§ 112.3 [Amendment]

In § 112.3 *Prohibitions and restrictions*, make the following changes:

A. Subparagraph (9) of paragraph (a) is amended to relax the quantity restrictions on aerosol containers holding mailable liquid and gas under pressure less than 40 pounds. As amended subparagraph (9) reads as follows:

(9) Articles containing gas or liquid under pressure, except that products incorporating compressed gas are acceptable if the mist produced is noninflammable, the quantity of contents not more than a pint, and not more than one con-

tainer per package. These restrictions as to quantity do not apply to aerosol containers holding mailable liquid and gas under pressure less than 40 pounds per square inch absolute (25 pounds gauge pressure) at 70° F. Liquids with flash point below 150° F. are restricted as stated in paragraph (b)(1) of this section. The container must be completely surrounded with sawdust, bran, or other absorbent material sufficient to take up all the liquid content.

NOTE: The corresponding Postal Manual section is 222.311.

B. Subparagraph (4) of paragraph (b) is hereby rescinded.

NOTE: The corresponding Postal Manual section is 222.324.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

§ 122.3 [Amendment]

I. In § 122.3 *Preparation*, make the following changes for the purpose of clarification:

A. Subparagraph (1) of paragraph (b) is amended to read as follows:

(1) Securely seal letters or letter packages. Wax or paper seals on envelopes must bear a distinctive mark of the sender and shall be affixed in such a way as to allow sufficient space at the intersections of the flaps for postmarking. Envelopes or packages that appear to have been opened and resealed will not be registered.

B. Paragraph (c) is amended to read as follows:

(c) *Valuable registered mail*—(1) *Declaration of value.* The mailer must declare the full value of postal union mail offered for registration. This is solely for the purpose of enabling the accepting clerk to identify valuable registered mail for recording purposes. The declared value must not be regarded as the amount of indemnity payable in case of loss. See § 152.2(a) of this chapter concerning limits of indemnity for registered postal union mail.

(2) *Entry on firm mailing sheets.* When valuable registered mail is presented on firm mailing sheets, the mailer must indicate the values opposite the respective entries.

NOTE: The corresponding Postal Manual sections are 232.321 and 232.33.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

II. Section 122.5 *Registry receipts* is amended to read as follows for the purpose of clarification:

§ 122.5 Registry receipts.

A receipt is issued to the sender for mail matter accepted for registration to other countries.

NOTE: The corresponding Postal Manual section is 232.5.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

III. Section 122.6 *Return receipts* is amended for the purpose of clarification to read as follows:

§ 122.6 Return receipts.

(a) *Requested at time of mailing.* (1) Fee: 13 cents.

(2) If the mailer desires that his return receipt be sent back by airmail, the article must be prepaid an additional fee equal to the airmail postage on a single post card to the country of destination.

(b) *Requested after mailing.* (1) Within a period of 1 year from the day following that on which a registered article or parcel was mailed, the sender may request a return receipt at the office of mailing. He must show the registry receipt.

(2) Fee: 25 cents.

(3) If the mailer wishes that his request for return receipt be sent by air, he must pay, in addition to the 25-cent fee, the postage for a one-rate airmail letter to the country of destination. To have the request sent by surface and the receipt returned by air, he must pay the same postage. To have the request and the return receipt sent in both directions by air, the sender must pay double the airmail letter rate.

(c) *Completion.* Return receipts for registered articles delivered in other countries are completed in accordance with requirements of the country making delivery, which vary according to the country involved. The signature of the addressee is not furnished by some countries, or may be furnished only under specified conditions.

NOTE: The corresponding Postal Manual section is 232.6.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

§ 122.7 [Amendment]

IV. In § 122.7 *Restricted delivery* subparagraph (1) of paragraph (a) is amended as follows:

A. That part of subparagraph (1) which precedes the list of countries is amended for the purpose of clarification to read as follows:

(1) The mailer may restrict the delivery of registered postal union articles addressed to the following countries on condition that the articles are accompanied with a return receipt and endorsed in the manner indicated:

B. Strike out the country "Montserrat (Leeward Islands)" and its accompanying data in the list of countries and insert the following new countries and their accompanying data in proper alphabetical order therein:

Country	Endorsement required
Burma -----	A remettre en main propre.
Cyprus -----	To be delivered to the addressee in person.
Estonia -----	Do.
Jamaica -----	Do.
Jordan -----	A remettre en main propre.
Latvia -----	Do.
Leeward Islands (except Antigua).	To be delivered to the addressee in person.
Lithuania -----	A remettre en main propre.
Nepal -----	Do.

Country	Endorsement required
Salvador (El) -----	A remettre en main propre or A entregar en propia mano.
Sarawak -----	For delivery to addressee in person.
Sierra Leone -----	To be delivered to the addressee in person.
Turks Islands -----	Do.
Vatican City State -----	A remettre en main propre.

NOTE: The corresponding Postal Manual section is 232.711.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

Part 131, Postal Charges, as amended by Federal Register Document 59-3245, 24 F.R. 2993, is further amended for the purpose of clarification to read as follows:

- Sec.
- 131.1 Postage due.
- 131.2 Customs clearance and delivery fees.
- 131.3 Charges on returned mail.
- 131.4 Storage charges.
- 131.5 Letters in parcels or in AO mail.
- 131.6 Letters with fraudulent or previously used stamps.

AUTHORITY: §§ 131.1 to 131.6 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

§ 131.1 Postage due.

On shortpaid postal union mail the addressee is charged on delivery the equivalent of double the missing postage.

§ 131.2 Customs clearance and delivery fees.

On every dutiable parcel post package and every dutiable small packet, including packages subject to internal revenue tax, the addressee is charged 33 cents on delivery. On every dutiable or taxable postal union article other than a small packet, 13 cents is charged. These charges are authorized by international postal conventions and agreements as partial reimbursement to the Postal Service for the work it performs in clearing packages through customs and delivery to the addressee. When a package is delivered with collection of duties or taxes and the postal fee of 13 or 33 cents, no refund will be made of the postal fee even though the customs service may later refund the customs duty charges paid by an addressee.

§ 131.3 Charges on returned mail.

On articles or parcels which are returned as undeliverable, the sender must pay the charges indicated in § 141.1(c) (2) or § 141.2(b) (2) of this chapter.

§ 131.4 Storage charges.

Postal storage charges apply to all parcel-post packages, and to postal union printed matter, commercial papers, and small packets exceeding 1 pound in weight. If any such package is allowed to remain in the post office, 10 cents per day must be paid beginning with the 11th day from the first attempt at delivery or the issuance of the first notice that the package is ready for delivery. Sundays and holidays are not counted. When a package is held pending decision as to customs duty (see § 132.1(c) of this chapter), the storage

charges begin 10 days after the decision is given.

§ 131.5 Letters in parcels or in AO mail.

A letter found in a parcel or in an article of AO mail is charged with double the postage (surface or air) applicable to a single-rate letter to the country concerned.

§ 131.6 Letters with fraudulent or previously used stamps.

If a letter is observed in the country of mailing to bear invalid postage, it will be rated as entirely unpaid and accompanied by a request of the foreign postal authorities for the name of the mailer and return of the envelope. To obtain delivery the addressee must pay the postage due (see § 131.1), and agree to surrender the envelope and give the name and address of the sender if known to him.

NOTE: The corresponding Postal Manual Part is 242.

§ 132.1 [Amendment]

In § 132.1 *Nonpostal charges and import regulations*, make the following changes:

A. Subparagraph (2) of paragraph (b) is amended for the purpose of clarification to read as follows:

(2) *Receipts for duty paid.* The addressee must sign the original customs mail entry form, as well as the required receipt for registered and insured mail where applicable. The delivering postal employee will sign the duplicate mail entry and give it to you as a receipt.

NOTE: The corresponding Postal Manual section is 242.122.

B. Subparagraph (3) of paragraph (c) is amended to permit a person other than the addressee to complete the declaration for free entry of a dutiable tourist package when he knows the contents of the package are entitled to free entry under the addressee's personal exemption. As amended, subparagraph (3) reads as follows:

(3) *Unaccompanied articles—tourist purchases.* If a package containing purchases made while the addressee or members of his family were traveling abroad is offered for delivery assessed with duty, it will be delivered without collection of the duty if the articles were declared in writing on the addressee's return, the value of the articles is within his tourist exemption, and he surrenders to the delivering postal employee a completed customs Form 3351, Release For Unaccompanied Tourist Shipment, on which the description and value of the articles in the package substantially agree with those shown on the mail entry, customs Form 3419, accompanying the package. If the addressee cannot produce a customs Form 3351, properly describing the contents of the package, but claims the package to be free under a tourist exemption to which he or some member of his family is entitled, the package will be delivered without collection of the duty on execution by him of the "Declaration of Claimant for Free Entry of Mail Par-

cels Under Tourist Exemptions" printed on the reverse side of the duplicate copy of the mail entry. A person who is not the addressee of the package, but who has knowledge of the fact that the contents of the package are entitled to free entry as a tourist purchase, may complete the spaces on the declaration on behalf of the addressee, sign for the addressee, and state his relationship to him.

NOTE: The corresponding Postal Manual section is 142.133.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

Part 161, Shipper's Export Declaration, as amended by Federal Register Document 59-5752, 24 F.R. 5610, is further amended to reflect certain changes in the conditions relating to completion of Shipper's export declaration and to clarify regulations therein. As amended, Part 161 reads as follows:

- Sec.
- 161.1 When required.
- 161.2 Preparation.
- 161.3 Information to be furnished.
- 161.4 How obtained.

AUTHORITY: §§ 161.1 to 161.4 issued under R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372.

§ 161.1 When required.

Business concerns sending merchandise valued at \$50 and over to other business concerns:

(a) From the United States,¹ Puerto Rico or the Virgin Islands of the United States to any foreign country and the Canal Zone;

(b) From the United States¹ to Puerto Rico and to the United States possessions;²

(c) From Puerto Rico or the Virgin Islands of the United States to the United States;¹

must fill out a Shipper's Export Declaration on Department of Commerce Form 7525-V, and present it at the post office at the time of mailing. The Shipper's Export Declaration is required only for goods mailed for commercial purposes and not for goods which involve no commercial consideration. However, Commerce Form 7525-V must also be filed for shipments of all articles covered by a validated export license from the Bureau of Foreign Commerce, Department of Commerce, regardless of value or whether the sender or addressee is a business concern. (See Part 162 of this chapter.) The declaration need not be furnished for catalogs, instruction books, and other advertising matter, or for magazines, newspapers, and periodicals. It is also not required for shipments of technical data, regardless of value and whether or not they are covered by export licenses, except as stated in § 162.3 (c) of this chapter.

¹For purposes of this instruction the term "United States" refers to the 50 States and the District of Columbia.

²Virgin Islands of the United States, Guam, Samoa, Canton and Enderbury Islands, Johnston, Midway, Palmyra, and Wake Islands.

§ 161.2 Preparation.

Only a single copy of the shipper's export declaration is required for mail shipments. A single export declaration may include any number of packages mailed by one sender the same day to one addressee. Export declarations need not be notarized.

§ 161.3 Information to be furnished.

(a) The following are the only items on the Shipper's Export Declaration (Commerce Form 7525-V) which are required to be filled in by the sender of a postal shipment:

- (1) *Item 2.* Name of post office where shipment is being mailed. (Insert in space on the form reading From * * * (U.S. port of export).)
 - (2) *Item 3.* Name and address of exporter.
 - (3) *Item 4.* Name and address of forwarding agent, if any.
 - (4) *Item 5.* Name and address of ultimate consignee.
 - (5) *Item 6.* Name and address of intermediate consignee, if any.
 - (6) *Item 8.* Country of final destination.
 - (7) *Item 10.* Number of packages being mailed; description of merchandise and export license number and expiration date, or general license symbol.
 - (8) *Item 13.* Schedule B, commodity number.
 - (9) *Item 14.* Net quantity of merchandise, in Schedule B units.
 - (10) *Item 15.* Value of merchandise.
- (b) To comply with the destination control regulations of the Commerce Department, each Form 7525-V, except for shipments addressed to Canada for consumption in that country, must bear one of the following statements:

- (1) These commodities licensed by the United States for ultimate destination (name of country). Diversion contrary to United States law prohibited.
- (2) These commodities licensed by the United States for ultimate destination (name of country) and for distribution or resale in (name of country). Diversion contrary to United States law prohibited.
- (3) United States law prohibits distribution of these commodities to the Soviet Bloc, Communist China, North Korea, Macao, Hong Kong, or Communist controlled areas of Viet Nam and Laos, unless otherwise authorized by the United States.

(c) The description of contents and units of quantity must be in the detail required by Schedule B. Statistical Classification of Domestic and Foreign Commodities Exported from the United States, 1958 edition. Schedule B may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D.C., from Collectors of Customs, or from Department of Commerce field offices located in the principal cities of the United States. General descriptions, such as dry goods, groceries, millinery, etc., are not sufficient. Quantities and values must be given in whole numbers only, omitting fractions of less than one-half and counting one-half and over as a whole.

§ 161.4 How obtained.

Occasional shippers may obtain Form 7525-V free of charge at local post offices. Regular exporters may obtain copies of the Shipper's Export Declaration from the Superintendent of Documents, Government Printing Office, Washington 25, D.C., from Collectors of Customs, or from Department of Commerce field offices at a cost of 75 cents per block of 100. They may be privately printed, provided they conform to the official form in size, wording, color, quality (weight) of paper stock, and arrangement.

NOTE: The corresponding Postal Manual Part is 271.

§ 162.1 [Amendment]

§ 162.1 *Scope and Applicability* is amended for the purpose of clarification to read as follows:

§ 162.1 Scope and applicability.

