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Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment) Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 730—RICE

Subpart—1962-63 Marketing Year

PROCLAMATIONS AND DETERMINATIONS WITH RESPECT TO MARKETING QUOTAS AND NATIONAL ACREAGE ALLOTMENT FOR 1962 CROP, AND APPORTIONMENT OF 1962 NATIONAL ACREAGE ALLOTMENT AMONG THE SEVERAL STATES

Sec.

- 730.1301 Basis and purpose.
730.1302 Marketing quotas on 1962 crop rice.
730.1303 National acreage allotment of rice for 1962.
730.1304 Apportionment of 1962 national acreage allotment of rice among the several States.

AUTHORITY: §§ 730.1301 to 730.1304 issued under secs. 301, 352, 353, 354, 375, 52 Stat. 38, 60, 61, 66, as amended; 7 U.S.C. 1301, 1352, 1353, 1354, 1375.

§ 730.1301 Basis and purpose.

(a)(1) Section 730.1302 is issued under and in accordance with sections 301 and 354 of the Agricultural Adjustment Act of 1938, as amended, to proclaim the total supply and normal supply of rice for the marketing year beginning August 1, 1961, and to proclaim that marketing quotas will be applicable to the 1962 crop of rice. Section 730.1303 is issued under and in accordance with sections 352 and 353 of the Agricultural Adjustment Act of 1938, as amended, to proclaim the national acreage allotment of rice for the calendar year 1962. Section 353(c)(6) of the act, as amended by section 301 of Public Law 85-835, 72 Stat. 994, provides that the national acreage allotment of rice for 1962 shall be not less than the total acreage allotted in 1956.

(2) Section 730.1304 is issued under and in accordance with section 353 of the Agricultural Adjustment Act of 1938, as amended, to apportion among the several States the national acreage allotment of rice for 1962 as proclaimed in § 730.1303 hereof. Section 353 of the act provides that the national acreage allotment of rice for 1962, less a reserve of not to exceed one per centum for apportionment to farms receiving inadequate allotments, shall be apportioned among the States in the same proportion that they shared in the total acreage allotted in 1956.

(3) Section 353(b) of the act, as amended by Public Law 85-443, authorizes the Secretary of Agriculture under certain circumstances to divide any State into two administrative areas to be designated "producer administrative

area" and "farm administrative area", and provides that if any State is so divided into administrative areas, the term "State acreage allotment" for the purposes of section 353 of the Agricultural Adjustment Act of 1938, as amended, shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area. For each of the 1959-60, 1960-61, and 1961-62 marketing years, the State of Louisiana was divided into a "farm administrative area" and a "producer administrative area" pursuant to section 353(b) of the act. Notice was given (26 F.R. 8982) pursuant to the Administrative Procedure Act that for the 1962-63 marketing year it was expected that farm acreage allotments in the entire State of Louisiana would be determined on a "producer" basis, which would have the effect of discontinuing the division of the State into administrative areas for such year; however it was stated that a public hearing would be held in Crowley, Louisiana, on October 3, 1961, in order to give interested producers the opportunity to express their views as to such change. After consideration of the oral data, views, and recommendations expressed at that meeting, as well as of written data, views, and recommendations submitted at that hearing and by mail pursuant to the FEDERAL REGISTER notice, and in view of the adverse effect which the discontinuance of the "farm administrative area" in the State of Louisiana would possibly have on the production and processing of rice in such area, it has been determined, upon recommendation of the Louisiana State Committee, that the State of Louisiana shall for the 1962-63 marketing year be divided into a "farm administrative area" and a "producer administrative area", each such area to comprise the same parishes as were applicable to it for the 1959-60, 1960-61, and 1961-62 marketing years.

(4) Section 353(c)(1) of the act, as amended by Public Law 85-443, provides that if any State is divided into administrative areas the allotment for each area shall be determined by apportioning the State acreage allotment among counties as provided in section 353(c) of the Agricultural Adjustment Act of 1938, as amended, and totaling the allotments for the counties in such area. The acreage allotments for the "farm administrative area" and "producer administrative area" in the State of Louisiana which are set out in § 730.1304 were determined by apportioning the State acreage allotment for Louisiana among the counties in the State in the same proportion which each such county shared in the total acreage allotted in the State in 1956, as provided in section 353(c)(1) of the Agricultural Adjustment Act of 1938, and totaling the allotments for the counties in each such area.

(b) The findings and determinations made in §§ 730.1302, 730.1303, and 730.1304 have been made on the basis of the

latest available statistics of the Federal Government. The findings in § 730.1302 show that marketing quotas are required for the 1962 crop of rice. The determinations made in § 730.1303 indicate the amount of the 1962 national acreage allotment of rice.

(c) Prior to taking action herein, public notice (26 F.R. 8675) was given in accordance with the Administrative Procedure Act (5 U.S.C. 1003), that the Secretary was preparing to determine whether marketing quotas are required for the 1962 crop of rice, to determine and proclaim the national acreage allotment of rice for 1962, and to apportion among the States the 1962 national acreage allotment of rice. The data, views, or recommendations pertaining thereto which were submitted pursuant to such notice have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

(d) The Agricultural Adjustment Act of 1938, as amended, requires that the proclamation with respect to marketing quotas for the 1962 crop of rice be issued not later than December 31, 1961; that the referendum to determine whether farmers are in favor of or opposed to such quotas be held within 30 days after the issuance of the proclamation; and that insofar as practicable operators of farms be notified of their farm rice acreage allotments prior to the holding of the referendum. Therefore, it is necessary to waive the 30-day effective date provision of section 4 of the Administrative Procedure Act and such provision is hereby waived. Accordingly, the regulations in §§ 730.1301 to 730.1304, inclusive, shall become effective upon the date of their publication in the FEDERAL REGISTER.

§ 730.1302 Marketing quotas on 1962 crop of rice.

The total supply of rice in the United States for the marketing year beginning August 1, 1961, is determined to be 64,038 thousand hundredweight (rough basis). The normal supply of rice for such marketing year is determined to be 62,700 thousand hundredweight. Since the total supply of rice for the 1961-62 marketing year exceeds the normal supply for such marketing year, marketing quotas shall be in effect on the 1962 crop of rice.

§ 730.1303 National acreage allotment of rice for 1962.

The normal supply of rice for the marketing year commencing August 1, 1962, is determined to be 65,711 thousand hundredweight (rough basis). The carry-over of rice on August 1, 1962, is determined to be 6,540 thousand hundredweight. Therefore, the production of rice needed in 1962 to make available a total supply of rice for the 1962-63 marketing year equal to the normal supply for such marketing year is 59,171 thousand hundredweight. The national average yield of rice for the five calendar

years, 1957 through 1961 is determined to be 3,255 pounds per planted acre. The national acreage allotment of rice for 1962 computed on the basis of the production of rice needed in 1962 and the national average yield per planted acre of rice for the five calendar years, 1957 through 1961, is 1,817,856 acres. Since this amount is more than the total acreage allotted in 1956, which is the minimum for 1962 provided by law, the national acreage allotment of rice for the calendar year 1962 shall be 1,817,856 acres.

§ 730.1304 Apportionment of 1962 national acreage allotment of rice among the several States.

The national acreage allotment proclaimed in § 730.1303, less a reserve of 300 acres, is hereby apportioned among the several rice-producing States as follows:

State	Acres
Arizona	252
Arkansas	438,920
California	329,748
Florida	1,052
Illinois	22
Louisiana:	
Producer administrative area	18,646
Farm administrative area	503,871
State total	522,517
Mississippi	51,343
Missouri	5,244
North Carolina	22
Oklahoma	164
South Carolina	3,131
Tennessee	569
Texas	464,552

Effective upon date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 27, 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61-12429; Filed, Dec. 28, 1961; 3:55 p.m.]

SUBCHAPTER D—SPECIAL PROGRAMS

PART 775—FEED GRAINS

Subpart—1962 Feed Grain Program Regulations

GENERAL

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775.125	Scheme or device and fraudulent representation.
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775.128	Delegation of authority.

AUTHORITY: §§ 775.101 to 775.128 issued under sec. 16(d), 49 Stat. 1151, as amended by 75 Stat. 302; secs. 4 and 5, 62 Stat. 1070—1072, as amended; sec. 133; 75 Stat. 303; 16 U.S.C. 590 p; 15 U.S.C. 714 b and c.

GENERAL

§ 775.101 Purpose.

The regulations in this subpart provide terms and conditions for the 1962 Feed Grain Program, a special agricultural conservation program for 1962 under which conservation payments are made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices by an equal amount. Producers may elect in lieu of such payment to devote the diverted acreage to castor beans, guar, safflower, sunflower or sesame. Supplement 2 to these regulations provides for payments to be made by the delivery or constructive delivery of negotiable certificates which Commodity Credit Corporation (CCC) shall redeem in feed grains and for cash advances to be made to producers who wish CCC's assistance in the marketing of certificates earned by them. The 1962 Feed Grain Program provided in this subpart is referred to herein as the "program." Participation in the program to the extent provided in 1962 CCC grain price support regulations is required as a condition of eligibility for price support on corn, grain sorghums, barley, oats and rye.

§ 775.102 Definitions.

As used in the regulations in this subpart and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meaning assigned to them herein unless the context or subject matter otherwise requires.

(a) The following words or phrases are defined in Part 719 of this chapter, Reconstitution of Farms, Farm Allotments, and Farm History and Soil Bank Base Acreages (23 F.R. 6731), as amended, and shall have the meaning assigned to them by such regulations: "combination," "county," "county committee," "county office," "county office

manager," "cropland," "Department," "Deputy Administrator," "division," "farm(s)," "farm serial number," "field," "operator," "person," "reconstitution," "Secretary," "soil bank contract," "State committee" and "subdivision."

(b) "Barley acreage" means:

(1) For 1959 and 1960—any acreage planted to barley for harvest in 1959 and 1960 as grain and any acreage of barley used as silage. It does not include barley used for hay, pasture, green manure or as a protective conservation cover, except where the county committee determines that such acreage was seeded for harvest as grain, but due to abnormal conditions over which the producer had no control, harvesting was not carried out.

(2) For 1962—any acreage as defined in subparagraph (1) of this paragraph which was planted for harvest in 1962 but excluding (i) any acreage of barley planted on a farm as an approved conservation use in accordance with § 775.106 and (ii) any acreage of barley which is planted on the farm in excess of the permitted acreage and which is destroyed by the producer or from some cause beyond his control not later than the applicable date for the disposal of excess acreage. Such date is the same as the applicable disposal date for wheat specified in the wheat marketing quota regulations (26 F.R. 4716), as amended, or if no date is specified, such date shall be as established by the State committee.

(3) An acreage devoted to a mixture of barley and other grains is considered barley acreage for the purpose of this subpart, provided the barley meets the requirements of this paragraph (b), and the county committee determines that 50 percent or more of the crop is barley, except that an acreage devoted to a mixture of barley and wheat shall not be considered as barley acreage if the crop is considered as wheat under the wheat marketing quota program.

(c) "Corn acreage" means:

(1) For 1959 and 1960—any acreage planted to field corn for harvest in 1959 and 1960, and any acreage of sweet corn harvested in 1959 and 1960 primarily for silage. It does not include close sown corn used for pasture or green manure, sweet corn harvested primarily for market even though the forage is used for silage, popcorn, irrespective of use, and corn on a wildlife farm (consisting solely of Federal or State-owned land) not harvested but left on the land for wildlife feed.

(2) For 1962—any acreage as defined in subparagraph (1) of this paragraph planted for harvest in 1962, but excluding (i) any acreage of corn planted on a farm as a conservation use in accordance with the provisions of § 775.106, and (ii) any acreage of corn which is planted on the farm in excess of the permitted acreage and which is destroyed by the producer or by some cause beyond his control not later than the applicable date for the disposal of excess acreage as provided in Part 718 of this chapter, Determination of Acreage and Performance (22 F.R. 3747), and any amendments thereto.

(d) "Grain sorghum acreage" means:

(1) For 1959 and 1960—any acreage planted to grain sorghums of a feed grain or dual purpose variety that was planted for harvest in 1959 and 1960 as grain, silage or fodder, and any acreage of sweet sorghums harvested in 1959 and 1960 for silage. It does not include sweet sorghums harvested for other than silage and grain sorghums on a wildlife farm consisting solely of Federal or State-owned land not harvested but left on the land for wildlife feed.

(2) For 1962—any acreage as defined in subparagraph (1) of this paragraph planted for harvest in 1962, but excluding (i) any acreage of grain sorghums planted on a farm as an approved conservation use in accordance with the provisions of § 775.106, and (ii) any acreage of grain sorghums planted on the farm which is in excess of the permitted acreage and which is destroyed by the producer or from some cause beyond his control not later than the applicable date for the disposal of excess acreage as provided in Part 713 of this chapter, Determination of Acreage and Performance (22 F.R. 3747), and any amendments thereto.

(e) "Conservation Reserve Program" means the program formulated under regulations issued pursuant to the Soil Bank Act, 6 CFR Part 485, recodified in Part 750 of this chapter.

(f) "Intended diverted acreage" means the number of acres that the operator (or owner) of a farm intends to divert in 1962 from the production of corn and grain sorghums, or barley, as indicated on Form 477.

(g) "Minimum diversion acres" means the minimum number of acres which must be diverted in 1962 from the production of corn and grain sorghums, or barley, as the case may be, by producers on a farm in order to be eligible to participate in the program.

(h) "1962 Wheat Stabilization Program" means the program formulated under section 124 of the Agricultural Act of 1961 under which producers divert acreage from the production of wheat.

(i) "Producer" means a person who produces corn, grain sorghums, barley, oats or rye in 1962 as landowner, landlord, tenant or sharecropper.

(j) "Representative of the county committee" means a member of the county committee or any employee of the county committee.

(k) "Representative of the State committee" means a member of the State committee or any employee of the State committee.

§ 775.103 Geographical applicability.

The program is applicable throughout the United States wherever a person complies with the pertinent provisions of these regulations, except in such areas as may be designated by the Administrator, Agricultural Stabilization and Conservation Service (ASCS).

§ 775.104 Administration.

(a) The program, other than that portion thereof relating to redemption of certificates, will be administered under the general supervision of the Adminis-

trator, ASCS, and in the field will be carried out by Agricultural Stabilization and Conservation State Committees and Agricultural Stabilization and Conservation county committees (herein called State and county committees). Feed grain bases, yields, payment rates and productivity indexes will be established by the county committee and will be approved by a representative of the State committee before notices are mailed to producers. Applications for advance and final payments will be approved by the county committee or an authorized representative thereof.

(b) That portion of the program relating to redemption of certificates will be administered by ASCS, under the general direction and supervision of the Executive Vice President, CCC, and in the field will be carried out by State and county committees and ASCS commodity offices.

(c) State and county committees, ASCS commodity offices, and representatives and employees thereof, do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements to this subpart.

REQUIREMENTS FOR PARTICIPATION IN PROGRAM

§ 775.105 Requirements of eligibility.

(a) *General.* A person is eligible to participate in the corn and grain sorghum program and in the barley program if he is a producer on a farm which meets the applicable requirements of paragraph (b) of this section and if he fulfills the applicable requirements of paragraph (c) of this section.

(b) *Farm requirements.* (1) A 1962 Feed Grain Program—Intention To Participate and Application for Advance Payment, Form ASCS-477 (herein referred to as Form 477) must be filed for the farm by the operator or the owner in accordance with § 775.118.

(2) Subject to the requirements of § 775.121, in the case of a producer who participates in the corn and grain sorghum program, an acreage equivalent to at least 20 percent of the corn and grain sorghum feed grain base established for the farm must be diverted from the production of corn and grain sorghums in 1962, and in the case of a producer who participates in the barley program, an acreage equivalent to at least 20 percent of the barley feed grain base established for the farm must be diverted from the production of barley in 1962. Notwithstanding the foregoing, with respect to any farm under a conservation reserve contract, if the total permitted acreage of soil bank base crops minus (i) the acreage diverted under the 1962 Wheat Stabilization Program and (ii) the acreage diverted under the barley program in the case of the corn-grain sorghum program, or the acreage diverted under the corn-grain sorghum program in the case of the barley program, is less than the minimum acreage otherwise required for participation in the corn-grain sorghum or barley program, as applicable, participation to the extent of such acreage shall satisfy the minimum acreage requirements.

(3) An acreage equivalent in area to the acreage diverted in 1962 from the production of corn and grain sorghums, and barley, respectively, must be devoted in 1962 to one or more of the approved conservation uses specified in § 775.106 and must comply with the requirements of § 775.107.

(4) In addition to the acreage referred to in subparagraph (3) of this paragraph and the acreage diverted under the 1962 Wheat Stabilization Program, an acreage equal to the normal conserving acreage for the farm must be devoted to an approved conservation use on the farm in 1962. Land devoted to both a depleting and conserving use in the same year shall not be considered as devoted to an approved conservation use for this purpose. The normal conserving acreage for a farm is the average of the cropland acreage devoted in 1959 and 1960 to the approved conservation uses specified in § 775.106 as adjusted by the county committee for abnormal weather conditions or other factors affecting production, established crop-rotation practices on the farm, changes in the constitution of the farm, or participation in other Federal farm programs. Notwithstanding the foregoing, in counties designated by the State committee, the normal conserving acreage required to be devoted to an approved conservation use may be adjusted downward by the county committee upon request of the producer to the extent that the conserving use on such acreage is destroyed in 1962 by flood, drought, insects, or other natural causes.

(5) In case of a producer participating in the corn and grain sorghum program, other than a producer of malting barley as described in § 775.111, the acreage of barley on the farm for 1962 in which he has an interest as producer must not exceed the barley feed grain base established for the farm, unless it is determined as provided in § 775.110, that the barley feed grain base was not knowingly exceeded. In the case of a producer participating in the barley program, the acreage of corn and grain sorghums on the farm for 1962 in which he has an interest as producer must not exceed the corn and grain sorghum feed grain base established for the farm, unless it is determined as provided in § 775.110 that the corn and grain sorghum feed grain base was not knowingly exceeded.

(6) A farm on which a conservation reserve contract has been cancelled since January 1, 1960, because of a scheme or device to exceed the \$5,000 payment limitation under the Conservation Reserve Program shall not be eligible for participation: *Provided*, That in any case where the Deputy Administrator determines that participation in the program would not be against the public interest, acceptance of such farm may be authorized.

(7) Land owned by the Federal government which has been leased subject to restrictions prohibiting the production of the applicable feed grain commodity or commodities or requiring the use of land for other purposes, or prohibiting the receipt of Federal payments for diversion of such acreage, will not be eligible for participation in corn and

grain sorghum or barley program, as applicable. In addition, land owned by the Federal government being occupied without a lease, permit, or other right of possession, shall not be eligible for participation in the program.

(c) *Producer requirements.* (1) In the case of a producer who participates in the corn and grain sorghum program, the producer must be a person who would have had an interest as producer in 1962-crop corn and grain sorghums had such crops been produced on the diverted acreage referred to in paragraph (b) of this section, and in the case of a producer who participates in the barley program, the producer must be a person who would have had an interest as producer in 1962-crop barley had such crop been produced on the diverted acreage referred to in paragraph (b) of this section.

(2) Each other farm in which the producer shares in the production of corn and grain sorghums and in the production of barley in 1962 must be in compliance with the provisions of this program; or the corn and grain sorghum feed grain base and the barley feed grain base for each such farm (if established, otherwise the average acreage of corn and grain sorghums, and of barley, for 1959-1960) must not have been exceeded. This requirement as to barley does not apply to a producer of malting barley as defined in § 775.111. For the purpose of this subparagraph (2), a producer shall not be considered as violating the foregoing requirement as to a farm other than the one with respect to which an application for payment is made if the producer satisfies the county committee that he did not have control of the management of the operations of such farm, that he has made a reasonable effort to encourage compliance with the requirements of this paragraph, and that it was through no fault of his own that such farm was not in compliance.

(3) A minor who otherwise meets the requirements of this program will be eligible for payment only if he also meets one of the following requirements: (i) The right of majority has been conferred on him by court proceedings; (ii) a guardian has been appointed to manage his property and the applicable documents are signed by the guardian; or (iii) a bond is furnished under which a surety guarantees to protect ASCS from any loss incurred for which the minor would be liable had he been an adult. Notwithstanding the foregoing, payment may be made to a minor after December 31, 1962, upon a determination by the county committee that the minor has met the requirements of the program.

§ 775.106 Approved conservation uses.

(a) Subject to the provisions of paragraph (b) of this section, the approved conservation uses under this program are as follows:

(1) Permanent or rotation cover of grasses and legumes consisting of perennial grasses, perennial or biennial legumes or mixtures of legumes and perennial grasses.

(2) Summer cover crops consisting of small grains, legumes, or grasses.

(Wheat and barley may be used as a cover crop only under the condition stated in subparagraph (11) of this paragraph.)

(3) Winter cover crops consisting of small grains, legumes, or grasses (seeded in the fall of 1961 or seeded in the fall of 1962). However, other approved conservation uses will be required in conjunction with the winter cover crop, if necessary to protect the land throughout the 1962 cropping season. (Wheat and barley may be used as a cover crop only under the condition stated in subparagraph (11) of this paragraph.)

(4) Trees or shrubs for erosion control, shelter belts, or other forestry purposes.

(5) Water storage for any purpose, including fish or wildlife habitat.

(6) Wildlife food plots or habitat when plantings are for wildlife food plots or establishment of wildlife habitat. An acreage devoted to wheat, barley or rice may not be considered as wildlife food plots or wildlife habitat under the program. Corn and grain sorghums may qualify if planted in small plots and designated for such purpose and approved by the county committee for such purpose.

(7) Idle cropland (necessary protective measures, including volunteer cover, must be carried out on diverted acreage).

(8) Summer fallowed cropland (prescribed protective measures must be carried out on summer fallow designated as diverted acreage).

(9) Corn or grain sorghums may be plowed down as green manure and considered as a conservation use on diverted acreage provided other approved conservation measures are carried out if necessary to protect the land throughout the 1962 cropping season.

(10) In those counties where the practice is applicable and customarily carried out, grain sorghums may be planted as a cover or litter crop in preparation of a seedbed for establishing permanent cover under ACP and CRP A-2 and GP Practice GP-1, provided the grain sorghums are clipped while still green and left on the land in preparation of the seedbed.

(11) Wheat or barley plowed down as green manure or clipped and left on the land before the disposal date specified in the Wheat Marketing Quota Regulations (26 F.R. 4716), as amended, may be considered as a conserving use provided other approved conservation measures are carried out if necessary to protect the land throughout the 1962 cropping season.

(12) Other uses approved by the State committee which are not in conflict with other provisions of the program.

(b) Idle cropland and summer fallowed land may be used in meeting the conservation use requirement on diverted acres only where the county committee determines that it would not be practicable to devote the diverted acres to other approved conserving uses in view of the conditions prevailing on the farm in 1962 or where such a determination has been made for an area by the State committee.

§ 775.107 Designation and use of diverted acreage.

(a) *General.* Land diverted from the production of corn and grain sorghums, and barley, respectively, under the program must be designated by the operator of the farm and must be (1) cropland that was intensively cultivated during at least one of the years 1959, 1960, or 1961, (2) cropland that was devoted to a conservation use other than a water storage facility or trees under a conservation reserve contract which has been terminated or has expired with respect to such land, or (3) cropland which was designated and approved as diverted acreage under the 1961 Feed Grain Program, except acreage devoted to trees. Any land retired to noncrop use, including any land retired to replace noncropland in accordance with § 775.108, any land devoted in 1962 to asparagus, strawberries, or bush fruits (including new plantings of such crops) shall not be eligible for designation as diverted acreage. Any acreage diverted from the production of corn and grain sorghums, or of barley, respectively, to conservation uses for which payment is made under the program shall be in addition to any acreage diverted to conservation uses for which payment is made under any other Federal program except that the foregoing shall not preclude the making of cost-sharing payments under the Agricultural Conservation Program or the Great Plains Program for conservation practices carried out on any acreage devoted to soil-conserving uses under the program.

(b) *Restriction on harvesting.* No crop shall be harvested from the designated diverted acreage in 1962 for which payment is made under the program except (1) where the Secretary considers it necessary to permit harvesting the diverted acreage in order to alleviate a shortage of forage for use in the area resulting from severe drought, flood, or other natural disaster, or (2) an acreage approved for double-cropping (information as to such areas and the conditions under which such harvesting is permitted may be obtained from the county office). If there is unauthorized harvesting of a crop from the designated diverted acreage and it is determined that such harvesting was intentional or the result of gross negligence, the entire amount of payment to the operator and any other producer on the farm shall be forfeited or refunded: *Provided*, That such forfeiture or refund shall not apply to a producer (other than the operator) if it is determined that such producer did not cause, aid in, or benefit from, the harvesting of the crop. If there is unauthorized harvesting of a crop from the designated diverted acreage and it is determined that such harvesting was done under circumstances other than those specified in the preceding sentence, payments shall be forfeited or refunded by an amount determined by multiplying the number of acres from which a crop is harvested by the applicable lowest minimum payment rate per acre established for the farm: *Provided*, That such forfeiture or refund shall apply first

to the extent possible to payments to producers who cause, aid in, or benefit from, the harvesting of the crop, in the proportion in which they share in the payment to such producers. In addition, no grain or oilseed crop which matures in 1962 shall be harvested from the designated diverted acreage after December 31, 1962. If there is harvesting in violation of the provisions of the preceding sentence, the entire amount of payment for the farm shall be forfeited or refunded. For restrictions on the use of diverted acreage devoted to castor beans, guar, safflower, sunflower, or sesame in lieu of payment, see paragraph (d) of this section.

(c) *Restriction on grazing.* The designated diverted acreage shall not be grazed after May 1, 1962, and on acreage approved for double-cropping none of the designated diverted acreage may be grazed during the entire year of 1962. Notwithstanding these provisions, the Secretary may permit the diverted acreage to be grazed when he considers it necessary in order to alleviate a shortage of forage for use in the area resulting from severe drought, flood, or other natural disaster. If there is unauthorized grazing of the designated diverted acreage and it is determined that such grazing was intentional or the result of gross negligence, the entire amount of payment to the operator and any other producer on the farm shall be forfeited or refunded: *Provided*, That such forfeiture or refund shall not apply to a producer (other than the operator) if it is determined that such producer did not cause, aid in, or benefit from, the grazing of the designated diverted acreage. If there is unauthorized grazing of the designated diverted acreage and it is determined that such grazing was done under circumstances other than those specified in the preceding sentence, payments shall be forfeited or refunded by an amount representing the value of the grazing on the diverted acreage: *Provided*, That such forfeiture or refund shall apply first to the extent possible to payments to producers who cause, aid in, or benefit from, the grazing, in the proportion in which they share in the payment to such producers. If the grazing is determined to have no value, no forfeiture or adjustment of payment is required.

(d) *Restriction on use of crops planted in lieu of receiving payment.* Castor beans, guar, safflower, sunflower or sesame planted on the designated diverted acreage in lieu of receiving payment under the program shall not be grazed, and violation of this provision shall render the acreage ineligible for designation as diverted acreage.

(e) *Use of land.* Measures normally carried out in the fall for the area in connection with the production of a crop for harvest in a subsequent year may be carried out on the diverted acreage in the fall of 1962. New orchards consisting of fruits or nut trees may be planted on the designated diverted acreage provided other required conservation measures are carried out on such land.

(f) *Control of insects, weeds and rodents.* The county committee will prescribe measures and methods of application that are appropriate for the county in controlling insects, weeds and rodents on the designated diverted acreage if such measures are needed. If insects, weeds, and rodents are not timely controlled in a manner satisfactory to and as required by the county committee, the designated diverted acreage shall, for purposes of determining the total diverted acreage on which payment is based under § 775.121, be deemed reduced by the number of acres on which insects, weeds, and rodents are not controlled.

§ 775.108 Noncropland used for crops in 1962.

The number of acres of noncropland which is planted to crops for harvest in 1962 (excluding noncropland planted to perennial grasses and perennial legumes on which no nurse crop is harvested for grain or oilseed), shall be subtracted from the acreage otherwise eligible for payment to the extent that an equal acreage of cropland on the farm is not retired to permanent cover of trees, perennial grasses, or perennial legumes. Any acreage so retired to non-crop use shall not be eligible for designation as diverted acreage or considered as meeting the normal conserving acreage requirements for the farm in 1962.

§ 775.109 Use of normal conserving acreage in 1962.

(a) *Use of crops.* There are no restrictions on the use of crops produced on land used in meeting the normal conserving acreage requirements for the farm in 1962, except as follows:

(1) An acreage of small grains seeded alone and harvested for grain, hay or silage shall not be considered as devoted to an approved conservation use in 1962; however, an acreage of small grains seeded as a nurse crop with grass or legumes and cut green for hay or silage by a date well ahead of maturity of the grain as established for the area by the State committee, and in the case of wheat and barley not later than the disposal date under the wheat marketing quota regulations, will be considered as meeting the normal conserving acreage requirements in 1962. An acreage of small grain used as a nurse crop and harvested for any purpose after such date shall not be considered as devoted to an approved conservation use in 1962.

(2) An acreage of annual grasses (including millet) and soybeans, cowpeas, field and canning peas and field and canning beans harvested as seed or grain, or for processing purposes shall not be considered as devoted to an approved conservation use in 1962.

(3) An acreage of barley, wheat or rice which is left standing as of the final disposition date shall not be considered as devoted to an approved conservation use in 1962. The final disposition dates for wheat and rice are set forth in the applicable marketing quota regulations. The disposition date for barley shall be the same as the disposition date established for wheat.

(b) *Use of land.* Measures normally carried out in the fall for the area in connection with the production of a crop for harvest in a subsequent year may be carried out in the fall of 1962 on acreage used in meeting the normal conserving acreage requirements in 1962. New orchards consisting of fruit or nut trees may be planted on such acreage provided other required conservation measures are carried out on such land.

§ 775.110 Knowingly exceeding farm feed grain base.

If the barley feed grain base for the farm, or the corn and grain sorghum feed grain base for the farm is exceeded in 1962, such feed grain base shall be considered as having been knowingly exceeded by a producer participating in the corn and grain sorghum program, or barley program, respectively, for the purpose of § 775.105, unless the operator of the farm establishes to the satisfaction of the county committee in accordance with paragraph (a), (b) or (c) of this section that he has not knowingly exceeded the applicable feed grain base for the farm and the determination of the county committee is approved on review by the State executive director.

(a) *Erroneous notice of feed grain base acreage.* The applicable feed grain base for the farm will not be considered to be knowingly exceeded in any case where through error in a county or State office, the farm operator was officially notified in writing on Form 471 of a feed grain base which was larger than the finally-approved feed grain base and the farm operator or any producer on the farm acting solely on the information contained in the erroneous notice planted an acreage to the commodity in excess of the finally-approved feed grain base and where the other conditions of this paragraph are satisfied. The determination of eligibility under the foregoing circumstances will be based on the feed grain base contained in the erroneous notice, and if the acreage planted to the commodity on the farm is adjusted to the feed grain base contained in the erroneous notice within the time limits for disposal of excess acreages provided in 7 CFR Part 718 of this chapter (Determination of Acreage and Performance, 22 F.R. 3747), and any amendments thereto, the farm will not be considered to be overplanted. Before the farm operator or any producer on the farm can be said to have relied upon the erroneous notice, the circumstances must have been such that he had no cause to believe that the feed grain base was in error. To determine this fact, the date of any corrected notice in relation to the time of planting, the size of the farm, the amount of the commodity customarily planted and all other pertinent facts shall be taken into consideration.

(b) *Erroneous notice of measured acreage.* The feed grain base for the farm will not be considered to be knowingly exceeded in any case where (1) the lack of compliance was caused by reliance in good faith by the farm operator on an erroneous notice of measured acreage issued in accordance with applicable regu-

lations; (2) neither the farm operator nor any producer on the farm had actual knowledge of the error in time to adjust the excess acreage in accordance with applicable regulations; (3) the incorrect notice was the result of an error made by the performance reporter or by another employee of the county or State office in reporting, computing or recording the acreage for the farm; (4) neither the farm operator nor any producer on the farm was in any way responsible for the error; and (5) the extent of the error in the erroneous notice was such that the farm operator would not reasonably be expected to question the acreage of which he was erroneously notified.

(c) *Failure to measure acreage or notify operator.* The feed grain base for the farm will not be considered to be knowingly exceeded in any case where through no fault of the farm operator or any producer on the farm the acreage was not measured or the farm operator was not notified of the measured acreage prior to the time the crop is harvested from the acreage: *Provided*, That the excess acreage was relatively small and the farm operator establishes that because of the relative smallness of the excess and the unavailability to him of any recent measurements of the field acreages on the farm, he had no reason to believe the acreage was in excess of the feed grain base for the farm.

§ 775.111 Producers of malting barley.