The Bureau of Foreign Commerce, Department of Commerce, controls all exportations, except certain commodities licensed for export by other United States Government agencies, to all countries except Canada. Mailers must inform themselves as to the regulations and comply with them in making any exportations of commodities by parcel post or letter package, and technical data as printed matter, parcel post, or letter package. A brief summary of the regulations as they apply to mail shipments is given in this part. Additional information is available from a Commerce Department bulletin entitled "Public Notice—Requirements for Exportations by Mail" which can be found on bulletin boards in larger post offices, stations, and branches. Further inquiry may be made of the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D.C., or of any field office of that Department.

NOTE: The corresponding Postal Manual section is 272.1.

(R.S. 161, as amended, 396, as amended, 398, as amended, 5 U.S.C. 22, 369, 372.)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 59-5478; Filed, Sept. 8, 1959; 8:48 a.m.]

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Miscellaneous Amendments

Part 168, Directory of International Mail, as published in the FEDERAL REGISTER of March 20, 1959, at pages 2117-2195 as Federal Register Document 59-2388, is amended as follows:

I. In § 168.1 *Postal union mail* subparagraph (1) of paragraph (a), as added by Federal Register Document 59-4137, 24 F.R. 3990, is amended to clarify the regulations therein, and to eliminate the reference to a 60 pound weight limit for a single printed book. As amended, subparagraph (1) reads as follows:

(1) *Printed matter weight limits.* Printed matter is subject to a weight limit of 6 pounds 9 ounces, except printed books which may weigh up to 11 pounds. The following additional exceptions apply:

- (i) To Paraguay and Peru a package of printed matter may weigh up to 11 pounds; a single printed book may weigh up to 22 pounds.
- (ii) To Argentina, Bolivia, Brazil, Spain (including Balearic Islands, Canary Islands, and Spanish offices in Northern Africa), Spanish Guinea and Spanish West Africa a package of printed matter may weigh up to 22 pounds.
- (iii) To Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Republic of Honduras, Mexico, Nicaragua, Panama, El Salvador, Uruguay, and Venezuela a package of printed matter may weigh up to 33 pounds.
- (iv) A package of second-class publications mailed to Canada at the postage rates prescribed in § 111.2(d) (1) (i) (b) (1) of this chapter may weigh up to 66 pounds.

II. In § 168.2 *Ready reference tables for computing surface rates on Postal Union "other articles"* the following changes are made to state more clearly the rates and weight limits for various classes of mail.

A. Table I is amended to read as follows:

TABLE I—FOR SMALL PACKETS

[Rate: 4 cents for each 2 ounces or fraction of 2 ounces with minimum charge of 20 cents]

Lbs. Oz.	Rate	Lbs. Oz.	Rate	Lbs. Oz.	Rate
0 10.....	\$0.20	1 4.....	\$0.40	1 14.....	\$0.60
0 12.....	.24	1 6.....	.41	2 0.....	.64
0 14.....	.28	1 8.....	.48	2 2.....	.68
1 0.....	.32	1 10.....	.52	2 3.....	.72
1 2.....	.36	1 12.....	.56		

B. Table II is amended to read as follows:

TABLE II—FOR PRINTED MATTER (EXCEPT BOOKS, PRINTED SHEET MUSIC, AND SECOND-CLASS MATTER AT SPECIAL RATES), SAMPLES OF MERCHANDISE AND COMMERCIAL PAPERS

See § 168.1(a) (1) for weight limits.

Rates: 4 cents first 2 ounces; 2 cents each additional 2 ounces]

Lbs. Oz.	Rate	Lbs. Oz.	Rate	Lbs. Oz.	Rate
0 2 1.....	\$0.04	2 6.....	\$0.40	4 10.....	\$0.76
0 4 1.....	.06	2 8.....	.42	4 12.....	.78
0 6 1.....	.08	2 10.....	.44	4 14.....	.80
0 8.....	.10	2 12.....	.46	5 0.....	.82
0 10.....	.12	2 14.....	.48	5 2.....	.84
0 12.....	.14	3 0.....	.50	5 4.....	.86
0 14.....	.16	3 2.....	.52	5 6.....	.88
1 0.....	.18	3 4.....	.54	5 8.....	.90
1 2.....	.20	3 6.....	.56	5 10.....	.92
1 4.....	.22	3 8.....	.58	5 12.....	.94
1 6.....	.24	3 10.....	.60	5 14.....	.96
1 8.....	.26	3 12.....	.62	6 0.....	.98
1 10.....	.28	3 14.....	.64	6 2.....	1.00
1 12.....	.30	4 0.....	.66	6 4.....	1.02
1 14.....	.32	4 2.....	.68	6 6.....	1.04
2 0.....	.34	4 4.....	.70	6 8.....	1.06
2 2.....	.36	4 6.....	.72	6 9.....	1.08
2 4.....	.38	4 8.....	.74		

¹Ten cents is the minimum postage chargeable on *Samples of Merchandise and Commercial Papers.*

To determine the postage for packages of printed matter weighing over 6 pounds 9 ounces addressed to countries admitting them (see § 168.1(a) (1) of this chapter),

compute the rate for the pounds alone at 16 cents per pound. Then if there are no remaining ounces, add 2 cents; if there are remaining ounces, determine the rate for them from the table and add to the rate for the pounds. For example, if a package weighs 21 pounds, compute the rate at 16 cents and add 2 cents, finding the rate to be \$3.38. If a package weighs 21 pounds 5 ounces, compute the rate for 21 pounds at 16 cents (\$3.36) and add the rate for the ounces (8 cents), finding the rate to be \$3.44.

C. In Table III, *For Books and Printed Sheet Music to All Countries Except Those Listed in Table IV*, make the following changes:

1. Add the parenthetical phrase "(See § 168.1(a) (1) of this chapter for weight limits)" immediately following the title heading of the table.

2. In the tabular weight and rate data strike out "6 lbs. 9 oz. Rate \$0.81" where it appears in the table therein.

3. Strike out footnote 1 and redesignate footnote 2 as footnote 1 and add a paragraph immediately following new footnote 1 to read as follows:

"To determine the postage for packages over 11 pounds addressed to Spain and Spanish possessions, compute the rate for the pounds alone at 12 cents per pound. If there are no remaining ounces, add 1½ cents; if there are remaining ounces, determine the rate for them from the table and add to the rate for the pounds. For example, if a package weighs 21 pounds, compute the rate at 12 cents and add 1½ cents, finding the rate to be \$2.53½ cents. If a package weighs 21 pounds 5 ounces, compute the rate for 21 pounds at 12 cents (\$2.52) and add the rate for the ounces (6 cents), finding the rate to be \$2.58.

D. In Table IV, make the following changes:

1. Add the parenthetical phrase "(See § 168.1(a) (1) of this chapter for weight limits)" immediately following the list of countries and preceding the tabular data.

2. Strike out the two paragraphs immediately following the tabular data and insert in lieu thereof the following:

To determine the postage for packages weighing over 11 pounds, compute the rate for the pounds alone at 8 cents per pound. If there are no remaining ounces, add 1 cent; if there are remaining ounces, determine the rate for them from the table and add to the rate for the pounds. For example, if a package weighs 21 pounds, compute the rate at 8 cents and add 1 cent, finding the rate to be \$1.69. If a package weighs 21 pounds 5 ounces, compute the rate for 21 pounds at 8 cents (\$1.68) and add the rate for the ounces (4 cents), finding the rate to be \$1.72.

III. In § 168.5 *Individual country regulations*, make the following changes:

A. In each of the countries listed below, under Postal Union Mail, the item *Letter packages containing dutiable merchandise*, is amended by adding thereto the following: "Perishable biological material accepted. See § 111.1(d) (2) (iv) of this chapter."

Aden (including Kamaran and Perim).
Argentina.
Australia (including Lord Howe Island, Norfolk Island, Thursday Island, and the Cocos [Keeling] Islands).
Austria.
Barbados.

Belgian Congo (including Trust Territory of Ruanda-Urundi).
Belgium.
Bermuda.
Cyprus.
Czechoslovakia.
Denmark.
Falkland Islands (including South Georgia).
Fiji Islands.
Ghana.
Gibraltar.
Gilbert and Ellice Islands Colony (Fanning, Washington, Christmas, Ocean, Gilbert, and Ellice Islands).
Great Britain and Northern Ireland (England, Scotland, Wales and Channel Islands, and Northern Ireland).
Hong Kong (including Kowloon).
Hungary.
Iceland.
Jamaica (including Cayman Islands).
Kenya and Uganda.
Lebanon (Republic of).
Malta (including Gozo and Cumino Islands).
Mauritius and Dependencies (including Rodrigues).
New Zealand (including Cook Islands [Rarotonga, Mangaia, Atiu, Aitutaki, Mitiaro, Mauke (or Parry) and Hervey or Manuai] and Danger (Fukapuka), Manabiki, Palmerston (Avarua), Penrhyn (Tongareva), Rakaanga, Savage (Niue) and Suvarrow Islands).
Nigeria.
North Borneo (State of).
Norway (including Spitzbergen).
Persian Gulf Ports (British Postal Agencies at Bahrain, Kuwait, Doha (Qatar), Dubai (including Sharja), Muscat and Umm Said).
Philippines (Republic of).
Poland.
Portugal.
Rhodesia and Nyasaland (Federation of).
Saint Helena.
Sarawak.
Sierra Leone.
Somaliland Protectorate.
Spain (including Balearic Islands, Canary Islands, and the Spanish Offices in Northern Africa; Ceuta, Melilla, Alhucemas Island, Chafarinas or Zafarani Islands, and Penón de Velez de la Gomera).
Sudan.
Sweden.
Switzerland (including Liechtenstein).
Tanganyika Territory.
Trinidad and Tobago.
Turkey.
Turks Islands (including Caicos Islands).
Uruguay.
Zanzibar and Pemba.

B. In each of the countries listed below, under Postal Union Mail, the item *Registration* is amended by adding thereto a sentence reading "See § 122.7 (a) of this chapter concerning restricted delivery."

Afghanistan.
Albania.
Austria.
Belgium.
Bulgaria.
Burma.
Cyprus.
Czechoslovakia.
Denmark.
Estonia.
Falkland Islands (including South Georgia).
Finland.
French Somaliland.
Greece (including Crete and Dodecanese Islands [Astypalala, Chalki, Kalymnos, Karpathos, Kassos, Kastellorizo, Kos, Leipsoi, Leros, Nissiros, Patmos, Rodos, Symi, and Tilos]).
Hungary.
Iceland.

Italy (including Republic of San Marino).
Jamaica (including Cayman Islands).
Jordan (Hashemite Kingdom) (including Central Arab Palestine).
Latvia.
Lebanon (Republic of).
Leeward Islands (Anguilla, Antigua, Barbuda, Montserrat, Nevis, Redonda, Saint Christopher or Saint Kitts and Virgin Islands (British)).
Lithuania.
Luxembourg.
Nepal.
Philippines (Republic of the).
Portugal.
Rumania.
Sarawak.
Saudi Arabia (Kingdom of).
Sierra Leone.
Spain (including Balearic Islands, Canary Islands, and the Spanish Offices in Northern Africa; Ceuta, Melilla, Alhucemas Island, Chafarinas or Zafarani Islands, and Penón de Velez de la Gomera).
Sweden.
Switzerland (including Liechtenstein).
Turkey.
Turks Islands (including Caicos Islands).
Union of Soviet Socialist Republics.
Uruguay.
Vatican City State.

C. In country "China", under Postal Union Mail, the item *Registration* is amended by adding thereto a sentence reading: "See § 122.7(a) of this chapter concerning restricted delivery, 'Taiwan' only."

D. In country "Germany", under Postal Union Mail, make the following changes:

1. The item *Letter packages containing dutiable merchandise* is amended by adding thereto the following: "Perishable biological material accepted to Eastern Germany only. See § 111.1(d) (2) (iv) of this chapter."

2. The item *Registration* is amended by adding thereto a sentence reading "see § 122.7(a) of this chapter concerning restricted delivery."

E. In country "Japan", under Postal Union Mail, the item *Observations* is amended by adding thereto the following: "Perishable biological material accepted. See § 111.1(d) (2) (iv) of this chapter."

F. In country "Malaya", under Postal Union Mail, make the following changes:

1. In the first paragraph strike out the parenthetical phrase "(including Christmas Island)" where it appears in the list of postal territories of Malaya.

2. The item *Letter packages containing dutiable merchandise* is amended by adding thereto the following: "Perishable biological material accepted. See § 111.1(d) (2) (iv) of this chapter."

G. In country "Netherlands", under Parcel Post, the item *Import Restrictions*, as amended by Federal Register Document 59-6886, 24 F.R. 6712 is further amended by striking out the first paragraph therein as a result of Netherlands' authorities giving notice of the relaxation of import license requirements.

H. In country "Salvador El", under Postal Union Mail, make the following changes:

1. In the item *Letter packages containing dutiable merchandise*, strike out "not accepted" and insert in lieu thereof the following: "accepted. See § 111.2(a) (5) of this chapter. Perish-

able biological materials accepted. See §111.1(d) (2) (iv) of this chapter."

2. The item *Registration* is amended by adding thereto a sentence reading "See § 122.7(a) of this chapter concerning restricted delivery."

I. In country "Windward Islands (Dominica, Grenada, The Grenadines, Saint Lucia, and Saint Vincent)", under Postal Union Mail, the item *Registration* is amended by adding thereto a sentence reading: "See § 122.7(a) of this chapter concerning restricted delivery, available to Dominica only."

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 59-7459; Filed, Sept. 8, 1959;
8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1966]

[BLM 046036]

LOUISIANA

Withdrawing Lands for Use of Department of the Army in Connection With Bayou Bodcau Dam and Reservoir Project, Additional to Those Withdrawn by Public Land Order No. 1061 of February 3, 1955

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

1. Subject to valid existing rights, the following-described public lands in Louisiana are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, but not disposals of materials under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended, and reserved under jurisdiction of the Secretary of the Interior for use by the Department of the Army in connection with the Bayou Bodcau Dam and Reservoir Project, Louisiana, as authorized by the Act of June 28, 1938 (52 Stat. 1215):

LOUISIANA MERIDIAN

T. 20 N., R. 11 W.,
Sec. 3, lot 15;
Sec. 12, lot 17;
Sec. 13, lot 17.

The areas described aggregate 5.40 acres.

2. The use by the Department of the Army shall be limited to flowage purposes for flood control. The Bureau of Land Management, Department of the Interior, shall continue to manage the

surface and subsurface resources of the lands.

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 1, 1959.

[F.R. Doc. 59-7446; Filed, Sept. 8, 1959;
8:46 a.m.]

[Public Land Order 1967]

[Oregon 06398]

OREGON

Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865), as amended by the act of January 29, 1929 (45 Stat. 1144; 43 U.S.C. 300), it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands, excepting any mineral deposits therein, are hereby withdrawn from all forms of disposal under the public-land laws, and reserved for use of the general public for stock-driveway purposes:

WILLAMETTE MERIDIAN, OREGON

LAKE COUNTY, GRAZING DISTRICT NO 1

T. 33 S., R. 18 E.,
Sec. 7: E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 8: N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 9: Lots 4, 5, 6, 7, 8;
Sec. 10: W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13: N $\frac{1}{2}$ S $\frac{1}{2}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14: NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 15: N $\frac{1}{2}$ NE $\frac{1}{4}$.

The areas described aggregate 1,340.17 acres.

2. Any locatable minerals in the lands shall be subject to location and entry only in accordance with the regulations in 43 CFR 185.35, et seq.

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 1, 1959.

[F.R. Doc. 59-7447; Filed, Sept. 8, 1959;
8:46 a.m.]

[Public Land Order 1968]

[Colorado 028038]

COLORADO

Opening Lands Under Section 24 of Federal Power Act (Power Site Reserve No. 81)

By virtue of the authority vested in the Secretary of the Interior by section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818) as amended, and pursuant to determination DA-416-Colorado of the Federal Power Commission, issued March 2, 1959, it is ordered as follows:

1. The following-described lands, withdrawn in Power Site Reserve No. 81 by the Executive order of July 2, 1910, shall, at 10:00 a.m. on December 2, 1959, be open to application, petition, location

and selection under applicable public land laws, subject to valid existing rights, the requirements of applicable laws, the 91-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284) as amended, and to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818) as amended:

SIXTH PRINCIPAL MERIDIAN

T. 4 S., R. 74 W.,
Sec. 19, lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described contain 119.31 acres.

2. Until 10:00 a.m. on December 2, 1959, the State of Colorado shall have a preferred right to apply for the reservation to it, or to any of its political subdivisions, under any statute or regulation applicable thereto, of any of the lands required as a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, as provided by the said section 24, supra.

3. The lands have been open to applications and offers under the mineral leasing laws, and to location under the mining laws pursuant to the act of August 11, 1955 (69 Stat. 683; 30 U.S.C. 621).

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

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 1, 1959.

[F.R. Doc. 59-7448; Filed, Sept. 8, 1959;
8:46 a.m.]

[Public Land Order 1969]

[Colorado 022318]

COLORADO

Opening Lands Under Section 24 of Federal Power Act (Power Site Reserve No. 43)

By virtue of the authority vested in the Secretary of the Interior by section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to determination DA-407-Colorado of the Federal Power Commission, issued May 19, 1958, it is ordered as follows:

The following-described lands, withdrawn in Power Site Reserve No. 43 by the Executive Order of July 2, 1910, shall, at 10:00 a.m. on December 2, 1959, be open to application, petition, location and selection under applicable public land laws, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, the 91-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284), as amended, and to the provisions of sec-

tion 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended:

NEW MEXICO PRINCIPAL MERIDIAN

T. 48 N., R. 2 E.,
Sec. 29, lot 1.

Containing 42.36 acres.

Until 10:00 a.m. on December 2, 1959, the State of Colorado shall have a preferred right to apply for the reservation to it, or to any of its political subdivisions, under any statute or regulation applicable thereto, of any of the lands required as a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, as provided by the said section 24, supra. The State has waived its preference rights of application under subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851-2).

The lands have been open to applications and offers under the mineral leasing laws, and to location under the mining laws pursuant to the Act of August 11, 1955 (69 Stat. 683; 30 U.S.C. 621).

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

ROGER ERNST,

Assistant Secretary of the Interior.

SEPTEMBER 1, 1959.

[F.R. Doc. 59-7449; Filed, Sept. 8, 1959;
8:46 a.m.]

[Public Land Order 1970]

[2090671]

ALASKA

Revoking Public Land Order No. 486 of June 15, 1948

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 486 of June 15, 1948, which withdrew the following described lands in aid of legislation, is hereby revoked:

SEWARD MERIDIAN

T. 7 S., R. 13 W.,
Sec. 1, lots 2 and 3.

Containing 63.98 acres.

2. In terms of the plot of dependent resurvey and subdivision, the lots are now described as lots 14 to 28, inclusive. Lot 22 was reserved for use of the Alaska Road Commission by Public Land Order No. 1071 of February 15, 1955, lots 21, 23, 24, 25, and 26 aggregating, 30.20 acres have been patented.

3. Subject to any valid existing rights and the requirements of applicable law, lots 14 to 20, inclusive, and lots 27 and 28 are hereby applied to filing of applications, selections, and locations in accordance with the following priorities:

a. In accordance with and subject to the provisions of the act of July 28, 1956

(70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), the State of Alaska shall be entitled until 10:00 a.m. on December 2, 1959, to a preferred right to select the lands.

b. Applications under the Homestead, Alaska Homesite and Small Tract Laws by veterans of World War II and the Korean Conflict, and by others claiming preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284), as amended, filed at or before 10:00 a.m. on October 7, 1959, shall be considered as simultaneously filed at that time. Rights under such preference right applications after that hour will be governed by the time of filing.

c. All valid applications under the nonmineral public land laws other than those coming under subparagraphs (a) and (b) above, presented prior to 10:00 a.m. on January 6, 1960, will be considered as simultaneously filed at that hour. Any rights under such applications filed thereafter will be governed by the time of filing.

4. All applications under paragraph 3 of this order shall be subject to those from persons having prior existing valid settlement rights, preference rights conferred by existing law, and equitable claims subject to allowance and confirmation.

5. The lands have been open to applications and offers under the mineral-leasing laws and to locations for metaliferous minerals. They will be open to location for nonmetaliferous minerals under the U.S. Mining Laws at 10:00 a.m. on January 6, 1960. Locations made prior to that time shall be invalid.

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

ROGER ERNST,

Assistant Secretary of the Interior.

SEPTEMBER 1, 1959.

[F.R. Doc. 59-7450; Filed, Sept. 8, 1959;
8:47 a.m.]

[Public Land Order 1971]

[Fairbanks 020902]

ALASKA

Withdrawing Public Lands for Use of Bureau of Public Roads as Administrative and Maintenance Depot Site

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

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws but not the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, and reserved for use of the Bureau of Public Roads, Department of Commerce, as an administrative and maintenance depot site:

MILE POST 1253—ALASKA HIGHWAY

Beginning at a point on the centerline of the Alaska Highway, which bears southeasterly along said centerline, approximately 680 feet from mile post 1253 on the Alaska Highway, Latitude 62°55'40" North, Longitude 141°33'20" West; thence North, 30° E., 2,360 feet; West, 2,904.64 feet to a point on the centerline of the Alaska Highway; Southeasterly, 2,645 feet, approximately, along the centerline of the highway to the point of beginning.

The tract described contains 67.3 acres.

ROGER ERNST,

Assistant Secretary of the Interior.

SEPTEMBER 1, 1959.

[F.R. Doc. 59-7451; Filed, Sept. 8, 1959;
8:47 a.m.]

[Public Land Order 1972]

[Anchorage 031140]

ALASKA

Partly Revoking Public Land Order No. 1654 of June 13, 1958

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

1. Public Land Order No. 1654 of June 13, 1958, so far as it reserved the following-described lands for preservation of scenic values and for public service sites is hereby revoked:

SEWARD MERIDIAN

T. 11 N., R. 3 W.,
Sec. 10, lots 11, 12, 16, and 17, and W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 33.92 acres.

2. Until 10:00 a.m. on December 2, 1959, the State of Alaska shall have a preferred right of application to select the lands in accordance with and subject to the provisions of the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339).

3. Beginning at 10:00 a.m. on December 2, 1959, the lands shall be open only to settlement under the homestead laws or under the Alaska Homesite Act of May 26, 1934 (48 Stat. 809; 43 U.S.C. 461), or to application under the Small Tract Laws, and to those forms of appropriation only by qualified veterans of World War II and the Korean Conflict and by other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284), as amended. Commencing at 10:00 a.m. on March 2, 1960, the lands shall become subject to settlement and other forms of appropriation by the public generally in accordance with appropriate laws and regulations.

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

ROGER ERNST,

Assistant Secretary of the Interior.

SEPTEMBER 1, 1959.

[F.R. Doc. 59-7452; Filed, Sept. 8, 1959;
8:47 a.m.]

[Public Land Order 1973]

ALASKA

Reserving Certain Areas Near Juneau Townsite for Various Public Purposes; Revoking Executive Order No. 9173 of May 23, 1942, and Public Land Order No. 657 of August 15, 1950

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

1. The following-described areas, all of which are portions of U.S. Survey No. 3566, and which consist of filled lands formerly lying below the line of ordinary high tide of Gasteneau Channel, are hereby reserved as follows:

[Juneau 010383]

For use of the Forest Service, Department of Agriculture, as an administrative site:

Lot 3,
Containing 0.88 acre.

[Juneau 011495]

For use of the Bureau of Commercial Fisheries, Department of the Interior, as an administrative site:

Lot 6,
Containing 2.02 acres.

[Juneau 010244]

For use of the United States Coast Guard for dock and warehouse and other Coast Guard purposes:

Lots 2a, 2b, 2c, 4, 5, and 7,
Containing 1.58 acres.

2. Executive Order No. 9173 of May 23, 1942, transferring the Government dock and approach at Juneau, in terms of metes and bounds, from the jurisdiction of the Secretary of the Interior to the jurisdiction of the Secretary of the Navy for use of the Coast Guard, is hereby revoked. In terms of the public land surveys, the lands affected by this paragraph are described as follows:

U.S. Survey No. 3566,
Lots 2a, 2b, and 2c,
Containing 0.66 acre.

3. Public Land Order No. 657 of August 15, 1950, reserving, subject to Executive Order No. 9173, for use of the Department of the Army, an area in front of U.S. Survey No. 7, Townsite of Juneau, in terms of metes and bounds, is hereby revoked. In terms of the public land surveys the lands would be described as follows:

[49810]

U.S. Survey No. 3566,
Lots 1, 2a, 2b, 2c, 4, 6, and 7,
Containing 13.62 acres.

4. Lot 1 has been patented to the State pursuant to the provisions of the act of March 28, 1957 (71 Stat. 8). The remaining lots described in paragraphs 2

No. 176—3

and 3 are included in the reservations made by paragraph 1.

ROGER ERNST,
Assistant Secretary of the Interior.

SEPTEMBER 1, 1959.

[F.R. Doc. 59-7453; Filed, Sept. 8, 1959; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 86; Amdt. 40-18]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

Deletion of Certain Definitions; Effective Date

Amendment 40-18, amending Part 40 by deleting certain definitions, was published in the FEDERAL REGISTER on August 13, 1959 (24 F.R. 6580). Although the amendment was drafted to become effective on such date of publication it did not contain an express provision to that effect. To prevent any misunderstanding as to the effective date Amendment 40-18 is amended to include the statement "This amendment shall become effective on August 13, 1959."

(Secs. 313(a), 307, 604, 72 Stat. 752, 749, 778; 49 U.S.C. 1354(a), 1348, 1424)

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 59-7441; Filed, Sept. 8, 1959; 8:45 a.m.]

[Reg. Docket No. 84, Supp. 28]

PART 60—AIR TRAFFIC RULES

Military Jet Aircraft Two-Way Radio Failure Procedures

The supplement to Part 60 of the Civil Air Regulations, entitled "Military Jet Aircraft Two-Way Radio Failure Procedures," which appeared in the issue of the FEDERAL REGISTER for Saturday, August, 8, 1959, at 24 F.R. 6388, was identified incorrectly as "Supp. 16". That identification should be corrected to read "Supp. 28".

(Sec. 313(a), 72 Stat. 752, 49 U.S.C. 1354(a))

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 59-7440; Filed, Sept. 8, 1959; 8:45 a.m.]

[Reg. Docket No. 108; Supp. 29]

PART 60—AIR TRAFFIC RULES

Rescission of Obsolete Provisions

Section 60.32-1 *Odd or even altitudes on airways*, and § 60.32-2, *Cruising altitudes within the continental control area*, were rendered obsolete by the adoption of the new "semi-circular" cruising altitude rules of Civil Air Regulation Amendment 60-10, effective August 15, 1958 (23 F.R. 4135).

This amendment rescinds these provisions because they are no longer applicable. Since the amendment is technical in nature and imposes no additional burden on any person, further notice and public procedure hereon are unnecessary.

In consideration of the foregoing, §§ 60.32-1 and 60.32-2, and footnote one to the latter section, are hereby rescinded.

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

(Secs. 313(a) and 307(c); 72 Stat. 752, 749; 49 U.S.C. 1354, 1348)

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 59-7442; Filed, Sept. 8, 1959; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER B—ECONOMIC REGULATIONS

[Reg. No. ER-282]

[Amdt. 12]

PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of September 1959.

At the present time, the Board's accounting regulations require the certificated air carriers to treat the expenses incurred in the issuance of capital stock as assets and provide that such expenses may be amortized by the carriers to profit and loss account 89 "Miscellaneous Non-operating Debits." However, during the past year, several carriers have expressed the opinion that such a treatment of stock issue expenses does not conform with a generally accepted accounting practice of reflecting the net proceeds realized from the issuance of stock after offsetting related issuing expenses in the paid-in capital section of the balance sheet.