(a) A producer of malting barley may participate in the corn and grain sorghum program without regard to whether he has exceeded his barley feed grain base in 1962 if (1) the owner or operator of the farm in 1962 planted an acceptable malting variety of barley during one or more of the years 1957 through 1961, or if he was prevented from planting such barley during this period because the farm was participating in the Soil Bank Program, he planted barley of an acceptable malting variety in any one of five years prior to the soil bank contract; (2) a barley feed grain base has been established for the farm in 1962; (3) a Form 477 has been timely filed in which the producer has requested a malting barley exemption under this paragraph for the farm; (4) barley only of an acceptable malting variety is planted by the producer for harvest in 1962 on a farm located in an area for which such variety is approved; and (5) an acreage of barley is not knowingly produced in excess of 110 percent of the barley feed grain base for the farm. If the barley feed grain base is, in fact, exceeded, such acreage shall be considered as having been knowingly exceeded, unless the operator of the farm establishes to the satisfaction of the county committee in accordance with paragraph (a), (b), or (c) of § 775.110 that the barley feed grain base has not been knowingly exceeded and the determination of the county committee is approved on review by the State executive director.

(b) The approved malting varieties of barley are Atlas, Barbless, Betzes, Forrest, Hanna, Haisa II, Hannchen, Heines, Hanna, Idaho Club, Kindred, Larker, Manchuria, Montcalm, Moravian, O.A.C. 21, Oderbrucker, Odessa, Parkland,

Trail, Trophy, White Winter, Winter Club, and Winter Tennessee. The malting barley exemption applies only to approved malting varieties of barley produced in California, Colorado, Idaho, Illinois, Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota, Oregon, South Dakota, Washington, and Wisconsin.

§ 775.112 Maximum permitted acreage.

The maximum number of acres of corn and grain sorghums, or barley, respectively, which may be planted on a farm for harvest in 1962 by producers eligible to participate in the program (herein referred to as "maximum permitted acreage") shall not exceed the acreage obtained by multiplying the applicable feed grain base by 80 percent, except as otherwise provided in § 775.121. The permitted acreage (based on intention) is the acreage obtained by subtracting the intended diverted acres on the farm from the applicable feed grain base established for the farm and is indicated on Form 477. Notwithstanding the foregoing, in the case of any farm participating in the Conservation Reserve Program, the acreage of corn and grain sorghums, barley, and of other soil bank base crops (excluding designated diverted acreage under the Wheat Stabilization Program and this program on which soil bank base crops are accepted as an approved conservation use) shall not exceed the acreage determined by subtracting the sum of the number of acres diverted from the production of feed grains under this program and the number of acres diverted from the production of wheat under the 1962 Wheat Stabilization Program from the acreage of soil bank base crops permitted under the conservation reserve contract.

NOTICE OF FEED GRAIN BASE, PAYMENT RATES, AND YIELDS—APPEALS

§ 775.113 Farm feed grain base.

(a) *How obtained.* The corn and grain sorghum feed grain base shall be the sum of the feed grain bases established for corn and grain sorghums on the farm. A separate feed grain base shall be established for barley. The feed grain base for each such commodity shall be the average of the 1959 and 1960 acreages of the commodity produced on the farm, as established from information obtained from producers and other information available to the county committee, adjusted in such amounts deemed necessary by the county committee with the approval of a representative of the State committee for producer overstatement and to correct for abnormal factors affecting production and to give due consideration to tillable acreage, crop-rotation practices, type of soil, soil and water conservation measures, and topography. On farms with recognized irrigated and non-irrigated corn, grain sorghum or barley history for 1959 or 1960, and where irrigation was extensively used during such period on only a part of the acreage of the commodity, the feed grain base for each applicable commodity shall be divided into separate irrigated and non-irrigated feed grain bases upon such

history. Separate irrigated and non-irrigated feed grain bases shall not be established for farms where irrigation is used intermittently in dryer years only. In those counties where the Department of Agriculture has established the average adjusted acreage of the commodity produced in the county in 1959 and 1960 for use as a guide in determining the feed grain base of the commodity for farms in the county, the total feed grain base of the commodity for all farms in the county (excluding any increase in farm feed grain bases resulting from corrections, requests for reconsideration, or appeals pursuant to the provisions of § 775.117) to the extent practicable, shall not exceed 105 percent of such average adjusted acreage.

(b) *Final dates for establishing feed grain bases.* If a farm feed grain base has not been established for a farm and the operator or owner is interested in participating in the program, such person must file a Feed Grain Acreage Report, Form CSS-532, hereinafter referred to as Form 532, not later than ten calendar days prior to the final date for filing the applicable Form 477. If after such date the producer requests the establishment of a feed grain base for any such farm for the purpose of determining cross compliance with acreage requirements on farms other than the farm with respect to which payment is requested, a base shall be established for such cross-compliance purposes. A producer may obtain the date referred to herein from the county committee.

(c) *Farms with no 1959 and 1960 production.* A farm shall not qualify for payment under the corn and grain sorghum program if there was no acreage of such commodities on the farm in 1959 and 1960, and a farm shall not qualify for payment under the barley program if there was no acreage of barley on the farm in 1959 and 1960, unless cropland on the farm was in the Conservation Reserve Program during either or both of the years 1959 and 1960 and the conservation reserve contract is no longer in effect for all or part of such land. A feed grain base may be established for a farm on which the applicable commodity was grown in 1957 or 1958 for cross-compliance purposes, as specified in § 775.105 (b) (5) and (c) (2) even though an acreage was not devoted to the commodity on the farm in 1959 and 1960 if the county committee determines that failure to plant the commodity was due to (1) a definite crop-rotation practice which did not provide for planting of feed grains in 1959 and 1960, but does provide for planting of feed grains in 1962, (2) practices carried out to eradicate or control weeds, or (3) extreme floods or droughts not common for the farm. The feed grain base established as provided in subparagraphs (2) and (3) of this paragraph shall not exceed the acreage that otherwise would have been devoted to the commodity in 1959 and 1960.

(d) *Feed grain bases on farms removed from agricultural production because of acquisition by Federal, State or other agency having right of eminent domain.* If the owner of a farm on

which there was an acreage of corn or grain sorghums in 1959 or 1960 or on which there was an acreage of barley in 1959 or 1960 is displaced because the farm has been acquired for any purpose other than for the continued production of agricultural crops, by any Federal, State or other agency having the right of eminent domain and the owner has acquired another farm in lieu thereof, the following provisions shall apply. If the owner had such an acreage of corn or grain sorghums in 1959 or 1960, the corn and grain sorghum feed grain base for the new farm shall be established by adjusting, if necessary, the base otherwise applicable to the new farm to reflect the applicable feed grain base of similar farms in the area, taking into consideration similarities in tillable acreage, crop-rotation practices, type of soil, soil and water conservation measures, and topography. If the owner had such an acreage of barley in 1959 or 1960, the barley feed grain base for the new farm shall be established in a similar manner.

§ 775.114 Payment rates, productivity index and county average yields.

(a) Payment rates used in computing advance and final payments shall be determined as provided in paragraph (b) of this section. Separate payment rates shall be established for corn, grain sorghums and barley.

(b) The applicable minimum acre payment rate for the farm shall be obtained by multiplying the productivity index for the farm applicable to the commodity by the applicable minimum acre payment rate, as set forth in Supplement 1 to this program, for the county in which the farm is located. The minimum acre payment rate for the county has been obtained by multiplying 50 percent of the county average yield for the commodity, as set forth in Supplement 1 to this program, by the basic county support rate for the commodity. The applicable additional acre payment rate for the farm shall be obtained by multiplying the productivity index for the farm applicable to the commodity by the applicable payment rate, as set forth in Supplement 1 to this program, for the additional diversion acres for the county in which the farm is located. The additional acre payment rate for the county has been obtained by multiplying 60 percent of the county average yield for the commodity, as set forth in Supplement 1 to this program, by the basic county support rate for the commodity.

(c) The productivity index for the commodity represents, as nearly as it is practicable to classify, the farm's relationship in productivity to the average of the farms in the county. In arriving at the productivity index for the commodity on the farm, the county and community committees will take into consideration the relative production capabilities of the farm for the commodity. Such productivity index shall reflect the relative production capabilities of the farm in a normal crop year under usual cultural practices with such adjustment as the committee considers proper to provide equitable treatment for

the farm. In the event both irrigated and non-irrigated feed grain bases were established for a commodity on the same farm, separate productivity indexes for the respective practices will be established.

(d) The county average yield for corn, grain sorghums, and barley shall be the average yield per acre for the 1959 and 1960 crop acreages of the commodity in the county, adjusted in such amounts as may be deemed necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures and topography. Separate county average yields shall be established for corn, grain sorghums and barley in each county in which such crops are produced and shall be contained in Supplement 1 to this program.

(e) The rate of payment under the program with respect to land which is leased or rented on a cash-rent basis from the Federal, State, county, or local government, or subdivisions thereof, if such land is not otherwise ineligible for participation in the program, shall not exceed a fair payment rate as determined by the county committee. Such payment rate shall be the smaller of (1) the minimum acre payment rate for the farm, or (2) one-half the minimum acre payment rate plus the actual cash rent per acre of the land adjusted to take into account the quality of the acres actually diverted when compared with the total acres rented, and the services performed and improvements made at the producer's expense which are in addition to rent.

§ 775.115 Maximum diversion acreage.

The maximum number of acres which may be diverted on the farm from corn and grain sorghums and from barley for which payment may be received under this program shall be:

(a) The applicable farm feed grain base if such base is 25 acres or less;

(b) Twenty acres plus 20 percent of the applicable farm feed grain base if such base is in excess of 25 acres but not in excess of 100 acres; and

(c) Forty percent of the applicable farm feed grain base if such base is 100 acres or more. Such acreage is herein called the maximum diversion acreage. Notwithstanding the foregoing, in the case of a producer participating in the Conservation Reserve Program, the maximum number of acres which may be diverted from feed grains and wheat shall not exceed the acreage of soil bank base crops permitted under the conservation reserve contract.

§ 775.116 Notice of feed grain base acreage, yields and payment rates.

Each operator and owner of a farm for which a feed grain base is established will be notified in writing of the applicable feed grain base for the farm, and the established yield per acre, the minimum acre payment rate and the additional acre payment rate for corn, grain sorghums and barley, as applicable. Such notice will be on Form ASCS-471, hereinafter referred to as Form 471.

§ 775.117 Appeals and proof of acreages and yields.

(a) Any producer may request in writing a reconsideration of the applicable feed grain base, yields or payment rates established for his farm if he believes that such feed grain base, yields or payment rates were not correctly established as required under these regulations or that they are inequitable as compared with feed grain bases, yields, or payment rates determined for similar farms. Such request must be submitted within 15 days from the date of mailing appearing on the Form 471. If dissatisfied with the decision of the county committee, the producer may appeal in writing to the State committee within 15 days from the date of the mailing of the notice of the decision of the county committee. The determination of the State committee shall be final. If the producer fails to request reconsideration by the county committee or appeal from its decision as provided herein, the determination as provided in Form 471 shall be final. Any request for reconsideration or appeal shall not operate to extend the applicable closing date for filing Form 477 in the program. Each appeal must be supported by a written statement of fact outlining the basis for the appeal. Nothing herein shall preclude the county committee or the State committee on its own motion or on request at any time, from revising or requiring revision of a feed grain base or payment rate established for any farm to correct mechanical or clerical errors resulting from action solely on the part of a county or State committee representative.

(b) To the extent that a producer proves the actual acreages and yields for the farm for the 1959 and 1960 crop years prior to receipt of a notice of his feed grain base and yields on Form 471 or pursuant to a request for reconsideration by the county committee or an appeal under paragraph (a) thereof, such acreages and yields shall be used in making determinations.

(c) Except as otherwise provided in paragraph (a) of this section, a producer may request a reconsideration of any determination of a county or State committee concerning a question of fact or may appeal such determination in accordance with the provisions of this paragraph. The producer shall first request a reconsideration by the committee initially making the determination. If the producer is dissatisfied with a determination of the county committee with respect to his request for reconsideration, he may then appeal the determination to the State committee. If the producer is dissatisfied with a determination of the State committee (1) with respect to his appeal from the determination of the county committee, or (2) with respect to his request for reconsideration by the State committee, he may then appeal to the Deputy Administrator. The determination of the Deputy Administrator shall be final. Each request for reconsideration or appeal shall be in writing and shall be supported by a written statement of facts upon which it is based. Each request for reconsideration or appeal shall be

filed with the committee or person to which it is made within 15 days after notice of the determination is mailed to or otherwise made available to the producer: *Provided*, That a request for reconsideration or appeal may be accepted and acted upon even though not filed within such time limit if, in the judgment of the committee or person to which such request for reconsideration or appeal is made, the circumstances warrant such action.

(d) In any request for reconsideration or appeal, the producer or his representative shall be afforded an opportunity to appear before the person or committee to which the request for reconsideration or appeal is made and present and submit written or oral evidence.

DETERMINATION AND DIVISION OF PAYMENTS

§ 775.118 Intention to participate in the program.

(a) *Who may file.* A Form 477 may be filed for corn and grain sorghums and for barley by the operator or the owner of any farm who wishes to participate in the program for such commodities after he has received an applicable Form 471 for the farm.

(b) *Where to file.* Such form shall be filed with the office of the county committee with jurisdiction over the county where the farm is located.

(c) *When to file.* Such form shall be filed not later than December 1, 1961, for fall-seeded barley and not later than the date established by the Administrator, ASCS, for spring-seeded barley and for corn and grain sorghums, except that in counties where barley is both fall and spring seeded, such form may be filed not later than the closing date established for either fall or spring-seeded barley unless the State committee determines that only one signup period is practicable. Notwithstanding the foregoing, the closing date may be extended by the county committee if the producers on the farm establish to the satisfaction of the county committee that they intended to participate in the program and their failure to file by such date is due to a cause beyond their control. A producer may obtain the applicable closing date from the county office.

(d) *Contents.* The operator or owner shall provide in Form 477 the following information: The acreage which is intended to be diverted from the production of the applicable feed grain for the farm for which the form is filed; the acreage, if any, of castor beans, guar, safflower, sunflower or sesame which is intended to be produced on the diverted acreage; the serial number or location of other farms in which he has an interest as a producer in 1962; and whether or not an advance payment is desired for the farm. The total intended diversion acreage specified on Form 477 shall not exceed the maximum diversion acres.

§ 775.119 Advance payments.

(a) *Who may apply.* Producers who intend to comply with the requirements of eligibility of the program may apply for an advance payment upon the filing

of a Form 477 for the farm. There shall be listed the names of all persons on the farm who would have had an interest as producer in 1962 crop corn or grain sorghums, or barley, as applicable, had such crop(s) been produced on the diverted acreage, together with the share of the advance payment that such person is to receive determined in accordance with paragraph (c) of this section. The sum of the total percentage shares so determined shall equal 100 percent.

(b) *Requirements.* Before an advance payment is made to a producer he must agree to comply with the provisions of the 1962 Feed Grain Program and that he will refund all or any part of such payment to which he is not entitled under the program. In the event the farm does not comply with at least the minimum participation requirements, he must refund the entire advance payment with interest at the rate of 6 percent per annum from the issue date of the advance payment to the date it is refunded.

(c) *Amount of advance payment.* The total advance payment to be made on a farm under the corn and grain sorghums program shall be the sum of (1) 50 percent of the result obtained by multiplying the acreage intended to be diverted from corn by the minimum acre payment rate per acre for corn for the farm and (2) 50 percent of the result obtained by multiplying the acreage intended to be diverted from grain sorghums by the minimum acre payment rate per acre for grain sorghums for the farm. The total advance payments to be made on a farm under the barley program shall be 50 percent of the result obtained by multiplying the acreage intended to be diverted from barley by the minimum acre payment rate per acre for barley for the farm. Each producer's share of the advance payment for the farm shall be obtained by multiplying his percentage share of the payment as specified on Form 477 by the total advance payment for the farm.

§ 775.120 Determination of compliance.

(a) Determinations with respect to the acreage planted to the commodity and the designated diverted acreage shall be made by a representative of the county or State committee in accordance with the regulations governing Determination of Acreage and Performance, Part 718 of this chapter (22 F.R. 3747), as amended.

(b) Before final payments are made, producers on the farm shall be required to certify that they have complied with all requirements of the program. If the county committee has reason to question whether the normal conserving acreage for the farm has been devoted to an approved conservation use on the farm for 1962, or whether the producer has otherwise complied with the program, it shall take the necessary action to verify the facts.

(c) A representative of the county or State committee or any authorized representative of the Secretary shall have the right at any reasonable time to enter a farm, concerning which representations have been made on any forms filed under the program, in order to measure

the acreage planted to the commodity and the designated diverted acreage, to examine any records pertaining thereto, and otherwise to determine the accuracy of a producer's representations and the performance of his obligations under the program.

§ 775.121 Final payment.

(a) Payment of any amounts due the producers on a farm participating in the corn-grain sorghum program and to producers on a farm participating in the barley program shall be made when it has been determined by the county committee that the producers and the farm are in compliance with the applicable requirements of this program. To be eligible for payment the producer must complete Form 477-2 not later than May 1, 1963, unless otherwise approved by the Administrator, ASCS, or his designee. The percentage shares of all producers who would have had an interest in the applicable commodity on the farm in 1962 had such commodity been produced on the diverted acreage must equal 100 percent.

(b) The total diverted acreage of corn and grain sorghums, or of barley, on the farm shall be determined by subtracting the 1962 corn and grain sorghum acreage or the 1962 barley acreage on the farm from the applicable farm feed grain base. The total acreage diverted from corn and grain sorghums, and the total acreage diverted from barley, on which payments shall be based shall be the smallest of:

(1) The total diverted acreage of the applicable crop(s) on the farm determined as provided above;

(2) The total intended diverted acreage of the applicable crop(s) as specified on Form 477;

(3) The increased acreage devoted in 1962 to approved conservation uses on the farm, excluding (i) in the case of the corn-grain sorghum program, the designated diverted acreage under the barley program, and in the case of the barley program, the designated diverted acreage under the corn-grain sorghum program, (ii) designated diverted acreage under the 1962 Wheat Stabilization Program and (iii) cropland retired to replace non-cropland in accordance with § 775.108;

(4) The number of acres in the designated diverted acreage of the applicable crop(s) less any acreage on which castor beans, guar, safflower, sunflower or sesame are planted; or

(5) If the farm is covered by a Soil Bank Conservation Reserve contract, the number of permitted acres of soil bank base crops minus (a) in the case of the corn-grain sorghum program, the acreage diverted under the barley program, or in the case of the barley program, the acreage diverted under the corn-grain sorghum program; (b) the acreage diverted under the 1962 Wheat Stabilization Program, and (c) the acreage devoted in 1962 to soil bank base crops, excluding designated diverted acreage under the Wheat Stabilization Program and this program on which soil bank base crops are planted as a conservation use in accordance with the provisions of § 775.106.

Notwithstanding subparagraphs (1) through (5) of this paragraph, a reduction in diverted acreage otherwise eligible for payment will be made for each acre of non-cropland which is planted to crops for harvest in 1962 (excluding non-cropland planted to perennial grasses and legumes on which no nurse crop is harvested for grain or oilseed) that is not replaced by cropland retired to permanent cover of trees, or perennial grasses and/or perennial legumes. Except as provided below, no payment shall be made on any farm on which the total diverted acreage on which the payment is based (including acreage devoted to castor beans, guar, safflower, sunflower or sesame which has not been grazed as provided in § 775.107(d)) is less than 20 percent of the farm feed grain base. The provisions of the foregoing sentence shall not apply if (i) the farm is covered by a soil bank conservation reserve contract and the provisions of the second sentence in § 775.105(b) (2) are applicable, or (ii) noncompliance with such provisions was caused solely by (a) an understatement made in good faith by producers in supplying data to the county committees, or (b) an error, and the county committee determines that (1) producers on the farm were in no way responsible for the error, (2) the extent of the error was such that the producers would not reasonably be expected to question it, and (3) the producers in good faith complied with the program on the basis of the error.

(c) The amount of the total earned payment for the farm for the corn-grain sorghum program and for the barley program shall be computed in accordance with the provisions of the following subparagraphs (1) through (5) of this paragraph, as applicable:

(1) If the corn-grain sorghum feed grain base or the barley feed grain base, as applicable, on the farm is less than 100 acres, the total diverted acreage on which payment is based shall be divided into the following three categories for the purpose of computing the acreage eligible for payment at the minimum and additional acre payment rates:

(i) The number of acres equal to 20 percent of the total applicable feed grain base shall be computed at the applicable minimum acre payment rate per acre;

(ii) The number of acres, if any, between 20 percent of the total applicable feed grain base and 40 percent of such total feed grain base shall be computed at the applicable additional acre payment rate per acre; and

(iii) The number of acres, if any, in excess of 40 percent of the total applicable feed grain base shall be computed at the applicable minimum acre payment rate per acre.

(2) If the corn-grain sorghum feed grain base or the barley feed grain base, as applicable, on the farm is 100 acres or more, the total diverted acreage on which payment is based under the applicable program shall be divided into the following two categories for the purpose of computing the acreage eligible for payment at the minimum and additional acre payment rates:

(i) The number of acres equal to the first 20 percent of the total applicable

feed grain base shall be computed at the applicable minimum acre payment rate per acre, and

(ii) The number of acres, if any, in excess of the first 20 percent of the total applicable feed grain base shall be computed at the applicable additional acre payment rate per acre.

(3) If the actual diverted acreage consists of an acreage of corn and an acreage of grain sorghums and the provisions of subparagraph (4) of this paragraph are not applicable, the acreage of each commodity eligible for payment shall be determined by crediting the commodity with the higher payment rate with an acreage equivalent to the smaller of the actual acres diverted from that crop, or the total corn-grain sorghum diverted acreage on which payment is based, and then crediting the balance of the eligible acres for payment to the commodity with the lower payment rate.

(4) On farms where separate irrigated and non-irrigated feed grain bases have been established for the commodity, the irrigated and non-irrigated acreages of such commodity eligible for payment shall be determined as follows:

(i) In the case of corn and grain sorghums, the commodity and practice category having the highest payment rate shall be credited with an acreage equivalent to the smaller of the actual acreage diverted from such crop and practice or the total corn-grain sorghum farm diverted acreage on which payment is based. Each of the remaining commodity and practice categories shall be credited with the smaller of the actual acreage diverted from such crop and practice or the remainder of the total corn-grain sorghum farm diverted acreage on which payment is based. Such computation shall be made for each commodity and practice category in the order of their payment rates. The total acres eligible for payment at the irrigated rate shall not exceed the total actual irrigated diverted acreage.

(ii) Irrigated barley shall be credited with an acreage equivalent to the smaller of the actual barley acreage diverted from such practice category or the total barley farm diverted acreage on which payment is based and non-irrigated barley shall be credited with the remainder, if any, of the barley farm diverted acreage on which payment is based.

(5) In the case of corn and grain sorghums, the acreage of each commodity and practice category eligible for payment at the minimum and additional acre payment rates shall be determined by multiplying the acreage eligible for payment for each crop and practice category by the ratio of the corn-grain sorghum acreage eligible for payment at the minimum or additional rate, as applicable, determined under subparagraph (1) or (2) of this paragraph to the total corn-grain sorghum acreage eligible for payment on the farm. In the case of barley, the acreage of each practice category eligible for payment at the minimum and additional payment rates shall be determined by multiplying the barley acreage eligible for payment in each practice category by the ratio of the barley acreage eligible for payment at the minimum or additional rate, as ap-

plicable, determined under subparagraph (1) or (2) of this paragraph to the total applicable barley acreage eligible for payment on the farm.

(d) The balance of the total earned payment due each eligible producer under the corn-grain sorghum program and under the barley program shall be determined by multiplying the total earned payment under the applicable program for the farm by the producer's share of the total payment under the corn-grain sorghum program or under the barley program, as applicable, and subtracting therefrom the advance payment made to such producer under the applicable program. Producers shall refund any payment previously made to which they are not entitled.

(e) Notwithstanding any provision of these regulations, if a producer declines, for personal reasons, to accept all or any part of his share of the payment computed for a farm in accordance with the provisions of this section, such payment or portion thereof shall not become available for any other producer on the farm.

§ 775.122 Division of payment.

(a) Payments made under this program shall be divided in such a way that all eligible producers will share in the payments on a fair and equitable basis and in keeping with existing rental and cropping contracts. The names of all persons on the farm who would have had an interest as producers in 1962-crop corn or grain sorghums, or in 1962-crop barley, as applicable, had it been produced on the diverted acreage shall be entered in Part IV of Form 477 and on Form 477-2. If all such producers agree to their respective percentage shares of the advance and final payments and certify that their shares of the payments are fair and equitable, the division of payments so determined shall be approved by a representative of the county committee subject to the provisions of §§ 775.123 and 775.124.

(b) The following factors should be given consideration in arriving at the division of payments:

(1) The basis on which producers would have shared in the production of the corn and grain sorghums, or barley, as applicable, had such crops been produced on the diverted acreage;

(2) The savings or benefits accruing to each producer on the diverted acreage;

(3) The respective contributions of each producer to the establishment and maintenance of the conservation uses on the acreage designated as diverted from production; and

(4) The respective relationship of the diverted acreages and increased conservation acreage to the various ownership tracts comprising a farm.

(c) In those cases where a person who would have had an interest as producer in corn or grain sorghums, or in barley, as applicable, had such crops been produced on the diverted acreage, refuses or fails to sign an application for payment, or is ineligible because of being out of compliance on other farms, the share of the payment to which he would otherwise be entitled shall be shown on

the applicable Forms 477 and 477-2. Payment shall not be made for the farm until the sum of the percentage shares equals 100 percent.

(d) If producers whose names are listed on Forms 477 and 477-2 cannot agree on the division of the payment among eligible producers on the farm, the county committee will determine the sharing of payments among such producers on a fair and equitable basis and in keeping with existing rental and cropping contracts based on the factors provided in this section. Payment of amounts so determined shall be made to eligible producers upon their request.

§ 775.123 Additional provisions and requirements relative to tenants and sharecroppers.

(a) No Form 477 or Form 477-2 shall be approved by the county committee or payments made for any individual farm if the county committee determines:

(1) That the landlord or operator has not afforded his tenants and sharecroppers, if any, an opportunity to participate in the program.

(2) That the landlord or operator has, in anticipation or because of participating in the program, reduced the number of tenants and sharecroppers on the farm. (If a tenant or sharecropper leaves the farm voluntarily, or for some reason other than being forced off the farm by the landlord or operator in anticipation or because of participation in the program, the failure to replace such tenant or sharecropper shall not be considered as a reduction in anticipation or because of participating in the program.)

(3) That there exists between the operator or landlord and any tenant or sharecropper any lease, contract, agreement or understanding unfairly exacted or required by the operator or landlord which was entered into in anticipation of participating in the program, the effect of which is:

(i) To force the tenant or sharecropper to pay over to the landlord or operator any payment earned by him under the program;

(ii) To change the status of any tenant or sharecropper so as to deprive him of any payment or right which he would otherwise have had under the program;

(iii) To reduce the size of the tenant's or sharecropper's producer unit; or

(iv) To increase the rent to be paid by the tenant or decrease the share of the crop or its proceeds to be received by the sharecropper.

(4) That any other scheme or device has been adopted for the purpose of depriving any tenant or sharecropper of the payment to which he would otherwise be entitled to receive under this program.

(b) If prior to making an advance payment, the county committee determines that the Form 477 has been improperly prepared, it shall not approve the application for payment. The producers will be afforded an opportunity to agree mutually to a proper division of payments in accordance with the factors specified in § 775.122 hereof. If the producers cannot agree to a proper di-

vision of payment, the county committee shall determine the division of payments among eligible producers on the farm on a fair and equitable basis, in accordance with the factors specified in § 775.122.

(c) If the county committee determines after affording the producers on a farm an opportunity to present evidence that any payment which it has made has been improperly divided among the eligible producers for the reasons specified in paragraph (a) of this section, the county committee shall determine the sharing of payments to be made among the eligible producers on the farm on a fair and equitable basis in accordance with the factors specified in § 775.122. Persons shall refund to the county committee any payment received to which they are not entitled. In the event of fraud, the person involved shall be subject to the provisions of § 775.125.

§ 775.124 Successors-in-interest.

(a) In case of the death, incompetency, or disappearance of any producer who is entitled to a payment under this program, the payment due him shall be made to his successor, as determined in accordance with provisions of the regulations in ACP 122, as amended, issued by the Secretary (Part 1108 of this title), or any amendments thereto, for payments made pursuant to section 8 of the Soil Conservation and Domestic Allotment Act, as amended.

(b) When any person who would have had an interest as producer (herein called "predecessor") in corn or grain sorghums or in barley, as applicable, if it had been produced on the diverted acreage leaves the farm after Form 477 has been filed and has been succeeded on the farm by another producer (herein called "successor") whose name is listed on Form 477-2, their share of the advance and final payment shall be divided on such basis as the predecessor and successor agree is fair and equitable. If such persons are unable to agree to a division of their payments, the county committee shall determine the division taking into consideration the following, among other factors it deems pertinent:

(1) The respective interests which the predecessor and successor would have had in corn and grain sorghums if they had been produced on the diverted acreage;

(2) The respective contributions to the diversion in acreage which have been made by the predecessor and by the successor; and

(3) The respective contributions of the predecessor and successor to the establishment and maintenance of the conservation uses on the additional acreage devoted to soil conserving crops in 1961.

(c) Notwithstanding the foregoing, if a tenant or sharecropper who would have had an interest in the applicable commodity if it had been produced on the diverted acreage leaves a farm after Form 477 has been filed for the farm, but before the final payment has been made and is not succeeded on the farm by another person, his name shall be included on Part IV of Form 477 and on Form 477-2 and the division of payment

to which he is entitled shall be determined as provided in § 775.122.

MISCELLANEOUS

§ 775.125 Scheme or device and fraudulent representation.

(a) A producer who is determined by the State committee or by the county committee with the approval of the State committee to have adopted any scheme or device which tends to defeat the purposes of this program shall not be entitled to receive a payment under the program and shall refund any payment received by him.

(b) The making of a fraudulent representation by a person in the payment documents or otherwise for the purpose of obtaining a payment from the county committee shall render the person liable, aside from any additional liability under criminal and civil frauds statutes, for a refund of the payments received by him with respect to which the fraudulent representation was made.

§ 775.126 Reconstitution of farms.

(a) Reconstitution of farms shall be in accordance with the regulations governing reconstitution of farms, farm allotments and farm history and soil bank base acreages (Part 719 of this chapter, 23 F.R. 6731) and any amendments thereto. If, under such regulations, two or more farms as constituted at the time a feed grain base and a productivity index were established are combined into one farm, or if one farm as constituted at such time is later divided into two more farms, feed grain bases shall be determined for such farm(s) in accordance with such regulations. The productivity index for such farms will be determined by the county committee in accordance with § 775.114.

(b) The feed grain base for corn and grain sorghums and for barley on the combined farm shall not exceed the sum of the applicable feed grain bases for the component parts. The productivity index established for the commodity for a combined farm shall not exceed the weighted average of the indexes established for the commodity for the component parts. When a parent farm is divided into two or more parts, the sum of the feed grain bases for corn and grain sorghums and for barley established for the component parts shall not exceed the applicable feed grain base for the parent farm. The weighted average of the productivity indexes established for the component parts shall not exceed the applicable productivity index established for the farm prior to being divided. The normal conserving acreages shall be credited to the reconstituted farm(s) by the county committee in a fair and equitable manner.

(c) Notwithstanding the foregoing provisions of this section, a farm shall not be reconstituted for the purpose of this program after the final date for filing a Form 477 in the county, unless the farm(s) was not properly constituted as of such date. In such event, a corrected Form(s) 477 may be prepared for the farm(s) as properly constituted even though this action is necessary after the closing date.

§ 775.127 Provision for handling exceptional cases.

Where a producer, in reasonable reliance upon any instruction or commitment of any member, employee, or representative of a county or State committee, in good faith, substantially performs under the program, the Deputy Administrator may review the requirements of any provision of the regulations in this subpart and if, in his judgment, relief from the requirements of such provision is justified under all the circumstances of the case to permit a proper disposition thereof, allow payment for such substantial performance in an amount not to exceed the amount which would have been due for the required performance, provided such action is not prohibited by statute.

§ 775.128 Delegation of authority.

No delegation herein to a State or county committee shall preclude the Administrator, ASCS, or his designee, from determining any question arising under the program, or from reversing or modifying any determination made by a State or county committee.

NOTE: The recordkeeping and reporting requirements of these regulations have been approved by, and subsequent recordkeeping and reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D.C., this 28th day of December 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61-12427; Filed, Dec. 28, 1961; 3:54 a.m.]

[1962 Feed Grain Program, Supplement 1]

PART 775—FEED GRAINS

Subpart—1962 Feed Grain Program Regulations

Sec.

775.151 Purpose.

775.152 County average yields and county payment rates for barley.

AUTHORITY: §§ 775.151 and 775.152 issued under Sec. 16(d) 49 Stat. 1151, as amended; Sec. 105, 72 Stat. 993, as amended; Sec. 133, 75 Stat. 303, 7; 16 U.S.C. 590p; 7 U.S.C. 1441 note.

§ 775.151 Purpose.

Sections 775.151 to 775.152, supplement the 1962 Feed Grain Program Regulations, which provide terms and conditions for a special agricultural conservation program for 1962 under which conservation payments are made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices by an equal amount. This supplement contains county average yields and county payment rates used in determining payment rates for the farm, which are the basis for computing payments to producers under the 1962 Feed Grain Program. County average yields are also used as

provided in 1962 CCC grain price support regulations and any amendments thereto, in determining the maximum quantity of 1962 crop corn and grain sorghums, and barley on which price support may be received on each eligible farm.