In comments concerning the balance sheet classification appropriately ac-

corded capital stock expenses, many certificated carriers and professional accountants have supported the view that expenses incurred in the issuance of capital stock should be treated as an offset to paid-in capital.

While the Board is of the opinion that the present classification of such expenditures as assets is in accord with accounting theory, it also recognizes that there is substantial authoritative support for the position that stock issue expense should be offset against the net capital contributed. Established and recognized accounting practice appears to permit a choice in this respect. Furthermore, while as a matter of principle the investors are entitled to the right of full accountability over the gross funds contributed by them to the business, the offset of capital stock issue expense against paid-in capital can scarcely adversely affect the users of air transport services. In these circumstances the problem involves the corporate responsibilities of management and stockholders more directly than the regulatory responsibilities of the Board.

Therefore, since many of the air carriers desire to treat stock issuance expenses as an offset to paid-in capital and since such treatment is not expected to have any impact upon the Board's rate-making processes, will not adversely affect the public interest and will satisfy the Board's accounting needs, the Board believes it appropriate to modify its accounting regulations to permit the optional classification of capital stock expenses as either assets or as offsets to paid-in capital.

Since this amendment relaxes the existing regulations and will not subject any person to any burden, the Board finds that notice and public procedure hereon are unnecessary and the amendment may be made effective upon less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 241 of the Economic Regulations (14 CFR, Part 241), effective September 9, 1959, as follows:

1. By adding the following sentence to § 241.6-1350 Unamortized Capital Stock Expense: "The air carrier may, at its option, record expenses incurred in the issuance of capital stock in balance sheet account '2890 Other Paid-In Capital' as an offset to paid-in capital."

2. By adding the following sentence to § 241.6-2890.2 Discount on Capital Stock: "The air carrier may, at its option, record in this subaccount commissions and expenses incurred in the issuance of capital stock and may charge balance sheet account '2940 Unappropriated Retained Earnings' to the extent capital stock expense may exceed any existing balance of paid-in capital over the par or stated value of capital stock."

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 407, 72 Stat. 766; 49 U.S.C. 1377)

By the Civil Aeronautics Board:

[SEAL]

MABEL McCART,
Acting Secretary.

[F.R. Doc. 59-7465; Filed, Sept. 8, 1959;
8:49 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 109; Amdt. 37]

PART 507—AIRWORTHINESS DIRECTIVES

Miscellaneous Amendments

Seven known instances of blade failure on Hamilton Standard surface-treated aluminum alloy propeller blades are attributed to previous bending caused by impact with solid objects. Since such damage may not be immediately visible but could result in fatigue failure, all Hamilton Standard surface-treated aluminum alloy blades must be inspected when subjected to known or suspected impact with solid objects.

For the reasons stated above, the Administrator finds that corrective action is required in the interest of safety, that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing § 507.10(a) is amended by adding the following new airworthiness directive:

59-17-3 HAMILTON STANDARD. Applies to all Hamilton Standard surface-treated aluminum alloy propeller blades which experience impact. These blades may be installed on such aircraft models as B377, CV240, CV340, CV440, DC6/A/B, DC7/A/B/C, LO49, L749A, L1049/C/D/G/H, L1649A, M202A, M404.

Compliance required as indicated.

All surface-treated aluminum alloy propeller blades exposed to known or suspected impact with solid objects (blades static or rotating) must be disposed of as outlined herein and in Hamilton Standard Service Bulletin No. 596 (formerly 473 and 473A).

(a) If the track is affected or if bending, twisting, or other damage is evident, the propeller shall be removed immediately and returned to Hamilton Standard for repair.

(b) If the track is unaffected and there is no visual evidence of bending, twisting, or other damage, aircraft may continue service operation to the first station where facilities exist for performing blade face alignment checks in accordance with Hamilton Standard instructions. Blades inspected and repaired in accordance with Hamilton Standard instructions may be returned to service.

(Hamilton Standard Service Bulletins Nos. 339C, 339D, and 596 (formerly 473 and 473A) cover this same subject.)

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 59-7443; Filed, Sept. 8, 1959;
8:46 a.m.]

[Reg. Docket No. 110; Amdt. 38]

PART 507—AIRWORTHINESS DIRECTIVES

Miscellaneous Amendments

As a result of reports received concerning complete or partial disintegration of certain type Purolator filter elements used in pressure filter and auxiliary return filter assemblies on Boeing 707 series aircraft, the Administrator finds that corrective action is required in the interest of safety, that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing § 507.10(a) is amended by adding the following new airworthiness directive to become effective upon publication in the FEDERAL REGISTER:

59-17-2 BOEING. Applies to all Model 707 Series aircraft.

Compliance required as indicated.

Several reports have been received concerning the complete or partial disintegration of certain type Purolator, B/N 57737-2, filter elements used in pressure filter assembly BAC P/N F-18C-12 (Purolator P/N 57726) and in auxiliary return filter, BAC P/N 10-3333-1 (Purolator P/N 64038).

There are two types of filter elements in use having the same P/N 57737-2. They are easily distinguishable by their design. One has a concave bottom plate and the other one a flat bottom together with nonmetallic mesh on the inner surface of the paper convolutions. Investigation has shown that the filter elements which disintegrated were of the Purolator concave bottom type supplied prior to July 25, 1959.

Although all P/N 57737-2 concave bottom type filter elements may not be unsatisfactory, the number and location of unsatisfactory elements is unknown. Accordingly, to eliminate the existent adverse situation, the following must be accomplished.

(a) All present inventories of the concave bottom type Purolator filter elements P/N 57737-2 supplied prior to July 25, 1959, must be rejected for any further use in any type certificated aircraft.

(b) Replacement filter elements in the above noted pressure filter assembly or auxiliary return filter assembly shall utilize either the flat bottom type filter element, P/N 57737-2, or the concave bottom type P/N 57737-2 obtained from Purolator, and dated after July 25, 1959, or other approved replacement filter elements such as Aircraft Porous Media Inc., P/N ACS-1790E-12 or Bendix Filter Division, P/N 574615.

(Boeing service message dated July 23, 1959, also covers this subject.)

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 59-7444; Filed, Sept. 8, 1959;
8:46 a.m.]

[Reg. Docket No. 111; Amdt. 39]

PART 507—AIRWORTHINESS DIRECTIVES

Miscellaneous Amendments

As a result of service failures of bolts attaching the wing rear spar to the hull on Colonial aircraft, inspection and/or replacement of bolts is necessary.

Cracks at holes on the horizontal tail main spar splice plate fitting of Helio aircraft require inspection and replacement of the fitting. In addition, pulley guards must be installed on some Helio aircraft to comply with Part 3 of the Civil Air Regulations.

For the reasons stated above, the Administrator finds that corrective action is required in the interest of safety, that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing § 507.10(a) is amended by adding the following new airworthiness directives:

59-17-4 COLONIAL. Applies to all Model C-1 and C-2 aircraft.

Compliance required within the next 10 flight hours but not later than October 15, 1959, and at each 100 flight hours thereafter.

Due to failures in service, remove, inspect, and replace, if damaged, the two AN-4 bolts attaching the wing rear spar to the hull on each side at hull station 138. The bolts are located adjacent to the inboard flap hinge and are accessible through the wheel wells. Remove only one bolt per side at a time and replace before removing the other bolt. The torque applied to these bolts shall not exceed 70 inch-pounds.

(Colonial Service Bulletin No. 16 covers this subject.)

59-17-5 HELIO. Applies to all Model H-391B aircraft except Serial Numbers 093, 094, and 098; and Model H-395, Serial Numbers 502 through 510.

Compliance required as indicated.

Within the next 10 flight hours unless already accomplished inspect the horizontal tail front spar splice plate, F/N 391-020-305, for cracks around all bolt holes and the 2.0 inches diameter lightening hole. If cracks are found, the fitting should be replaced with an identically dimensioned part 0.063-inch 4130 steel. If no cracks are found the original aluminum fitting shall be inspected at each 25 flight hours thereafter until the next 100-hour inspection or October 1, 1959, whichever occurs first, when it must be replaced with a steel part.

(Helio Service Bulletin No. 21 covers this subject.)

59-17-6 HELIO. Applies to all Model H-391B aircraft and Model H-395, Serial Numbers 075 and 502 through 509 inclusive.

Compliance required within next 100 flight hours or by November 1, 1959, whichever occurs first.

Install additional pulley guards at three 3-inch stabilator control system pulleys located at:

(a) The upper left-hand corner of the fuselage truss just aft of the firewall.

(b) Just forward of the lower left-hand side of the instrument panel.

(c) Directly under the forward attach point of the vertical stabilizer in the aft portion of the tail cone. (The cable makes a 180° turn around this pulley.)

(Helio Service Bulletin No. 20 covers this subject.)

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Burley VOR.....	BYI-LFR.....	Direct.....	6000	T-dn*.....	500-1	NA	NA
Minedoka Int.....	BYI-LFR (Final).....	Direct.....	4900	C-dn.....	600-1	NA	NA
				S-dn-20.....	400-1	NA	NA
				A-dn.....	800-2	NA	NA

Procedure turn W side N crs, 006° Outbnd, 186° Inbnd, 6000' within 10 miles.

Minimum altitude over facility on final approach crs, 4900'.

Crs and distance, facility to airport, 198-2.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles, climb to 7000' on S crs within 15 miles.

Reverse crs or continue climb to cross Oakley Int. 10,000' or above.

*300-1 take-off authorized on Rwy's 2, 6, and 20.

City, Burley; State, Idaho; Airport Name, Burley Municipal; Elev., 4150'; Fac. Class, SBRAZ; Ident., BYI; Procedure No. 1, Amdt. 6; Eff. Date, 3 Oct. 59; Sup. Amdt. No. 7; Dated, 25 Dec. 54

Martensdale FM.....	DSM-LFR (Final).....	Direct.....	1600	T-dn*.....	300-1	300-1	200-1 1/2
Des Moines VOR.....	DSM-LFR.....	Direct.....	2100	C-dn.....	400-1	500-1	500-1 1/2
Des Moines VOR.....	DSM-LFR (Final).....	Direct.....	1600	S-dn-33.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn E side S crs, 186° Outbnd, 006° Inbnd, 2100' within 10 mi.

Minimum altitude over facility on final approach crs, 1600'.

Crs and distance, facility to airport, 337-1.9.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 mi, immediately turn left, climb to 2900' on W crs within 20 mi or when directed by ATC immediately turn left, climb to 2600' on 310 ADF crs from DSM LFR within 20 mi.

CAUTION: 1546' MSL TV tower located 3.2 mi N-NE of airport.

*When 1546' MSL TV tower 3.2 miles NNE of airport not visible on N, NW, E and NE takeoffs, climb to 2100' MSL prior to turning toward tower.

MAJOR CHANGE: Deleted straight-in approach to Runway 30.

City, Des Moines; State, Iowa; Airport Name, Des Moines; Elev., 957'; Fac. Class, SBRAZ; Ident., DSM; Procedure No. 1, Amdt. 13; Eff. Date, 3 Oct. 59; Sup. Amdt. No. 12; Dated, 21 Apr. 56

PROCEDURE CANCELLED, EFFECTIVE 3 OCTOBER 1959, OR DATE OF DECOMMISSIONING OF FACILITY.

City, San Diego; State, Calif.; Airport Name, Lindbergh Field; Elev., 18'; Fac. Class, SBRAZ; Ident., SAN; Procedure No. 1, Amdt. 13; Eff. Date, 10 Jan. 59; Sup. Amdt. No. 12; Dated, 10 Jan. 59

Issued in Washington, D.C., on September 2, 1959.

JAMES T. PYLE,
Acting Administrator.

[F.R. Doc. 59-7445; Filed, Sept. 8, 1959; 8:46 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Reg. Docket No. 103; Amdt. 134]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Alterations

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. Pursuant to authority delegated to me by the Administrator (24 F.R. 5662), I find that a situation exists requiring immediate action in the interests of safety, that good cause exists for making this amendment effective on less than thirty days' notice.

Part 609 (14 CFR Part 609) is amended as follows:

1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
DSM-LFR	LOM	Direct	2400	T-dn*	300-1	300-1	200-1/2
DSM-VOR	LOM	Direct	2400	C-dn	400-1	500-1	500-1 1/2
Martensdale FM	LOM	Direct	2400	S-dn-30	400-1	400-1	400-1
Grimes Int.	LOM	Direct	2500	A-dn	800-2	800-2	800-2
Ankeny Int.	LOM	Direct	2500				
Elkhart Int.	LOM	Direct	2500				
TNU-VOR	Swan Int**	Direct	2700				
Swan Int**	Mine Int***	Direct	2200				
Mine Int***	LOM (Final)	Direct	1600				
Beech Int.	LOM (Final)	Direct	1600				

Procedure turn W side of crs, 125° Outbnd, 305° Inbnd, 2100' within 10 mi.

Minimum altitude over facility on final approach crs, 1600'.

Crs and distance, facility to airport, 305°-4.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles, climb to 2600' on crs 305° from LOM within 20 mi or, when directed by ATIS, make climbing left turn to 2600' on W crs of DSM-LFR within 20 miles.

CAUTION: 1546' MSL tower 3 mi NNE, 1410' MSL tower 8 mi N, 1430' tower 3.7 mi NE and 1250' tower 13 mi SE of arprt.

*When 1546' MSL tower 3 mi NNE of airport not visible on N, NW, E and NE takeoffs, climb to 2100' prior to turning toward tower.

**Swan Int: R-202 TNU-VOR and R-079 DSM-VOR.

***Mine Int: SE crs DSM-ILS and R-079 DSM-VOR.

City, Des Moines; State, Iowa; Airport Name, Des Moines; Elev., 957'; Fac. Class, LOM; Ident., DS; Procedure No. 1, Amdt. 2; Eff. Date, 3 Oct 59; Sup. Amdt. No. 1 (ADF portion of comb. ILS-ADF); Dated, 21 Apr. 56.