§ 775.152 County average yields and county payment rates for barley.

County average yields and county minimum acre payment rates (50 percent payment rate per acre) and additional acre payment rates (60 percent payment rate per acre) for barley are as follows:

1962 FEED GRAIN PROGRAM
County 1959-60 Adjusted Average Yield and Per Acre Payments for Barley

ALABAMA				
District	County	1959-60 adjusted average yield	50 percent payment rate per acre	60 percent payment rate per acre
1	Colbert	31.5	\$15.80	\$18.90
	Franklin	29.0	14.50	17.40
2	Lauderdale	39.5	15.20	18.30
	Lawrence	30.0	15.00	18.00
2A	Limestone	31.0	15.50	18.60
	Madison	31.0	15.50	18.60
3	Morgan	28.5	14.20	17.10
	Saint Clair	28.5	14.20	17.10
3	Shelby	29.0	14.50	17.40
	Cherokee	30.0	15.00	18.00
4	De Kalb	30.0	15.00	18.00
	Jackson	30.0	15.00	18.00
4	Hale	27.0	13.50	16.20
	Autauga	30.5	15.20	18.30
5	Dallas	27.5	13.80	16.50
	Wilcox	27.5	13.80	16.50
6	Chambers	27.0	13.50	16.20
	Lee	27.0	13.50	16.20
7	Washington	27.0	13.50	16.20
	Houston	27.0	13.50	16.20

ARIZONA				
District	County	Bushels	50 percent payment rate per acre	60 percent payment rate per acre
2	Apache	42.5	\$14.40	\$17.30
	Cocconino	42.5	15.10	18.10
5	Mohave	44.5	17.10	20.60
	Navajo	42.5	14.40	17.30
5	Yavapai	50.0	20.00	24.00
	Maricopa	69.5	35.50	42.50
7	Pinal	60.5	30.80	37.00
	Yuma	61.0	31.40	37.70
9	Cochise	45.0	21.20	25.40
	Gila	40.0	15.00	18.00
9	Graham	55.0	24.80	29.70
	Greenlee	45.0	16.90	20.20
9	Pima	68.0	32.70	39.20
	Santa Cruz	41.3	19.60	23.60

ARKANSAS				
District	County	Bushels	50 percent payment rate per acre	60 percent payment rate per acre
1	Benton	28.4	\$11.90	\$14.20
	Carroll	28.4	12.10	14.80
1	Madison	19.9	9.00	10.70
	Washington	29.6	13.30	16.00
2	Barter	14.4	6.80	8.10
	Cleburne	11.0	5.70	6.80
2	Searcy	8.5	3.90	4.70
	Sharp	10.5	5.00	6.10
3	Clay	27.6	14.20	17.10
	Craighead	30.2	15.60	18.60
3	Greene	32.0	16.50	19.80
	Independence	29.6	14.80	17.80
3	Jackson	43.1	22.20	26.70
	Lawrence	17.6	9.10	10.90
3	Mississippi	31.1	16.10	19.30
	Poinsett	25.5	13.20	15.80
3	Randolph	30.9	15.90	19.10
	White	20.8	10.70	12.90
4	Crawford	39.8	18.30	22.00
	Franklin	29.6	13.80	16.60
4	Johnson	27.2	12.60	15.20
	Logan	34.0	15.60	18.80
4	Pope	52.5	24.60	29.60
	Sebastian	34.2	15.70	18.90
4	Yell	21.0	9.90	11.80
	Conway	26.5	13.30	16.10
5	Faulkner	24.6	12.40	14.90
	Garland	40.0	18.80	22.60
5	Perry	28.5	13.30	16.10
	Pulaski	22.5	11.40	13.80

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and Per Acre Payments for Barley—Continued

ARKANSAS—continued				
District	County	1959-60 adjusted average yield	50 percent payment rate per acre	60 percent payment rate per acre
6	Arkansas	27.4	\$14.10	\$16.90
	Crittenden	17.4	9.00	10.70
	Cross	28.2	14.50	17.40
	Lee	30.1	15.40	18.60
	Lonoke	40.0	20.60	24.70
	Monroe	27.0	13.90	16.70
	Phillips	48.3	24.90	29.90
	Prairie	27.4	14.10	16.90
	Saint Francis	30.2	15.60	18.60
Woodruff	28.2	14.50	17.40	

CALIFORNIA				
District	County	Bushels	50 percent payment rate per acre	60 percent payment rate per acre
1	Humboldt	50.5	\$23.90	\$28.80
	Mendocino	31.0	15.70	18.80
2	Shasta	24.5	12.00	14.40
	Siskiyou	51.0	25.00	30.00
3	Lassen	30.6	14.40	17.30
	Modoc	53.0	25.70	30.80
4	Plumas	40.5	20.00	24.10
	Alameda	32.0	17.30	20.70
4	Contra Costa	31.0	16.70	20.10
	Lake	28.0	14.40	17.30
4	Marin	42.0	22.70	27.20
	Monterey	30.5	15.80	19.00
4	Napa	33.0	17.80	21.40
	San Benito	33.0	17.30	20.80
4	San Luis Obispo	23.0	11.60	13.90
	San Mateo	27.0	14.60	17.60
4	Santa Clara	42.0	22.70	27.20
	Santa Cruz	35.0	18.60	22.30
5	Sonoma	29.5	15.80	18.90
	Butte	49.0	25.50	30.60
5	Colusa	39.5	20.80	24.90
	Glenn	32.5	16.70	20.10
5	Sacramento	55.0	29.70	35.60
	Solano	43.5	23.30	27.90
5	Sutter	48.0	25.20	30.20
	Tehama	28.0	13.00	15.60
5a	Yolo	47.0	24.90	29.90
	Yuba	43.5	23.10	27.70
5a	Fresno	55.0	28.60	34.30
	Kern	48.5	24.70	29.70
5a	Kings	59.5	31.00	37.10
	Madera	27.0	14.30	17.20
5a	Merced	39.0	20.90	25.00
	San Joaquin	59.0	32.40	38.90
5a	Stanislaus	37.5	20.50	24.50
	Tulare	43.0	22.40	26.80
6	Amador	33.5	18.10	21.70
	Calaveras	37.0	20.00	24.00
6	Placer	24.5	13.10	15.70
	Sierra	21.3	9.90	11.90
6	Tuolumne	22.0	12.00	14.40
	Imperial	60.5	31.70	38.10
6	Los Angeles	28.5	15.20	18.30
	Orange	24.6	13.00	15.70
6	Riverside	33.0	17.20	20.60
	San Bernardino	23.5	12.50	14.90
6	San Diego	26.0	13.30	15.80
	Santa Barbara	32.0	16.30	19.60
6	Ventura	33.5	18.00	21.50

COLORADO				
District	County	Bushels	50 percent payment rate per acre	60 percent payment rate per acre
1	Chaffee	41.0	\$15.00	\$18.00
	Eagle	37.6	13.20	15.80
1	Grand	29.8	7.60	9.10
	Gunnison	29.1	10.20	12.20
1	Jackson	20.8	7.80	9.40
	Moffat	21.8	7.60	9.20
1	Park	18.0	6.60	7.90
	Pitkin	45.0	15.80	18.90
1	Rio Blanco	25.4	8.90	10.60
	Routt	25.5	9.00	10.70
2	Boulder	44.0	18.70	22.40
	Jefferson	33.6	14.30	17.20
2	Larimer	45.5	19.40	23.20
	Logan	25.0	10.60	12.80
2	Morgan	33.2	14.10	16.90
	Sedgwick	27.4	11.90	14.30
2	Weld	36.0	15.30	18.40
	Adams	29.8	12.70	15.20
6	Arapahoe	29.6	12.60	15.10
	Cheyenne	23.0	10.00	12.00
6	Douglas	21.4	9.10	10.90
	Elbert	23.5	10.00	12.00
6	El Paso	19.9	8.50	10.10
	Kiowa	21.5	9.30	11.10
6	Kit Carson	25.6	11.10	13.40
	Lincoln	23.0	9.80	11.70
6	Phillips	32.1	13.90	16.80

RULES AND REGULATIONS

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

COLORADO—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
6	Washington	25.8	\$11.00	\$13.20
	Yuma	27.2	11.80	14.20
7	Archuleta	28.2	9.90	11.80
	Delta	44.4	15.50	18.60
	Dolores	14.5	4.80	5.70
	Garfield	46.3	16.20	19.50
	La Plata	34.0	11.90	14.30
	Mesa	37.4	13.10	15.70
	Montezuma	40.8	13.90	16.70
	Montrose	50.2	17.60	21.10
	Ouray	28.4	9.90	11.90
	San Miguel	40.1	13.60	16.40
8	Alamosa	36.0	13.70	16.40
	Conchos	41.0	15.60	18.70
	Costilla	36.5	14.00	16.90
	Rio Grande	43.5	16.60	19.80
	Saguache	43.5	17.30	20.70
9	Baca	20.0	8.60	10.30
	Bent	32.4	13.90	16.70
	Crowley	30.6	13.00	15.60
	Custer	27.0	10.90	13.10
	Fremont	29.8	12.20	14.70
	Huerfano	27.8	11.50	13.90
	Las Animas	22.0	9.40	11.20
	Otero	33.7	14.30	17.20
	Prowers	26.9	11.70	14.00
	Pueblo	34.6	14.70	17.70

DELAWARE

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
2	New Castle	45.0	23.40	\$28.10
5	Kent	38.5	20.00	24.00
8	Sussex	35.7	18.50	22.30

FLORIDA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1	Walton	21.5	\$11.10	\$13.30

GEORGIA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1	Bartow	35.5	\$18.30	\$21.90
	Catoosa	28.2	14.50	17.40
	Murray	24.5	12.60	15.10
	Polk	25.5	13.20	15.80
	Walker	45.0	23.20	27.80
	Whitefield	48.0	24.70	29.70
2	Barrow	26.2	13.50	16.20
	Cherokee	32.0	16.50	19.80
	Clarke	40.5	20.80	25.00
	De Kalb	49.0	24.90	29.90
	Fulton	43.5	22.50	27.20
	Gwinnett	27.8	14.30	17.20
	Hall	27.0	13.90	16.70
	Jackson	32.5	16.70	20.10
	Oconee	31.5	16.30	19.50
	Walton	37.0	19.10	22.90
	White	22.2	11.40	13.70
3	Banks	32.8	16.90	20.30
	Elbert	27.2	14.00	16.80
	Franklin	30.0	15.40	18.50
	Habersham	23.0	11.80	14.20
	Hart	28.8	14.80	17.80
	Madison	27.8	14.30	17.20
	Oglethorpe	29.5	15.20	18.20
	Stephens	31.0	16.00	19.20
	Wilkes	22.5	11.50	13.90
4	Carroll	32.0	16.50	19.80
	Clayton	27.8	14.30	17.20
	Coveta	36.0	18.50	22.20
	Harris	21.6	11.10	13.40
	Henry	20.2	10.40	12.50
	Lamar	28.8	14.80	17.80
	Macon	37.8	19.50	23.40
	Marion	21.1	10.90	13.10
	Meriwether	32.0	16.50	19.80
	Schley	19.5	10.10	12.10
	Spalding	27.8	14.30	17.20
	Talbot	37.0	19.10	22.90
	Upson	25.0	12.90	15.40
5	Baldwin	38.5	19.80	23.80
	Bibb	35.2	18.00	21.60
	Butts	35.0	18.00	21.60
	Crawford	26.0	13.40	16.10
	Houston	37.8	19.50	23.40
	Jasper	35.0	18.00	21.60
	Johnson	22.5	11.50	13.90
	Jones	22.4	11.50	13.60
	Monroe	32.2	16.60	19.90

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

GEORGIA—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
5	Montgomery	25.4	\$13.10	\$15.70
	Morgan	37.5	19.40	23.20
	Newton	30.2	15.60	18.60
	Peach	42.2	21.70	26.10
	Pulaski	20.8	10.70	12.90
	Rockdale	26.5	13.60	16.40
	Treutlen	20.5	10.50	12.70
	Washington	23.8	12.30	14.70
	Wheeler	28.0	14.40	17.30
6	Burke	25.0	12.90	15.40
	Columbia	22.5	11.50	13.90
	Emmanuel	20.8	10.70	12.90
	Jefferson	24.2	12.50	14.90
	Richmond	20.5	10.50	12.70
	Scriven	32.8	16.90	20.30
	Warren	30.0	15.40	18.50
7	Dougherty	35.0	18.00	21.60
	Lea	38.2	19.70	23.60
	Sumter	21.8	11.20	13.50
	Terrell	23.0	11.80	14.20
8	Dooley	45.2	23.30	27.90
	Wilcox	32.4	16.70	20.00

IDAHO

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1	Benewah	27.0	\$13.20	\$15.90
	Bonner	24.5	11.20	13.50
	Boundary	38.7	17.50	20.90
	Clearwater	33.5	16.10	19.30
	Idaho	31.7	15.00	18.00
	Kootenai	28.0	13.70	16.50
	Latah	35.7	17.40	21.00
	Lewis	35.2	16.90	20.30
	Nez Perce	36.0	17.60	21.20
7	Ada	35.0	15.20	18.30
	Adams	28.5	12.20	14.70
	Boise	29.0	12.60	15.10
	Canyon	54.0	23.80	28.50
	Elmore	34.2	14.70	17.60
	Gem	35.2	15.50	18.60
	Owyhee	55.0	23.90	28.70
	Payette	41.5	18.30	21.90
	Valley	27.2	11.70	14.00
8	Washington	35.5	15.80	19.00
	Blaine	35.5	14.80	17.70
	Camas	18.5	7.60	9.20
	Cassia	35.7	14.80	17.80
	Gooding	46.0	19.30	23.20
	Jerome	58.2	24.20	29.00
	Lincoln	49.5	20.60	24.70
	Minidoka	48.2	20.00	24.00
	Twin Falls	52.2	21.70	26.00
9	Bannock	27.3	11.60	13.90
	Bear Lake	30.5	12.90	15.60
	Bingham	37.2	15.60	18.70
	Bonneville	31.0	12.90	15.40
	Butte	42.2	17.50	21.00
	Caribou	30.0	12.80	15.30
	Clark	29.8	12.40	14.90
	Custer	37.7	15.60	18.80
	Franklin	35.8	14.40	17.30
	Fremont	32.0	13.30	15.90
	Jefferson	37.5	15.60	18.70
	Lemhi	37.8	15.70	18.70
	Madison	29.8	12.40	14.90
	Oneida	26.2	11.10	13.30
	Power	18.0	7.60	9.20
	Teton	26.5	11.00	13.20

ILLINOIS

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1	Bureau	35.0	\$17.30	\$20.80
	Carroll	40.5	20.00	24.10
	Henry	39.0	19.10	22.90
	Jo Daviess	35.0	17.20	20.60
	Lee	35.0	17.50	21.00
	Mercer	30.0	14.60	17.50
	Ogle	37.2	18.60	22.30
	Putnam	32.0	15.80	19.00
	Rock Island	32.0	15.70	18.80
	Stephenson	38.5	19.00	22.90
	Whiteside	41.5	20.60	24.70
	Winnebago	38.1	18.80	22.70
3	Boone	41.5	21.00	25.10
	Cook	38.5	20.20	24.30
	De Kalb	40.7	20.80	24.90
	Druid	37.4	19.30	23.10
	Grundy	34.0	17.20	20.60
	Kane	35.8	18.40	22.10
	Kendall	33.5	17.10	20.60
	Lake	39.0	20.50	24.60
	La Salle	40.8	20.60	24.70
	Lake	36.6	18.70	22.40
	McHenry	36.6	18.70	22.40
	Will	41.5	21.40	25.60

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

ILLINOIS—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
4	Adams	25.7	\$12.40	\$14.90
	Brown	25.4	12.30	14.70
	Fulton	26.0	12.90	15.40
	Hancock	27.4	13.20	15.70
	Henderson	27.0	13.10	15.70
	Knox	32.5	15.90	19.10
	McDonough	27.0	13.10	15.70
	Schuyler	27.8	13.80	16.50
	Warren	33.0	16.20	19.40
4a	Bond	24.1	12.10	14.60
	Calhoun	30.0	15.00	18.00
	Cass	28.2	14.00	16.70
	Christian	34.1	16.80	20.30
	Greene	32.8	16.00	19.90
	Jersey	34.9	17.70	21.30
	Macoupin	32.5	16.50	19.90
	Madison	27.6	14.10	16.80
	Montgomery	29.2	14.60	17.50
	Morgan	31.0	15.30	18.40
	Pike	30.0	14.80	17.70
	Sangamon	31.5	15.60	18.70
	Scott	30.5	15.00	18.10
	De Witt	30.0	14.80	17.80
	Logan	36.0	17.80	21.40
	McLean	31.2	15.40	18.50
	Macon	29.4	14.60	17.40
	Marshall	32.0	15.80	19.00
	Mason	24.5	12.10	14.60
	Menard	32.0	15.80	19.00
	Peoria	31.0	15.30	18.40
	Stark	31.0	15.30	18.40
	Tazewell	33.0	16.30	19.60
	Woodford	31.0	15.30	18.40
6	Champaign			

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

INDIANA—continued				
District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
2	Kosciusko	31.7	\$15.50	\$18.60
	Marshall	30.8	15.10	18.10
	Miami	33.9	19.00	22.80
	St. Joseph	35.2	17.20	20.70
	Wabash	33.4	18.50	22.50
3	Adams	39.4	18.90	22.70
	Allen	33.4	18.40	22.10
	De Kalb	28.6	13.70	16.50
	Huntington	34.5	16.50	19.90
	Lagrange	33.8	18.50	22.60
	Noble	35.3	16.80	20.40
	Steuben	38.6	18.50	22.30
	Wells	35.2	16.90	20.30
	Whitley	31.6	15.30	18.40
4	Clay	28.2	13.50	16.60
	Fountain	23.2	11.10	13.30
	Montgomery	28.5	13.50	16.60
	Owen	22.8	10.70	12.90
	Parke	32.8	15.70	18.90
	Putnam	27.3	12.50	15.60
	Tippecanoe	26.7	13.10	15.70
	Vermillion	30.2	15.40	18.50
5	Vigo	30.8	15.70	18.90
	Bartholomew	26.9	12.50	15.00
	Boone	37.5	18.00	21.60
	Clinton	36.5	17.50	21.50
	Decatur	33.9	18.00	21.70
	Grant	35.0	17.00	20.40
	Hamilton	34.2	16.40	19.70
	Hancock	35.8	17.00	20.40
	Hendricks	29.7	14.20	17.10
	Howard	35.8	17.50	21.10
	Johnson	35.3	16.50	19.90
	Madison	32.8	19.10	22.90
	Marion	40.8	19.40	23.30
	Morgan	29.9	14.10	16.80
	Rush	33.0	15.50	18.60
	Shelby	29.8	14.00	16.80
	Tipton	37.2	18.00	21.60
6	Delaware	30.8	14.80	17.80
	Fayette	32.0	15.00	18.00
	Henry	36.0	17.30	20.70
	Jay	31.4	15.10	18.60
	Randolph	34.0	16.30	19.60
	Union	32.5	15.20	18.30
	Wayne	32.8	15.70	18.90
7	Davies	36.9	17.30	20.80
	Dubois	29.0	13.20	15.80
	Gibson	34.0	16.70	20.00
	Greene	30.2	14.20	17.00
	Knox	34.3	16.70	20.00
	Martin	29.2	13.60	16.30
	Pike	30.4	14.10	16.90
	Posey	28.4	13.90	16.70
	Spencer	30.2	13.30	15.90
	Sullivan	30.7	15.10	18.60
	Vanderburgh	31.4	15.90	19.00
8	Warrick	29.2	13.10	15.80
	Crawford	27.2	12.40	14.80
	Floyd	31.5	14.40	17.20
	Harrison	29.9	13.10	15.70
	Jackson	30.0	14.00	16.70
	Lawrence	29.2	13.70	16.40
	Monroe	28.2	13.30	15.90
	Orange	28.2	12.80	15.40
	Perry	28.8	12.70	15.20
	Washington	27.8	12.60	15.20
9	Clark	31.4	14.30	17.10
	Dearborn	32.2	14.70	17.60
	Franklin	32.0	14.90	17.90
	Jefferson	29.6	13.50	16.20
	Jennings	29.0	13.30	16.00
	Ohio	29.5	13.50	16.10
	Ripley	27.1	12.40	14.80
	Scott	25.5	11.60	13.90
	Switzerland	33.8	15.60	18.10

IOWA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1	Buena Vista	39.4	\$18.70	\$22.40
	Cherokee	36.6	17.60	21.10
	Clay	33.4	18.20	21.80
	Dickinson	30.0	14.10	16.90
	Emmet	35.0	16.80	20.20
	Lyon	34.8	16.50	19.90
	O'Brien	46.0	22.10	26.50
	Oscola	38.8	18.40	22.10
	Palo Alto	45.4	21.30	25.60
	Plymouth	34.3	16.90	20.20
	Pocahontas	43.2	22.90	27.50
	Sioux	35.6	17.30	20.80
2	Butler	28.3	13.30	16.00
	Cerro Gordo	42.0	20.00	23.90

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

IOWA—continued				
District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
2	Floyd	32.6	\$15.50	\$18.60
	Franklin	38.2	18.00	21.50
	Hancock	41.6	19.80	23.80
	Humboldt	52.5	24.90	29.90
	Kossuth	35.3	16.70	20.10
	Mitchell	40.6	19.50	23.40
	Winnebago	39.1	18.80	22.60
	Worth	49.0	23.50	28.20
	Wright	39.8	18.70	22.50
3	Allamakee	39.4	18.50	22.20
	Black Hawk	43.6	20.30	24.40
	Bremer	46.2	21.70	26.00
	Buchanan	36.6	17.20	20.70
	Chickasaw	36.0	17.10	20.50
	Clayton	37.2	17.50	21.00
	Delaware	36.6	17.40	20.90
	Dubuque	43.0	20.60	24.80
	Fayette	36.5	17.10	20.60
	Howard	34.8	16.70	20.10
	Winneshek	34.7	16.40	19.60
4	Audubon	27.2	13.50	16.10
	Calhoun	38.4	18.60	22.30
	Carroll	35.1	17.40	20.90
	Crawford	31.4	15.50	18.60
	Greene	33.6	16.30	19.60
	Guthrie	25.3	12.20	14.70
	Harrison	32.7	14.40	17.30
	Ida	24.7	12.30	14.90
	Monona	26.6	13.30	16.00
	Sac	34.8	16.90	20.30
	Shelby	30.8	15.40	18.50
	Woodbury	27.9	13.70	16.40
5	Poone	32.2	15.50	18.50
	Dallas	29.8	14.30	17.20
	Grundy	38.1	17.70	21.30
	Hamilton	41.8	19.90	23.80
	Hardin	40.8	19.20	23.00
	Jasper	27.1	12.80	15.30
	Marshall	32.2	15.30	18.30
	Polk	36.8	17.70	21.20
	Poweshiek	27.0	12.60	15.10
	Story	40.4	19.40	23.20
	Tama	28.8	13.40	16.10
	Webster	50.0	24.00	28.80
6	Benton	34.7	16.60	19.80
	Cedar	43.2	20.70	24.90
	Clinton	36.0	17.50	21.00
	Iowa	26.0	12.20	14.70
	Jackson	32.2	15.60	18.70
	Johnson	34.6	16.60	20.00
	Jones	32.0	15.40	18.40
	Linn	34.8	16.50	19.90
	Muscatine	37.0	17.80	21.30
	Scott	34.4	16.70	20.00
7	Adair	32.4	15.70	18.80
	Adams	26.0	12.70	15.30
	Cass	33.0	16.20	19.40
	Fremont	24.5	12.30	14.80
	Mills	26.2	13.20	15.90
	Montgomery	30.6	15.30	18.40
	Page	23.4	11.70	14.00
	Pottawattamie	29.5	14.90	17.90
	Taylor	29.6	14.50	17.40
8	Appanoosa	25.8	12.30	14.70
	Clarke	25.0	12.00	14.40
	Decatur	20.1	9.40	11.40
	Madison	32.9	15.70	18.90
	Marion	32.2	14.70	17.60
	Monroe	21.2	10.60	11.90
	Union	24.4	11.80	14.20
	Warren	28.0	13.40	16.10
9	Warren	21.0	10.60	12.60
	Davis	36.0	17.30	20.70
	Des Moines	24.8	11.80	14.20
	Henry	21.9	10.30	12.30
	Jefferson	24.6	11.40	13.80
	Keokuk	27.0	13.00	15.60
	Lee	38.7	18.00	21.60
	Mahaska	24.0	11.30	13.50
	Wapello	30.6	14.50	17.50
	Washington	30.6	14.50	17.50

KANSAS

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1	Cheyenne	34.8	\$15.50	\$18.60
	Decatur	30.5	13.80	16.70
	Graham	25.7	11.90	14.30
	Norton	28.0	12.10	14.50
	Rawlins	32.0	14.40	17.30
	Sheridan	31.7	14.40	17.30
	Sherman	32.0	14.20	17.10
	Thomas	31.0	14.00	16.70
4	Gove	29.0	13.20	15.80
	Greeley	28.5	12.60	15.20

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

KANSAS—continued				
District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
4	Lane	27.5	\$12.60	\$15.00
	Logan	25.5	11.50	13.80
	Ness	23.0	10.60	12.70
	Scott	27.0	12.20	14.60
	Trego	27.1	12.50	15.00
	Wallace	24.0	10.70	12.80
	Wichita	29.0	12.90	15.50
7	Clark	17.4	7.80	9.40
	Finney	29.5	13.30	15.90
	Ford	23.0	10.60	12.70
	Grant	24.5	10.90	13.10
	Gray	20.0	9.00	10.80
	Hamilton	29.0	12.90	15.50
	Haskell	25.0	11.20	13.50
	Hodgeman	20.5	9.40	11.30
	Kearny	26.5	11.70	14.20
	Meade	19.5	8.80	10.50
	Morton	22.5	9.70	11.70
	Seward	19.5	8.60	10.30
	Stanton	26.0	11.40	13.70
	Stevens	18.5	8.10	9.80
2	Clay	25.4	12.20	14.60
	Cloud	23.5	11.20	13.40
	Jewell	23.0	11.50	14.10
	Mitchell	23.5	11.10	13.30
	Osborne	22.0	10.30	12.40
	Ottawa	25.0	11.90	14.20
	Phillips	25.0	11.60	14.00
	Republic	25.5	12.20	14.50
	Rooks	24.5		

RULES AND REGULATIONS

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

KENTUCKY

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1	Ballard	32.8	\$16.10	\$19.30
	Calloway	34.8	17.10	20.50
	Carlisle	28.8	14.10	17.00
	Fulton	27.5	13.50	16.20
	Graves	27.0	13.20	15.90
	Hickman	34.8	17.10	20.50
	Livingston	19.0	9.30	11.20
	Lyon	22.5	11.00	13.20
	McCracken	26.5	12.90	15.60
	Marshall	28.8	14.10	17.00
	Miggs	29.2	14.30	17.20
2	Caldwell	31.8	15.60	18.70
	Christian	33.5	16.50	19.70
	Crittenden	27.8	13.60	16.40
	Daviess	27.5	13.50	16.20
	Hancock	25.5	12.50	15.00
	Henderson	31.2	15.30	18.30
	Hopkins	28.0	13.70	16.50
	Logan	35.0	17.20	20.60
	McLean	33.5	16.50	19.70
	Muhlenberg	26.5	12.90	15.60
	Ohio	24.8	12.20	14.60
	Simpson	40.7	20.00	23.90
	Todd	38.8	19.00	22.80
	Union	27.0	13.20	15.90
	Webster	26.5	12.90	15.60
3	Adair	28.8	14.10	17.00
	Allen	31.0	15.20	18.20
	Barren	29.2	14.30	17.20
	Breckinridge	31.8	15.60	18.70
	Bullitt	32.2	15.80	18.90
	Butler	23.5	11.60	13.80
	Casey	37.0	18.10	21.80
	Clinton	34.8	17.10	20.50
	Cumberland	36.0	17.60	21.20
	Edmonson	22.5	11.00	13.20
	Grayson	29.2	14.30	17.20
	Green	30.0	14.70	17.60
	Hardin	28.2	13.80	16.60
	Hart	32.2	15.80	18.90
	Jefferson	37.0	18.10	21.80
	Larue	25.2	12.30	14.80
	Marion	29.5	14.50	17.30
	Mead	34.2	16.80	20.10
	Meade	24.5	12.00	14.40
	Monroe	26.8	13.20	15.70
	Nelson	35.8	17.50	21.00
	Russell	35.8	17.50	21.00
	Taylor	34.0	16.70	20.00
	Warren	40.0	19.60	23.50
4	Bracken	33.2	16.30	19.50
	Campbell	28.2	13.80	16.60
	Carroll	31.0	15.20	18.20
	Gallatin	27.0	13.20	15.90
	Henry	36.8	18.00	21.70
	Oldham	31.8	15.60	18.70
	Owen	39.2	19.20	23.00
	Trimble	36.8	18.00	21.70
5	Anderson	25.2	12.30	14.80
	Bath	22.2	10.90	13.00
	Bourbon	34.8	17.10	20.50
	Boyle	32.0	15.70	18.80
	Clark	27.0	13.20	15.90
	Fayette	35.0	17.20	20.60
	Fleming	27.0	13.20	15.90
	Franklin	35.0	17.20	20.60
	Gerrard	27.5	13.50	16.20
	Harrison	27.5	13.50	16.20
	Jessamine	29.0	14.20	17.10
	Lincoln	28.5	13.90	16.80
	Madison	36.0	17.60	21.20
	Mason	25.8	12.60	15.20
	Mercer	33.5	16.50	19.70
	Montgomery	28.8	14.10	17.00
	Nicholas	24.2	11.90	14.20
	Scott	35.0	17.20	20.60
	Shelby	26.7	13.10	15.70
	Spencer	37.0	18.10	21.80
	Washington	22.2	10.90	13.00
	Woodford	33.5	16.50	19.70
6	Breathitt	29.0	14.20	17.10
	Greenup	29.2	14.30	17.20
	Laurel	26.8	13.10	15.80
	Lewis	21.8	10.70	12.80
	Pulaski	29.8	14.60	17.50
	Rockcastle	39.5	19.40	23.20
	Wayne	33.0	16.20	19.40

LOUISIANA

District	County	<i>Bushels</i>		
1	Bossier	30.0	\$13.60	\$16.40
2	Ouachita	30.0	13.60	16.40
3	Madison	30.0	13.60	16.40
7	Jefferson Davis	30.0	13.60	16.40

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

MAINE

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1	Aroostook	37.7	\$19.60	\$23.50
2	Hancock	33.0	17.20	20.60
	Penobscot	30.0	15.60	18.70
	Somerset	35.8	18.60	22.40
	Waldo	37.0	19.20	23.10
3	Cumberland	31.5	16.40	19.70
	Kennebec	36.0	18.70	22.50

MARYLAND

District	County	<i>Bushels</i>		
1	Allegany	36.6	\$19.00	\$22.90
	Garrett	38.4	20.00	23.90
2	Baltimore	41.0	21.30	25.60
	Carroll	39.8	20.70	24.90
	Cecil	43.2	22.50	26.90
	Frederick	39.2	20.40	24.40
	Harford	44.2	23.00	27.60
	Howard	44.5	23.10	27.80
	Kent	40.3	21.00	25.20
	Montgomery	38.6	20.60	24.80
	Queen Annes	39.0	20.80	24.90
	Washington	37.8	19.70	23.60
8	Anne Arundel	32.5	16.80	20.30
	Calvert	32.9	17.10	20.50
	Charles	30.0	15.60	18.70
	Prince Georges	30.0	15.60	18.70
	St. Marys	33.0	17.20	20.60
9	Caroline	40.0	20.80	25.00
	Dorchester	41.3	20.40	25.80
	Somerset	36.4	18.90	22.70
	Talbot	39.8	20.70	24.90
	Wicomico	34.0	17.70	21.20
	Worcester	32.1	16.60	20.10