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Burley LFR	BYI-VOR	Direct	6000	T-dn**	500-1	NA	NA
Hazelton Int.*	BYI-VOR (Final)	Direct	4800	C-dn	600-1	NA	NA
				A-dn	800-2	NA	NA

Procedure turn S side crs, 274° Outbnd, 034° Inbnd, 6000' within 10 mi.

Minimum altitude over facility on final approach crs, 4800'.

Crs and distance, facility to airport, 103-4.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 mi, turn left, climb to 7000' on R-054 within 20 mi.

*Hazelton Int.: Burley R-274 and Twin Falls R-045.

**300-1 take-off authorized on Rwy's 2, 6, and 20.

City, Burley; State, Idaho; Airport Name, Burley Municipal; Elev., 4150'; Fac. Class, BVORTAC; Ident., BYI; Procedure No. 1, Amdt. 2; Eff. Date, 3 Oct. 59; Sup. Amdt. No. 1; Dated, 25 Dec. 54

Pipe Line Int*	DUG-VOR (Final)	Direct	5000	T-d	300-1	300-1	300-1
				T-n	300-2	300-2	300-2
				C-d	400-1	500-1	500-1 1/2
				C-n	400-2	500-2	500-2
				S-dn-12	400-1	400-1	400-1
				A-d	800-2	800-2	800-2
				A-n	800-3	800-3	800-3

Procedure turn N side crs, 289° Outbnd, 109° Inbnd, 7000' within 10 mi. Procedure turn north of crs; high terrain S.

Minimum altitude over facility on final approach crs, 5000'.

Crs and distance, facility to airport, 118-4.0.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 mi, turn left and climb to 8000' on R-289 within 20 mi.

*Pipe Line Int: Douglas, Arizona R-289 and Cochise, Ariz. R-175.

City, Douglas; State, Ariz.; Airport Name, Bisbee-Douglas Int.; Elev. 4158'; Fac. Class, BVOR; Ident., DUG; Procedure No. 1, Amdt. 6; Eff. Date, 3 Oct. 59; Sup. Amdt. No. 5; Dated, 5 Jan. 57

4. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From--	To--	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Watsonville Int*	Santa Rita FM or Int** (Final)	122-10	1100	T-dn	300-1	300-1	500-1
Santa Rita FM or Int**	SNS VOR (Final)	122-4.2	600	C-dn	500-1	500-1	500-1 1/2
				S-dn-13	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Standard procedure turn NA. All maneuvering and descent shall be accomplished in a two-minute right turn holding pattern NW of Santa Rita FM or Int.** on R-302 SNS VOR, minimum altitude 1500'. Descent to cross Santa Rita FM or Int. at 1100' authorized on final approach course 122° inbnd on R-302 SNS VOR.

Facility on airport.

Minimum altitude over facility on final approach crs, #600'.

Crs and distance, breakoff point to Rwy 13, 131°-0.4 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of SNS VOR, make 180° right turn and climb to 1700' in a two-minute right turn holding pattern on R-302 (122° inbnd, 302° outbnd) of SNS VOR.

*R-302 SNS VOR and 173° brng to Monterey LMM.

**R-302 SNS VOR and 212° brng to Monterey LMM.

#If Santa Rita FM or Int is not identified on final, ceiling minimums of 1000' for landing are applicable.

City, Salinas; State, Calif.; Airport Name, Salinas; Elev., 84'; Fac. Class, BVOR; Ident., SNS; Procedure No. TerVOR-13, Amdt. 2; Eff. Date, 3 Oct. 59; Sup. Amdt No. 1; Dated, 15 Aug. 59

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From--	To--	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Des Moines LFR	LOM	Direct	2400	T-dn*	300-1	300-1	200-1 1/2
Des Moines VOR	LOM	Direct	2400	C-dn	400-1	500-1	500-1 1/2
Martensdale FM	LOM	Direct	2400	S-dn-30#	300-3 1/2	300-3 1/2	300-1 1/2
Grimes INT	LOM	Direct	2500	A-dn	600-2	600-2	600-2
Ankeny INT	LOM	Direct	2500				
Elkhart INT	LOM	Direct	2500				
Mine Int**	LOM (Final)	Direct	2400				
Beech INT	Mine INT (Final)	Direct	2400				

Procedure turn E side of crs, 125° Outbnd, 305° Inbnd, 2400' within 10 miles.

Minimum altitude at G. S. int inbnd, 2400'.

Altitude of G. S. and distance to appr end of rny at OM 2371-4.3, at MM 1183-0.5.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles, climb to 2600' on NW crs ILS within 20 miles, or when directed by ATC, make climbing left turn to 2600' on W crs DSM-LFR within 20 miles.

CAUTION: 1546' MSL tower 3 mi NNE, 1410' MSL tower 8 mi N, 1430' tower 8.7 mi NE and 1250' tower 13 mi SE of airport.

#400-1 required when glide slope inoperative.

*When 1546' MSL tower not visible on N, NW, E and NE takeoffs, climb to 2100' prior to turning toward tower.

**Mine INT: R-079 DSM-VOR and SE crs DSM-ILS.

City, Des Moines; State, Iowa; Airport Name, Des Moines; Elev., 957'; Fac. Class., ILS; Ident., IDSM; Procedure No. ILS-30, Amdt. 2; Eff. Date, 3 Oct. 59; Sup. Amdt No. 1 (ILS portion of comb. ILS-ADF); Dated, 21 Apr. 56

Des Moines VOR	Clive Int#	Direct	2500	T-dn*	300-1	300-1	200-1 1/2
ILS-LOM	Clive Int#	Direct	2500	C-dn	400-1	500-1	500-1 1/2
Dallas Center Int	Waukee Int%	Direct	2100	S-dn-12	400-1	400-1	300-1
Waukee Int%	Clive Int# (Final)	Direct	1600	A-dn	800-2	800-2	800-2

Procedure turn West side of crs, 305° Outbnd, 125° Inbnd, 2100' within 10 mi of Clive Int#.

Minimum altitude over Clive Int# on final approach crs, 1600'.

Crs and distance, Clive Int# to airport, 125°-2.4 mi.

No Glide Slope.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 mi after passing Clive Int#, climb to 2400' on SE crs DSM-ILS within 20 mi or, when directed by ATC, climb to 2900' on S crs DSM-LFR to Martensdale FM.

CAUTION: 1546' MSL tower 3 mi NNE, 1410' MSL tower 8 mi N, 1430' tower 8.7 mi NE and 1250' tower 13 mi SE of arpt.

NOTE: Procedure authorized only when aircraft equipped to receive ILS and VOR simultaneously.

*When 1546' MSL tower 3 miles NNE of airport not visible on N, NW, NE and E takeoffs, climb to 2100' prior to turning toward tower.

#Clive Int: R-334 DSM VOR and NW crs DSM ILS.

%Waukee Int: R-245 TNU VOR and NW crs DSM ILS.

City, Des Moines; State, Iowa; Airport Name, Des Moines; Elev., 957'; Fac. Class, ILS; Ident., I-DSM; Procedure No. ILS-12 (Back course approach), Amdt. 3; Eff. Date, 3 Oct. 59; Sup. Amdt. No. 2 (ILS portion of comb. ILS-VOR); Dated, 10 Nov. 56

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine more than 65 knots
					65 knots or less	More than 65 knots	
Norris Int.	VOR	Direct	3000	T-dn	300-1	300-1	200-1/2
Rutledge Int.	VOR	Direct	3500	C-dn	600-1	600-1	600-1 1/2
Piedmont Int.	VOR	Direct	3000	S-dn-22R	600-1	600-1	600-1
Rasar Int.	VOR	Direct	5000	A-dn	800-2	800-2	800-2
Talassie Int.	VOR	Direct	4500				
London Int.	VOR	Direct	3000				
Clinton Int.	VOR	Direct	4000				

Radar Terminal Area Transition Altitudes: 0°-360° within 5 mi, 2000'; 091°-179° within 10 mi, 4000'; 180°-090° within 10 mi, 2500'; 153°-205° within 17 mi, 5000'; 355°-070° within 17 mi, 3000'; 205°-270° within 24 mi, 2500'; 355°-070° within 25 mi, 3100'.

All bearings and distances are from the Radar Antenna Site with sector azimuths progressing clockwise.

Procedure turn East side of crs, 045° Outbnd, 225° Inbnd, 3000' within 10 mi.

Minimum altitude on final approach crs until passing TYS-VOR R-135, 3000'.

No Glide Slope.

Crs and distance, TYS R-135 to Rny 22R, 225°-6.8 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb straight ahead to 4000' on SW crs ILS to LOM or, when directed by ATO, turn right, climb to 3000' on TYS VOR R-243 to Loudon Int.

City, Knoxville; State, Tenn.; Airport Name, McGhee-Tyson; Elev., 889'; Fac. Class., ILS; Ident., TYS; Procedure No. ILS-22R, Amdt. 1; Eff. Date, 29 Aug. 59; Sup. Amdt. No. Orig.; Dated, 29 Aug. 59

These procedures shall become effective on the dates indicated on the procedures.

(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on August 28, 1959.

B. PUTNAM,

Acting Director, Bureau of Flight Standards.

[F.R. Doc. 59-7332; Filed, Sept. 8, 1959; 8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 141b—STREPTOMYCIN (OR DIHYDROSTREPTOMYCIN) AND STREPTOMYCIN- (OR DIHYDROSTREPTOMYCIN-) CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PART 146b—CERTIFICATION OF STREPTOMYCIN (OR DIHYDROSTREPTOMYCIN) AND STREPTOMYCIN- (OR DIHYDROSTREPTOMYCIN-) CONTAINING DRUGS

Streptomycin- (or Dihydrostreptomycin-) Polymyxin Tablets; Penicillin-Streptomycin Powder

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F.R. 1045, 23 F.R. 9500), the regulations for the certification of antibiotic and antibiotic-containing drugs (21 CFR Part 141b; 146a.93; Part 146b) are amended as indicated below:

1. Part 141b is amended by adding the following new section:

§ 141b.136 Streptomycin-polymyxin tablets; dihydrostreptomycin-polymyxin tablets.

(a) *Potency*—(1) *Streptomycin content*. Using 12 tablets, proceed as directed in § 141b.109 (a) (1). Its content of streptomycin is satisfactory if it contains not less than 85 percent of the number of milligrams that it is represented to contain.

(2) *Dihydrostreptomycin content*. Using the dihydrostreptomycin working standard as the standard of comparison, proceed as directed in subparagraph (1) of this paragraph. Its content of dihydrostreptomycin is satisfactory if it contains not less than 85 percent of the number of milligrams that it is represented to contain.

(3) *Polymyxin content*. Using 12 tablets, proceed as directed in § 141b.112(b) (1). Its content of polymyxin is satisfactory if it contains not less than 85 percent of the number of units that it is represented to contain.

(b) *Moisture*. Proceed as directed in § 141a.5(a) of this chapter.

§ 146a.93 [Amendment]

2. Section 146a.93 *Penicillin-streptomycin powder* * * * is amended as follows:

a. Paragraph (b) is amended by changing the colon after the word "certified" to a comma and by changing the clause beginning with the words "Provided, however," to read as follows: "except that the blank may be filled in with the date that is 18 months after the month during which the batch was certified if the person who requests certification has submitted to the Commissioner results of tests and assays that show such drug as prepared by him is stable for such period of time."

b. Paragraph (e) (3) is amended by changing the figure "12" to read "18".

3. Part 146b is amended by adding the following new section:

146b.131 Streptomycin-polymyxin tablets; dihydrostreptomycin-polymyxin tablets.

Streptomycin-polymyxin tablets and dihydrostreptomycin-polymyxin tablets are tablets that conform to all requirements and are subject to all procedures prescribed by § 146b.104 for streptomycin tablets and dihydrostreptomycin tablets, except that:

(a) Each tablet contains not less than 25,000 units of polymyxin. The polymyxin used conforms to the standards prescribed therefor by § 146b.107(a).

(b) Each package shall bear on its outside wrapper or container and the immediate container the number of units of polymyxin in each tablet of the batch.

(c) The expiration date shall appear on the immediate container.

(d) In addition to complying with the requirements of § 146b.104(d), a person who requests certification of a batch shall submit with his request a statement showing the batch mark and (unless previously submitted) the results and the date of the latest tests and assays of polymyxin used in making the batch for potency and toxicity. He shall also submit in connection with his request (unless it was previously submitted) a sample consisting of 5 packages each containing approximately equal portions of not less than 0.5 gram of the polymyxin used in making the batch.

(e) The fees for the services rendered with respect to the samples submitted in accordance with the requirements of paragraph (d) of this section shall be:

(1) \$1.00 for each tablet.

(2) \$4.00 for each immediate container of polymyxin.
 Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the amendments set forth in this order.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interprets or applies sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: September 1, 1959

[SEAL] GEO. P. LARRICK,
 Commissioner of Food and Drugs.

[F.R. Doc. 59-7461; Filed, Sept. 8, 1959; 8:48 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 3—VETERANS CLAIMS

Instructions Relating to the Effect of Admission of the State of Alaska into the Union on Payment of Burial Benefits

A new § 3.1533 is added to read as follows:

§ 3.1533 Instructions relating to the effect of admission of the State of Alaska into the Union on payment of burial benefits.

(a) *Provisions of the law.* Section 29(a), Public Law 86-70, enacted June 25, 1959, amends section 903 of Title 38, United States Code, on the subject "Death in Veterans' Administration Facility", by revising subsection (b) to read as follows:

In addition to the foregoing, when such a death occurs in the continental United States (including Alaska), the Administrator shall transport the body to the place of burial in the continental United States (including Alaska) * * *.