MICHIGAN

District	County	<i>Bushels</i>		
1	Alger	31.8	\$14.00	\$16.80
	Baraga	31.6	14.50	17.50
	Chippewa	21.4	9.10	10.90
	Delta	31.0	14.00	16.70
	Dickinson	28.9	13.10	15.70
	Gogebic	31.4	14.80	17.70
	Houghton	25.8	11.40	13.60
	Iron	23.1	10.30	12.40
	Keweenaw	19.0	8.40	10.00
	Luce	19.0	8.10	9.70
	Mackinac	19.8	8.40	10.10
	Marquette	31.0	13.80	16.60
	Menominee	35.0	16.10	19.30
	Ontonagon	19.0	8.80	10.50
	Schoolcraft	17.2	7.50	9.00
2	Antrim	28.7	12.20	14.60
	Charlevoix	23.9	10.10	12.00
	Emmet	30.9	12.80	15.40
	Grand Traverse	21.0	9.20	11.10
	Kalkaska	18.5	7.80	9.40
	Leelanau	26.5	11.20	13.50
	Manistee	33.5	15.10	18.10
	Missaukee	18.4	8.20	9.80
3	Alcona	25.6	10.80	12.90
	Alpena	22.6	9.40	11.30
	Cheboygan	21.4	8.90	10.60
	Iosco	27.4	11.60	13.90
	Montmorency	15.2	6.30	7.60
	Ogemaw	26.7	12.20	14.60
	Osceola	24.0	10.90	13.10
	Otsego	16.4	6.90	8.20
	Presque Isle	30.4	12.60	15.10
4	Roscommon	24.0	10.20	12.20
	Lake	18.2	8.20	9.80
	Mason	25.3	11.10	13.40
	Muskegon	23.8	10.90	13.20
	Newaygo	27.4	12.60	15.10
	Oceana	21.6	9.70	11.70
5	Clare	30.5	14.10	17.00
	Gladwin	31.5	14.40	17.20
	Gratiot	36.0	16.90	20.30
	Isabella	37.3	17.10	20.60
	Macosta	29.4	13.20	15.80
	Midland	37.8	17.60	21.10
	Montcalm	35.2	17.60	21.10
	Osceola	20.5	9.20	11.00
6	Arenac	40.5	18.00	21.60
	Bay	37.5	17.30	20.70
	Huron	40.0	18.00	21.60
	Saginaw	36.0	16.90	20.30
	Sanilac	32.8	15.10	18.10
	Tuscola	45.9	21.20	25.30
7	Allegan	34.6	16.40	19.80
	Berrien	36.6	18.50	22.20
	Cass	31.0	15.20	18.20
	Kalamazoo	35.4	17.20	20.60

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

MICHIGAN—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
7	Kent	32.9	\$15.40	\$18.50
	Ottawa	29.4	14.00	16.70
	Van Buren	34.8	16.70	20.10
8	Barry	34.6	16.40	19.80
	Branch	26.7	12.90	15.40
	Calhoun	34.1	16.30	19.70
	Clinton	36.3	17.10	20.60
	Eaton	40.1	19.00	22.90
	Hillsdale	29.6	14.10	16.90
	Ingham	35.6	16.90	20.30
	Ionia	37.2	17.50	21.00
	Jackson	34.8	16.50	19.90
	St. Joseph	28.2	13.70	16.40
	Shiawassee	33.8	15.90	19.10
9	Genesee	33.2	15.60	18.70
	Lapeer	38.6	18.10	21.80
	Lenawee	31.0	14.70	17.70
	Livingston	36.8	17.50	21.00
	Macomb	35.8	17.00	20.40
	Monroe	31.3	14.80	17.90
	Oakland	31.6	14.90	17.90
	St. Clair	36.6	17.20	20.70
	Washtenaw	31.6	15.00	18.00
	Wayne	24.7	11.80	14.10

MINNESOTA

District	County	<i>Bushels</i>		
1	Becker	32.5	\$15.20	\$18.30
	Clay	32.5	15.20	18.30
	Clearwater	31.5	14.90	17.80
	Kittson	29.5	13.30	15.90
	Mahnomen	34.0	15.80	19.00
	Marshall	30.9	13.60	16.40
	Norman			

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

MINNESOTA—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
8-----	Faribault.....	44.0	\$21.10	\$25.30
	Freeborn.....	42.3	20.80	24.90
	Le Sueur.....	40.5	20.00	24.10
	Martin.....	34.9	16.70	20.10
	Nicollet.....	34.8	17.20	20.70
	Rice.....	35.0	17.30	20.80
	Steele.....	37.7	18.40	22.10
	Waseca.....	36.5	17.50	21.50
	Watonwan.....	31.8	15.40	18.50
	Dakota.....	36.5	18.00	21.70
9-----	Dodge.....	37.9	18.60	22.20
	Fillmore.....	35.0	16.60	20.00
	Goodhue.....	37.4	18.50	22.20
	Huston.....	38.0	18.60	21.70
	Mower.....	37.5	18.20	21.80
	Olmsted.....	32.7	16.10	19.20
	Wabasha.....	35.0	17.30	20.80
	Winona.....	34.5	16.90	20.30

MISSISSIPPI

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre	
<i>Bushels</i>					
1-----	Bolivar.....	36.2	\$18.10	\$21.70	
	Coahoma.....	31.5	15.80	18.90	
	Quitman.....	31.3	15.60	18.80	
	Tallahatchie.....	32.1	16.00	19.30	
	Tunica.....	32.0	15.00	18.20	
	2-----	Marshall.....	27.1	13.60	16.30
		Tate.....	26.0	13.00	15.60
		Lee.....	30.0	15.00	18.00
		Pontotoc.....	30.0	15.00	18.00
		Leflore.....	26.7	13.40	16.00
Sharkey.....		33.0	16.50	19.80	
Sunflower.....		30.8	15.40	18.50	
Washington.....		29.8	14.90	17.90	
Carroll.....		26.0	13.00	15.60	
Holmes.....		30.6	15.30	18.40	
3-----	Madison.....	28.7	14.40	17.20	
	Chickasaw.....	34.7	17.40	20.80	
	Clay.....	33.5	16.80	20.10	
	Lowndes.....	34.8	17.40	20.90	
	Monroe.....	34.1	17.00	20.50	
	Noxubee.....	34.7	17.40	20.80	
	Oktibbeha.....	30.0	15.00	18.00	
	Winston.....	25.0	12.50	15.00	
	Adams.....	30.0	15.00	18.00	
	Hinds.....	21.0	10.50	12.60	

MISSOURI

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre	
<i>Bushels</i>					
1-----	Andrew.....	24.4	\$12.20	\$14.60	
	Atchison.....	28.8	14.50	17.50	
	Buchanan.....	23.6	11.90	14.30	
	Caldwell.....	23.8	11.90	14.30	
	Clay.....	25.0	12.60	15.20	
	Clinton.....	22.7	11.40	13.60	
	Davless.....	22.0	11.00	13.20	
	De Kalb.....	22.2	11.10	13.30	
	Gentry.....	23.2	11.50	13.80	
	Harrison.....	24.6	12.10	14.50	
	Holt.....	22.8	11.30	13.60	
	Nodaway.....	23.7	11.80	14.20	
	Platte.....	27.4	13.80	16.60	
	Ray.....	25.4	12.80	15.40	
	Worth.....	25.0	12.20	14.70	
	2-----	Adair.....	27.1	13.10	15.60
		Carroll.....	25.2	12.60	15.10
		Chariton.....	22.4	11.10	13.30
		Grundy.....	25.4	12.60	15.00
		Linn.....	27.0	13.20	15.90
Livingston.....		29.2	14.60	17.50	
Macon.....		27.4	13.20	15.70	
Mercer.....		25.0	12.10	14.60	
Futnam.....		25.0	12.10	14.60	
Randolph.....		28.8	14.00	16.90	
3-----	Saurier.....	27.0	12.80	15.40	
	Sullivan.....	27.9	13.60	16.20	
	Andrain.....	34.6	17.00	20.40	
	Clark.....	31.0	15.00	18.00	
	Knox.....	27.0	13.00	15.60	
	Lewis.....	30.6	15.00	18.00	
	Marion.....	32.2	15.80	18.90	
	Monroe.....	27.2	13.30	16.00	
	Pike.....	31.6	15.60	18.80	
	Ralls.....	30.6	15.00	18.00	
4-----	Scotland.....	29.0	13.90	16.70	
	Shelby.....	29.2	14.20	17.00	
	Bates.....	33.5	17.00	20.30	
	Cass.....	26.4	13.30	16.00	
	Cedar.....	28.8	14.30	17.10	
	Henry.....	28.4	14.20	17.00	
	Jackson.....	24.3	12.30	14.70	
	Johnson.....	27.6	13.80	16.60	
	Lafayette.....	26.0	13.00	15.60	

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

MISSOURI—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
4-----	St. Clair.....	27.6	\$13.80	16.60
	Vernon.....	30.6	15.10	18.20
5-----	Benton.....	32.6	16.10	19.40
	Boone.....	28.8	14.10	17.00
	Callaway.....	32.2	15.80	18.90
	Camden.....	29.0	13.90	16.70
	Cole.....	29.8	14.50	17.40
	Cooper.....	29.8	14.60	17.50
	Dallas.....	27.1	13.10	15.60
	Hickory.....	28.0	13.70	16.50
	Howard.....	24.5	12.00	14.40
	Laclede.....	27.6	13.10	15.80
	Marion.....	32.1	15.80	19.10
	Miller.....	28.4	13.60	16.10
	Moniteau.....	31.4	15.20	18.20
	Morgan.....	30.8	14.90	17.90
	Osage.....	34.6	17.00	20.40
	Pettis.....	34.6	17.10	20.60
	Phelps.....	32.8	16.10	19.30
	Folk.....	27.9	13.70	16.40
	Fulaski.....	26.0	12.50	15.00
	Saline.....	26.1	13.00	15.70
6-----	Crawford.....	27.6	13.70	16.40
	Franklin.....	32.8	16.20	20.10
	Gasconade.....	33.8	16.70	20.10
	Jefferson.....	32.8	16.70	20.10
	Lincoln.....	30.6	15.60	18.80
	Montgomery.....	32.0	16.00	20.10
	Perry.....	32.0	15.80	19.60
	St. Charles.....	31.2	15.90	19.10
	St. Francois.....	28.1	14.00	16.90
	St. Genevieve.....	34.0	17.00	20.40
	St. Louis.....	29.8	15.20	18.30
	Warren.....	29.2	14.90	17.80
	Washington.....	30.2	15.10	18.10
	Barry.....	31.6	15.20	18.20
	Barton.....	31.0	15.20	18.20
	Christian.....	32.5	15.60	18.70
	Dade.....	33.5	16.50	19.70
	Greene.....	34.6	16.60	20.00
	Jasper.....	33.6	16.50	19.80
	Lawrence.....	31.5	15.20	18.10
McDonald.....	29.5	14.20	17.00	
Newton.....	33.6	16.10	19.40	
Stone.....	30.0	14.40	17.30	
8-----	Bollinger.....	29.6	14.90	18.00
	Carter.....	31.3	14.50	17.50
	Dent.....	25.3	12.20	14.70
	Douglas.....	28.0	13.20	15.80
	Howell.....	25.2	12.00	14.30
	Iron.....	24.0	12.00	14.40
	Madison.....	26.8	13.40	16.10
	Oregon.....	34.0	16.50	19.80
	Ozark.....	30.2	14.20	17.00
	Reynolds.....	31.5	15.20	18.10
9-----	Ripley.....	27.6	14.10	16.90
	Shannon.....	29.0	13.50	16.20
	Taney.....	23.9	11.40	13.60
	Texas.....	27.7	13.00	15.60
	Wayne.....	30.1	15.30	18.50
	Webster.....	29.0	13.80	16.50
	Wright.....	26.5	12.40	14.90
	Butler.....	26.8	13.70	16.40
	Cape Girardeau.....	32.6	16.50	19.80
	Dunklin.....	25.4	13.10	15.70
Mississippi.....	28.6	14.60	17.50	
New Madrid.....	31.1	16.10	19.30	
Pemiscot.....	32.0	16.50	19.80	
Scott.....	32.6	16.60	20.00	
Stoddard.....	33.6	17.10	20.60	

MONTANA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre	
<i>Bushels</i>					
1-----	Deer Lodge.....	27.2	\$11.20	\$13.40	
	Flathead.....	31.7	13.00	15.60	
	Granite.....	31.4	13.00	15.60	
	Lake.....	27.6	11.70	14.10	
	Lincoln.....	28.2	10.70	12.90	
	Mineral.....	28.1	12.20	14.70	
	Missoula.....	32.0	13.90	16.70	
	Powell.....	24.9	10.30	12.40	
	Ravalli.....	37.4	15.80	19.00	
	Sanders.....	27.2	11.00	13.10	
	2-----	Blaine.....	22.6	8.60	9.70
		Chouteau.....	32.7	12.00	14.30
		Glacier.....	36.4	13.50	16.10
		Hill.....	29.7	10.80	13.00
		Liberty.....	32.0	11.70	14.00
		Phillips.....	19.8	7.10	8.60
		Pondera.....	38.0	13.90	16.60
		Teton.....	36.4	13.30	15.90
		Toole.....	32.5	11.80	14.20
		Daniels.....	23.0	8.60	10.40
3-----	Dawson.....	16.1	6.20	7.60	
	Garfield.....	14.4	5.50	6.50	

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

MONTANA—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre	
<i>Bushels</i>					
3-----	McCone.....	15.0	\$5.80	\$6.90	
	Richland.....	21.6	8.40	10.10	
	Roosevelt.....	22.5	8.70	10.50	
	Sheridan.....	27.6	10.60	12.80	
	Valley.....	19.8	7.30	8.80	
	5-----	Broadwater.....	28.5	11.20	13.50
		Cascade.....	28.2	10.30	12.30
		Fergus.....	28.3	10.40	12.40
		Golden Valley.....	25.2	9.10	10.90
		Judith Basin.....	29.6	10.80	13.00
Lewis and Clark.....		25.1	9.20	11.00	
Meagher.....		20.4	7.40	8.90	
Musselshell.....		23.5	8.50	10.20	
Petroleum.....		22.2	8.10	9.70	
Wheatland.....		23.0	8.40	10.10	
7-----	Beaverhead.....	39.8	15.10	18.20	
	Gallatin.....	32.0	12.60	15.20	
	Jefferson.....	25.8	10.60	12.70	
	Madison.....	35.1	14.10	16.90	
	Silver Bow.....	39.5	16.20	19.40	
	8-----	Big Horn.....	30.5	10.80	13.00
		Carbon.....	25.9	9.10	10.80
		Park.....	26.5	9.60	11.60
		Stillwater.....	28.5	10.30	12.40
		Sweet Grass.....	22.2	8.10	9.70
Treasure.....		34.2	12.30	14.80	
Yellowstone.....		30.1	10.80	13.00	
9-----		Carter.....	18.0	7.10	8.50
		Custer.....	19.0	7.30	8.80
		Fallon.....	18.0	7.00	8.40
	Powder River.....	21.7	8.10	9.80	
	Prairie.....	17.0	6.50	7.90	
	Rosebud.....	25.6	9.30	11.20	
	Wibaux.....	22.6	8.90	10.70	

NEBRASKA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
<i>Bushels</i>				
1-----	Banner.....	25.0	\$10.50	\$12.60
	Box Butte.....	26.6	11.60	13.90
	Cheyenne.....	27.8	11.80	14.20
	Dawes.....	25.0	10.60	12.80

RULES AND REGULATIONS

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

NEBRASKA—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
7	Chase	27.5	\$12.10	\$14.50
	Dundy	26.0	11.40	13.70
	Frontier	24.3	11.20	13.40
	Hayes	27.2	12.10	14.50
	Hitchcock	26.0	11.70	14.00
	Keith	27.7	12.10	14.60
	Lincoln	26.1	11.80	14.30
	Perkins	26.4	11.60	13.90
	Redwillow	25.6	11.70	14.10
8	Adams	28.9	13.70	16.40
	Franklin	27.2	12.80	15.30
	Furnas	25.0	11.20	13.50
	Gosper	27.2	12.60	15.20
	Harlan	27.2	12.60	15.20
	Kearney	26.2	12.30	14.80
	Phelps	27.2	12.80	15.30
	Webster	26.5	12.50	15.10
9	Clay	30.3	14.60	17.50
	Fillmore	28.4	13.80	16.50
	Gage	27.8	13.80	16.50
	Jefferson	27.8	13.50	16.20
	Johnson	30.0	14.80	17.80
	Nemaha	30.6	15.10	18.20
	Nuckolls	26.4	12.50	15.00
	Otoe	27.0	13.50	16.20
	Pawnee	26.1	12.70	15.40
	Richardson	27.4	13.40	16.10
	Saline	26.8	13.30	15.90
	Thayer	29.8	14.50	17.40

NEVADA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
1	Churchill	40.5	\$18.20	\$21.90
	Douglas	37.0	16.60	20.00
	Humboldt	22.5	10.10	12.20
	Lyon	36.0	16.20	19.40
	Pershing	45.5	20.50	24.60
	Washoe	42.0	18.90	22.70
3	Elko	27.0	12.20	14.60
	White Pine	35.5	16.00	19.20
8	Clark	50.0	22.50	27.00
	Lincoln	50.0	22.50	27.00
	Nye	50.5	22.70	27.30

NEW JERSEY

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
2	Hunterdon	42.6	\$22.20	\$26.60
	Morris	34.7	18.10	21.60
	Somerset	41.0	21.30	25.60
	Sussex	38.5	20.00	24.00
	Union	42.0	21.80	26.20
	Warren	38.2	19.90	23.80
5	Burlington	46.7	24.30	29.10
	Mercer	47.0	24.40	29.30
	Middlesex	43.0	22.40	26.80
	Monmouth	41.3	21.40	25.80
8	Ocean	44.7	23.30	27.90
	Atlantic	44.0	22.90	27.50
	Camden	39.7	20.60	24.80
	Cape May	46.0	23.90	28.70
	Cumberland	43.5	22.70	27.10
	Gloucester	44.0	22.90	27.50
	Salem	46.0	23.90	28.70

NEW MEXICO

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
1	Bernalillo	36.5	\$13.60	\$16.40
	McKinley	11.0	3.50	4.20
	Rio Arriba	18.0	6.30	7.60
	Sandoval	36.5	13.60	16.40
	San Juan	28.5	7.50	9.10
	Santa Fe	32.5	11.70	14.00
	Taos	29.0	11.00	13.20
	Valencia	33.0	11.70	14.10
3	Colfax	22.0	8.70	10.40
	Curry	28.0	13.30	16.00
	De Baca	50.5	22.90	27.60
	Guadalupe	25.0	11.10	13.40
	Harding	18.0	8.20	9.80
	Mora	32.0	12.00	14.40
	Quay	20.0	9.40	11.30
	Roosevelt	32.5	15.20	18.30
	San Miguel	21.0	7.90	9.40
	Torrance	29.5	11.40	13.60
	Union	21.5	10.00	12.00
7	Catron	44.0	14.70	17.70
	Hidalgo	44.0	16.50	19.80
	Hidalgo	43.0	18.50	22.20
	Luna	43.0	18.50	22.20
	Sierra	49.0	18.40	22.00

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

NEW MEXICO—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
7	Socorro	49.0	\$18.40	\$22.00
9	Chaves	48.0	22.10	26.50
	Dona Ana	60.5	22.60	27.20
	Eddy	57.0	25.90	31.10
	Lea	33.0	15.70	18.80
	Lincoln	30.0	13.00	15.70
	Otero	30.0	13.00	15.70

NEW YORK

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
2	Jefferson	35.0	\$18.20	\$21.80
	Lewis	35.5	18.50	22.20
	St. Lawrence	31.5	16.40	19.70
3	Clinton	38.5	20.00	24.00
	Franklin	36.5	18.90	22.80
4	Erie	31.8	16.50	19.90
	Genesee	34.9	18.10	21.70
	Livingston	33.9	17.70	21.10
	Monroe	33.6	17.50	21.00
	Niagara	32.6	17.00	20.40
	Ontario	33.1	17.30	20.70
	Orleans	33.9	17.70	21.10
	Seneca	34.8	18.10	21.70
	Wayne	29.7	15.40	18.50
5	Wyoming	34.0	17.70	21.20
	Yates	35.6	18.50	22.30
	Cayuga	33.6	17.50	21.00
	Chemung	37.0	19.20	23.10
	Cortland	42.5	22.00	26.50
	Herkimer	32.0	16.60	20.00
	Madison	38.5	20.00	24.00
	Oneida	38.5	20.00	24.00
	Onondaga	36.0	18.70	22.50
	Oswego	37.0	19.20	23.10
	Otsego	40.0	20.80	25.00
6	Montgomery	30.5	15.80	19.00
	Rensselaer	34.0	17.70	21.20
	Saratoga	34.0	17.70	21.20
	Schenectady	32.0	16.60	20.00
	Schoharie	32.5	16.80	20.30
	Washington	34.0	17.70	21.20
7	Allegany	31.0	16.10	19.30
	Cattaraugus	33.0	17.20	20.60
	Chautauqua	30.0	15.60	18.70
	Steuben	28.8	15.00	18.00
8	Broome	37.5	19.60	23.40
	Chemung	31.0	16.10	19.30
	Schuyler	27.0	14.00	16.80
	Tioga	31.0	16.10	19.30
	Tompkins	31.0	16.10	19.30
9	Columbia	35.5	18.50	22.20
	Delaware	35.0	18.20	21.80
	Dutchess	36.5	18.90	22.80
	Greene	29.9	15.60	18.60
	Ulster	34.0	17.70	21.20

NORTH CAROLINA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
1	Caldwell	32.0	\$16.60	\$20.00
	Surry	36.0	18.70	22.50
	Watauga	27.0	14.00	16.80
	Wilkes	30.0	15.60	18.70
	Yadkin	37.0	19.20	23.10
4	Buncombe	29.0	15.10	18.10
	Burke	41.5	21.60	25.90
	Henderson	36.5	18.90	22.80
	McDowell	31.5	16.40	19.70
	Madison	28.0	14.60	17.50
	Folk	38.0	19.80	23.70
	Rutherford	29.5	15.40	18.40
	Yancey	26.5	13.70	16.50
2	Alamance	40.0	20.80	25.00
	Caswell	30.5	15.80	19.00
	Durham	39.0	20.30	24.30
	Forsyth	40.0	20.80	25.00
	Franklin	35.0	18.20	21.80
	Granville	28.0	14.60	17.50
	Guilford	39.5	20.60	24.60
	Orange	39.5	20.60	24.60
	Person	29.0	15.10	18.10
	Rockingham	37.5	19.60	23.40
	Stokes	35.5	18.50	22.20
	Vance	33.0	17.20	20.60
	Warren	33.5	17.50	20.90
5	Alexander	33.5	17.50	20.90
	Catawba	36.5	18.90	22.80
	Chatham	39.0	20.30	24.30
	Davidson	39.0	20.30	24.30
	Davie	42.5	22.00	26.50
	Iredell	37.5	19.60	23.40
	Lee	33.0	17.70	21.10
	Randolph	37.0	19.20	23.10
	Rowan	37.0	19.20	23.10

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

NORTH CAROLINA—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
5	Wake	36.5	\$18.90	\$22.80
8	Anson	32.0	16.60	20.00
	Cabarrus	29.0	15.10	18.10
	Cleveland	37.5	19.60	23.40
	Gaston	35.5	18.50	22.20
	Lincoln	36.5	18.90	22.80
	Mecklenburg	37.5	19.60	23.40
	Montgomery	34.5	17.90	21.50
	Moore	24.5	12.70	15.30
	Richmond	26.0	13.50	16.20
	Stanly	37.5	19.60	23.40
	Union	37.0	19.20	23.10
	Bertie	31.5	16.40	19.70
	Camden	25.0	13.00	15.60
	Chowan	27.0	14.00	16.80
	Currituck	38.1	19.80	23.80
	Edgecombe	32.0	16.60	20.00
	Gates	32.5	16.80	20.30
	Halifax	36.0	18.70	22.50
	Hertford	29.5	15.40	18.40
	Martin	27.0	14.00	16.80
	Nash	32.5	16.80	20.30
	Northampton	30.0	15.60	18.70
	Pasquotank	31.5	16.40	19.70
	Perquimans	33.0	17.20	20.60

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

NORTH DAKOTA—continued

District	County	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
8	Burleigh	22.0	\$9.60	\$11.50
	Emmons	21.7	9.30	11.20
	Grant	21.8	9.20	11.00
	Morton	21.0	8.90	10.70
	Stout	17.7	7.50	9.00
9	Dickey	25.0	11.40	13.60
	LaMoure	24.5	11.00	13.20
	Logan	22.4	9.90	11.80
	McIntosh	21.1	9.30	11.20
	Ransom	25.0	11.50	13.80
	Richland	31.0	14.40	17.30
	Sargent	27.2	12.50	15.00

OHIO

District	County	Bushels	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
1	Allen	35.8	\$17.20	\$20.60	
	Defiance	36.4	17.30	20.70	
	Fulton	42.0	20.00	23.90	
	Hancock	42.0	20.20	24.20	
	Henry	41.8	19.90	23.80	
	Lucas	43.4	20.60	24.70	
	Paulding	34.0	16.30	19.60	
	Putnam	41.0	19.70	23.60	
	Van Wert	43.2	20.70	24.90	
	Williams	37.1	17.90	21.40	
2	Wood	40.0	19.20	23.00	
	Ashland	37.8	18.20	21.80	
	Crawford	39.8	19.10	22.90	
	Erie	46.5	22.30	26.80	
	Huron	37.0	17.80	21.30	
	Lorain	33.0	16.00	19.20	
	Ottawa	36.5	17.50	21.00	
	Richland	35.5	17.30	20.70	
	Sandusky	39.5	19.00	22.80	
	Seneca	41.4	19.90	23.80	
3	Wyandot	35.0	16.80	20.20	
	Ashtabula	33.5	16.60	19.90	
	Columbiana	39.0	19.10	22.90	
	Geauga	36.1	17.80	21.50	
	Lake	39.5	19.40	23.20	
	Mahoning	37.5	18.60	22.30	
	Medina	39.7	19.20	23.10	
	Portage	39.3	19.00	22.90	
	Stark	41.7	20.20	24.20	
	Summit	35.0	17.00	20.40	
4	Trumbull	40.3	20.00	24.00	
	Wayne	41.5	20.20	24.20	
	Auglaize	37.5	18.00	21.60	
	Champaign	43.5	20.50	24.50	
	Clark	39.5	18.60	22.30	
	Darke	33.5	16.60	20.40	
	Hardin	34.5	16.50	19.90	
	Logan	37.0	17.60	21.10	
	Mercer	37.5	18.00	21.60	
	Miami	41.5	19.80	23.70	
5	Shelby	33.0	15.80	19.00	
	Delaware	37.5	18.00	21.60	
	Fairfield	37.5	18.00	21.60	
	Fayette	35.5	16.70	20.00	
	Franklin	40.5	19.40	23.30	
	Knox	34.0	16.30	19.60	
	Licking	36.0	17.30	20.70	
	Madison	39.0	18.50	22.20	
	Marion	34.5	16.50	19.90	
	Morrow	37.5	18.00	21.60	
6	Pickaway	33.5	16.00	19.10	
	Ross	34.7	16.50	19.80	
	Union	31.5	15.20	18.10	
	Belmont	39.5	19.20	23.00	
	Carroll	40.5	19.60	23.60	
	Coshocton	39.0	18.90	22.70	
	Harrison	38.5	18.60	22.40	
	Holmes	42.0	20.40	24.40	
	Jefferson	41.5	20.40	24.40	
	Tuscarawas	42.0	20.40	24.40	
7	Butler	35.0	16.40	19.70	
	Clermont	27.4	12.90	15.40	
	Clinton	32.0	15.00	18.00	
	Greene	33.0	15.90	19.40	
	Hamilton	30.0	14.10	16.90	
	Montgomery	36.5	17.10	20.60	
	Preble	38.5	18.00	21.70	
	Warren	32.0	15.00	18.00	
	Adams	25.0	11.80	14.10	
	Brown	29.0	13.60	16.40	
8	Gallia	37.5	17.70	21.20	
	Highland	29.6	13.90	16.70	
	Jackson	36.0	16.90	20.30	
	Pike	23.0	11.20	13.50	
	Scioto	37.0	17.40	20.90	

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

OHIO—continued

District	County	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
9	Athens	35.0	\$16.80	\$20.20
	Guernsey	34.0	16.50	19.80
	Hooking	31.0	14.90	17.90
	Melgs	30.0	14.10	16.90
	Monroe	37.0	17.90	21.60
	Morgan	37.0	17.90	21.60
	Muskingum	33.0	16.40	20.10
	Noble	35.5	17.30	20.70
	Perry	40.5	19.40	23.30
	Vinton	36.5	17.50	21.00
Washington	37.0	17.90	21.60	

OKLAHOMA

District	County	Bushels	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
1	Beaver	17.8	\$8.00	\$9.60	
	Cimarron	16.4	7.10	8.60	
	Ellis	17.6	8.00	9.60	
	Harper	17.5	8.00	9.60	
	Texas	17.6	7.90	9.50	
	2	Alfalfa	28.0	12.50	15.00
		Garfield	28.7	12.50	14.80
		Grant	28.1	12.10	14.60
		Kay	30.9	14.30	17.20
		Major	24.8	11.40	13.70
Noble		27.4	12.70	15.30	
Woods		24.5	11.20	13.50	
Woodward		22.0	10.10	12.10	
Craig		24.0	11.60	14.00	
Delaware		27.4	13.20	15.70	
3	Mayes	28.0	13.30	16.00	
	Nowata	24.6	11.90	14.40	
	Osage	24.6	11.60	13.90	
	Ottawa	25.3	12.20	14.70	
	Pawnee	25.3	11.70	14.10	
	Rogers	23.2	11.10	13.30	
	Tulsa	21.6	10.30	12.40	
	Wagoner	23.2	11.00	13.20	
	Washington	23.0	11.20	13.40	
	Beckham	20.6	9.60	11.60	
4	Blaine	25.4	11.80	14.10	
	Custer	22.3	10.40	12.50	
	Dewey	19.6	9.00	10.90	
	Roger Mills	17.1	7.90	9.50	
	Washita	22.3	10.40	12.50	
	Canadian	25.4	11.80	14.10	
	Cleveland	23.0	10.70	12.80	
	Creek	19.2	8.90	10.70	
	Grady	27.4	12.70	15.30	
	Kingfisher	25.4	11.80	14.10	
5	Lincoln	22.3	10.40	12.50	
	Logan	26.7	12.50	14.90	
	McCain	27.4	12.70	15.30	
	Okfuskee	21.6	10.60	12.10	
	Oklahoma	24.7	11.50	13.80	
	Payne	25.0	11.60	14.00	
	Pottawatomie	23.2	10.80	12.90	
	Seminole	24.0	11.20	13.40	
	Adair	22.0	10.20	12.30	
	Cherokee	19.2	9.00	10.80	
6	Haskell	23.8	13.40	16.10	
	Hughes	16.6	7.70	9.30	
	McIntosh	26.6	12.40	14.90	
	Muskogee	22.4	10.40	12.50	
	Okmulgee	17.0	7.90	9.50	
	Pittsburg	20.0	9.30	11.20	
	Sequoyah	30.8	14.30	17.20	
	Caddo	25.4	11.80	14.10	
	Comanche	24.4	11.30	13.60	
	Cotton	24.9	11.50	13.80	
7	Greer	21.3	9.80	11.60	
	Harmon	27.2	12.60	15.20	
	Jackson	27.2	12.60	15.20	
	Kiowa	26.4	12.30	14.70	
	Tillman	26.4	12.30	14.70	
	Atoka	22.8	10.60	12.70	
	Bryan	20.0	9.30	11.20	
	Cartter	21.0	9.80	11.70	
	Coal	16.0	7.40	8.90	
	Garvin	23.6	11.00	13.20	
8	Jefferson	24.1	11.20	13.50	
	Johnston	21.2	9.90	11.80	
	Love	25.2	11.70	14.00	
	Marshall	23.2	11.00	13.20	
	Murray	25.4	11.80	14.10	
	Pontotoc	22.4	10.40	12.50	
	Stephens	24.0	11.20	13.40	
	Choctaw	20.0	9.30	11.20	
	Latimer	17.5	8.20	9.80	
	Le Flore	23.8	11.10	13.30	
9	McCurain	27.0	12.60	15.10	
	Pushmataha	25.0	11.60	14.00	

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

OREGON

District	County	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
1	Benton	36.0	\$18.20	\$21.80
	Clackamas	32.0	16.50	19.80
	Columbia	34.5	17.50	21.10
	Lane	34.0	16.70	20.00
	Linn	30.0	15.20	18.20
	Marion	35.3	18.10	21.80
	Multnomah	40.2	21.30	25.60
	Polk	39.0	19.90	23.90
	Washington	40.2	21.10	25.30
	Yamhill	39.2	20.40	24.40
2	Gilliam	33.0	17.30	20.80
	Hood River	35.0	18.40	22.00
	Morrow	31.4	16.30	19.60
	Sherman	33.0	20.00	23.90
	Wasco	34.6	18.70	22.60
	Baker	30.6	15.00	18.00
	Umatilla	43.8	22.60	27.10
	Union	38.6	19.10	23.00
	Wallowa	32.6	15.60	18.80
	Douglas	32.7	15.40	18.40
3	Jackson	41.4	18.40	22.10
	Josephine	24.5	10.90	13.10
	Crook	37.5	19.40	23.20
	Deschutes	29.0	14.80	17.90
	Grant	29.6	15.20	18.30
	Harney	23.0	9.70	11.60
	Jefferson	33.1	20.00	24.00
	Klamath	33.4	18.60	22.90
	Lake	23.0	11.20	13.40
	Melheur	46.2	20.30	24.40
Wheeler	24.4	12.60	15.00	

PENNSYLVANIA

District	County	Bushels	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
1	Crawford	31.3	\$16.20	\$19.60	
	Erie	34.8	18.10	21.70	
	Forest	32.0	16.60	20.00	
	Mercer	37.4	19.40	23.90	
	Venango	37.6	19.60	23.90	
	Warren	36.0	18.70	22.50	
	2	Bradford	34.4	17.90	21.40
		Cameron	29.0	15.10	18.10
		Clinton	35.8	18.60	22.40
		Elk	34.5	17.90	21.50
Lycoming		34.2	17.80	21.30	
McKean		32.9	17.10	20.60	
Potter		32.6	17.00	20.40	
Sullivan		30.4	15.80	18.90	
Tioga		29.2	15.20	18.20	
Lackawanna		40.0	20.80	25.00	
3	Susquehanna	39.0	20.30	24.30	
	Wayne	35.0	18.20	21.80	
	Wyoming	43.4	22.60	27.00	
	Armstrong	32.1	16.60	20.10	
	Beaver	41.4	2		

RULES AND REGULATIONS

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

PENNSYLVANIA—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
0	Berks	40.0	\$20.80	\$25.00
	Bucks	42.2	21.90	26.30
	Chester	44.4	23.10	27.70
	Delaware	41.5	21.60	25.90
	Lancaster	44.4	23.10	27.70
	Lebanon	41.8	21.70	26.10
	Montgomery	40.0	20.80	25.00
	Philadelphia	43.3	22.50	27.00

SOUTH CAROLINA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
1	Anderson	28.8	\$15.00	\$18.00
	Cherokee	31.6	16.40	19.80
	Greenville	30.5	15.80	19.00
	Laurens	29.9	15.60	18.60
	Oconee	27.2	14.10	17.00
	Pickens	28.6	14.90	17.90
	Spartanburg	27.8	14.50	17.40
	Union	26.5	13.70	16.50
2	Chester	29.7	15.40	18.50
	Fairfield	33.3	17.30	20.80
	Kershaw	24.9	12.90	15.50
	Lancaster	27.6	14.40	17.30
	York	36.2	18.80	22.60
3	Chesterfield	25.4	13.20	15.80
	Darlington	27.0	14.00	16.80
	Dillon	27.8	14.50	17.40
	Florence	32.2	16.70	20.10
	Georgetown	31.5	16.40	19.70
	Horry	26.5	13.70	16.50
	Marion	25.6	13.30	16.00
	Marlboro	25.8	13.40	16.10
	Williamsburg	25.0	13.00	15.60
4	Abbeville	27.7	14.40	17.30
	Aiken	24.8	12.90	15.50
	Edgefield	32.8	17.10	20.50
	Greenwood	34.3	17.90	21.40
	McCormick	33.0	17.20	20.60
	Newberry	36.0	18.70	22.50
	Saluda	30.1	15.60	18.80
5	Calhoun	28.4	14.80	17.70
	Clarendon	26.4	13.70	16.40
	Lee	27.5	14.40	17.20
	Lexington	25.2	13.10	15.70
	Orangeburg	27.0	14.00	16.80
	Richland	33.2	17.30	20.70
	Sumter	30.8	16.00	19.20
8	Allendale	29.7	15.40	18.50
	Bamberg	21.7	11.20	13.50
	Barnwell	24.8	12.90	15.50
	Berkeley	20.0	10.40	12.50
	Charleston	30.6	15.90	19.10
	Colleton	19.3	10.00	12.10
	Dorchester	20.0	10.40	12.50
	Hampton	21.6	11.20	13.50

SOUTH DAKOTA

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
1	Butte	22.0	\$8.90	\$10.70
	Corson	17.4	7.40	8.80
	Dewey	17.0	7.10	8.60
	Harding	20.8	8.60	10.40
	Perkins	18.4	7.60	9.10
	Ziebach	17.0	7.10	8.50
2	Brown	28.4	13.10	15.60
	Campbell	20.8	9.00	10.90
	Edmunds	22.3	10.10	12.10
	Faulk	27.8	12.50	15.00
	McPherson	22.4	10.00	11.90
	Potter	26.0	11.80	14.20
	Spink	26.8	12.30	14.80
	Wauwatu	23.0	10.10	12.10
	Clark	26.7	12.50	14.90
3	Codington	27.5	13.00	15.50
	Day	28.4	13.10	15.60
	Deuel	31.5	14.90	17.80
	Grant	30.0	14.10	16.90
	Hamlin	28.3	13.30	16.00
	Marshall	28.7	13.20	15.80
	Roberts	31.5	14.70	17.60
4	Haakon	23.6	9.80	11.80
	Jackson	21.6	9.10	10.90
	Lawrence	20.2	8.30	9.90
	Meade	20.8	8.40	10.10
	Pennington	20.8	8.40	10.10
	Stanley	24.0	10.60	12.70
5	Aurora	27.3	12.50	15.10
	Beadle	25.4	11.70	14.00
	Brule	26.3	12.00	14.40
	Buffalo	26.3	12.00	14.40
	Hand	26.5	12.00	14.50
	Hughes	28.5	12.50	15.00
	Hyde	27.0	12.00	14.40

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

SOUTH DAKOTA—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
5	Jerauld	26.8	\$12.30	\$14.80
	Sully	27.6	12.00	14.40
6	Brookings	32.3	15.20	18.20
	Davidson	31.3	14.50	17.50
	Hanson	31.5	14.90	17.80
	Kingsbury	28.1	13.00	15.70
	Lake	31.2	14.50	17.40
	McCook	31.6	14.90	17.90
	Miner	31.0	14.40	17.30
	Minnehaha	33.2	15.80	18.90
	Moody	34.4	16.20	19.40
	Sanborn	27.0	12.40	14.90
7	Bennett	22.5	9.90	11.90
	Custer	18.4	7.60	9.10
	Fall River	26.4	11.00	13.10
	Shannon	21.2	9.20	11.00
	Washabaugh	22.4	9.40	11.30
8	Gregory	26.2	12.20	14.60
	Jones	24.3	10.50	12.60
	Lyman	24.8	11.00	13.30
	Mellette	24.2	11.00	13.20
	Todd	22.0	10.00	12.00
9	Tripp	23.5	10.80	13.00
	Bon Homme	26.0	12.40	14.80
	Charles Mix	27.3	12.60	15.30
	Clay	31.8	15.40	18.50
	Douglas	28.6	13.30	16.00
	Hutchinson	30.9	14.50	17.40
	Lincoln	32.0	15.20	18.20
	Turner	30.0	14.20	17.10
	Union	32.2	15.60	18.70
	Yankton	28.0	13.40	16.10

TENNESSEE

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
1	Dyer	26.0	\$13.10	\$15.80
	Lake	34.9	17.60	21.10
	Lauderdale	26.6	13.40	16.20
	Obion	27.0	13.60	16.40
	Shelby	21.1	10.90	13.10
2	Tipton	29.2	14.70	17.70
	Carroll	23.2	11.70	14.00
	Crockett	23.7	11.90	14.30
	Fayette	20.0	10.10	12.10
	Gibson	23.7	11.90	14.30
	Hardeman	35.0	17.70	21.20
	Haywood	28.8	14.50	17.50
	Henderson	34.8	17.60	21.10
	Henry	21.2	10.70	12.80
	Madison	33.8	17.10	20.50
	Weakley	22.9	11.50	13.80
3	Benton	20.0	10.10	12.10
	Cheatham	34.4	17.40	20.80
	DeCATUR	20.0	10.10	12.10
	Dickson	23.8	12.00	14.40
	Hardin	20.0	10.10	12.10
	Hickman	23.6	11.90	14.30
	Houston	31.5	16.00	19.10
	Humphreys	23.0	11.60	13.90
	Lawrence	22.0	11.10	13.30
	Lewis	20.0	10.10	12.10
	Montgomery	30.0	15.20	18.20
	Perry	20.0	10.10	12.10
	Robertson	31.6	16.00	19.20
	Stewart	20.0	10.10	12.10
	Wayne	20.0	10.10	12.10
4	Bedford	21.1	10.70	12.80
	Cannon	19.0	9.60	11.50
	Clay	25.2	12.70	15.30
	Davidson	23.3	11.70	14.10
	De Kalb	23.4	11.80	14.10
	Giles	21.1	10.70	12.80
	Jackson	21.0	10.60	12.70
	Lincoln	22.8	11.50	13.80
	Macon	31.4	15.90	19.00
	Marshall	20.5	10.30	12.40
	Mauzy	21.8	11.00	13.20
	Moore	20.5	10.30	12.40
	Rutherford	23.3	11.70	14.10
	Smith	22.7	11.50	13.70
	Sumner	27.4	13.80	16.60
	Trousdale	22.0	11.10	13.30
	Williamson	26.4	13.30	16.00
	Wilson	22.2	11.20	13.40
5	Bledsoe	30.0	15.20	18.20
	Coffee	25.0	12.60	15.20
	Cumberland	30.0	15.20	18.20
	Fentress	33.8	17.10	20.50
	Franklin	28.4	14.30	17.20
	Grundy	27.0	13.60	16.40
	Marion	28.0	14.10	17.00
	Morgan	29.0	14.60	17.60
	Overton	32.2	16.30	19.50
	Pickett	29.4	14.80	17.80
	Putnam	27.5	13.90	16.70

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

TENNESSEE—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
		<i>Bushels</i>		
5	Sequatchie	26.4	\$13.30	\$16.00
	Van Buren	32.0	16.20	19.40
	Warren	22.0	11.10	13.30
	White	22.0	11.10	13.30
6	Anderson	30.4	15.40	18.40
	Blount	34.7	17.60	21.00
	Bradley	27.4	13.80	16.60
	Carter	31.6	16.00	19.20
	Claiborne	37.4	18.90	22.60
	Cocke	37.0	18.70	22.40
	Grainger	37.0	18.70	22.40
	Greene	30.9	15.60	18.70
	Hamblen	37.0	18.70	22.40
	Hamilton	20.0	10.10	12.10
	Hancock	20.8	10.50	12.60
	Hawkins	27.4	13.80	16.60
	Jefferson	30.0	15.20	18.20
	Johnson	33.2	16.80	20.10
	Knox	35.5	18.00	21.60
	Loudon	23.4	14.30	17.20
	McMinn	34.6	17.50	21.00
	Meigs	28.8	14.50	17.50
	Monroe	36.2	18.30	21.90
	Polk	33.6	17.00	20.40
	Rhea	22.8	11.50	13.80
	Roane	23.5	11.90	14.20

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

TEXAS—continued

District	County	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre	
2-S	Scurry	20.9	\$10.10	\$12.10	
	Stonewall	20.9	10.10	12.10	
	3	Taylor	20.8	10.20	12.20
		Archer	21.6	10.50	12.60
		Brown	19.7	10.00	12.00
		Callahan	20.0	9.90	11.90
		Clay	22.7	11.30	13.50
		Comanche	18.2	9.30	11.10
		Eastland	18.9	9.40	11.30
		Erath	19.0	9.60	11.50
		Hood	26.4	13.50	16.10
		Jack	19.8	9.90	11.90
	4	Mills	19.3	10.00	12.10
		Montague	23.6	11.80	14.20
		Falo Pinto	19.6	9.80	11.80
		Farker	20.0	10.30	12.40
		Shackelford	17.5	8.60	10.30
		Somervell	19.8	10.20	12.30
		Stephens	17.0	8.50	10.20
		Throckmorton	21.2	10.40	12.40
Wise		23.6	12.00	14.50	
Young		20.6	10.30	12.40	
Bell		18.7	10.10	12.00	
Bosque		19.6	10.30	12.40	
Collin		24.4	12.60	15.00	
Cooke		27.4	13.80	16.60	
Coryell		18.6	9.90	11.90	
Dallas		23.0	12.00	14.40	
Delta		15.8	8.00	9.60	
Benton		22.6	11.50	13.90	
Ellis		20.4	10.80	12.90	
Falls		18.6	10.00	12.10	
Fannin	21.8	11.00	13.20		
Grayson	21.2	10.70	12.80		
Hamilton	17.7	9.10	10.90		
Hill	18.8	10.00	12.00		
Hunt	19.7	10.00	12.00		
Johnson	23.4	12.20	14.60		
Kaufman	17.9	9.30	11.00		
Lamar	19.5	9.80	11.70		
Limestone	18.4	9.90	11.80		
McLennan	19.6	10.50	12.60		
Millam	18.2	9.90	11.80		
Navarro	19.4	10.40	12.40		
Rockwall	21.8	11.10	13.40		
Tarrant	19.7	10.20	12.30		
Williamson	16.1	8.60	10.50		
5-N	Bowie	37.4	18.90	22.60	
	Cass	16.0	8.20	9.80	
	Henderson	15.0	8.00	9.50	
	Hopkins	16.0	8.10	9.70	
	Panola	18.0	9.50	11.40	
	Rains	13.0	6.80	8.10	
	Red River	22.4	11.10	13.30	
	Van Zandt	20.4	10.60	12.70	
	Freestone	18.4	9.90	11.90	
	Grimes	27.6	15.50	18.60	
6	Robertson	18.6	10.10	12.20	
	San Augustine	18.0	9.60	11.60	
	Culberson	51.3	22.30	26.80	
	El Paso	49.3	21.40	25.80	
	Hindspeith	49.3	21.40	25.80	
	Jeff Davis	42.0	18.30	21.90	
	Loving	42.0	18.70	22.40	
	Pecos	47.0	20.70	24.80	
	Presidio	42.0	18.30	21.90	
	Reeves	42.4	18.70	22.40	
7	Ward	42.0	19.30	23.20	
	Winkler	10.6	5.00	6.10	
	Bandera	26.4	13.70	16.40	
	Blanco	22.2	11.90	14.20	
	Burnet	19.4	10.20	12.20	
	Coke	21.0	10.20	12.20	
	Concho	21.5	10.80	12.90	
	Gillespie	26.5	13.60	16.40	
	Irion	21.0	9.60	11.50	
	Kendall	24.0	12.40	14.80	
8-N	Kerr	25.8	13.30	16.00	
	Kimble	25.6	12.90	15.60	
	Kinney	25.6	12.80	15.40	
	Lampasas	22.1	11.60	14.00	
	Llano	22.9	12.00	14.40	
	McCulloch	21.1	10.70	12.80	
	Mason	24.1	12.20	14.80	
	Menard	20.4	10.20	12.20	
	Real	25.6	13.10	15.70	
	San Saba	21.4	10.90	13.10	
9	Schleicher	21.0	9.70	11.60	
	Sterling	21.0	9.70	11.60	
	Tom Green	21.9	10.70	12.70	
	Upton	36.2	16.10	19.30	
	Uvalde	25.6	13.10	15.70	
	Van Verde	21.6	10.50	12.60	
	Austin	20.6	11.60	14.00	
	Bastrop	17.5	9.60	11.40	
	Bexar	25.6	13.60	16.30	
	Burleson	21.6	11.90	14.30	
Caldwell	18.8	10.20	12.20		

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

TEXAS—continued

District	County	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre	
8-N	Comal	24.2	\$12.90	\$15.50	
	De Witt	22.7	12.40	14.80	
	Fayette	26.2	14.40	17.30	
	Goliad	23.9	13.10	15.60	
	Gonzales	22.6	12.30	14.80	
	Guadalupe	29.4	15.70	18.80	
	Hays	22.9	12.30	14.80	
	Karnes	22.6	12.10	14.60	
	Leo	17.5	9.60	11.40	
	Medina	28.4	14.80	17.70	
	Travis	17.5	9.50	11.30	
	Washington	20.6	11.50	13.90	
	Wilson	22.6	12.00	14.40	
	Jackson	15.0	8.20	11.80	
	9	Atascosa	15.8	8.20	9.90
		Frio	15.6	8.20	10.40
		La Salle	13.8	7.20	8.60
		Live Oak	15.8	8.40	10.10
		Maverick	28.4	13.10	15.60
		Zavala	25.6	12.50	15.10
10-N		Box Elder	43.5	\$18.50	\$22.20
		Cache	40.5	17.20	20.70
		Davis	49.8	20.70	24.90
		Morgan	54.6	23.20	27.90
	Rich	32.2	13.70	16.40	
	Salt Lake	41.0	17.40	20.80	
	Tooele	35.7	15.10	18.20	
	Weber	50.8	21.60	25.00	
	Juab	37.8	16.10	19.30	
	5	Millard	45.5	19.40	23.20
		Sanpete	43.8	18.60	22.40
		Sevier	59.5	25.30	30.30
		Utah	54.2	23.00	27.60
		Carbon	33.8	16.50	19.80
		Daggett	23.8	12.20	14.70
		Duchesne	35.0	14.90	17.80
		Emery	41.0	17.40	20.90
		Grand	46.0	19.60	23.50
		San Juan	12.8	5.40	6.60
	6	Summit	49.8	21.20	25.40
Uintah		39.0	16.60	19.90	
Wasatch		63.2	26.90	32.20	
Beaver		42.2	17.90	21.50	
Garfield		47.5	20.20	24.20	
Iron		52.0	22.10	26.60	
Kane		29.5	12.60	15.00	
Ft. H. H. H.		49.8	21.20	25.40	
Washington		49.8	21.20	25.40	
Wayne		48.5	20.60	24.70	
7	Clarke	39.2	\$19.60	\$23.80	
	Culpeper	41.4	21.50	25.80	
	Fairfax	38.7	20.20	24.10	
	Fauquier	36.5	18.90	22.80	
	Frederick	37.0	19.20	23.10	
	Loudoun	41.2	21.40	25.70	
	Madison	40.4	21.00	25.20	
	Page	40.6	21.10	25.40	
	Prince William	38.2	19.90	23.80	
	Rappahannock	38.4	20.00	23.90	
	Rockingham	41.8	21.70	26.10	
	Shenandoah	39.1	20.40	24.40	
	Stafford	40.4	21.00	25.20	
	Warren	36.8	19.10	23.00	
	4	Alleghany	37.2	19.30	23.20
		Augusta	45.6	23.70	28.50
		Bath	37.5	19.60	23.40
		Botetourt	41.2	21.40	25.70
		Craig	43.9	22.90	27.40
		Highland	34.2	17.80	21.30
Roanoke		42.4	22.00	26.40	
Rockbridge		39.7	20.60	24.80	
Albermarle		40.0	20.80	25.00	
Amelia		44.7	23.30	27.90	
5	Amherst	31.6	16.40	19.80	
	Appomattox	36.0	18.70	22.50	
	Bedford	42.6	22.20	26.60	
	Buckingham	37.4	19.40	23.30	
	Campbell	36.4	18.90	22.70	
	Caroline	39.2	20.40	24.40	
	Chesterfield	33.9	17.70	21.10	
	Cumberland	39.7	20.60	24.80	
	Fluvanna	41.0	21.30	25.60	
	Goobland	37.4	19.40	23.30	
6	Greene	35.4	18.40	22.00	
	Hanover	39.9	20.80	24.90	
	Henrico	39.7	20.60	24.80	
	7	Clallam	63.5	\$27.20	\$32.60
		Clark	38.8	20.40	24.50
		Cowlitz	35.0	18.20	21.80
		Grays Harbor	44.5	22.20	26.70
		Island	42.0	21.60	26.00
		Jefferson	52.5	24.90	29.90
		King	37.5	19.70	23.60
Kitsap		35.5	17.40	20.90	
Lewis		34.4	17.20	20.60	
Pierce		31.1	16.40	19.60	
2	San Juan	29.5	15.10	18.10	
	Skagit	50.4	25.70	30.80	
	Skamania	42.5	22.30	26.80	
	Snohomish	40.0	20.60	24.70	
	Thurston	38.6	19.50	23.40	
	Whatcom	48.5	24.40	29.40	
	Benton	30.5	15.80	19.00	
	Chelan	19.2	9.80	11.70	
	Kittitas	45.4	24.10	28.80	
	Klickitat	31.0	16.80	20.10	
3	Okanogan	21.2	10.70	12.80	
	Yakima	51.2	26.40	31.60	
	Ferry	23.2	9.70	11.70	
	Pend Oreille	29.1	12.80	15.40	
	Spokane	35.7	17.40	21.00	
	Stevens	31.5	14.70	17.60	
	Adams	33.6	17.10	20.60	
	Douglas	25.5	12.90	15.50	
	Franklin	33.8	17.40	20.90	
	Grant	31.2	15.90	19.10	
Lincoln	35.4	17.70	21.20		

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued

VIRGINIA—continued

District	County	1959-60 ad- justed average yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
5	Louisa	34.0	\$17.70	\$21.20
	Nelson	37.0	19.20	23.10
	Orange	42.8	22.30	26.70
	Powhatan	40.0	20.80	25.00
	Prince Edward	37.5	19.60	23.40
	Spotsylvania	41.6	21.60	26.00
	Accomac	38.0	19.80	23.70
	Charles City	40.0	20.80	25.00
	Essex	44.6	23.20	27.90
	Gloucester	42.6	22.20	26.60
	James City	44.1	22.90	27.60
	King and Queen	39.2	20.40	24.40
	King George	42.0	21.80	26.20
	King William	42.7	22.30	26.50
	Lancaster	40.0	20.80	25.00
	Mathews	38.5	20.00	24.30
	Middlesex	42.1	21.80	26.00
	New Kent	39.6	20.60	24.50
	Northampton	37.5	19.60	23.40
	Northumberland	41.0	21.30	25.60
Richmond	41.4	21.50	25.80	
Westmoreland	44.5	23.10	27.80	
York	39.6	20.60	24.50	
6	Bland	38.0	19.80	23.70
	Carroll	35.0	18.20	21.80
	Floyd	41.8	21.70	2

RULES AND REGULATIONS

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued.

WASHINGTON—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
9	Asotin	32.4	\$15.90	\$19.00
	Columbia	47.8	24.40	29.30
	Garfield	46.4	23.20	27.80
	Walla Walla	47.6	24.50	29.50
	Whitman	43.8	21.70	26.00

WEST VIRGINIA

District	County	Bushels		
2	Barbour	34.6	\$17.50	\$21.00
	Brooke	35.4	17.90	21.40
	Hancock	34.4	17.40	20.80
	Harrison	35.4	17.90	21.40
	Lewis	37.0	18.70	22.40
	Marshall	28.2	14.20	17.10
	Monongalia	34.9	17.60	21.10
	Ohio	34.4	17.40	20.80
	Preston	39.4	19.90	23.80
	Ritchie	35.5	18.00	21.50
	Taylor	36.8	18.60	22.30
	Upshur	33.3	16.80	20.20
	Wood	37.4	18.90	22.60
	4	Cabell	35.0	17.70
Calhoun		31.0	15.70	18.80
Fayette		31.6	16.00	19.20
Mason		31.5	16.00	19.10
Nicholas		32.0	16.20	19.40
Putnam		32.5	16.40	19.70
Berkeley		43.2	21.80	26.20
Grant		32.9	16.60	19.90
Greenbrier		32.4	16.40	19.60
Hampshire		35.4	18.40	22.00
6	Hardy	35.8	18.10	21.70
	Jefferson	37.4	18.90	22.60
	Mineral	29.6	14.90	18.00
	Monroe	34.4	17.40	20.80
	Morgan	35.2	17.80	21.30
	Pendleton	37.7	19.00	22.80
	Pocahontas	33.8	17.10	20.50
	Randolph	37.2	18.80	22.50
	Summers	27.8	14.00	16.90
	Tucker	38.2	19.30	23.10

WISCONSIN

District	County	Bushels		
1	Barron	34.0	\$16.50	\$19.80
	Bayfield	28.8	14.00	16.80
	Burnett	25.0	12.40	14.80
	Chippewa	36.0	17.30	20.70
	Douglas	34.0	17.00	20.40
	Polk	31.8	15.70	18.90
	Rusk	34.0	16.30	19.60
	Sawyer	34.0	16.50	19.80
	Washburn	30.0	14.70	17.60
	2	Ashland	30.9	14.80
Clark		30.9	18.30	22.00
Iron		29.8	14.00	16.80
Lincoln		29.8	13.70	16.50
Marathon		38.5	17.90	21.50
Oneida		29.0	13.20	15.80
Price		34.0	16.00	19.20
Taylor		36.0	16.90	20.30
Vilas		30.0	13.50	16.20
3		Florence	29.0	13.20
	Forest	36.0	16.60	19.90
	Langlade	37.7	17.50	21.00
	Marquette	33.0	15.20	18.20
	Oconto	37.0	17.40	20.90
	Shawano	41.3	19.60	23.60
	Buffalo	42.0	20.40	24.40
	Dunn	37.5	18.40	22.00
	Eau Claire	39.1	19.00	22.80
	Jackson	38.0	18.20	21.90
4	La Crosse	42.0	20.00	23.90
	Monroe	35.0	16.60	20.00
	Pepin	36.0	17.60	21.20
	Pierce	35.4	17.50	21.00
	St. Croix	38.5	19.00	22.90
	Trempealeau	40.5	19.40	23.30
	Adams	29.0	13.80	16.50
	Green Lake	40.0	19.20	23.00
	Juneau	39.0	19.00	22.50
	Marquette	30.0	14.20	17.10
5	Portage	27.0	12.80	15.40
	Waupaca	38.0	18.00	21.70
	Waushara	27.0	12.80	15.40
	Wood	35.5	16.70	20.00
	Brown	35.5	17.10	20.40
	Calumet	39.0	18.70	22.50
	Door	38.0	17.70	21.20
	Fond du Lac	39.0	18.90	22.70
	Kewaunee	41.5	19.60	23.40
	Manitowoc	40.5	19.40	23.30

1962 FEED GRAIN PROGRAM—Continued
County 1959-60 Adjusted Average Yield and
Per Acre Payments for Barley—Continued.

WISCONSIN—continued

District	County	1959-60 ad- justed aver- age yield	50 per- cent pay- ment rate per acre	60 per- cent pay- ment rate per acre
6	Outagamie	40.5	\$19.40	\$23.30
	Sheboygan	39.0	19.10	22.90
	Winnebago	39.5	19.00	22.80
	Crawford	39.0	18.30	22.00
	Grant	39.0	18.50	22.20
7	Iowa	36.0	17.10	20.50
	Lafayette	36.0	17.30	20.70
	Richland	41.5	19.80	23.70
	Sauk	37.2	17.90	21.40
	Vernon	37.5	17.70	21.20
8	Columbia	40.0	19.20	23.00
	Dane	38.5	18.80	22.60
	Dodge	37.0	17.90	21.50
	Green	40.5	19.80	23.80
	Jefferson	39.0	19.30	23.20
9	Rock	40.5	20.00	24.10
	Kenosha	38.0	19.60	23.50
	Milwaukee	38.5	19.80	23.80
	Ozaukee	36.6	17.90	21.60
	Walworth	37.5	19.40	23.20
	Washington	38.5	19.00	22.80
	Waukesha	37.2	18.20	21.80
		37.0	18.30	22.00

WYOMING

District	County	Bushels		
1	Big Horn	46.1	\$16.30	\$19.70
	Fremont	41.2	14.60	17.50
	Hot Springs	38.8	13.80	16.50
	Park	47.4	16.60	19.90
	Washakie	48.8	17.30	20.80
2	Campbell	18.2	7.00	8.40
	Crook	17.2	6.80	8.10
	Johnson	26.6	10.00	12.00
	Sheridan	27.7	10.40	12.40
	Weston	16.2	6.50	7.80
3	Lincoln	31.8	11.10	13.40
	Sublette	20.8	7.30	8.80
	Teton	35.6	14.60	17.80
	Uinta	36.0	12.60	15.10
	Albany	31.6	12.60	15.20
4	Carbon	31.8	11.90	14.30
	Natrona	29.5	10.80	12.90
	Sweetwater	29.8	10.40	12.50
	Converse	27.8	10.80	13.00
	Goshute	33.9	14.30	17.10
	Laramie	20.6	11.30	13.60
	Niobrara	26.2	10.60	12.70
	Platte	26.5	11.10	13.40

Issued at Washington, D.C., this 28th day of December 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61-12428; Filed, Dec. 28, 1961; 3:55 p.m.]

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

[Orange Reg. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.302 Orange Regulation 1.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), 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 basis of the recommendations of the

committees established under the afore-said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including 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 (5 U.S.C. 1001-1011) 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, including 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 January 2, 1962, 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, including 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 United States Standards for Florida Oranges and Tangelos (§§ 51.1140-51.1178 of this title; 25 F.R. 8211).

(2) During the period beginning at 12:01 a.m., e.s.t., January 8, 1962, and ending at 12:01 a.m., e.s.t., January 22, 1962, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

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

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2\frac{3}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos: *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2\frac{3}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{1}{16}$ inches in diameter or smaller; or

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than $2\frac{3}{16}$ inches in diameter, except that a tolerance of ten percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the aforesaid United States Standards for Florida Oranges and Tangelos.

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

Dated: January 4, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 62-220; Filed, Jan. 5, 1962;
8:53 a.m.]

[Grapefruit Reg. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.303 Grapefruit Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905 as amended (7 CFR Part 905), 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 basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became avail-

able 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 all grapefruit, 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 January 2, 1962, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of 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 United States Standards for Florida Grapefruit (§§ 51.750-51.783 of this title; 26 F.R. 163).

(2) During the period beginning at 12:01 a.m., e.s.t., January 8, 1962, and ending at 12:01 a.m., e.s.t., January 22, 1962, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which do not grade at least U.S. No. 1: *Provided*, That such grapefruit may have discoloration to the extent permitted under the U.S. No. 2 Russet grade, and may have slightly rough texture caused only by speck type melanose;

(ii) Any seeded grapefruit, grown in the production area, which are smaller than $3\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit; or

(iii) Any seedless grapefruit, grown in the production area, which are small-

er than $3\frac{5}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit.

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

Dated: January 4, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Veg-
etable Division, Agricultural
Marketing Service.

[F.R. Doc. 62-221; Filed, Jan. 5, 1962;
8:53 a.m.]

[Tangelo Reg. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.304 Tangelo Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), 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 basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, 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 (5 U.S.C. 1001-1011) 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 tangelos, 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 January 2, 1962, 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 tangelos; 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 tangelos, 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 United States Standards for Florida Oranges and Tangelos (§§ 51.1140-51.1178 of this title; 25 F.R. 8211).

(2) During the period beginning at 12:01 a.m., e.s.t., January 8, 1962, and ending at 12:01 a.m., e.s.t., January 22, 1962, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U.S. No. 1 Russet; or

(ii) Any tangelos, grown in the production area, which are of a size smaller than $2\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos.

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

Dated: January 4, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-222; Filed, Jan. 5, 1962; 8:53 a.m.]

— [Navel Orange Reg. 1]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.301 Navel Orange Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel

Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under 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 hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 4, 1962.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., January 7, 1962, and ending at 12:01 a.m., P.s.t., January 14, 1962, are hereby fixed as follows:

- (i) District 1: 375,000 cartons;
- (ii) District 2: 225,000 cartons;
- (iii) District 3: unlimited movement;
- (iv) District 4: unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same

meaning as when used in said amended marketing agreement and order.

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

Dated: January 5, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-238; Filed, Jan. 5, 1962; 11:11 a.m.]

— [Lemon Reg. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.301 Lemon Regulation 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special prep-

aration on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 3, 1962.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., January 7, 1962, and ending at 12:01 a.m., P.s.t., January 14, 1962, are hereby fixed as follows:

- (i) District 1: 18,600 cartons;
- (ii) District 2: 148,800 cartons;
- (iii) District 3: unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: January 4, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-223; Filed, Jan. 5, 1962; 8:53 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 1]

PART 107—SMALL BUSINESS INVESTMENT COMPANIES

Miscellaneous Amendments

There was published in the FEDERAL REGISTER on September 29, 1961 (26 F.R. 9179), a notice of intention to amend § 107.716 relating to the restriction of borrowing power of a Licensee and officers and directors thereof, and there was published on November 15, 1961 (26 F.R. 10702), a notice of intention to amend §§ 107.11, 107.104, 107.301, 107.402, 107.403, 107.704, 107.707, and 107.708 of Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations as revised in 26 F.R. 8232-8242.

Interested persons were given an opportunity to present their comments or suggestions pertaining thereto to the Investment Division, Small Business Administration, Washington 25, D.C., within fifteen days and twenty-one days, respectively, of the date of publication of the notices in the FEDERAL REGISTER. After consideration of all such relevant matter as was presented by the interested persons regarding the proposed amendments, the amendments of regulations as so proposed with changes resulting from such consideration are hereby adopted as set forth below. Proposed § 107.708(a) is being further considered and does not appear in the amendments set forth below.

Because of the necessity for promptly applying the proposed procedures to the program authorized under the Small

Business Investment Act of 1958, as amended, the subject amendments of regulations shall become effective upon publication thereof in the FEDERAL REGISTER.

The Regulations Governing Small Business Investment Companies (26 F.R. 8232-8242) is hereby amended by:

1. Deleting the period at the end of § 107.11(a) and substituting a comma in lieu thereof and by adding "and the Small Business Investment Act Amendments of 1961, which became effective October 3, 1961." As amended, § 107.11(a) reads as follows:

§ 107.11 Scope of part.

(a) The Small Business Investment Act of 1958 became law August 21, 1958. Such Act has been amended by the Small Business Investment Act Amendments of 1960, which became effective June 11, 1960, and the Small Business Investment Act Amendments of 1961, which became effective October 3, 1961.

2. Adding at the end of § 107.102(a) a new sentence which reads as follows: "The Proposal consists of three parts: Part I deals with the plans of operation; Part II deals with the experience of the proposed operators; and Part III is a financial statement of each proposed officer, director and ten or more percent stockholder." As amended, § 107.102(a) reads as follows:

§ 107.102 Proposal.