(b) *Scope.* When the death of a veteran occurs while traveling under prior authorization and at Veterans Administration expense to or from a specified place for the purpose of examination, treatment, or care, or while properly hospitalized by the Veterans Administration, or while receiving domiciliary care from the Veterans Administration, there may be paid in addition to the actual cost of funeral and burial (not to exceed \$250) the cost of transporting the body to the place of burial within the continental limits of the United States which now include Alaska. The requirement that in such cases the Veterans Administration would pay for the cost of transporting the body to Alaska only if the veteran was a resident of Alaska has been removed by section 29(a) of Public Law 86-70 effective June

25, 1959. (Instruction 1, Public Law 86-70)

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective September 9, 1959.

[SEAL] BRADFORD MORSE,
 Deputy Administrator.

[F.R. Doc. 59-7483; Filed, Sept. 8, 1959; 8:51 a.m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 13078]

TELEVISION BROADCAST STATIONS; FORT WORTH AND DENTON, TEXAS

Order Extending Time for Filing Comments

In the matter of amendment of § 3.606 *Table of assignments* Television Broadcast Stations (Fort Worth and Denton, Texas.); Docket No. 13078.

1. The Commission has before it for consideration:

(a) A petition for extension of time filed on August 20, 1959 by Carter Publications, Inc. licensee of Station WBAP-TV (Fort Worth Channel 5), asking that the time for filing comments herein, and for Texas State Network, Inc., to respond to the show-cause order issued herein, be extended from September 8, 1959, to October 20, 1959, with an additional ten days (or until October 30) for reply comments; and

(b) A statement in support of this petition filed by A. H. Belo Corporation, licensee of Station WFAA-TV (Dallas Channel 8), and an opposition to the petition filed by Texas State Network, licensee of Station KFJZ-TV (Fort Worth Channel 11).

2. In support of its request, Carter urges that: (1) Additional time is necessary for the preparation of adequate comments herein because of the broad implications of the proposed allocation changes; (2) petitioner has been handicapped in its study of the proposed changes by the fact that the period presently allowed for comments is that normally used by legal and engineering counsel for vacations; (3) no hardship would be involved in the requested extension. In opposition, Texas State Network asserts that Carter and Belo have had opportunity to study this matter since Texas State Network's rule-making petition was filed in December, 1958, that the issues involved are not complex, that any delay will work a hardship on KFJZ-TV, an independent station now operating at a loss, and that there is

neither justification nor necessity for the requested extension.

3. The Commission is of the view that the public interest would be served by extending the time for filing comments and reply comments in this proceeding (though not to the extent of the additional time requested by petitioner), and that it would be appropriate to make the same date applicable to comments and to response by Texas State Network to the show-cause order.

4. In view of the foregoing: *It is ordered*, That the time for filing comments in this proceeding, and the time within which Texas State Network, Inc. must file its response to the order to show cause directed to it herein, are extended from September 8, 1959, to September 30, 1959; and the time for filing reply comments herein is extended from September 18, 1959, until October 12, 1959.

Adopted: September 1, 1959.

Released: September 2, 1959.

FEDERAL COMMUNICATIONS
 COMMISSION,

[SEAL] MARY JANE MORRIS,
 Secretary.

[F.R. Doc. 59-7466; Filed, Sept. 8, 1959; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 230]

GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration the proposed rescission of Regulation A-M (§ 230.240) and Regulation B-T (§§ 230.360 to 230.396) and certain proposed amendments to Regulation A (§§ 230.251 to 230.262). These regulations provide conditional exemptions from registration under the Securities Act of 1933 of certain issues of limited amounts.

Regulation A-M provides an exemption from registration under the Act for assessable shares of stock of mining corporations. One of the conditions to the use of this regulation is that the issuer shall, in making assessments subsequent to the offering of the assessable stock, transmit to each holder of such stock offered under the regulation a statement containing certain specified information. The rescission of Regulation A-M is proposed in view of the recent adoption by the Commission of certain rule changes relating to assessable securities, particularly Regulation F which provides an exemption from registration under the Act for the levying of assessments of limited amounts on assessable securities. However, since Regulation F does not provide an exemption for new issues of assessable securities, it is proposed to amend Regulation A to make that regulation available for the offering of such new issues.

NOTICES

Regulation B-T provides an exemption from registration for certain interests in an oil royalty trust or similar type of trust or unincorporated association.

The text of the proposed amendments to Regulation A would read as follows:

1. Paragraph (b) of Rule 252 (§ 230.252 (b)) would be amended by deleting therefrom the provisions which make Regulation A unavailable for assessable securities and securities for which Regulation B-T is available.

(b) No exemption under this §§ 230.251 to 230.262 shall be available for any of the following securities:

- (1) Fractional undivided interests in oil or gas rights as defined in § 230.300, or similar interests in other mineral rights;
(2) Securities of any investment company registered or required to be registered under the Investment Company Act of 1940.

2. The introductory clause of Rule 257 (§ 230.257) would be amended to read as follows:
§ 230.257 Offerings not in excess of \$50,000.

Except as to issues specified in paragraph (a) of § 230.253 and issues of assessable stock, the offering circular specified in § 230.256 need not be filed or used in connection with an offering of securities under this regulation if the aggregate offering price of all securities of the issuer, its predecessors and affiliates offered or sold without the use of such an offering circular does not exceed \$50,000, computed in accordance with § 230.254, provided the following conditions are met:

The foregoing action is proposed pursuant to the Securities Act of 1933, particularly sections 3(b) and 19(a) thereof.

All interested persons are invited to submit their views and comments on the proposed action, in writing, to the Securities and Exchange Commission, Washington 25, D.C., on or before September 30, 1959.

By the Commission.

[SEAL] ORVAL L. DuBOIS, Secretary.

AUGUST 31, 1959.

[F.R. Doc. 59-7455; Filed, Sept. 8, 1959; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

ELISABETH CLARA BOESCHE ET AL.
Notice of Intention To Return Vested Property

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

Claimant, Claim No., Property, and Location

- Elisabeth Clara Boesche; \$103.79 in the Treasury of the United States.
Gustav Carl Eduard Boesche; \$103.79 in the Treasury of the United States.
Peter Hermann Friedrich Boesche; \$103.79 in the Treasury of the United States.
Clara Dorothea Boesche; \$103.79 in the Treasury of the United States.
Maria Luise Boesche; \$103.79 in the Treasury of the United States.
Dorothea Charlotte Boesche; \$103.80 in the Treasury of the United States.
Hans Ulrich Boesche; \$103.80 in the Treasury of the United States.
Agnes Erika Boesche; \$103.80 in the Treasury of the United States.
Ursula Catherina Helene Boesche; \$103.80 in the Treasury of the United States.
Hamburg, Germany. Claim No. 42133. Vesting Orders Nos. 5800, 8711, and 11420.

Executed at Washington, D.C., on September 1, 1959.

For the Attorney General.

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

[F.R. Doc. 59-7460; Filed, Sept. 8, 1959; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification No. 53]

NEW MEXICO

Small Tract Classification

SEPTEMBER 1, 1959.

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F.R. 2473), I hereby classify the following described public lands totalling 80 acres in San Juan County, New Mexico as suitable for lease and sale for residence purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. 682a), as amended:

NEW MEXICO PRINCIPAL MERIDIAN

T. 30 N., R. 12 W., Sec. 15, W 1/2 NW 1/4.

2. Classification of the above described lands by this order segregates them from all appropriations, including locations

under the mining laws, except as to applications under the Small Tract Act and applications under the mineral leasing laws.

3. The lands are located approximately 6 miles southwest of Aztec, New Mexico. U.S. Highway 550 is one mile to the south, with an unimproved road leading to the tract. The topography is rolling and gently sloping. The soil is sandy loam in texture. Vegetation consists of sage brush and juniper. The elevation is 5500 feet to 5550 feet. Annual precipitation is 8 inches and average annual temperature is 52°. The towns of Aztec and Farmington provide adequate religious, medical, educational, recreational, and shopping facilities. A power line runs within 1/4 mile east of the tract, and potable water can be obtained by drilling wells. There is no evidence of metallic or non-metallic minerals; and no mineral activity was observed on the lands; but, however, the NW 1/4 of Section 15 is within the known geologic structure of the producing San Juan gas field.

4. Each of the tracts, numbered 1 through 32 for reference purposes only, contains 2.5 acres. The appraised value of each tract is \$250.00. The lands will be subject to all existing rights-of-way, and to rights-of-way 33 feet in width for street and road purposes and public utilities along the exterior boundaries of each tract. The advance rental, the appraised price, the reference number, and legal description of each tract are shown below:

Table with 4 columns: Tract No., Advance rental-3 years, Legal description, Appraised price. Lists 32 tracts with their respective details.

1 Under application from persons entitled to preference under 43 CFR 257.6(a).

5. Leases will be issued for a term of three years and will contain an option to purchase in accordance with 43 CFR 257.13. Lessees who comply with the general terms and conditions of their leases will be permitted to purchase their

tracts at the prices listed above, provided that during the period of their leases they either (a) construct the improvements specified in Paragraph 7 or (b) file a copy of an agreement in accordance with 43 CFR 257.13(d). Leases will be renewable at the discretion of the Bureau of Land Management and the renewal lease will be subject to such terms and conditions as are deemed necessary in the light of the circumstances and the regulations existing at the time of renewal. However, a lease will not be renewable unless failure to construct the required improvements is justified in the circumstances and nonrenewal would work an extreme hardship on the lessee.

6. Persons who have previously acquired a tract under the Small Tract Act are not qualified to obtain a tract herein listed unless they can make a showing satisfactory to the Bureau of Land Management that the acquisition of another tract is warranted in the circumstances.

7. The improvements referred to in paragraph 5 above must conform with health, sanitation, and construction requirements of local ordinances, and must, in addition, meet the following standards: The house must be suitable for year-round use, rest on a permanent foundation, and possess a minimum of 600 square feet of floor space. It must be built in a workmanlike manner out of properly finished materials. Adequate disposal and sanitary facilities must be installed.

8. Applicants must file, in duplicate, with the Manager, Land Office, P.O. Box 1251, Santa Fe, New Mexico, application Form 4-776, filled out in compliance with the instructions on the form and accompanied by any showings or documents required by those instructions. Copies of the application form can be obtained from the above-named official.

The application must be accompanied by a filing fee of \$10.00 plus the advance rental specified above. Failure to transmit these payments with the application will render the application invalid. Advance rentals will be returned to unsuccessful applicants. All filing fees will be retained by the United States.

9. The lands are now subject to application under the Small Tract Act. All valid applications filed prior to March 27, 1958 will be granted the preference right provided by 43 CFR 257.5(a). All valid applications from persons entitled to veterans' preference filed after March 27, 1958, and prior to 10:00 a.m. October 7, 1959 will be considered as simultaneously filed at that time. All valid applications from persons entitled to veterans' preference filed after that time will be considered in the order of filing. All valid applications from other persons filed after September 1, 1959 and prior to 10:00 a.m. December 2, 1959, will be considered as simultaneously filed at that time. All valid applications filed after that time will be considered in the order of filing.

10. Inquiries concerning these lands shall be addressed to Manager, Land Of-

Office, P.O. Box 1251, Santa Fe, New Mexico.

EVERT L. BROWN,
Acting State Supervisor.

[F.R. Doc. 59-7454; Filed, Sept. 8, 1959; 8:47 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

ELMER W. BERNITT

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 (FEDERAL REGISTER dated April 24, 1959, F.R. 3188)

A. Deletions: None.
B. Additions: None.

Dated: August 17, 1959.

ELMER W. BERNITT.

[F. R. Doc. 59-7437; Filed, Sept. 8, 1959; 8:45 a.m.]

DWILLARD J. DAVIS

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 (FEDERAL REGISTER dated April 24, 1959, F.R. 3189).

A. Deletions: None.
B. Additions: None.

Dated: August 19, 1959.

DWILLARD J. DAVIS.

[F.R. Doc. 59-7438; Filed, Sept. 8, 1959; 8:45 a.m.]

HUGH DOUGLAS LOWREY

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 (FEDERAL REGISTER dated April 24, 1959, F.R. 3189).

A. Deletions: None.
B. Additions: None.

Dated: August 13, 1959.

HUGH D. LOWREY.

[F.R. Doc. 59-7439; Filed, Sept. 8, 1959; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

BEARD & KENNAMER LIVESTOCK MARKET ET AL.

Posted Stockyards

Pursuant to the authority delegated to the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the act (7 U.S.C. 202) and were, therefore, subject to the act, and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name of Stockyard and Date of Posting

ALABAMA

Beard & Kennamer Livestock Market, Scottsboro, July 10, 1959.

East Alabama Livestock Company, Opelika (formerly East Alabama Stockyard), July 8, 1959.

Enterprise Livestock Co., Enterprise, July 11, 1959.

Farmers Livestock Cooperative, Elba, July 10, 1959.

Kennamer Livestock Co., Guntersville, July 10, 1959.

ARKANSAS

Moler's Livestock Auction, Danville, July 11, 1959.

GEORGIA

Candler Livestock Market, Metter, May 1, 1959.

Effingham County Stockyard, Springfield, June 20, 1959.

McClure-Burnett Commission Co., Rome, (formerly Ragsdale-McClure Commission Co.), May 20, 1959.

Smith Brothers Livestock Yard, Bartow, July 1, 1959.

Special Feeder Breeder Pavilion, Cochran, July 13, 1959.

Valdosta Livestock Co., Inc., Valdosta, July 16, 1959.

Waycross Livestock Market, Waycross, July 13, 1959.

KANSAS

Kingman Sale Co., Kingman, July 7, 1959.
Winfield Sale Company, Winfield, July 20, 1959.

MISSOURI

Callao Sale Barn, Callao, August 11, 1959.

NEBRASKA

Nebraska City Sale Barn, Nebraska City, July 23, 1959.

Tryon Sale Barn, Tryon, July 8, 1959.

NORTH CAROLINA

Benson Hog and Livestock Market, Benson, July 8, 1959.

Hickory Live Stock and Commission Co., Hickory, July 15, 1959.