(a) A Proposal shall be submitted on SBA Form No. 414¹ to SBID through a Regional Office of SBA. The Proposal consists of three parts: Part I deals with the plans of operation; Part II deals with the experience of the proposed operators; and Part III is a financial statement of each proposed officer, director and ten or more percent stockholder.

3. Deleting the words "financial institutions" as they appear in § 107.104(g) and substituting in lieu thereof "investors or lenders, incorporated or unincorporated". As amended, § 107.104(g) reads as follows:

§ 107.104 Charter requirements.

* * * * *

(g) To undertake its operations in cooperation with banks or other investors or lenders, incorporated or unincorporated, as contemplated under section 308(a) of the Act;

4. Deleting § 107.301 in its entirety and substituting a new § 107.301 which reads as follows:

§ 107.301 Capital and surplus of Licensee.

(a) SBA, in considering whether to issue a License to a Proposed Operator,

¹ Filed with the Federal Register Office as part of the original document. Copies of SBA Form 414, Proposal To Operate a Small Business Investment Company, together with instructions, are available at the office of the Deputy Administrator, Investment Division, Small Business Administration, 811 Vermont Avenue NW., Washington 25, D.C., and at all Regional Offices of the Small Business Administration, the addresses of which offices may be obtained from the office of the Deputy Administrator, Investment Division, Small Business Administration, 811 Vermont Avenue NW., Washington 25, D.C.

will, in addition to other criteria set forth in these regulations and the material submitted with SBA Forms 414 and 415, give preference to those Proposals which contemplate the minimum use of Government funds.

(b) Each Licensee authorized to operate under the Act must have a paid-in capital and paid-in surplus equal to at least \$300,000 as required under § 107.202(c). The management of a Proposed Operator or Licensee shall encourage the maximum investment therein of private funds.

(c) In order to facilitate the formation of small business investment companies, SBA may, to the extent that the necessary funds are not available to the Proposed Operator from private sources on reasonable terms, upon request contained in the License Application, purchase or agree to purchase debentures of such Proposed Operator in an amount equal to such deficiency but not in excess of \$150,000.

(d) In order to facilitate the growth of small business investment companies, SBA may, to the extent that necessary additional paid-in capital and paid-in surplus are not available to the Licensee from other sources on reasonable terms, upon request filed pursuant to § 107.709, purchase or agree to purchase debentures of a Licensee in an amount not to exceed the lesser of \$400,000 or the amount of paid-in capital and paid-in surplus of such Licensee, excluding therefrom any debentures previously purchased.

(e) In connection with any application for funds pursuant to paragraphs (c) and (d) of this section, the Licensee shall submit evidence satisfactory to SBA that such funds are not available on reasonable terms from other sources.

(f) Any request for funds under paragraph (d) of this section must be submitted to SBA by a Licensee within two years from the issuance of its License or October 3, 1961, whichever is later. SBA may issue commitments for such funds extending for a period of twelve months from the date of the issuance of the commitment; provided, however, that the purchase by SBA of any debentures under paragraph (d) of this section must be consummated within three years after the date of the issuance of the License or October 3, 1961, whichever is later.

(g) Any debentures (which may be prepaid by a Licensee without penalty) so purchased by SBA under the provisions of section 302(a) of the Act shall be subordinate to any other debenture bonds, promissory notes, or other obligations which may be issued by a Licensee as determined by SBA, and while treated and accounted for as a debt transaction, shall be deemed a part of the paid-in capital and paid-in surplus of such Licensee for the statutory purposes of sections 302(a), 303(b), and 306 of the Act.

(h) Any such subordinated debentures of a Licensee purchased under section 302(a) of the Act shall contain such terms and conditions, including provisions with respect to subordination, as shall be determined by SBA. Such debentures shall be purchased from only one Licensee among Licensees having substantially the same beneficial ownership. Interest upon the amount of such

debentures shall be at the rate of five percent per annum, and amortization shall commence no later than the beginning of the second half of the term thereof. Maturities shall not exceed twenty years.

(i) The commitment of SBA to purchase subordinated debentures of a Licensee under the provisions of paragraph (c) of this section shall constitute the equivalent of cash in an amount equal to the amount of such SBA commitment, which amount shall thereupon be deemed to be paid in as a part of the capital and surplus of such Licensee for the statutory purposes of sections 302(a), 303(b), and 306 of the Act. Any commitment of SBA to purchase subordinated debentures of a Licensee under the provisions of paragraph (d) of this section shall not constitute the equivalent of cash in an amount equal to the amount of such SBA commitment but subordinated debentures purchased under the provisions of paragraph (d) of this section shall be deemed to be paid in as a part of the capital and surplus of the Licensee for the statutory purposes of sections 303(b) and 306 of the Act only upon disbursement by SBA of funds therefor to the Licensee.

(j) The proceeds derived from the sale of any such subordinated debentures of a Licensee under section 302(a) of the Act shall be used to provide Equity Capital and make long-term loans to small business concerns: *Provided, however,* That Licensee cannot use such proceeds for investments and loans involving enterprises which derive a substantial portion of their net sales from the sale of alcoholic beverages, and accordingly, within thirty days after the disbursement of any funds to Licensee under authority of section 302(a) of the Act, and thereafter during period in which any such subordinated debentures remain unpaid, the Licensee shall maintain assets consisting of cash, eligible Government obligations, and portfolio investments and loans involving enterprises which do not derive a substantial portion of their net sales from the sale of alcoholic beverages (exclusive of all investments and loans already in the Licensee's portfolio at the time that the proceeds of such subordinated debentures were disbursed), equal in face value to no less than the unpaid principal of such subordinated debentures.

(k) A commitment charge at the rate of one-twelfth of one percent of the principal amount of any commitment of SBA to purchase subordinated debentures of a Licensee under the provisions of paragraphs (c) or (d) of this section for each thirty-day period shall be paid to SBA by such Licensee beginning with the first day after the first thirty days following such commitment. Disbursement of such commitment shall be requested by the Licensee at any time prior to the end of one year but such commitment shall be reduced to the extent private equity funds are acquired for such purpose prior to any disbursement by SBA on account of such commitment.

5. Inserting the phrase "on reasonable terms," following the words "from private sources" in § 107.402(a) and by deleting the period at the end of § 107.402(a) and inserting a comma in lieu thereof and by adding thereafter "or \$4,000,000, whichever is less." As amended, § 107.402(a) reads as follows:
§ 107.402 SBA operating loans to Licensees under section 303 of the Act.

(a) To the extent that a Licensee is unable to borrow or otherwise secure operating funds from private sources, on reasonable terms, SBA may lend or agree to lend to such Licensee funds for such purpose up to a total amount outstanding at any one time not in excess of fifty percent of the paid-in capital and paid-in surplus of such Licensee, including as a part of such capital and surplus any outstanding balance due SBA under subordinated debentures purchased by SBA under the provisions of section 302(a) of the Act, or \$4,000,000, whichever is less.

6. Deleting in its entirety § 107.402(b) and substituting in lieu thereof a new § 107.402(b) which reads as follows:

§ 107.402 SBA operating loans to Licensees under section 303 of the Act.

* * * * *

(b) The funds applied for shall be deemed to be available from private sources on reasonable terms, unless it is satisfactorily demonstrated that: Proof of refusal of the required funds has been obtained from:

(1) The Licensee's bank of account, or
 (2) If the amount of the loan applied for is in excess of the legal lending limit of the Licensee's bank or in excess of the amount that the bank normally lends to any one borrower, then a refusal from a correspondent bank or from any other lending institution whose lending capacity is adequate to cover the loan applied for, or

(3) Not less than two banks in cities where the population exceeds 200,000.

Proof of refusal must contain the date, amount, and terms requested, and the reasons for not granting the desired credit.

7. Deleting § 107.403(a) in its entirety and substituting a new § 107.403(a) which reads as follows:

§ 107.403 Purpose and loan requirements.

(a) Disbursement of loans under section 303 of the Act will be subject to the execution and delivery of the certificate required by § 107.709.

8. Striking the words "gross income" as they appear in § 107.403(b) and substituting in lieu thereof "net sales". As amended, § 107.403(b) reads as follows:

§ 107.403 Purpose and loan requirements.

* * * * *

(b) The proceeds of any loan obtained by Licensee under the provisions of section 303(b) of the Act shall be used to

provide Equity Capital and make long-term loans to small business concerns: *Provided, however,* That Licensee cannot use such proceeds for investments and loans involving enterprises which derive a substantial portion of their net sales from the sale of alcoholic beverages, and, accordingly, within thirty days after the disbursement of any loan funds to Licensee under authority of section 303(b) of the Act, and thereafter during the period in which any such loan, or any part thereof, remains unpaid, the Licensee shall maintain assets consisting of cash, eligible Government obligations, and portfolio investments and loans involving enterprises which do not derive a substantial portion of their net sales from the sale of alcoholic beverages (exclusive of all investments and loans already in the Licensee's portfolio at the time that the proceeds of such loans were disbursed), equal in face value to no less than the unpaid principal of such loan.

9. Adding at the end of § 107.704(c) (1) a new sentence which reads as follows: "A post licensing amendment involving a change in the officers, directors or owners of ten or more percent of the stock of the Licensee shall include as a part thereof an executed Part III to SBA Form 414 (Financial Statement) for each such officer, director or stockholder." As amended, § 107.704(c) (1) reads as follows:

§ 107.704 Activities of Licensee.

* * * * *

(c) (1) A Licensee shall not voluntarily at any time reduce or increase its paid-in capital and paid-in surplus without the prior written consent of SBA, and a Licensee shall not change its investment policy, plans to raise additional capital, borrowing or other plans, previously submitted to SBA in its Proposal or in any other document at any other time, without the prior written consent of SBA. Any change in the officers, directors, or owners of ten or more percent of its stock, as set forth in its Proposal or otherwise previously submitted to SBA, shall be reported immediately to SBA. All such changes shall be filed in the form of a post licensing amendment and subject to the approval of SBA as a condition for the continuance of the License of such Licensee. Any conditions imposed by SBA in connection with the latter shall be complied with by the Licensee. A post licensing amendment involving a change in the officers, directors or owners of ten or more percent of the stock of the Licensee shall include as a part thereof an executed Part III to SBA Form 414 (Financial Statement) for each such officer, director or stockholder.

10. Deleting the phrase "and such written contract shall specifically:" as it appears at the end of the opening paragraph of § 107.704(d) and by inserting a semicolon after the word "services" and thereafter the following: "*Provided, however,* That no Licensee may contract for such services with any person or other

entity which renders the same or similar services to any other Licensee. The contract shall specifically:". As amended, the opening paragraph of § 107.704(d) reads as follows:

§ 107.704 Activities of Licensee.

(d) Every Licensee which obtains investment advisory services or management services on a continuing basis, performed for, or supplied to such Licensee by any person or other entity other than the directors, officers, or employees in their capacities as such shall contract in writing for such services: *Provided, however,* That no Licensee may contract for such services with any person or other entity which renders the same or similar services to any other Licensee. The contract shall specifically:

11. Striking the words "financial institutions" from the heading of § 107.707 and inserting in lieu thereof "investors or lenders". As amended, the heading reads as follows: "§ 107.707 Services to banks or other investors or lenders."

12. Striking the words "financial institutions" as they appear in § 107.707 and substituting in lieu thereof "investors or lenders, incorporated or unincorporated." As amended, § 107.707 reads as follows:

§ 107.707 Services to banks or other investors or lenders.

A Licensee may render services for and receive compensation from banks or other investors or lenders, incorporated or unincorporated, only in connection with the financing of, or the providing of consulting and advisory services to, a small business concern by the Licensee in participation or cooperation with such bank or other investors or lenders.

13. Deleting § 107.708 in its entirety and substituting a new § 107.708 which reads as follows:

§ 107.708 Participation among Licensees.

Without the prior written approval of SBA, no more than five Licensees may, by participation or otherwise, provide Equity Capital or long-term loans to any single small business concern unless the total financing involved is \$300,000 or less.

14. Adding at the end of § 107.716 a new § 107.716(c) which reads as follows:

§ 107.716 Self-dealing limitation.

(c) Without the prior written approval of SBA, no Licensee, nor any officer or director thereof, shall borrow money from a small business concern, or from any officer, director or owner thereof, which has sold Equity Securities as defined in § 107.501 to or has borrowed money from said Licensee.

Dated: January 4, 1962.

JOHN E. HORNE,
Administrator.

[F.E. Doc. 62-209; Filed, Jan. 5, 1962; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. No. PR-57]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

Subpart H—Rules Applicable to the Loan Guaranty Program

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 26th day of December 1961.

At the present time, the Board's Loan Guaranty Program as provided in the Act of September 7, 1957, 71 Stat. 629, is administered without formal rules of practice. The Board finds that the experience gained in this field indicates the need for procedural regulations.

Under this regulation, the procedural steps will remain essentially the same as those presently followed in the present informal procedure. However, the formalization of the procedural methods will facilitate and speed up the steps which must be taken to obtain such loan guaranties.

Under the rule, a proceeding to obtain Board approval for government guaranty of aircraft purchase loans may be instituted by the filing of appropriate CAB application forms by the lender and air carrier, together with supporting documents. The rule sets forth the contents of such application forms. Action taken on applications will continue to be on an informal basis. Requests for formal hearing will not be entertained. Upon receipt of such material, the Board will make its determination and issue its decision in the form of a Board Order. Where necessary, the Board will communicate with both lenders and air carriers in order to avail itself of additional or clarifying information prior to its disposition of the applications. The rule also states the procedure to be followed in obtaining Board approval for any deviations from the terms of the guaranty and loan agreements.

Since this amendment is not a substantive rule, but one of agency procedure, notice and public procedure hereon are not required and the amendment may become effective upon less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 302 of the Board's Procedural Regulations (14 CFR Part 302), effective January 6, 1962, by adding a new Subpart H to read as follows:

Subpart H—Rules Applicable to the Loan Guaranty Program

Sec.
302.800 Applicability of this subpart.
302.801 Institution of proceedings.
302.802 Contents of applications.
302.803 Action taken on applications.
302.804 Deviations from the terms of loan agreements.

AUTHORITY: §§ 302.800 to 302.804 issued under sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 3, Act of September 7, 1957, 71 Stat. 629.

§ 302.800 Applicability of this subpart.

This subpart sets forth the special rules applicable to the filing and processing of applications for loan guaranties as provided in the Act of September 7, 1957, 71 Stat. 629 or any extensions thereof.

§ 302.801 Institution of proceedings.

A proceeding to obtain Board approval for government guaranty of an aircraft purchase loan may be instituted by the filing of CAB Forms 411A and 411B by the lender and air carrier, respectively, together with supporting documents. The provisions of Subpart A of this part respecting documents apply; however, only an original and four copies of supporting documents are required.

§ 302.802 Contents of applications.

(a) *CAB Form 411A—Application for Loan Guaranty.*¹ This form contains requests for the following information: (1) Name and address of lender, (2) name and address of carrier, (3) amount of loan, maturity date, interest rate, purchase price, term of loan (years), guaranty requested, (4) disbursement schedule, (5) repayment schedule, (6) collateral, (7) yes or no answer as to whether lender would grant this loan, or a comparable loan, without guaranty by the Civil Aeronautics Board, and (8) the lender's name, an authorized signature, title and date.

(b) *CAB Form 411B—Statement of Carrier in Support of Application for Loan Guaranty.*¹ This form contains requests for the following information: (1) A list of all banks (or other sources) with whom the air carrier has attempted to negotiate a loan during the past year, (2) a yes or no answer as to whether the air carrier has attempted to obtain equity capital during the past year, (3) the type, quality, and cost of equipment to be purchased with the proceeds of this loan, (4) name and address of seller(s) of aircraft and major groups of spare parts, (5) the purchase plan, (6) use to be made of new equipment, (7) expected financial effect of new equipment, (8) common stockholders controlling, directly or indirectly, more than 5 percent of the stock of both the lender and the air carrier, and (9) the air carrier's name and authorized signature, title and date.

§ 302.803 Action taken on applications.

Action taken on applications will be on an informal basis. Requests for formal hearings will not be entertained. Upon receipt of the applications and supplemental material, the Board will make its determination and issue its decision in the form of a Board Order. Prior to issuance of said Order, the Board may communicate with both lenders and air carriers where necessary, in order to

¹Forms available from Subsidy Division, Civil Aeronautics Board.

avail itself of additional or clarifying information.

§ 302.804 Deviations from the terms of loan agreements.

Following the grant of a loan guaranty, no deviations from the terms of the guaranty and loan agreements may be made without prior Board approval. An original and nineteen copies of requests for such approval and two copies of any supporting documents must be filed with the Docket Section of the Board. Information contained in such requests and supporting documents shall be withheld from public disclosure during the life of the loan guaranty involved unless the Board finds that disclosure of such information is required in the public interest.

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

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-177; Filed, Jan. 5, 1962;
8:52 a.m.]

Chapter III—Federal Aviation Agency

**SUBCHAPTER E—AIR NAVIGATION
REGULATIONS**

[Airspace Docket No. 61-WA-106]

**PART 600—DESIGNATION OF
FEDERAL AIRWAYS**

Alteration of Federal Airway

On June 29, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 5833), stating that the Federal Aviation Agency proposed to alter the segment of intermediate altitude VOR Federal airway No. 1530 between Farmington, N. Mex., VOR and Cimarron, N. Mex., VOR. It was proposed to realign this segment from the Farmington VOR via the Taos, N. Mex., VOR to the Cimarron VOR.

The Air Transport Association of America objected to the proposal on the basis that the navigational guidance between Cimarron VOR and Farmington VOR is satisfactory and realignment via Taos VOR would require an additional compulsory reporting point, navigational frequency change and heading changes. No other adverse comments were received.

The present minimum en route altitude between Farmington VOR and Cimarron VOR is 20,000 feet MSL. Subsequent to the publishing of the notice, the Federal Aviation Agency has determined that realignment of Victor 1530 via the Taos VOR would reduce the minimum en route altitude to 14,500 feet MSL between Farmington VOR and Taos VOR and 15,200 feet between Taos VOR and Cimarron VOR. The availability of additional altitudes along this segment is considered to compensate for the inconvenience of a navigational frequency change and a minor heading change.

The Federal Aviation Agency is cognizant of the position reporting requirements currently being imposed upon the user by the incorporation of additional NAVAIDS into the intermediate altitude system. A study is now being conducted to alleviate this condition and the results of the study will be the subject of separate airspace action.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated herein and in the notice, the following action is taken:

In the text of § 300.1530 (26 F.R. 1084, 10874) "Farmington, N. Mex., VOR; Cimarron, N. Mex., VOR;" is deleted and "Farmington, N. Mex., VOR; Taos, N. Mex., VOR; Cimarron, N. Mex., VOR;" is substituted therefor.

This amendment shall become effective 0001 e.s.t., March 8, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 2, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-159; Filed, Jan. 5, 1962;
8:47 a.m.]

[Airspace Docket No. 61-FW-62]

**PART 600—DESIGNATION OF
FEDERAL AIRWAYS**

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Federal Airways and Associated Control Areas; Alteration of Control Area Extension

On August 16, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 7607), stating that the Federal Aviation Agency proposed to alter low altitude VOR Federal airway No. 9 from Memphis, Tenn., to Malden, Mo., and Victor 11 from Memphis to Dyersburg, Tenn. In addition, it was proposed to make minor alterations to the Memphis control area extension and the Blytheville, Ark., control area extension. No formal action is taken regarding the Blytheville control area extension; this control area extension is so designated that it would automatically conform to the alteration of VOR Federal airway No. 9 taken herein.

Subsequent to publication of the notice, the Memphis control area extension was altered in Airspace Docket No. 61-WA-160 (26 F.R. 12285). This action obviates the requirement to redefine the Memphis control area extension in this document.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

1. In the text of § 600.6009 (14 CFR 600.6009) "Memphis, Tenn., VOR, including an east alternate via the INT of the Greenwood VOR 027° and the Memphis VOR 168° radials and also a west alternate; INT Memphis VOR 322° and the Malden VOR 195° radials; Malden, Mo., VOR, including an east alternate from the Memphis VOR to the Malden VOR via the INT of the Memphis VOR 345° and the Malden VOR 185° radials;" is deleted and "Memphis, Tenn., VORTAC, including an E alternate via the INT of the Greenwood VOR 027° and the Memphis VORTAC 168° radials and also a W alternate; INT Memphis VORTAC 345° and the Blytheville, Ark., Air Force Base VOR 186° radials; Blytheville VOR, including a W alternate from Memphis to Blytheville via the INT of the Memphis VORTAC 322° and the Blytheville VOR 201° radials; Malden VOR," is substituted therefor.

2. In the text of § 600.6011 (14 CFR 600.6011, 26 F.R. 2220) "From the Memphis, Tenn., VOR via the point of INT of the Memphis VOR 345° and the Malden, Mo., VOR 185° radials; point of INT of the Malden, Mo., VOR 185° and the Dyersburg VOR 235° radials; Dyersburg, Tenn., VOR;" is deleted and "From the Memphis, Tenn., VORTAC via the INT of the Memphis VORTAC 322° and the Blytheville Air Force Base VOR 201° radials; the INT of the Blytheville VOR 201° and the Dyersburg VORTAC 235° radials; Dyersburg, Tenn., VORTAC;" is substituted therefor.

These amendments shall become effective 0001 e.s.t., March 8, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 3, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-180; Filed, Jan. 5, 1962;
8:53 a.m.]

[Airspace Docket No. 61-AN-47]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Control Area Extension

On December 1, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 11368), stating that the Federal Aviation Agency

proposed to alter the Anchorage, Alaska, control area extension.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, § 601.1398 (14 CFR 601.1398) is amended to read as follows:

§ 601.1398 Control area extension (Anchorage, Alaska).

Within a 55-mile radius of the Anchorage, Alaska, VOR extending clockwise from the NW boundary of VOR Federal airway No. 456 SW of Anchorage to the Anchorage VOR 309° radial; within a 72-mile radius of the Anchorage VOR extending clockwise from the Anchorage VOR 309° radial to the E boundary of VOR Federal airway No. 438 N of Anchorage; and within a 50-mile radius of the Anchorage VOR extending clockwise from the E boundary of VOR Federal airway No. 438 N of Anchorage to the NW boundary of VOR Federal airway No. 456 SW of Anchorage; excluding the portion which coincides with R-2203. The portion which coincides with R-2201 shall be used only after obtaining prior approval from appropriate authority.

This amendment shall become effective 0001 e.s.t., February 8, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 3, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-178; Filed, Jan. 5, 1962; 8:53 a.m.]

[Airspace Docket No. 61-NY-34]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

PART 608—SPECIAL USE AIRSPACE

Alteration of Control Area Extension, Control Zone and Restricted Area

On December 14, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 11988), stating that the Federal Aviation Agency (FAA) proposed to alter the Fort Dix, N.J., Restricted Area R-5001, the New York, N.Y., control area extension and the Wrightstown, N.J. (McGuire AFB), control zone.

No adverse comments were received regarding the proposed amendments.

Subsequent to publication of the notice, the Army requested that the using

agency of R-5001 be changed to "Commanding General, Fort Dix, N.J.". Such action is taken herein.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for reasons stated in the notice the following actions are taken:

1. In § 608.50 (26 F.R. 7198) R-5001 Fort Dix, N.J., Restricted Area is amended to read:

R-5001 Fort Dix, N.J.

Boundaries. Beginning at latitude 40°-02'45" N., longitude 74°27'00" W.; to latitude 39°58'45" N., longitude 74°25'40" W.; to latitude 39°58'45" N., longitude 74°31'25" W.; to latitude 39°59'15" N., longitude 74°33'30" W.; to latitude 40°01'53" N., longitude 74°33'30" W.; to latitude 40°02'45" N., longitude 74°32'30" W.; to point of beginning.

Designated altitudes. Surface to 8,000 feet MSL east of and surface to 4,000 feet MSL west of a line drawn from latitude 40°02'45" N., longitude 74°31'25" W. to latitude 39°-58'45" N., longitude 74°31'25" W.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, New York ARTC Center.

Using agency. Commanding General, Fort Dix, N.J.

2. Section 601.2269 (26 F.R. 6236) is amended by deleting "SW of the TACAN, excluding the portions which would coincide with R-5001. The portions of this control zone which coincide with R-5003 shall be used only after obtaining prior approval from appropriate authority.", and substituting therefor the following: "SW of the TACAN. The portions of this control zone within R-5001 and R-5003 shall be used only after obtaining prior approval from appropriate authority."

3. Section 601.1066 (26 F.R. 10475) is amended by deleting "The portions of this control area which lie within R-5002, R-5003, R-5205, and R-5206 shall be used only after obtaining prior approval from the appropriate authority. The portions of this control area extension which lie within R-2801 and R-5001 are excluded during times of designation of these restricted areas.", and substituting the following: "The portions of this control area extension which lie within R-5001, R-5002, R-5003, R-5205, and R-5206 shall be used only after obtaining prior approval from appropriate authority. The portion of this control area extension which lies within R-2801 is excluded during the time of designation of this restricted area."

These amendments shall become effective 0001 e.s.t., February 8, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 3, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-179; Filed, Jan. 5, 1962; 8:53 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter IV—Federal National Mortgage Association, Housing and Home Finance Agency

PART 1600—MORTGAGE PURCHASES, SERVICING AND SALES, AND SHORT-TERM LOANS ON THE SECURITY OF MORTGAGES

Part 1600 of Chapter IV of Title 24 of the Code of Federal Regulations is revised to read as follows:

Sec.	
1600.0	Scope of part.
	ORGANIZATION AND SCOPE OF OPERATIONS
1600.1	General.
1600.2	Area of operations.
	SECONDARY MARKET OPERATIONS
1600.11	General.
1600.12	Mortgage purchases.
1600.13	Purchase price.
1600.14	Loans on mortgages.
1600.15	Financing of secondary market operations.
	SPECIAL ASSISTANCE FUNCTIONS
1600.21	General.
1600.22	Original mortgagee.
1600.23	Mortgage interest rate.
1600.24	Fees or charges.
1600.25	Financing of special assistance functions.
	MANAGEMENT AND LIQUIDATING FUNCTIONS
1600.31	General.
1600.32	Financing of management and liquidating functions.
	GENERAL ACCEPTABILITY REQUIREMENTS FOR MORTGAGES
1600.41	General requirements.
1600.42	Ownership.
1600.43	Offering period.
1600.44	Maximum mortgage.
1600.45	VA mortgages, extent of guaranty and other matters.
1600.46	Maturity.
1600.47	Advances by Seller.
1600.48	Credit.
1600.49	Property.
1600.50	Occupancy.
1600.51	Mortgage Lien.
1600.52	Title evidence.
1600.53	Hazard Insurance.
	ELIGIBLE SELLERS
1600.61	General.
1600.62	VA-guaranteed mortgages.
1600.63	FHA-insured mortgages.
	MORTGAGE SERVICING
1600.71	Servicing requirements.
1600.72	Servicer's compensation.
	MORTGAGE SALES
1600.81	Eligible purchasers.
1600.82	Mortgages for sale and prices.
1600.83	Reservations.
1600.84	Consummating sales.
	EXCEPTIONS
1600.91	Exceptions.
	AUTHORITY: §§ 1600.0 to 1600.91 issued under sec. 309, 68 Stat. 620; 12 U.S.C. 1723a.
§ 1600.0	Scope of part.
	This part consists of general information, and does not purport to set forth

all of the procedures and requirements that apply to the purchase, servicing, and sale of mortgages by FNMA, or to short-term loans made by FNMA on the security of mortgages. All such transactions are governed by the specific terms and provisions of contracts entered into by the parties. Complete specific information may be obtained from the FNMA Agency Offices listed below.

LOCATION OF FNMA AGENCIES AND AREA SERVED

Atlanta 3, Georgia, 34 Peachtree Street NE.; Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.

Chicago 3, Illinois, 1120 Commonwealth-Edison Building, 72 West Adams Street: Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin.

Dallas 1, Texas, Dallas Federal Savings Building, 1505 Elm Street: Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas.

Los Angeles 5, California, 3540 Wilshire Boulevard: Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming.

Philadelphia 7, Pennsylvania, 211 South Broad Street: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia, West Virginia.

SALES OFFICE

149 Broadway, Room 2310, New York 6, New York

ORGANIZATION AND SCOPE OF OPERATIONS
§ 1600.1 General.

The Federal National Mortgage Association (called "FNMA" or "the corporation" in this part) purchases and sells mortgages (including home improvement loans) and makes short-term loans on the security of mortgages. All such mortgages are ordinarily Government-insured or guaranteed (FHA or VA). A mortgage may not be purchased at a rate in excess of par, nor in the usual instance if it is offered by, or covers property held by, a Federal, State, territorial, or municipal instrumentality. FNMA itself is a corporation that had its inception in 1938. In 1954 FNMA was rechartered by the Congress as a mixed-ownership corporation. All of the common stock of the corporation is owned by private shareholders, and the preferred stock is owned by the Federal Government (Secretary of the Treasury). The charter contemplates that in due course the preferred stock will be retired and the Secondary Market Operations (hereinafter described) will qualify to become privately owned and managed. The corporation is required to pay a full Federal income tax equivalent on the earnings of its Secondary Market Operations. Under its charter, known as the Federal National Mortgage Association Charter Act, 12 U.S.C. 1716 et seq., the corporation has established and maintained, dating from November 1, 1954, three independent portfolios of FNMA-owned mortgages, with separate accountability. These three portfolios resulted from three separate operations predicated on

different purposes and objectives. FNMA is authorized to conduct:

(a) Secondary market operations, basically a privately financed activity, to provide supplementary assistance to the secondary market for home mortgages by providing a degree of liquidity for mortgage investments, thereby improving the distribution of investment capital available for home mortgage financing (described further in §§ 1600.11 to 1600.15);

(b) Special assistance functions, operated exclusively for the account of the Government, which, upon specific authorization by the President of the United States, or by the Congress, provide special assistance for financing selected types of home mortgages that qualify under special programs; the charter also makes provisions for special assistance through the purchase of home mortgages generally as a means of retarding or stopping a decline in mortgage lending and home building activities which threatens materially the stability of a high level national economy (described further in §§ 1600.21 to 1600.25); and

(c) Management and liquidating functions, under which FNMA manages and liquidates for the account of the Government the remaining portfolio of mortgages acquired pursuant to contracts entered into between February 10, 1938, and November 1, 1954, and certain other mortgages that have been or may be acquired from authorized sources, in an orderly manner, with a minimum of adverse effect upon the home mortgage market and minimum loss to the Federal Government (described further in §§ 1600.31 and 1600.32).

§ 1600.2 Area of operations.

FNMA is authorized to conduct its business in any State of the United States, including the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States. FNMA functions through its principal office located at 811 Vermont Avenue NW., Washington 25, D.C., and through the offices of its Agencies listed in § 1600.0. All inquiries concerning offerings of mortgages to FNMA should be directed to the office of the Agency serving the territory in which the mortgaged property is located. Inquiries concerning short-term loans should be made to the Agency serving the area in which the principal office of the prospective borrower is located.

SECONDARY MARKET OPERATIONS

§ 1600.II General.

In accomplishing the purposes of the Secondary Market Operations FNMA purchases mortgages in areas where market funds are needed, holds such mortgages available for sale to private investors, and makes short-term loans on the security of mortgages. Certain fees and charges are imposed under these operations with the objective that they will reasonably prevent excessive use of FNMA's facilities and that the conduct of the operations will be within the income derived therefrom and will be fully self-supporting. The users of

FNMA's Secondary Market Operations are required to subscribe for FNMA common stock as stated in § 1600.15(a).

§ 1600.12 Mortgage purchases.

Mortgage purchases are confined, insofar as practicable, to mortgages which are of such quality, type, and class as to meet, generally, the purchase standards imposed by private institutional mortgage investors. FNMA is not authorized to purchase participations under its Secondary Market Operations. Purchases are made by FNMA under the terms of specific contracts, and in accordance with certain conditions and requirements stated therein.

(a) *Immediate Purchase Contract.* A Seller may offer a mortgage to FNMA for immediate purchase by executing an Immediate Purchase Contract and delivering therewith required documents and forms. With each offer, the Seller must agree to subscribe for common stock in FNMA (as stated in § 1600.15(a)) and to pay a Purchase and Marketing Fee.

(b) *Repurchase option.* With respect to Immediate Purchase Contract transactions, the Seller may obtain an Option Contract which will permit the Seller to repurchase, at Seller's election, the mortgages sold to FNMA, at a stated repurchase price rate or rates which may be the same as paid by FNMA. The Option Contract is issued for a stated period after the date of purchase of the mortgages by FNMA, upon payment by the Seller of an Option Fee.

(c) *Standby Commitment Contract.* A Seller may offer mortgages for future purchase by FNMA by executing a Standby Commitment Contract which, when accepted, obligates FNMA to purchase any or all mortgages specified in the contract that the Seller elects to deliver within the commitment period. With each such offer the Seller must pay a Commitment Fee which is nonrefundable if the contract is accepted by FNMA. The Seller is required to subscribe for common stock in FNMA as stated in § 1600.15(a). A part of the stock must be paid for at the time of the offer; the remainder must be paid for if and when the mortgage purchase is effected under the contract. A Seller is not required to pay a Purchase and Marketing Fee on mortgages purchased under a Standby Commitment Contract.