Lumberton Auction Company, Inc., Lumberton, July 10, 1959.

Mount Olive Livestock Market, Mount Olive, July 9, 1959.

Pates Stockyard, Pembroke, July 11, 1959.

Wells Livestock Market, Inc., Wallace, July 10, 1959.

Whiteville Livestock Market, Whiteville, July 10, 1959.

Winfield Livestock Auction Market, Chocowinity, July 9, 1959.

NORTH DAKOTA

Dobler Livestock Sales Co., Ashley, July 9, 1959.

OHIO

Athens Livestock Sales Co., Inc., Athens, July 7, 1959.

Champaign Livestock Sales, Urbana, June 26, 1959.

Delta Livestock Auction, Delta, June 27, 1959.

Elkton Auction, Elkton, July 4, 1959.

Fremont Livestock Exchange, Fremont, July 8, 1959.

Woodsfield Livestock Sales, Inc., Woodsfield, July 8, 1959.

OKLAHOMA

Hughes County Sale Barn, Holdenville, July 10, 1959.

Sayre Livestock Auction, Sayre, July 9, 1959.

TENNESSEE

Hardin County Stock Yards, Savannah, July 17, 1959.

Done at Washington, D.C., this 2d day of September 1959.

JOHN C. PIERCE,

*Acting Director, Livestock Division,
Agricultural Marketing Service.*

[F.R. Doc. 59-7472; Filed, Sept. 8, 1959;
8:49 a.m.]

PRODUCERS STOCKYARDS, INC. ET AL.

Proposed Posting of Stockyards

The Director of the Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the act.

Producers Stockyards, Inc., North Little Rock, Ark.

Carroll's Sale Co., Dover, Del.

Harris Sales Corp., Odessa, Del.

Rudnick Live Stock Sales Co., Dover, Del.

Antioch Sales & Commission, Antioch, Ill.

Wilson Sale Company, Fairview, Ill.

Aberdeen Sales Co., Aberdeen, Md.

Cumberland Stockyards, Inc., Cumberland, Md.

Four States Livestock Sales, Inc., Hagerstown, Md.

Grantsville Livestock Auction, Grantsville, Md.

Harry Rudnick & Sons, Galena, Md.

The Farmers Live Stock Exchange, Inc., Boonsboro, Md.

Western Maryland Stockyards, Inc., Westminster, Md.

Woodsboro Livestock Sales, Inc., Woodsboro, Md.

Belle Plaine Commission Co., Belle Plaine, Minn.

Bob Lund Sales Barn & Livestock Yards, Lafayette, Minn.

Dales Sales Barn, Detroit Lakes, Minn.

Felder Sale Barn, Aitkin, Minn.

Hutchinson Sales Pavilion, Hutchinson, Minn.

Klester Sales Co., Klester, Minn.

Le Sueur Sales Barn, Inc., Le Sueur, Minn.

Long Prairie Sales Barn, Long Prairie, Minn.

Pine City Livestock Sales, Pine City, Minn.

Princeton Livestock Market, Princeton, Minn.

S. & M. Livestock Sales, Cambridge, Minn.

St. Cloud Livestock Market, St. Cloud, Minn.

Sunnybrook Sale Barn, Stewart, Minn.

Balknap Auction, Inc., Dayton, Pa.

Belleville, Livestock Market, Inc., Belleville, Pa.

Carlisle Livestock Market, Inc., Carlisle, Pa.

Chambersburg Livestock Sales, Chambersburg, Pa.

Chesley's Livestock Auction, Little Hope, Pa.

Coudersport Livestock Market, Inc., Coudersport, Pa.

Danville Livestock Market, Inc., Danville, Pa.

Dewart Livestock Market, Dewart, Pa.

Enon Valley Community Sale, Enon Valley, Pa.

Farmers Market Auction, Ephrata, Pa.

Fayette Stock Yard Co., Uniontown, Pa.

Greencastle Livestock Market, Inc., Greencastle, Pa.

Hatfield Fair Grounds Bazaar, Inc., Hatfield, Pa.

Hickory Auction & Sales, Inc., Hickory, Pa.

Jamestown Livestock Commission Market, Jamestown, Pa.

Lebanon Valley Live Stock Market, Inc., Fredericksburg, Pa.

Leesport Market & Auction, Leesport, Pa.

Mason Dixon Livestock Market, Inc., Stewartstown, Pa.

Meadville Livestock Auction, Meadville, Pa.

Montague Livestock Auction, Union City, Pa.

Morrisons Cove Livestock Market, Martinsburg, Pa.

Mount Cobb Auction Sales, Mount Cobb, Pa.

New Wilmington Livestock Auction, New Wilmington, Pa.

Nicholson Sales Co., Nicholson, Pa.

Pennsylvania Livestock Auction, Inc., Waynesburg, Pa.

Perkiomenville Sales Stables, Inc., Perkiomenville, Pa.

Quakertown Livestock Sale, Quakertown, Pa.

Showalter's Livestock Exchange, Duncansville, Pa.

Silver Spring Livestock Market, Inc., Mechanicsburg, Pa.

Valley Stock Yards, Inc., Athens, Pa.

Vintage Sale Stable, Inc., Paradise, Pa.

Wayne County Livestock Exchange, Inc., Honesdale, Pa.

Wyalusing Sale, Wyalusing, Pa.

York Livestock Market, Inc., York, Pa.

Notice is hereby given, therefore, that the said Director, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., within 15 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 2d day of September 1959.

JOHN C. PIERCE,

*Acting Director, Livestock Division,
Agricultural Marketing Service.*

[F.R. Doc. 59-7473; Filed, Sept. 8, 1959;
8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-10]

COMMONWEALTH EDISON CO.

Notice of Resumed Hearing

Take notice that in accordance with a stipulation between counsel for the participants herein, a resumed hearing in the above designated proceeding will be held at 10:30 a.m. on Wednesday, September 23, 1959 in the Auditorium of the Headquarters of the United States Atomic Energy Commission at Germantown, Maryland.

This resumed hearing will be held in lieu of that hearing scheduled on August 17th for September 2, 1959. This public notice supplements the statement to the same effect made at the hearing which convened on September 2, 1959, when stipulation between the participants and the postponement were announced.

Issued: September 2, 1959, Germantown, Md.

SAMUEL W. JENSCH,
Presiding Officer.

[F.R. Doc. 59-7436; Filed, Sept. 8, 1959;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Order E-14416; Docket No. 1705-7]

AMERICAN AIRLINES, INC.

Air Freight Rate Case; Petition for Clarification or Modification of Minimum Rate Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 2d day of September 1959.

On December 11, 1958, the Board issued a Statement of Provisional Findings and Conclusions in the Air Freight Rate Case (Docket No. 1705-7) and an Order to Show Cause (Order No. E-13263) why Orders Nos. E-4606 (September 14, 1950) and E-4954 (December 20, 1950) should not be amended to permit on-forwarding of parts of a distribution shipment.

Parties having objections to the findings and conclusions set forth in the statement or to the proposed amendment were afforded an opportunity to file written notice of such objections within 15 days and to answer within 30 days after service of the order. A notice of objection and answer has been duly filed by United Air Lines, Inc., requesting the Board to reconsider its provisional findings and conclusions and adopt three changes in the rules as proposed.

Order No. E-4954 (December 20, 1950) authorized the carriers " * * * to fix rules substantially similar to the model

rules * * * which are set forth in the appendix to Order No. E-4606 (12 CAB at 345). The distribution service rule, which was adopted by United (Rule 6.5(b)1, Official Airfreight Rules Tariff No. 1-A, CAB No. 13) to conform to the model rules, contains the additional requirement that the carrier receive a " * * manifest giving the proper breakdown of the shipment and individual manifests listing the goods to be delivered to each address * * *". United has now requested the Board to include this requirement in the proposed amendment if there is any question that a tariff rule containing this provision is not "substantially similar" to the proposed model rule.

Except for authorizing the carriers to provide on-forwarding services, the proposed amendment does not effect any substantive change in the present model rules or otherwise restrict the present authorization of the carriers "to file rules substantially similar to the model rules" (Order No. E-4954). Thus, any question of whether United's rule is "substantially similar" to the model rule appears to be unaffected by the terms of the proposed amendment and a matter which would be inappropriate to determine in this proceeding.

Secondly, United has requested the addition of the phrase "within the United States" to the proposed on-forwarding authorization to make it clear that a shipper may not commingle foreign and domestic destined parts of distribution shipments. The proposed amendment was not intended to prevent such commingling. However, United also states that it might be possible under the proposed rule for a domestic carrier to be subject to Warsaw Convention liability even though it had no knowledge of the ultimate destination of the foreign parts of distribution shipments. To assure notice to the carriers of such possible liability the proposed rule will be amended, as United suggests alternatively, to require shippers to identify the foreign destined parts of distribution shipments which are to be on-forwarded.

United has also requested clarification of the proposed amendment to make specific reference to the Post Office Department as an appropriate consignee of distribution shipments for the purpose of on-forwarding. This clarifying change is in accord with our intent and the proposed rule will be amended accordingly.

No other objections to the proposed amendment, to the Statement of Provisional Findings and Conclusions, or to the procedure adopted in this matter, have been filed.

Inasmuch as the amendment as originally proposed on December 11, 1958 will be modified to the extent stated above, this order will not be made effective until thirty days after the date of issuance. Petitions for reconsideration may be filed pursuant to Rule 37 (14 CFR 302.37) but, in this case, the time for such filing will be limited to ten days after the date of service.

Now, therefore, in consideration of the foregoing and pursuant to sections 102,

204, 404, and 1002 of the Federal Aviation Act of 1958:

It is ordered:

(1) That the Statement of Provisional Findings and Conclusions in the Air Freight Rate Case, Docket No. 1705-7 (December 11, 1958), as amended herein, is hereby adopted and made final.

(2) That Orders Nos. E-4606 (September 14, 1950) and E-4954 (December 20, 1950) are hereby amended by the substitution of a new paragraph (a) under "Distribution Service" in the Appendix to said orders to read as follows:

(a) Upon receipt of written instructions to provide distribution service from the consignor or the consignee (or, if there be more than one consignee, only from the consignor) no later than the time of receipt by the carrier of the shipment, the carrier will accept a shipment from one consignor at one time at one address, receipted for in one lot, and will segregate the parts of the shipment at destination, where the carrier will deliver such parts to the consignee or consignees; provided, however, that if the parts of the shipment are to be delivered to more than one consignee, the shipment must be prepaid. A shipper may include as part of a distribution shipment any packages, pieces, or bundles consigned to the Post Office Department or any air or surface carrier at the destination of the distribution shipment for the purpose of carriage beyond such destination, provided the shipper shall designate to the carrier each foreign destined part, if any, of such shipment.

It is further ordered, That any party applying for reconsideration of this order shall present such request under Rule 37 (14 CFR 302.37) by petition filed not later than ten days after the date of service.

It is further ordered, That the investigation in the Air Freight Rate Case, Docket No. 1705-7 is dismissed.

It is further ordered, That this order shall be served on all parties listed in the Appendix set forth below.

It is further ordered, That this order shall be published in the FEDERAL REGISTER and shall become effective on the 9th day of October, 1959.

By the Civil Aeronautics Board.

[SEAL] MABEL McCART,
Acting Secretary.

CERTIFICATED CARGO CARRIERS

AAXICO Airlines, Inc.
The Flying Tiger Line, Inc.
Riddle Airlines, Inc.
Slick Airways, Inc.

CERTIFICATED CARRIERS

Allegheny Airlines, Inc.
American Airlines, Inc.
Bonanza Air Lines, Inc.
Braniff Airways, Inc.
Capital Airlines, Inc.
Central Airlines, Inc.
Chicago Helicopter Airways, Inc.
Continental Air Lines, Inc.
Delta Air Lines, Inc.
Eastern Air Lines, Inc.
Frontier Airlines, Inc.
Lake Central Airlines, Inc.
Los Angeles Airways, Inc.
Mohawk Airlines, Inc.
National Airlines, Inc.
New York Airways, Inc.
North Central Airlines, Inc.
Northeast Airlines, Inc.
Northwest Airlines, Inc.
Ozark Air Lines, Inc.
Piedmont Aviation, Inc.
Southern Airlines, Inc.

Southwest Airways Company
Trans-Texas Airways
Trans-World Airlines, Inc.
United Air Lines, Inc.
West Coast Airlines, Inc.
Western Air Lines, Inc.

DOMESTIC AIR FREIGHT FORWARDERS

ABC Air Freight Company, Inc.
Ace Air Freight Co., Inc.
Acme Air Cargo, Inc.
Air Cargo Consolidators, Inc.
William J. Brosnahan and Charles A. Dasey,
d/b/a Air Cargo Transport.
Air Dispatch, Inc.
Air Express International Corp.
Nathan Bronstein, d/b/a Air Freightways.
Air Lanes Service, Inc.
Frank V. Gandola & William E. Geiselman,
d/b/a Airborne Coordinators.
Airborne Freight Corporation.
Air-Land Freight Consolidators, Inc.
Air-Sea Forwarders, Inc.
Airways Parcel Post Service, Inc.
Allied Air Freight, Inc.
American Shippers, Inc.
Anderson Express, Ltd.
Barnett Aircargo, Inc.
Peter A. Bernacki, Inc.
Bor-Air Freight Co., Inc.
W. J. Byrnes and Company of New York, Inc.
Benjamin H. Walder & Ruben Konlon, d/b/a
Chicagoland Air Freight.
City Messenger of Hollywood, Inc. d/b/a City
Messenger Air Express and/or C.M.A.X.
Harry L. Whitaker, d/b/a Cloud Lane Los
Angeles Consolidators and Trucking Com-
pany, d/b/a Domestic Air Express.
Dorf International, Ltd.
Frank P. Dow Co., Inc.
Emery Air Freight Corporation.
Express Forwarding Storage Co., Inc., d/b/a
Aero Transport Division.
4-A Air Freight Corp.
General Air Freight, Inc.
Gilbert Air Transport Corp.
Hawaiian Freight Forwarders, Ltd., d/b/a
Global Air Cargo.
Hop Air Freight Forwarder, Inc.
K & R Airfreight, Inc.
Sidney B. Lifschultz, Ida Lifschultz, Bernice
Brown, Rose Grossman, Nora Bergman, and
Estate of S. E. Lifschultz, American Na-
tional Bank & Trust Co. of Chicago, Ex-
ecutor & Trustee, d/b/a Lifschultz Air
Freight.
National Air Freight Forwarding Corporation.
H. G. Ollendorff, Inc.
Pacific Air Freight, Inc.
Parcel Warehouse, Inc., d/b/a Yankee Air
Express.
Republic Air Freight, Inc.
Shulman, Inc.
Sun Transporters, Inc.
United Parcel Service—Air, Inc.
Universal Air Freight Corporation.
Western Transportation Co., Inc. d/b/a
W.T.C. Air Freight.
Wings and Wheels, Express, Inc.
Norman G. Jensen, d/b/a World Freight For-
warders (Air).

[F.R. Doc. 59-7464; Filed, Sept. 8, 1959;
8:49 a.m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 24A-1283]

TALMAGE WILCHER, INC.

Order Temporarily Suspending Ex-
emption, Statement of Reasons
Therefor, and Notice of Opportunity
for Hearing

SEPTEMBER 2, 1959.

I. Talmage Wilcher, Inc. (issuer),
Suite 906, Harvey Building, West Palm

Beach, Florida, filed with the Commission on July 6, 1959 a notification on Form 1-A and an offering circular relating to an issue of 150,000 shares of its Class B non-voting \$1 par value stock, to be offered at \$2 per share, for an aggregate amount of \$300,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that:

A. An exemption under Regulation A is unavailable in that the amount of securities proposed to be offered exceeds the \$300,000 ceiling limitation imposed by Rules 253(c) and 254(a).

B. The terms and conditions of Regulation A have not been complied with in that:

1. The notification on Form 1-A fails to set forth the name and address of each predecessor and affiliate of the issuer, as required by Item 2;

2. The notification on Form 1-A fails to set forth fully the information required by Item 5;

3. The notification on Form 1-A fails to set forth information concerning unregistered securities issued or sold within one year prior to filing by the issuer and its affiliated issuers, as required by Item 9;

4. The issuer has failed to file copies of the governing instruments defining the rights of the holders of the Class B stock to be offered, as required by Item 11(a) of Form 1-A;

5. The issuer has failed to file the written consents of its attorneys and accountants named in the offering circular, as required by Item 11(g) of Form 1-A.

C. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The statement that the issuer has acquired a thirty year lease to 100 acres of industrial property, whereas the issuer has only a three year option to lease such land;

2. The failure to set forth the terms and conditions under which the aforesaid three year option may be exercised;

3. The failure to disclose fully the issuer's broker-dealer operations;

4. The failure to set forth a reasonably itemized statement of the purposes for which the net cash proceeds to the issuer from the sale of the securities are to be used and the amount to be used for each such purpose indicating the priority thereof;

5. The failure to set forth whether any provision has been made for the return of funds to subscribers if the entire offering is not sold;

6. The failure to disclose all material transactions of directors, officers, and controlling persons with the issuer and its affiliates;

7. The failure to set forth the aggregate annual remuneration of all directors and officers of the issuer as a group and the annual remuneration of each of the three highest-paid officers;

8. The statement that "the corporations are purposely kept small to reduce overhead costs, thereby assuring payment of dividends to stockholders and certificate purchasers";

9. The statement that the issuer's staff members "are highly qualified specialists in the fields of accounting, city zoning and planning, industrial development, international business, public relations, and many phases of financing, taxation and investment banking";

10. The inclusion in the May 31, 1959 balance sheet of a \$100,000 appraisal value for an option to lease a 100-acre industrial tract acquired at no cost and the inclusion of such \$100,000 as income in the statement of earnings for the period January 1, 1959 to May 31, 1959;

11. The inclusion in the December 31, 1958 and May 31, 1959 balance sheets of mortgages and stock held in trust by the issuer;

12. The use of certified public accountants' firm name in that the issuer's financial statements are not certified by such firm.

D. The offering would be made in violation of section 17 of the Securities Act, as amended.

III. *It is ordered*, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it is hereby, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F.R., Doc. 59-7456; Filed, Sept. 8, 1959;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13062 etc.; FCC 59M-1103]

**CHE BROADCASTING CO. (NSL),
AND B & M BROADCASTERS INC.
(KLOS)**

Order Canceling Prehearing Conference and Providing for Exchange of Exhibits Before Hearing

In re applications of CHE Broadcasting Company (NSL), Albuquerque, New Mexico, Docket No. 13062, File No. BP-11842; B & M Broadcasters, Inc. (KLOS), Albuquerque, New Mexico, Docket No. 13063, File No. BP-12878; for construction permits.

1. A prehearing conference was scheduled for September 8 in Washington. By letter dated August 17, CHE wrote the Hearing Examiner that it has no Washington counsel, and intends to present its own case at the hearing of October 13, and asked, in effect, to be excused from attending the conference because of the expense. The Hearing Examiner replied, by letter dated August 20, that in view of the distance he would not require CHE to come to Washington for the conference, but noted that procedures governing the hearing of October 13 would be decided upon at the conference which would be binding upon CHE. The August 20 letter concluded:

The above is written on the supposition that a conference will be held. Up to the time of writing this letter, however, no appearance has been entered for B & M, your opponent, and consequently I do not know if it has Washington counsel. Should it turn out that a prehearing conference is not practicable, I may as a substitute issue an order to control the hearing procedure, which might cover such things as the exchange of proposed exhibits prior to hearing and other pertinent matters.

2. CHE has filed an appearance form,¹ but B & M has not yet entered its appearance for hearing. The Commission's order of designation was released and mailed August 10. It directed that: "to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order." Since the twentieth day was August 30, a Sunday, the last day for filing an appearance was yesterday, Monday, August 31, but, as already noted, B & M has not complied with the requirement.

¹The Dockets Division informed the Hearing Examiner, however, that this document was not accompanied by a certificate of service, and that it has written CHE to serve its appearance.

3. It is emphasized that a written appearance in conformity with the Commission's rules and direction, as mentioned in the preceding paragraph, is a prerequisite to participation in the hearing. The 20-day period having expired, the only way for B & M to make a proper appearance is to seek permission from the Chief Hearing Examiner to have its written appearance accepted late, for good cause shown, under Rule 0.224. Whether its request, if any, would be favorably entertained by the Chief Hearing Examiner, cannot, of course, be foretold. The consequences of failure to enter an appropriate written appearance are stated in Rule 1.140(c), as follows:

Where an applicant fails to file such a written appearance within the time specified, or has not filed prior to the expiration of that time period a petition to dismiss without prejudice, or a petition to accept, for good cause shown, such written appearance beyond expiration of said 20 days the application will be dismissed with prejudice by the Chief Hearing Examiner for failure to prosecute.

4. As it appears that the applicants are, at least so far, not being advised by legal counsel, the Hearing Examiner has thought it well to spell out some matters which are elementary to the bar but which the applicants may not know. It should be distinctly understood, however, that this proceeding will be conducted in conformity with the applicable statute and rules, and that no allowance will be made for ignorance of the pertinent requirements merely because a party is not represented by an attorney. In this connection it is noted that while the Communications Act of 1934 (section 4(j) and Rule 1.21(a)) declare that "Any party may appear before the Commission and be heard in person or by attorney," it has heretofore been held by the Commission that a corporation, not being a natural person, cannot appear by a non-attorney officer, and that it must be represented by a duly qualified attorney (Sweetwater Broadcasting Company, 4 FCC 293, 294). However, this requirement may be waived by the other parties to a proceeding (C. J. Community Services, Inc., 13 RR 1, 2).

5. Under the circumstances the Hearing Examiner has reconsidered the advisability of a prehearing conference and has decided that the scheduled conference can be canceled with small loss. The order entered below will, it is felt, accomplish about as much as probably would have resulted from a prehearing conference, apart from the possibility of agreeing upon written direct cases under Rule 1.111.

6. Accordingly, it is ordered, This 1st day of September, 1959, that:

(1) The prehearing conference previously scheduled for September 8, 1959 is canceled.

(2) An applicant duly authorized and proposing to participate in the hearing now scheduled for October 13, 1959, in Washington, shall furnish the other applicant (provided the latter has duly filed its appearance), the Commission's Broadcast Bureau, and the Hearing Examiner, on or before October 1, 1959, a copy of each written exhibit it proposes to introduce at the hearing. Exhibits

shall be numbered by each party in numerical order, beginning with No. 1.

(3) Oral testimony of witnesses will begin October 13, 1959, in Washington, with CHE putting in its direct case first.

The parties are warned that unless otherwise ordered, advance furnishing of a proposed exhibit, as required above, will not of itself authenticate the exhibit, but that it must be appropriately authenticated when it is introduced at the hearing. Failing proper authentication, or compliance with other evidential requirements, it may be excluded.

One other, and important, matter should be noted. If one applicant, for any reason, is removed from this competitive proceeding, the remaining applicant will nevertheless remain in hearing status under Rule 1.363(a). As both applicants, by the order released August 10, had been found "except as indicated by the issues specified below * * * legally, technically, financially, and otherwise qualified," elimination of the competitive aspect of the proceeding would render moot all the issues except Issue No. 3, relating to coverage of Albuquerque by either applicant. Apart from this issue, therefore, there would be nothing to prevent grant of the remaining application (see Radio Pine Bluff, 15 RR 173). It may be, then, that the taking of evidence on the issues specified in the order of designation will be limited to Issue No. 3. But there is as yet no certainty that either application will be dismissed, so it should still be assumed that all matters covered by the issues are in dispute and will be the subject of testimony. In addition, attention is directed to Rule 1.363(c) which reads:

In all cases arising under paragraphs (a) and (b) of this section, the hearing examiner will consider in the initial decision the issue of whether a grant of the remaining application or applications to be prosecuted would be in the public interest in the light of the arrangement whereunder the parties effected a consolidation of their respective interests or the competing applications were either dismissed or amended and removed from hearing.

Released: September 1, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-7467; Filed, Sept. 8, 1959; 8:49 a.m.]

[Docket No. 12955 etc.; FCC 59M-1104]

BALD EAGLE-NITTANY BROADCASTERS AND SUBURBAN BROADCASTING CORP.

Order Continuing Hearing

In re applications of W. K. Ulerich, Milton J. Bergstein and John A. Dame, d/b as Bald Eagle-Nittany Broadcasters, Bellefonte, Pennsylvania, Docket No. 12955, File No. BP-11998; Suburban Broadcasting Corp., State College, Pennsylvania, Docket No. 12956, File No. BP-12007; for construction permits.

A prehearing conference in the above-entitled matter having been held on Sep-

tember 1, 1959, and it appearing from the record made therein that certain agreements were reached which properly should be formalized in an order:

It is ordered, This 1st day of September 1959 that:

(1) The direct cases of the applicants shall be presented by written, sworn exhibits;

(2) Preliminary drafts of the applicants' technical engineering exhibits shall be exchanged among the parties on October 14, 1959;

(3) The written, sworn exhibits constituting the direct cases of the applicants shall be exchanged among the parties and copies thereof supplied the Hearing Examiner on October 30, 1959, at which time, other than for corrective matters, the affirmative cases shall be deemed frozen;

(4) Counsel shall notify each other on or before November 18, 1959 as to those witnesses whom they desire to be made available for cross-examination;

It is further ordered, That the hearing in this matter presently scheduled to commence on October 7, 1959 is continued to December 2, 1959 commencing at 10:00 a.m. in the offices of the Commission, Washington, D.C.

Released: September 2, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-7468; Filed, Sept. 8, 1959; 8:49 a.m.]

[Docket No. 12315, etc.; FCC 59M-1107]

SHEFFIELD BROADCASTING CO. AND J. B. FALT, JR.

Order Continuing Hearing

In re applications of Iralee W. Benns, tr/as Sheffield Broadcasting Co., Sheffield, Alabama, Docket No. 12315, File No. BP-11130; J. B. Falt, Jr., Sheffield, Alabama, Docket No. 12316, File No. BP-11559; for construction permits.

Due to illness of counsel for J. B. Falt, Jr., an applicant in this proceeding: It is ordered, This 1st day of September 1959, that the hearing now scheduled for September 2, 1959, be, and the same is hereby, continued without date.

Released: September 2, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-7469; Filed, Sept. 8, 1959; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 185]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 3, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Com-

merce 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(3) 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 61699. By order of August 28, 1959, Division 4, acting as an Appel-

late Division, approved the transfer to George J. Dornbush and John H. Dornbush, doing business as Dornbush Truck Line, Burns, Kans., of Certificate No. MC 60228, issued August 18, 1949, to R. G. Marcott and M. F. Marcott, doing business as Marcott Truck Line, Burns, Kans., authorizing the transportation of: Livestock, from Burns, Kans., and points within 20 miles of Burns, to Kansas City, Mo.; livestock and feed, from Kansas City, Mo., to points in the above specified Kansas territory; household goods, from points in the above-specified Kansas territory, to points in Missouri, Oklahoma, and Colorado; fresh fruit, from Anadarko, Okla., to points in the above-spec-

ified Kansas territory; feed, from Kansas City, Mo., to Newton, Kans., and points within 20 miles of Newton; hardware, from Kansas City, Mo., to Newton, Kans.; livestock, between Newton, Kans., and points within 25 miles of Newton, on the one hand, and, on the other, Kansas City, Mo.; and household goods and agricultural implements and supplies, between Newton, Kans., and points within 20 miles of Newton, on the one hand, and, on the other, Kansas City, Mo.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 59-7462; Filed, Sept. 8, 1959; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

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