(d) *Eligible mortgages.* The insurance or guaranty of each mortgage purchased under FNMA's Secondary Market Operations must be pursuant to a section, as specified by FNMA, of the National Housing Act or of the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code. If required by FNMA, each such mortgage offered under an Immediate Purchase Contract must have been insured or guaranteed within such period as may be prescribed.

(e) *Special acceptability requirements.* On the date of the offer of a mortgage to FNMA, (1) subject to some exceptions, the unpaid principal balance may not be less than \$5,000 and the unexpired term may not be less than 10 years, and (2) the rate of interest must be currently

acceptable to FNMA. In addition, the mortgage must meet general acceptability requirements, as indicated in §§ 1600.41 to 1600.53.

§ 1600.13 Purchase price.

(a) *Immediate Purchase Contracts.* The price to be paid under an Immediate Purchase Contract for a mortgage purchased by FNMA in its Secondary Market Operations is established within the range of market prices for the particular class of mortgages involved, as determined by FNMA. The price paid by FNMA for a mortgage may vary according to its interest rate, the location of the mortgaged property, the relative equity of the mortgagor, the term of the loan, and other factors. Information as to current prices at which FNMA purchases mortgages may be obtained by application to the FNMA Agency serving the area in which the mortgaged property is located. All prices quoted by FNMA are subject to change without notice. A quotation of prices is not to be considered as an offer by FNMA; it is solely an invitation to the Seller to make an offer to FNMA. FNMA is under no obligation to purchase any mortgage until the Seller has submitted, and FNMA has executed and delivered, a specific contract covering such purchase.

(b) *Standby Commitment Contracts.* FNMA issues Standby Commitment Contracts at prices which are sufficient to facilitate home financing, but which are sufficiently below the price then offered by the corporation for immediate purchase to prevent excessive sales to the corporation pursuant to such commitments.

§ 1600.14 Loans on mortgages.

FNMA, under its Secondary Market Operations, may make bank-type short-term loans which are secured by FHA-insured or VA-guaranteed mortgages. Loans may not have a term in excess of 12 months; consideration will be given to requests for extensions not in excess of 12 months. The volume of lending activities and the establishment of loan ratios, interest rates, maturities, and charges or fees are determined by FNMA from time to time with the objective of preventing excessive use of the facilities and of assuring that the Secondary Market Operations will remain fully self-supporting.

§ 1600.15 Financing of Secondary Market Operations.

Funds for the conduct of FNMA's Secondary Market Operations are obtained from subscriptions for FNMA capital stock, borrowings, and net proceeds from such operations.

(a) *Capital stock.* The corporation issues nonvoting common and preferred stock (par value \$100 per share); the common stock is issued to lenders and other institutions that sell mortgages to, or that borrow funds from, FNMA in the Secondary Market Operations; the preferred stock, in its entirety, is held by the Secretary of the Treasury. The users of the Secondary Market Operations are required to subscribe for common stock in amounts determined by FNMA as prescribed by law. With re-

spect to such subscriptions, the corporation issues to each subscriber shares of common stock (only in denominations of \$100, or multiples thereof). The amount of any subscription that cannot be evidenced by a whole share of common stock may not be withdrawn by the subscriber, but the subscriber will be permitted to supplement any such amount by payment of an additional sum sufficient to pay for a full share. FNMA imposes no restrictions as to who may be the holder of such shares of common stock; however, the shares are transferable only on the books of the corporation. (Under the FNMA Charter Act any institution, including a National Bank or State member bank of the Federal Reserve System, or any member of the Federal Deposit Insurance Corporation, trust company, or other banking organization, organized under any law of the United States, including the laws relating to the District of Columbia, is authorized to subscribe to FNMA's common stock under conditions described in this paragraph and to receive, hold or dispose of such stock.)

(b) *Borrowings.* FNMA may issue, and have outstanding at any one time, obligations in an aggregate amount not exceeding ten times the sum of its capital and surplus, and not in excess of its ownership under its Secondary Market Operations, free from any liens or encumbrances, of cash, mortgages, short-term notes secured by mortgages, and other holdings of securities in which the corporation is authorized to invest. Although the issuance of such obligations is subject to the prior approval of the Secretary of the Treasury, the obligations themselves are not guaranteed by the United States and do not constitute a debt or obligation of the United States. FNMA's obligations are available from time to time for sale to private investors. The Secretary of the Treasury may, within certain limitations, purchase these obligations of FNMA's Secondary Market Operations until such time as all of the preferred stock of FNMA held by the Secretary of the Treasury has been retired.

SPECIAL ASSISTANCE FUNCTIONS

§ 1600.21 General.

To carry out the purposes of the Special Assistance Functions, FNMA makes commitments to purchase and purchases mortgages for such periods of time and to such extent as the President of the United States has determined to be in the public interest, and as otherwise authorized by law. The operations under the Special Assistance Functions are confined, so far as practicable, to mortgages which are deemed by FNMA to be of such quality as to meet, substantially and generally, the purchase standards imposed by private institutional mortgage investors but which, at the time the mortgages are offered to FNMA for purchase, are not necessarily readily acceptable to such investors. When and as authorized by the President of the United States or by the Congress, FNMA will announce the inauguration of Special Assistance Programs specifying the types of mortgages that will be purchased, the prices

to be paid therefor, and any special acceptability requirements relating to such Programs. Purchases may be made under Immediate Purchase Contracts or Commitment Contracts, as announced in the Special Assistance Programs. Consideration will be given to Sellers' requests for the purchase of participations in mortgages by FNMA.

§ 1600.22 Original mortgagee.

Under the Special Assistance Functions, the Seller must be the original mortgagee, and must not have made any prior sale of the mortgage offered to FNMA.

§ 1600.23 Mortgage interest rate.

Each mortgage must bear interest at the highest rate permitted by FHA or VA rules and regulations for that type of mortgage at the time of issuance of the FHA insurance commitment or the VA Certificate of Reasonable Value.

§ 1600.24 Fees or charges.

Fees or charges for FNMA's services under the Special Assistance Functions are established with the objective that all costs and expenses of its operations thereunder will be within its income derived from such operations and that such operations will be fully self-supporting. In connection with the purchase of a mortgage by FNMA under these functions, unless otherwise specified in the Special Assistance Program, the Seller is required to pay a Purchase and Marketing Fee. As to commitments to purchase a mortgage in the future, a Commitment Fee is charged.

§ 1600.25 Financing of Special Assistance Functions.

Mortgage Sellers are not required to purchase common stock of FNMA in connection with purchases or contracts for purchases under these Special Assistance Functions, nor is there any recourse to the capitalization of FNMA with respect to such functions. Funds required for the operation of these functions are obtained principally through borrowings from the Secretary of the Treasury. All of the benefits and burdens incident to the administration of the Special Assistance Functions inure solely to the Secretary of the Treasury.

MANAGEMENT AND LIQUIDATING FUNCTIONS

§ 1600.31 General.

The Federal National Mortgage Association Charter Act authorizes FNMA to manage and liquidate its portfolio of mortgages acquired pursuant to contracts entered into prior to November 1, 1954, and those other mortgages that have been or may be acquired from authorized sources, in an orderly manner, with a minimum of adverse effect upon the home mortgage market and minimum loss to the Federal Government.

§ 1600.32 Financing of Management and Liquidating Functions.

Funds required for the Management and Liquidating Functions are obtained through borrowings from the Secretary of the Treasury, and from time to time through the sale to private investors of

FNMA's obligations issued under its Management and Liquidating Functions. The aggregate amount of such separate obligations issued to private investors, the proceeds of which are paid to the Secretary of the Treasury in reduction of the corporation's indebtedness under the Management and Liquidating Functions, may not exceed FNMA's ownership under such functions, free from any liens or encumbrances, of cash, mortgages, and other holdings of securities in which the corporation is authorized to invest. Such separate obligations are not guaranteed by the United States and do not constitute a debt or obligation of the United States. With respect to the Management and Liquidating Functions, there is no recourse to the capitalization of FNMA. All of the benefits and burdens incident to the administration of the Management and Liquidating Functions inure solely to the Secretary of the Treasury.

GENERAL ACCEPTABILITY REQUIREMENTS FOR MORTGAGES

§ 1600.41 General requirements.

As a condition precedent to the offering of a mortgage to FNMA for purchase, a designated Seller must have executed a Selling Agreement. Any mortgage offered or submitted to FNMA under the Secondary Market Operations or Special Assistance Functions must meet the conditions contained in such Agreement. The mortgage must also conform to special acceptability requirements prescribed by FNMA, and to general acceptability requirements, as indicated in §§ 1600.42 to 1600.53.

§ 1600.42 Ownership.

On the date of the Seller's offer to enter into an Immediate Purchase Contract with FNMA, the Seller must be the owner of the mortgage, and the mortgage must have been insured by FHA or guaranteed by VA.

§ 1600.43 Offering period.

(a) *Immediate Purchase Contract.* An offer of a mortgage under an Immediate Purchase Contract must be delivered subsequent to the date which precedes by one month the due date of the first installment of principal and interest and within such time as FNMA may require following the date of the FHA final insurance endorsement or the VA Loan Guaranty Certificate.

(b) *Standby Commitment Contract or Commitment Contract.* An offer of a Standby Commitment Contract or a Commitment Contract covering a home mortgage must be delivered subsequent to the issuance of the FHA insurance commitment or the VA Certificate of Reasonable Value and prior to the date of the FHA final insurance endorsement or the date of the VA Loan Guaranty Certificate. An offer of a Standby Commitment Contract or a Commitment Contract covering a multifamily housing mortgage must be delivered subsequent to the issuance of the FHA insurance commitment or the VA Certificate of Reasonable Value and prior to the commencement of construction.

§ 1600.44 Maximum mortgage.

Under the Secondary Market Operations the principal obligation must not exceed \$20,000 for each family residence or dwelling unit covered by the mortgage. Under the Special Assistance Functions the original principal obligation of a mortgage must not exceed, or have exceeded, \$17,500 for each family residence or dwelling unit covered by the mortgage. Such limitations do not apply to mortgages covering properties located in Alaska, Guam, or Hawaii, or to any mortgage insured by FHA under § 213 and covering property located in an urban renewal area, or under § 220, or under title VIII of the National Housing Act.

§ 1600.45 VA mortgages, extent of guaranty and other matters.

The extent of the VA guaranty must, in all cases, meet current FNMA requirements; and in cases in which there is more than one mortgagor, (a) all of the mortgagors must be jointly and severally liable on the mortgage indebtedness, (b) the original amount of the loan, must not have exceeded \$50,000, and (c) the number of living units must not exceed four.

§ 1600.46 Maturity.

The mortgage must mature within the period prescribed by law or the applicable FHA or VA regulations.

§ 1600.47 Advances by Seller.

On the date of submission to FNMA, the mortgage must be current with respect to matured installments of principal, interest, and deposits. Interest accruing to the date which precedes by one month the due date of the first installment of principal and interest shall have been paid by or for the account of the mortgagor. The Seller, within the immediately preceding 3 months, must not have advanced funds, nor have induced or solicited any advance of funds by another, directly or indirectly, for the payment of any amount required by the note or mortgage, except for interest accruing from the date of the note or the date of disbursement of the loan proceeds, whichever is later, to the day which precedes by one month the due date of the first full installment of principal and interest.

§ 1600.48 Credit.

There should not be any circumstances of, or conditions affecting, the mortgagor, the present owner, or their affairs, that would cause the mortgage to become delinquent.

§ 1600.49 Property.

There should not be any circumstances of, or conditions affecting, the mortgaged premises, that adversely affects the value or marketability of the mortgage, or that would cause private investors to regard the mortgage as unacceptable for prudent investment.

§ 1600.50 Occupancy.

Subject to specific contractual treatment otherwise, the property covered by a home mortgage must be occupied at

the time the mortgage is submitted to FNMA for purchase, and the property covered by a multifamily housing mortgage must, at the time the mortgage is submitted to FNMA for purchase, be occupied to the extent that the income therefrom will cover all property expenses, carrying charges, and payments required by the mortgage.

§ 1600.51 Mortgage lien.

Except in the case of certain home improvement loans, the mortgage must be a first and paramount lien on the real property, and on the personal property if any is required to be covered, subject only to liens for taxes not due and payable, acceptable special assessments not in arrears, and conditions, restrictions and encumbrances not deemed by FNMA to be material.

§ 1600.52 Title evidence.

The title evidence to be delivered by the Seller must meet the requirements of the National Housing Act or the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code, as the case may be, and the applicable rules and regulations promulgated pursuant thereto. The title evidence must also be in such form and substance as to meet FNMA's title evidence requirements.

§ 1600.53 Hazard insurance.

Property securing each mortgage must be covered by hazard insurance that meets all of the hazard insurance requirements of FNMA including FNMA's specifications as to kinds and amounts of hazard insurance.

ELIGIBLE SELLERS

§ 1600.61 General.

Designation of an eligible Seller to sell mortgages to FNMA under its Secondary Market Operations and Special Assistance Functions is consummated by the execution of a Selling Agreement. The Selling Agreement, consistent with § 1600.71, requires the Seller, with respect to each mortgage offered or submitted for purchase, either to be qualified as a FNMA Servicer by the execution of a Servicing Agreement and agree to service, or to proffer facilities satisfactory to FNMA for servicing the mortgage. Sellers are not required to furnish servicing facilities in connection with the purchase by FNMA of multifamily housing mortgages.

§ 1600.62 VA-guaranteed mortgages.

In order to be eligible to sell a VA-guaranteed mortgage to FNMA, a Seller must be acceptable to FNMA and also must come within one of the following three classifications:

(a) Any lender that is classified by VA as a supervised lender under section 500(d) of the Servicemen's Readjustment Act or Chapter 37, title 38, United States Code, as applicable, including any National bank, State bank, private bank, building and loan association, insurance company, credit union, or mortgage and loan company, that is subject to examination and supervision by an agency of the United States, or of any State, including the District of Columbia.

(b) Any lender that is an FHA-approved mortgagee, as defined in section 1600.63; or

(c) Any other lender, if such lender has a net worth of not less than \$100,000 in assets acceptable to FNMA. This net worth must be maintained at all times.

§ 1600.63 FHA-insured mortgages.

In order to be eligible to sell an FHA-insured mortgage to FNMA, a Seller must be acceptable to FNMA, and must be an FHA approved mortgagee, which term does not include a mortgagee that has been approved on the basis of being a duly authorized loan correspondent of an approved mortgagee that has qualified with FHA to originate loans under the National Housing Act.

MORTGAGE SERVICING

§ 1600.71 Servicing requirements.

A Seller may not service a mortgage purchased by FNMA under its Secondary Market Operations or Special Assistance Functions unless it has qualified as an eligible Servicer and has executed a Servicing Agreement. With respect to each mortgage that is offered by the Seller to FNMA for purchase, either the Seller must be a Servicer having an outstanding Servicing Agreement with FNMA and shall consent to service the mortgage, or the Seller shall represent that when the mortgage is submitted to FNMA for purchase it will proffer the facilities of a Servicer having an outstanding Servicing Agreement with FNMA that will consent to service the mortgage. The Seller must also represent that, in either instance, there is an office with servicing facilities satisfactory to FNMA located within 100 miles of the mortgaged property. When the mortgage is submitted to FNMA for purchase, the Servicer (whether the Seller, or another Servicer that the Seller has previously ascertained is satisfactory to FNMA) must have consented to service the mortgage, and must have executed documentary evidence of such consent. This requirement does not apply to multifamily housing mortgages.

§ 1600.72 Servicer's compensation.

As compensation for the performance of its servicing duties, a Servicer may retain from each full monthly installment collected by it an amount equal to one-half of 1 percent per annum computed on the same principal amount and for the same period as the interest portion of said installment, and may also retain the late charges, if any, paid by the mortgagor. However, no compensation will be due the Servicer with respect to any period either prior to the date of commencement of its servicing duties or subsequent to the date of termination of its servicing duties.

MORTGAGE SALES

§ 1600.81 Eligible purchasers.

Any investor that is an FHA-approved mortgagee is eligible to purchase FHA-insured mortgages, and any investor that in the opinion of FNMA has satisfactory facilities to service mortgages is eligible to purchase VA-guaranteed mortgages.

No. 4—5

§ 1600.82 Mortgages for sale and prices.

Lists of mortgages owned by FNMA and available for sale, together with the current sale prices, may be obtained by prospective purchasers upon application to the FNMA Agency Office serving the area in which the investor desires to purchase mortgages.

§ 1600.83 Reservations.

Except for multifamily housing mortgages, FNMA does not issue firm options; instead, available mortgages may be reserved for a prospective purchaser and will not be available for sale to any other investor for a period of 15 calendar days. During such period, mortgaged properties may be inspected and the mortgage documents examined in FNMA's Agency Office.

§ 1600.84 Consummating sales.

FNMA will endeavor to comply with the wishes of purchasers with respect to arranging closing schedules and other matters incident to consummating sales. Unusual expenses that may be incurred by FNMA at the request of the purchaser, in connection with the transfer of mortgages, must be assumed by the purchaser. All sales of mortgages by FNMA shall be made pursuant to the terms and conditions of a form of contract furnished by FNMA, to be executed by the purchaser and FNMA. Since existing servicing arrangements, that are transferable with the mortgages as may be provided in the sales contract, are cancellable on 30 days' notice to the Servicer, at the option of the owner of the mortgages, purchasers will always be able to effect their own arrangements for future servicing.

EXCEPTIONS

§ 1600.91 Exceptions.

In the conduct of its affairs, in individual cases or classes of cases, FNMA reserves the right, consistent with law, to alter or waive any of the requirements contained in this part, or to impose other and additional requirements; it further reserves the right to amend or rescind any or all of the material set forth in this part.

(Sec. 309, 68 Stat. 620; 12 U.S.C. 1723a)

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,
J. S. BAUGHMAN,
President.

[F.R. Doc. 62-174; Filed, Jan. 5, 1962;
8:51 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 525—EMPLOYMENT OF HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

On September 8, 1961, notice of proposed rule making regarding a revision of the regulations dealing with the employment of handicapped workers in

sheltered workshops contained in 29 CFR Part 525 was published in the FEDERAL REGISTER (26 F.R. 8458). After consideration of all such relevant matter as was presented by interested persons regarding the proposal, the regulations as so published are hereby adopted, effective February 6, 1962, subject to the following change:

Paragraph (a) of the proposed § 525.11 is amended.

Signed at Washington, D.C., this 29th day of December 1961.

CLARENCE T. LUNDQUIST,
Administrator.

PART 525—EMPLOYMENT OF HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

Sec.	
525.1	Applicability of regulations.
525.2	Definitions.
525.3	Advisory committee on sheltered workshops.
525.4	Application for a special certificate.
525.5	Criteria for consideration in issuance of a special certificate.
525.6	Issuance of a special certificate.
525.7	Terms and conditions of a special certificate.
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525.11	Records to be kept.
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525.14	Submission of information, investigations, and hearings.
525.15	Relation to other laws.
525.16	Amendment of this part.

AUTHORITY: §§ 525.1 to 525.16 issued under sec. 14, 25 Stat. 1068, as amended; 29 U.S.C. 214. Additional authority cited in parentheses following sections affected.

§ 525.1 Applicability of regulations.

The regulations contained in this part are issued pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, to provide for the employment by sheltered workshops of handicapped workers, as those terms are defined in § 525.2, at wages lower than the minimum wage applicable under section 6 of the Act. Such special certificates issued to sheltered workshops for handicapped clients engaged in or producing goods for interstate commerce shall state the special minimum wages permitted and the duration of the special certificate, and, in addition, shall be subject to the conditions prescribed in the regulations in this part.

§ 525.2 Definitions.

(a) "Administrator" means the Administrator of Wage and Hour and Public Contracts Divisions, United States Department of Labor.

(b) "Sheltered workshop" or "workshop" means a charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and of providing such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature.

(c) "Handicapped client" or "client" means an individual whose earning capacity is impaired by age or physical or mental deficiency or injury, and who is being served in accordance with the recognized rehabilitation program of a sheltered workshop within the facilities of such agency or in or about the home of a client.

(d) "Act" means the Fair Labor Standards Act of 1938.

§ 525.3 Advisory Committee on Sheltered Workshops.

(a) The Advisory Committee on Sheltered Workshops appointed from time to time by administrative orders published in the FEDERAL REGISTER shall advise and make recommendations to the Administrator concerning the administration and enforcement of this part and the need for amendments thereof from time to time and for such other purposes as may be desired by the Administrator.

(b) The Administrator or his authorized representative may notify the Advisory Committee on Sheltered Workshops prior to the denial or cancellation of any special certificate under §§ 525.6, 525.8, or 525.12 and may afford the Committee 15 days, or such additional time as he may allow, to present its views. The Administrator or his authorized representative may also afford the Committee an opportunity to present its views in connection with any petition for review filed under § 525.13, any hearing held under § 525.14, or any petition for amendment of this part filed under § 525.16.

§ 525.4 Application for a special certificate.

(a) Application for a special certificate may be filed by any sheltered workshop with the Regional Director of the administrative region of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, in which the workshop is located. Application forms may be obtained from the appropriate Regional Director.

(b) The application shall contain, among other things, a description of the nature of the disabilities of the clients served by the workshop, a description of the types of employment and the rehabilitation program provided clients by the workshop, and the earnings of each handicapped client engaged in work covered by the Act.

(c) The application shall be signed by the president of the board of directors and a duly authorized official of the workshop.

(d) Application during the life of a special certificate for an individual rate for a client who is unable to earn the applicable certificate rate may be filed by a workshop with the appropriate Regional Director. Such application may be made on forms which can be obtained from the Regional Director or by a letter from the workshop executive or his authorized representative stating the name of the client, his straight-time hourly earnings during the most recent payroll period, whether he is paid at piece rates or time rates, the type of work he is doing, the hourly rate the workshop

proposes to guarantee, and the reason for requesting such rate when the proposed rate is substantially less than the client's actual earnings. An individual client rate does not become effective until authorized by the Administrator or his authorized representative.

§ 525.5 Criteria for consideration in issuance of a special certificate.

The following criteria may be considered by the Administrator or his authorized representative in determining the necessity of issuing a special certificate and the conditions to be specified therein:

(a) The present and previous earnings of handicapped clients of the workshop engaged in work covered by the Act;

(b) The nature and extent of the disabilities of clients served by the workshop;

(c) The wages of non-handicapped employees employed in private industry engaged in work comparable to that performed in the workshop;

(d) The types and duration of medical, educational, therapeutic, social work and other rehabilitative services given to handicapped clients;

(e) The extent to which clients share, through wages, in the receipts for work done in the workshop;

(f) The extent to which the handicapped clients may be learners or otherwise inexperienced;

(g) The extent to which earned operating income, other than normal depreciation allowances, is used for capital expenditures for equipment, buildings or expansion of activities, in situations where the adequacy of the wage rates proposed by the workshop cannot clearly be established;

(h) Whether there exists any workshop-customer arrangement or subcontract agreement which constitutes an unfair method of competition in commerce and which tends to spread or perpetuate substandard wage levels;

(i) Whether, in the case of non-government operated workshops, the organization has obtained an exemption under section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. 501(c)(3)) and has registered as a non-profit organization with the appropriate state or local agencies providing for such registration.

§ 525.6 Issuance of a special certificate.

(a) If the application and other available information indicate that the applicant is a sheltered workshop within the meaning of § 525.2(a), that the clients of the workshop are paid commensurate with their productivity at the prevailing rates in the vicinity in regular commercial industry maintaining approved labor standards for the type of work being performed, and that the clients are unable to earn the applicable statutory minimum wage, the Administrator or his authorized representative shall issue a special certificate. Otherwise he shall deny a special certificate.

(b) If a special certificate is issued, a copy shall be sent to the workshop. If denied, the workshop shall be notified in writing of the denial.

(c) A special certificate may be issued for the entire workshop, a department of the workshop, an individual handicapped client or any combination thereof.

§ 525.7 Terms and conditions of a special certificate.

(a) A special certificate shall specify the terms and conditions under which it is granted.

(b) A special certificate shall apply to every handicapped client of the sheltered workshop or department thereof, for which the special certificate is granted.

(c) A special certificate shall be effective for a period to be designated by the Administrator or his authorized representative. Clients may be paid wages lower than the statutory minimum only during the effective period of a special certificate.

(d) A special certificate may provide a minimum wage rate below which a client may not be paid during a specified period or periods, designated as "training period" or "training periods", to allow for evaluation of the client's capacities and for job-training. Such rate may apply during the training period or periods specified to a client who has never previously worked in the workshop, or to a client who is transferred to a skilled or semi-skilled job in the workshop at which he has never previously worked, or to a client who has returned to the workshop after such period of separation as would require retraining.

(e) A special certificate may provide a minimum wage rate for the workshop or minimum wage rates for departments of the workshop below which a client may not be paid following completion of the specified training period or periods, unless a lower special individual wage rate has been authorized in such a special certificate for a client who is unable to earn the workshop or applicable department minimum wage rate.

(f) The wage rates paid clients working at time rates shall be based on the prevailing rates in the vicinity in regular commercial industry maintaining approved labor standards, taking into account the type, quality, and quantity of the work produced by the client. In no instance, however, shall wage rates be less than the hourly rate or rates specified in the special certificate.

(g) The wage rates paid clients working at piece rates shall not be less than prevailing piece rates paid non-handicapped employees in the same work in the vicinity in regular commercial industry maintaining approved labor standards. In the absence of industry piece rates, time studies or other tests may be used by the workshop to establish piece rates. Such time studies should be made with non-handicapped persons, although clients may be used in those situations where they are not handicapped for the type of work being tested and their production is comparable to that of non-handicapped persons of average ability. The base hourly rate used in making time studies should be not less than the prevailing rate in regular commercial industry for work requiring similar skill.

(h) Each client working at piece rates must be paid his full piece-rate earnings

but not less than the hourly rate specified in the special certificate. Pooling of earnings is not permitted except where piece rates cannot be established for each individual worker, e.g., in a team operation where each worker's individual contribution to the finished product cannot be separately tallied.

(i) Clients of the workshop shall be paid not less than time and one-half the regular rate for all hours over forty worked in the workweek.

(j) The terms of any special certificate may be amended for cause upon request of the sheltered workshop or handicapped client or upon the initiative of the Administrator or his authorized representative.

§ 525.8 Renewal of a special certificate.

(a) Application may be filed for renewal of any special certificate. It shall be filed in the same manner as an original application.

(b) If an application for renewal has been properly and timely filed prior to the expiration date of a special certificate, the certificate shall remain in effect until the application for renewal has been granted or denied.

(c) Handicapped clients may be paid wages less than the statutory minimum after notice that the application for renewal has been denied, if review of such denial is requested in accordance with § 525.13: *Provided, however*, That if the denial is affirmed on review, the sheltered workshop shall reimburse any person covered by the special certificate in an amount equal to the difference between the applicable minimum wage and any lower wage paid such person subsequent to the effective date of denial.

§ 525.9 Workers other than handicapped clients in sheltered workshops.

No individual who is not a handicapped client within the meaning of § 525.2(b) shall be employed under any special certificate issued pursuant to this part at wages lower than the minimum required under section 6 of the Act.

§ 525.10 Industrial homework.

A special certificate issued pursuant to this part authorizes a sheltered workshop to employ a handicapped client in or about a home, apartment, tenement, or room in a residential establishment, without the necessity of obtaining a special industrial homeworker's certificate for such client under regulations of the Administrator governing the employment of industrial homeworkers; nor shall it be necessary for a sheltered workshop to obtain a special industrial homeworker's certificate for clients working in or about a home, apartment, tenement, or room in a residential establishment, who are earning the minimum required under section 6 of the Act.

(Sec. 11, 52 Stat. 1066, as amended; 29 U.S.C. 211)

§ 525.11 Records to be kept.

(a) Every sheltered workshop shall keep, maintain and have available for inspection by the Administrator or his

authorized representative at all times a record of the nature of each client's disability and records that reflect the productivity of each client on a continuing basis or at periodic intervals not exceeding 6 months, and in addition the records required under all of the applicable provisions of Part 516 of this chapter, except that any provision pertaining to homeworker's handbooks shall not be applicable to clients of a sheltered workshop working in or about a home, apartment, tenement, or room in a residential establishment.

(b) Every sheltered workshop engaged in interstate commerce or in the production of goods for interstate commerce shall at all times post a poster, as prescribed by the Administrator, in a conspicuous place in the workshop where it may be observed readily by the handicapped clients and other workers in the workshop.

(Sec. 11, 51 Stat. 1066, as amended; 29 U.S.C. 211)

§ 525.12 Cancellation of a special certificate.

(a) The Administrator or his authorized representative may cancel any special certificate for cause. A special certificate may be canceled (1) as of the date of issuance, if it is found that fraud has been exercised in obtaining the special certificate or in permitting a handicapped client to work thereunder; (2) as of the date of violation, if it is found that any of the provisions of the Act or of the terms of the special certificate have been violated; or (3) as of the date of notice of cancellation, if it is found that the special certificate is no longer necessary in order to prevent curtailment of opportunities for employment, or that the requirements of this part have not been complied with.

(b) If a petition for review is filed under § 525.13, the effective date of the cancellation shall be postponed until action is taken thereon: *Provided, however*, That if the cancellation order is affirmed on review, the workshop shall reimburse any person covered by the special certificate in an amount equal to the difference between the applicable minimum wage and any lower wage paid such person subsequent to the effective date of cancellation.

(c) Except in cases of willfulness or those in which the public interest requires otherwise, before any special certificate shall be canceled, facts or conduct which may warrant such action shall be called to the attention of the sheltered workshop in writing and it shall be afforded an opportunity to demonstrate or achieve compliance with all lawful requirements.

§ 525.13 Review.

Any person aggrieved by any action of an authorized representative of the Administrator taken pursuant to this part may, within 15 days or such additional time as the Administrator may allow, file with the Administrator a petition for review. Such review, if granted, shall be made either by the Administrator or by an authorized representative who took

no part in the action under review, who may, to the extent he deems it appropriate, afford other interested persons an opportunity to present data and views.

§ 525.14 Submission of information, investigations, and hearings.

The Administrator or his authorized representative may require at any time the submission of such information, other than that specified elsewhere in this part, as is deemed appropriate, or may conduct an investigation, which may include a hearing prior to taking any action pursuant to this part. To the extent he deems appropriate, the Administrator or his authorized representative may provide an opportunity to other interested persons to present data and views.

§ 525.15 Relation to other laws.

Nothing contained in this part shall be construed as authorizing any act that is contrary to any Federal or State law or municipal ordinance.

§ 525.16 Amendment of this part.

The Administrator may at any time upon his own motion or upon written request of any interested person setting forth reasonable ground therefor, and after opportunity has been given to interested persons to present their views, amend or revoke any of the terms of this part.

[F.R. Doc. 62-182; Filed, Jan. 5, 1962; 8:53 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER A—AID OF CIVIL AUTHORITIES AND PUBLIC RELATIONS

PART 502—DISASTER RELIEF

Relief Shipments

Sections 502.10 and 502.12 are revoked and § 502.11 is revised, to read as follows:

§ 502.11 Commercial freight shipments of supplies by voluntary non-profit relief agencies.

(a) *Scope of section.* Provided in this section are the rules under which the Department of the Army, in order to further the efficient use of United States voluntary contributions for relief in the foreign country hereinafter named, will pay ocean freight charges from United States ports to designated foreign ports of entry on supplies donated to or purchased by United States voluntary non-profit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid (called "the Committee" in this section), for distribution in the Ryukyu Islands.

(b) *Agencies within scope of this section.* Any United States voluntary non-profit relief agency may make application to the Chief of Civil Affairs, Department of the Army, Washington 25, D.C., for reimbursement of ocean freight charges on shipments of supplies donated to or purchased by it for distribution within the foreign country listed in paragraph (a) of this section, *Provided:*

(1) The agency is registered with and recommended by the Committee to the Department of the Army;

(2) The supplies are within the general program and projects of the agency as previously submitted to and approved by the Committee, and are essential in support of such programs and projects;

(3) The agency's representatives to whom the supplies are consigned for distribution abroad are acceptable to the Committee;

(4) The Committee has notified the Department of the Army that:

(i) The agency is not engaged in commercial or political activities;

(ii) Contributions to the agency are eligible for tax exemption under income tax laws;

(iii) The agency is directed by an active and responsible board of American citizens who serve without compensation;

(iv) The accounts of the agency are regularly audited by a certified public accountant;

(v) The agency currently reports its activities and operations to the Committee including its budget and reports of income and expenditures, its transfer of funds, and its exports of commodities and such other information as the Committee may deem necessary, and such reports are open for public inspection;

(vi) The general program and projects by countries of operation of the agency have been approved by the Committee to permit the coordination of private agency programs with each other and with the programs of the Department of the Army in the Ryukyu Islands;

(vii) The Government of the country in which the supplies are distributed affords appropriate facilities for the necessary and economic operation of the agency's general program and projects;

(viii) The supplies are free of customs duties, other duties, tolls, and taxes;

(ix) The agency has assumed responsibility for noncommercial distribution of the supplies free of cost to the person or persons ultimately receiving them and distribution of the supplies is supervised by United States citizens, and such operations are appropriately identified as to their American character.

(c) *Manner of payment of ocean freight charges.* (1) The Department of the Army will reimburse agencies qualified under this section, to the extent of ocean freight charges paid by them for shipments made in conformity with this section: *Provided*, That application for such reimbursement on shipments, must be submitted to the Department within thirty days of date of shipment, together with receipted invoices for such charges, supported by ocean bills of lading, showing that such charges are limited to the actual cost of transportation of the supplies from end of ship's tackle at the United States port of loading to end of ship's tackle at port of discharge, correctly assessed at the time of loading by the carrier for freight on a weight, measurement or unit basis, and free of any other charges.

(2) The voluntary non-profit relief agencies which qualify under this section may apply to the Office of the Chief of Civil Affairs, Department of the Army,

Washington 25, D.C., for authorization to make shipments via Military Sea Transportation Service vessels, in conformity with this section. Upon approval of the request, the Chief of Civil Affairs will issue a Department of Army Approved Part Program authorizing shipment from a designated Port of Embarkation to end of ship's tackle at port of discharge, and including fund citation for reimbursement of Chief of Transportation. All costs of inland transportation are to be borne by the voluntary agencies.

(d) *Refund by agencies.* Any agency reimbursed under this section will refund promptly to the Department of the Army upon demand the entire amount reimbursed (or such lesser amount as the Department may demand) whenever it is determined that the reimbursement was improper as being in violation of any of the provisions of the Foreign Assistance Act of 1948, any acts amendatory thereof or supplemental thereto, any relevant appropriation acts, or any rules, regulation or procedures of the Department of the Army.

(e) *Saving clause.* The Secretary of the Army may waive, withdraw, or amend at any time or from time to time any or all of the provisions of this section.

[Regs., December 21, 1961, CA-EA] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply Title II, Public Law 87-329, September 30, 1961, 75 Stat. 719)

JULIAN A. WILSON,
Major General, U.S. Army,
Acting The Adjutant General.

[F.R. Doc. 62-158; Filed, Jan. 5, 1962;
8:46 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2579]

[Idaho 012028]

IDAHO

Revoking Stock Driveway Withdrawals in Whole or in Part (Nos. 226, 261, 271)

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

All departmental orders, including those of August 5, 1931, February 23, 1945, and September 10, 1940, reserving lands for stock driveways under authority of the act of December 29, 1916 (supra), are hereby revoked so far as they affect the following described lands:

BOISE MERIDIAN

IDAHO COUNTY

T. 29 N., R. 1 E.,
Sec. 5, lot 2 and S $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 29 N., R. 8 E.,
Sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 8, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 30 N., R. 1 W.,

Sec. 25, lots 4, 6, 7, 8, and 10.

T. 28 N., R. 2 W.,

Sec. 15, lots 1, 2, 3, and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 23, lots 1, 3, 4, and 5.

T. 29 N., R. 3 W.,

Sec. 5, lots 3, 5, 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 6, lots 7 and 12;

Sec. 7, lots 1, 6, 7, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 18, W $\frac{1}{2}$ E $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 19, E $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 27, lots 1, 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 28, lot 3;

Sec. 29, lots 1, 2, 3, and 4;

Sec. 34, lots 1, 2, 3, 4, and NW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 30 N., R. 3 W.,

Sec. 5, lots 1, 6, 7, 8, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 6, lot 11;

Sec. 7, lots 1, 6, 7, and 12;

Sec. 18, lots 1, 4, 5, and 10;

Sec. 19, lots 1, 6, 7, and 12;

Sec. 20, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 29, lots 1, 3, 4, 7, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 30, lot 1;

Sec. 32, lots 1 and 4.

LEWIS COUNTY

T. 31 N., R. 3 W.,

Sec. 26, lots 3, 4, 7, 8, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 27, lot 5.

NEZ PERCE COUNTY

T. 31 N., R. 3 W.,

Sec. 28, lots 4 and 5;

Sec. 32, lot 3;

Sec. 33, lots 1, 3, 4, and SW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 31 N., R. 4 W.,

Sec. 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;

Sec. 27, W $\frac{1}{2}$;

Sec. 28, NE $\frac{1}{4}$;

Sec. 34, N $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 4,551.80 acres. They are in part withdrawn for other purposes, or patented.

2. The lands are situated in Idaho, Nez Perce and Lewis Counties. They are characterized generally by extremely steep slopes, deep canyons and sharp draws. Soil is mainly fine to coarse sand. The greater part of the area sustains little vegetative cover.

3. The public lands released from withdrawal by this order are hereby restored to the operation of the public land laws, subject to valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals, provided that until 10:00 a.m., on July 3, 1962, the State of Idaho shall have a preferred right to apply to select the lands in accordance with subsection draws, provided that until 10:00 a.m., (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852). They have been open to mineral leasing and mining location.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JANUARY 2, 1962.

[F.R. Doc. 62-161; Filed, Jan. 5, 1962;
8:48 a.m.]

[Public Land Order 2580]

[56486]

UTAH

Partly Revoking Forest Service Administrative Site Withdrawals (Cache National Forest)

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 Departmental order of June 5, 1908, and Public Land Order No. 694 of December 26, 1950, so far as they withdrew the following described lands for use of the Forest Service for administrative sites, are hereby revoked:

SALT LAKE MERIDIAN

CACHE NATIONAL FOREST

Elk Valley Administrative Site

T. 12 N., R. 4 E.,
Sec. 33, NW $\frac{1}{2}$ SE $\frac{1}{4}$.
Containing approximately 80 acres.

High Creek Administrative Site

T. 14 N., R. 2 E.,
Sec. 5, NW $\frac{1}{2}$ S $\frac{1}{2}$ S $\frac{1}{2}$.
Containing approximately 80 acres.

2. Beginning at 10:00 a.m., on February 7, 1962, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

JOHN A. CARVER, JR.

Assistant Secretary of the Interior.

JANUARY 2, 1962.

[F.R. Doc. 62-162; Filed, Jan. 5, 1962;
8:48 a.m.]

[Public Land Order 2581]

[Arizona 026592]

ARIZONA

Withdrawing Lands Within Tonto National Forest for School Purposes

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 lands within the Tonto National Forest, Arizona, are hereby withdrawn from prospecting, location, entry and purchase under the mining laws of the United States under jurisdiction of the Forest Service, Department of Agriculture, for school purposes:

GILA AND SALT RIVER MERIDIAN

TONGO NATIONAL FOREST

T. 10 N., R. 10 E.,
Sec. 4, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.
(60) acres.)

JOHN A. CARVER, JR.,

Assistant Secretary of the Interior.

JANUARY 2, 1962.

[F.R. Doc. 62-163; Filed, Jan. 5, 1962;
8:48 a.m.]

[Public Land Order 2582]

[1030461]

ALASKA

Partly Revoking Executive Order No. 6039 of February 20, 1933

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. Executive Order No. 6039 of February 20, 1933, as amended by Executive Order No. 8442 of June 12, 1940, and as modified by Public Land Order No. 1612 of April 4, 1958, and which reserved public lands in Alaska for use of the War Department as a radio station, is hereby revoked so far as it affects the following-described lands:

KODIAK TOWNSITE

U.S. SURVEY 2538 A

Parcel A

From the southwest corner of the intersection of 6th Avenue and Mill Bay Road, said corner being the point of beginning, thence:

S. 47°24' W., 344.32 feet to corner No. 2; S. 63°19' W., 151.00 feet to corner No. 3; S. 34°43' E., 456.91 feet to corner No. 4; N. 55°17' E., 30.49 feet to corner No. 5; N. 34°43' W., 350 feet to corner No. 6; N. 55°17' E., 460 feet to corner No. 7; N. 34°43' W., 133.00 feet to corner No. 1, which is the point of beginning.
Containing 1.33 acres.

Parcel B

Beginning at corner No. 9, U.S. Survey No. 1272, thence:

North, 131.67 feet to a point that coincides with the south corner of the A.C.S. Reservation boundary; N. 55° 17' E., 1681.57 feet to the true point of beginning, which coincides with the east corner of the A.C.S. Reservation boundary; N. 34°43' W., 460 feet to a point on the A.C.S. Reservation boundary; S. 55°17' W., 460 feet to a point; S. 34°43' E., 460 feet to a point; N. 55°17' E., 460 feet along the A.C.S. Reservation boundary, to the true point of beginning.
Containing 4.85 acres.

2. Until 10:00 a.m., on April 3, 1962, the State of Alaska shall have a preferred right to select the lands in accordance with and subject to the limitations and requirements of the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), and section 6g of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339). Thereafter, the lands will not be subject to disposition under the public land laws unless and until it is so provided by order of an authorized officer of the Bureau of Land Management.

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

JOHN A. CARVER, JR.,

Assistant Secretary of the Interior.

JANUARY 2, 1962.

[F.R. Doc. 62-164; Filed, Jan. 5, 1962;
8:48 a.m.]

[Public Land Order 2583]

ALASKA

Revoking Public Land Order No. 2163 of July 15, 1960 and Departmental Order of July 8, 1947; Opening Public Lands

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), and otherwise, it is ordered as follows:

[1935558]

1. The departmental order of July 8, 1947, adding the following described lands to Air Navigation Site No. 167, is hereby revoked:

COPPER RIVER MERIDIAN

T. 4 N., R. 1 W.,
Sec. 6, NW $\frac{1}{4}$.
T. 5 N., R. 1 W.,
Sec. 31, S $\frac{1}{2}$.
Aggregating 459.69 acres.

[Anchorage 039164]

2. Public Land Order No. 2163 of July 15, 1960, reserving 1.89 acres in the SW $\frac{1}{4}$ of sec. 23, T. 4 N., R. 2 W., Copper River Meridian, for use of the Bureau of Sport Fisheries as an administrative site is hereby revoked. The lands have been conveyed to the State of Alaska.

[Anchorage 051064]

3. Public Land Order No. 616 of November 15, 1949, revoked Public Land Order No. 46 of October 8, 1942, so far as the latter affects the following described lands, but barred the initiation of any rights in the lands or any disposition thereof under the public land laws pending issuance of an order of classification and opening under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a):

COPPER RIVER MERIDIAN

T. 4 N., R. 1 W.,
Secs. 7 and 18;
Sec. 19, NE $\frac{1}{4}$ and W $\frac{1}{2}$.
T. 4 N., R. 2 W.,
Secs. 20 to 24, incl.
Aggregating about 3,680 acres.

Some of the lands have been classified, disposals have been made of others, and portions are otherwise withdrawn or are within outstanding claims. Further small tract planning has been abandoned. Specific information concerning the status of any of the lands may be obtained by inquiring of the Manager of the Land Office, Bureau of Land Management, Anchorage Alaska. About 2,331 acres are public land.

4. The public lands released from withdrawal by this order are hereby restored to the operation of the public land laws subject to valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals, provided, that until 10:00 a.m., on April 3, 1962, the State of Alaska shall have a preferred right to select the lands in accordance with and subject to the limitations and requirements 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), and the regulations in 43 CFR Part 76.

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

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JANUARY 2, 1962.

[F.R. Doc. 62-165; Filed, Jan. 5, 1962;
8:48 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury.

SUBCHAPTER Q—SPECIFICATIONS

[CGFR 61-62]

PART 164—MATERIALS

Costs of Pre-Approval Tests of Materials, and Statutory Authorities for Material Specifications

The purpose for the amendments to 46 CFR 164.006-5(c) (4), 164.008-4(c) (2), and 164.009-4(c) is to change the procedures for approval to agree with present practices followed by the National Bureau of Standards. In lieu of requiring a check to cover estimated costs of the tests the manufacturer will be required to submit a commitment stating he will reimburse the National Bureau of Standards for the costs of the tests when billed by them. The National Bureau of Standards no longer requires advance payment of estimated costs of tests to be made by check payable to the Treasurer of the United States. The revised procedures require the payment be made direct to the National Bureau of Standards.

In accordance with 1 CFR 13.46; the citations of authority in 46 CFR Part 164 are brought up to date.

Because the amendments to the regulations in this document are changes in procedures, or changes considered to be editorial in nature, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon and effective date requirements thereof) is impracticable and unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), 167-14, dated November 26, 1954 (19 F.R. 8026), 167-20, dated June 18, 1956 (21 F.R. 4894), CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), and 167-38, dated October 26, 1959 (24 F.R. 8857), the following amendments are prescribed and shall be in effect on and after the date of publication of this document in the FEDERAL REGISTER:

Subpart 164.001—Cork, Sheet, for Merchant Vessels

1. The authority note for the sections in Subpart 164.001 is amended to read as follows:

AUTHORITY: §§ 164.001-1 to 164.001-5 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

Subpart 164.002—Balsa Wood for Merchant Vessels

2. The authority note for the sections in Subpart 164.002 is amended to read as follows:

AUTHORITY: §§ 164.002-1 to 164.002-6 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

Subpart 164.003—Kapok, Processed

3. The authority note for the sections in Subpart 164.003 is amended to read as follows:

AUTHORITY: §§ 164.003-1 to 164.003-5 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 481, 489, 367, 526e, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

Subpart 164.006—Deck Coverings for Merchant Vessels

4. The authority note for the sections in Subpart 164.006 is amended to read as follows:

AUTHORITY: §§ 164.006-1 to 164.006-5 interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4488, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

5. Section 164.006-5(c) (4) is amended to read as follows:

§ 164.006-5 Procedure for approval.

(4) A commitment that he will reimburse the National Bureau of Standards for the cost of the tests when billed by them.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

Subpart 164.008—Bulkhead Panels for Merchant Vessels

6. The authority note for sections in Subpart 164.008 is amended to read as follows:

AUTHORITY: §§ 164.008-1 to 164.008-4 interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4488, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544,

1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

7. Section 164.008-4(c) (2) is amended to read as follows:

§ 164.008-4 Procedure for approval.

(2) A commitment from the manufacturer that he will reimburse the National Bureau of Standards for the cost of the tests when billed by them shall be submitted to the Coast Guard prior to testing.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416.)

Subpart 164.009—Incombustible Materials for Merchant Vessels

8. The authority note for the sections in Subpart 164.009 is amended to read as follows:

AUTHORITY: §§ 164.009-1 to 164.009-4 interpret or apply R.S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, 4488, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 391a, 392, 404, 481, 369, 367, 1333, 390b, 50 U.S.C. 198, E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

9. Section 164.009-4(c) is amended by adding a subparagraph (3) reading as follows:

§ 164.009-4 Procedure for approval.

(3) A commitment that he will reimburse the National Bureau of Standards for the cost of the tests when billed by them.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

Dated: December 28, 1961.

[SEAL] J. A. HIRSHFIELD,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 62-175; Filed, Jan. 5, 1962;
8:52 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Table of Frequency Allocations

The Commission having under consideration certain editorial changes in § 2.106 of its rules; and

It appearing, that the Commission has amended Parts 7 and 8 of its rules to make the frequencies 4072.4 kc/s, 4377.4 kc/s and 8210.8 kc/s available for assignment to coast and ship stations operating in the Mississippi River system and connecting inland waters (other than the Great Lakes) beginning Decem-

ber 22, 1961 (26 F.R. 10918) in lieu of 4067 kc/s, 4372.4 kc/s and 8205.5 kc/s, respectively; and

It further appearing, that Footnote NG29 to § 2.106 should be amended to reflect these changes in Parts 7 and 8; and

It further appearing, that this amendment is editorial in nature and hence that section 4 of the Administrative Procedure Act is not applicable; and

It further appearing, that the amendment adopted herein is issued pursuant to authority contained in sections 4 (i) and 303 (c), (f) and (r) of the Communications Act of 1934, as amended, and section 0.341(a) of the Commission's Statement of Organization, Delegations of Authority, and Other Information;

It is ordered, This 2d day of January 1962, that effective January 10, 1962, § 2.106 of the Commission's rules is amended as set forth below.

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

Released: January 3, 1962.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

§ 2.106 [Amendment]

1. Footnote NG29 to § 2.106 of the Commission's rules and regulations is amended to read as follows:

NG29 Ship or coast radiotelephone stations operating in the Mississippi River system may be authorized to use the frequencies 4072.4, 4377.4 and 8210.8 kc/s. These frequencies are replacements for 4067, 4372.4

and 8205.5 kc/s, respectively, which shall not be used for such operations after June 30, 1962.

[F.R. Doc. 62-185; Filed, Jan. 5, 1962; 8:53 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[Ex Parte No. MC-43]

PART 207—LEASE AND INTERCHANGE OF VEHICLES

Lease and Interchange of Vehicles by Motor Carriers

In the matter of postponement of the effective date of the fifth supplemental report of the Commission in this proceeding.

Upon consideration of the record in the above-entitled proceeding, and good cause appearing therefor:

It is ordered, That the effective date of the fifth supplemental order in this proceeding, entered July 24, 1961, by the Commission, be, and it is hereby, indefinitely postponed until further order of the Commission.

Dated at Washington, D.C., this 28th day of December A.D. 1961.

By the Commission, Chairman Hutchinson.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-170; Filed, Jan. 5, 1962; 8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 50-202]

PUMPS AND COMPRESSORS INDUSTRY

Hearing to Determine Prevailing Minimum Wages

Pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003), notice is hereby given that a hearing to determine the prevailing minimum wages in the Pumps and Compressors Industry under section 1 of the Walsh-Healey Public Contracts Act (41 U.S.C. 35) will be held on January 30, 1962, at 10 o'clock, a.m. in Room 2325, United States Department of Labor Building, 14th Street and Constitution Avenue NW., Washington, D.C.

The Pumps and Compressors Industry is defined tentatively as that industry which manufactures hand and power-driven pumps, compressors, and pumping equipment, including parts especially designed therefor. Products of this industry include, but without limitation, industrial pumps, pumps for fluid power systems, hydraulic pumps, vacuum pumps, domestic water systems and pumps, domestic hand and windmill pumps, oil well and oil field pumps, air and gas compressors, tire inflators, and dusting and spraying outfits for metals, paints, and chemicals (except agricultural dusting and spraying machinery and equipment).

Excluded is the manufacture of refrigerating and air conditioning compressors, laboratory vacuum pumps, fuel pumps for motor vehicles, aircraft engine pumps, propeller feathering pumps, gasoline and oil measuring and dispensing pumps, grease guns, and agricultural dusting and spraying machinery and equipment.

Interested persons may appear at the hearing to submit evidence relative to the following subjects and issues: (1) Any amendments which should be made in the tentative definition of the industry, (2) whether the geographic area of competition for contracts subject to the Walsh-Healey Public Contracts Act for products in the industry extends to all the area in which the industry has its plants, so as to require industry-wide determination, or whether such competition is limited to smaller geographic areas (including the boundaries of such areas) so as to authorize separate wage determinations for each area or locality, and (3) what are the prevailing minimum wages for the areas for which determinations should be made. Interested persons may also submit evidence on the question of whether there is good cause to delay the effective date of any prevailing minimum wage determination made in a final decision in this proceeding for more than seven days after it is published in the FEDERAL REGISTER. In

two recent decisions in similar proceedings relating to the Manifold Business Forms Industry (26 F.R. 7698) and the Paper and Pulp Industry (26 F.R. 7699) good cause was found to shorten the delay in effective date to seven days since such determinations are only applicable to contracts for which bids are solicited or negotiations otherwise commenced on or after its effective date (26 F.R. 9042; 41 CFR 50-201.1) and consequently there would be sufficient time for potential contractors to adjust to any minimum wage obligations resulting from such a determination without undue postponement in the application of such a determination.

Data relating to competition in this industry for contracts subject to the Walsh-Healey Public Contracts Act have been collected by the Department of Labor. Employment and wage data in this industry for the payroll period ending nearest September 15, 1961, have also been gathered. This information will be submitted for consideration at the hearing, and is now available to interested persons.

Written statements may be filed with the Chief Hearing Examiner at any time prior to the hearing by persons who cannot appear personally. An original and three copies of any such statement shall be filed and shall include the reason or reasons for non-appearance. Such statements shall be under oath or affirmation, and will be offered in evidence at the hearing. If objection is made to the admission of any such statement, the presiding officer shall determine whether it will be received in evidence.

To the extent possible, the evidence of each witness and any sworn or affirmed statements of persons who cannot appear personally should permit evaluation on a plant-by-plant basis, and should state: (1) The number and location of establishments in the industry to which the testimony of such witness or such written statement is applicable, (2) the number of workers in each such establishment, (3) the minimum wage paid to covered workers presently and, if possible, on or about September 15, 1961, and the number of covered workers (41 CFR 50-201.102) at each such establishment receiving such wages, and (4) the identity of any product not now included in the tentative definition of the industry which should be included and of any product now included which should be excluded.

The hearing shall be conducted pursuant to the rules of practice for minimum wage determinations under the Walsh-Healey Public Contracts Act (41 CFR 50-203.15-203.22), and the amendments thereto published in the FEDERAL REGISTER on September 22, 1961 (26 F.R. 8945).

-Signed at Washington, D.C., this 28th day of December 1961.

W. WILLARD WIRTZ,
Acting Secretary of Labor.

[F.R. Doc. 62-181; Filed, Jan. 5, 1962; 8:53 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

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

Terpene Polychlorinates; Notice of Proposal to Establish a Higher Tolerance

An order was published in the FEDERAL REGISTER of August 31, 1961 (26 F.R. 8172), establishing a tolerance of 3 parts per million for residues of terpene polychlorinates (chlorinated mixture of camphene, pinene, and related terpenes, containing 65-66 percent chlorine), calculated as a chlorinated terpene of molecular weight 396.6 containing 67 percent chlorine, in or on cottonseed. On December 8, 1961, an order was published in the FEDERAL REGISTER (26 F.R. 11799) establishing a tolerance of 5 parts per million for residues of toxaphene (chlorinated camphene containing 67-69 percent chlorine), calculated as a chlorinated terpene of molecular weight 396.6 containing 67 percent chlorine, in or on cottonseed.

Since residues of these two pesticides are practically indistinguishable analytically, tolerances on cottonseed were established in terms of the same chlorinated intermediary. When the tolerance for toxaphene was established, the order provided that where tolerances are established for both terpene polychlorinates and toxaphene on the same raw agricultural commodities, the total amount of such pesticides shall not yield more residue than that permitted by the larger of the two tolerances, calculated as the chlorinated intermediary. In effect, this provision increased the tolerance limit for terpene polychlorinates on cottonseed to 5 parts per million. Consequently, for clarification the tolerance for terpene polychlorinates on cottonseed should be established at this level.

Available data show that residues of terpene polychlorinates on cottonseed at 5 parts per million will not be concentrated at a higher level in cottonseed oil or flour prepared for human consumption. The data also show that residues at this level in cottonseed meal and hulls from such cottonseed, when fed to livestock, will not result in residues in meat and milk, and that the proposed increase in tolerance will involve no hazard to health.

Accordingly, notice is given that the Commissioner of Food and Drugs, on his own initiative, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 348(e)) and in accordance with the authority delegated to him by the Secre-

tary of Health, Education, and Welfare (25 F.R. 8625), proposes to amend § 120.164 (21 CFR 120.164; 26 F.R. 8172) by changing the terpene polychlorinated residue tolerance in or on cottonseed to read as follows:

§ 120.164 Tolerance for terpene polychlorinated.

A tolerance of 5 parts per million is established for residues of terpene polychlorinated (chlorinated mixture of camphene, pinene, and related terpenes, containing 65-66 percent chlorine), calculated as a chlorinated terpene of molecular weight 396.6 containing 67 percent chlorine, in or on cottonseed.

Any person who has registered or who has submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing terpene polychlorinated may request, within 30 days from the publication of this proposal in

the FEDERAL REGISTER, that the proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act. Any interested person is invited at any time prior to the thirtieth day from the date of publication of this notice in the FEDERAL REGISTER to file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written comments on the proposal. Comments may be accompanied by a memorandum or brief in support thereof.

All documents shall be filed in quintuplicate.

Dated: December 29, 1961.

JOHN L. HARVEY,
*Deputy Commissioner
of Food and Drugs.*

[F.R. Doc. 62-168; Filed, Jan. 5, 1962;
8:49 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[342.02]

IMPORTED BRANDIED CHERRIES

Notice of Prospective Assessment of Internal-Revenue Tax

DECEMBER 29, 1961.

It appears that imported brandied cherries (1) in syrup containing more than 12 percent of alcohol by volume, (2) in syrup containing 12 percent of alcohol by volume and a solids content (mostly sugar) of less than 60 grams per 100 ml., or (3) in syrup containing less than 12 percent alcohol by volume and a solids content which, expressed in grams per 100 ml., is numerically less than five times the percentage of alcohol by volume, or in any case, solids of less than 25 grams per 100 ml., are properly subject to the internal-revenue tax on imported distilled spirits under section 5001, Internal Revenue Code of 1954, at the rate of \$10.50 a proof gallon of syrup content or wine gallon of syrup content when below proof.

It is the present uniform and established practice not to assess the internal-revenue tax on such imported merchandise.

Pursuant to § 16.10a(d), Customs Regulations, notice is hereby given that the correctness of this practice is under review. Consideration will be given to any relevant data, views or arguments pertaining to assessment of the tax on such merchandise which are submitted to the Bureau of Customs, Washington 25, D.C., in writing. To assure consideration, such communications must be received in the Bureau not later than 30 days from the date of publication of this notice. No hearings will be held.

[SEAL]

PHILIP NICHOLS, Jr.,
Commissioner of Customs.

[F.R. Doc. 62-176; Filed, Jan. 5, 1962; 8:52 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

RICE

Notice of Marketing Quota Referendum for 1962 Crop

Marketing quotas for the crop of rice to be produced in 1962 have been duly proclaimed pursuant to provisions of the Agricultural Adjustment Act of 1938, as amended. Said act requires a referendum to be conducted within 30 days after the date of the insurance of said proclamation of farmers who were engaged in the production of rice in 1961 to determine whether such farmers are in favor

of or opposed to such quotas. Prior to establishing the date for the referendum on the 1962 crop of rice, public notice (26 F.R. 8675) was given in accordance with the Administrative Procedure Act (5 U.S.C. 1003) that it was proposed to hold the referendum on December 12, 1961. No data, views, or recommendations pertaining thereto were submitted pursuant to such notice. However, it was found necessary to delay the proclamation with respect to marketing quotas beyond the date originally anticipated and likewise to delay the date of the referendum. Such proclamation has now been made and it is hereby determined that the rice marketing quota referendum under said act for the 1962 crop of rice shall be held on January 23, 1962, which is within thirty days from the date of issuance of the proclamation of marketing quotas.

Signed at Washington, D.C., on December 27, 1961.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 61-12430; Filed, Dec. 28, 1961; 3:55 p.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14085 etc.; FCC 62M-2]

COMMUNITY SERVICE BROADCASTERS, INC., ET AL.

Order Continuing Hearing

In re applications of Community Service Broadcasters, Incorporated, Ypsilanti, Michigan, Docket No. 14085, File No. BP-13846; et al. Group III, Docket Nos. 14287, 14288, 14289, 14290, 14291, 14292, 14293, 14294, 14295, 14296, 14298, 14299, 14300, 14301, 14303, 14304, 14305, 14306, for construction permits.

The Hearing Examiner having under consideration petition filed by Wilbur J. Meyer, tr/as Peter-Mark Broadcasting Company, requesting continuance;

It appearing that counsel for other applicants in Group III have consented to immediate consideration and grant of the petition, and Counsel for the Chief of the Commission's Broadcast Bureau has consented to the revised schedule provided the hearing date is satisfactory to the Hearing Examiner;

It is ordered, This 2d day of January 1962, that the above petition is granted; and the dates for procedural steps for Group III are continued as follows:

From— To—

Preliminary exchange of engineering exhibits— Jan. 10—Feb. 5, 1962
Final exchange of all exhibits— Jan. 23—Feb. 19, 1962

Notification of witnesses ----- Feb. 1—Feb. 26, 1962
Commencement of hearing ----- Feb. 6—Mar. 6, 1962

Released: January 2, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-184; Filed, Jan. 5, 1962; 8:53 a.m.]

FEDERAL MARITIME COMMISSION

REDERIAKTIE-BOLAGET NORDSTJERNAN ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 8738, between Rederiaktie-Bolaget Nordstjernan (Johnson Line) and Grace Line, Inc., covers a through billing arrangement in the trade from Port-au-Prince, Haiti, to Pacific Coast ports of the United States and Canada, with transshipment at Cristobal, Canal Zone.

Agreement 8757, between the carriers comprising the Knutsen Line and the A. P. Moller-Maersk Line joint services, covers a through billing arrangement in the trade between U.S. Atlantic Coast ports and Fremantle, Western Australia, with transshipment at Hong Kong or Singapore.

Interested parties may inspect these agreements and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of these agreements and their position as to approval, disapproval, or modification, together with requests for hearing should such hearing be desired.

Dated: January 3, 1962.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 62-172; Filed, Jan. 5, 1962; 8:50 a.m.]

TRANS-PACIFIC PASSENGER CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed

with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 131-236, between the member lines of the Trans-Pacific Passenger Conference, modifies the basic Agreement (No. 131, as amended) to include a new By-Law providing that fares for passengers utilizing the services of member lines within the Conference jurisdiction on Sea/Air combination tickets, in conjunction with the services of co-operating and connecting air carriers, may be constructed on the basis of one-half the respective carrier's normal round-trip fare, for the section of travel in which the member carrier participates. Such reduction shall apply only when the passenger travels by an air carrier recognized as an approved international or national scheduled air carrier or a member of the International Air Transport Association.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: January 3, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-173; Filed, Jan. 5, 1962;
8:50 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

RETAILERS' INVENTORIES, SALES, NUMBER OF STORES

Notice of Determination To Continue Survey

Pursuant to the Act of Congress approved August 31, 1954, 13 U.S.C. 181, 224, and 225, and due Notice of Consideration having been published November 30, 1961 (26 F.R. 11301), I have determined that certain 1961 annual data for retail trade establishments are needed to provide a sound statistical basis for the formation of policy by various government agencies and are also applicable to a variety of public and business needs. The survey is part of a continuing Census series on retail trade, and for 1961 will cover year-end inventories, annual sales, and number of retail stores operated as of the end of the year. The data are not publicly available from non-governmental or other governmental sources.

Reports will be required only from a selected sample of retail establishments in the United States. The sample will provide, with measurable reliability, statistics on the subjects specified above.

Reports will be requested from sampled stores on the basis of their sales size and/or location in Census Sample Areas. A group of the largest firms, in terms of number of retail stores, will be requested to report their sales summarized by geographic areas.

Report forms will be furnished to the firms covered by the survey and will be due 15 days after receipt. Additional copies of the forms are available on request to the Director, Bureau of the Census, Washington 25, D.C.

I have therefore directed that an annual survey be conducted for the purpose of collecting these data.

RICHARD M. SCAMMON,
Director, Bureau of the Census.

[F.R. Doc. 62-206; Filed, Jan. 5, 1962;
8:50 a.m.]

Maritime Administration

TRADE ROUTE NO. 21; U.S. GULF/ UNITED KINGDOM AND CONTI- NENT

Notice of Conclusions and Determinations Regarding the Essentiality and United States Flag Service Require- ments

Notice is hereby given that on December 21, 1961, the Maritime Administrator acting pursuant to section 211 of the Merchant Marine Act, 1936, as amended, found and determined the essentiality and United States flag service requirements of United States foreign Trade Route No. 21 and ordered that the following conclusions and determinations reached by the Maritime Administrator with respect to said trade route be published in the FEDERAL REGISTER:

1. Trade Route No. 21 as described below is reaffirmed as an essential foreign trade route of the United States: Trade Route No. 21—U.S. Gulf/United Kingdom and Continent between United States Gulf ports (Key West to Mexican border) and ports in the United Kingdom, Republic of Ireland and Continental Europe north of Portugal.

2. Requirements for United States flag operations on Trade Route No. 21 are approximately 17 freighter sailings per month, of which approximately 2 sailings per month should serve the West Coast United Kingdom/Ireland area of the route.

3. Existing Victory type, C-1 and C-2 type freighters are suitable for operation on Trade Route No. 21, pending replacement.

4. Replacement freighters which serve the major portion of the route should be superior in speed and have approximately the same carrying capacity as the present C-2 type ships.

Dated: January 3, 1962.

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 62-169; Filed, Jan. 5, 1962;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP62-110]

SOUTHWEST GAS CORP.

Notice of Application and Date of Hearing

DECEMBER 29, 1961.

Take notice that on October 30, 1961, as supplemented on November 3, 14 and 21, 1961, and December 6, 1961, Southwest Gas Corporation (Applicant), P.O. Box 271, Las Vegas, Nevada, filed in Docket No. CP62-110 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to acquire by merger and to operate all of the facilities of Nevada Natural Gas Pipe Line Co. (Nevada Natural), to perform all acts and services now being performed by Nevada Natural, and to make all sales now being made by Nevada Natural, to the extent that such facilities, acts, services and sales are subject to the jurisdiction of the Commission, all as more fully set forth in the application, as supplemented, on file with the Commission and open to public inspection.

Applicant is a public utility distributing natural gas at retail to some 40,000 customers in the States of Arizona, California and Nevada. Applicant buys gas from (1) El Paso Natural Gas Company (El Paso) for service in several towns in Arizona, (2) Pacific Gas and Electric Company for service in several towns in California and (3) Nevada Natural for service in Las Vegas, Nevada, and vicinity.

Nevada Natural owns and operates two parallel transmission lines extending from a connection with El Paso near the Arizona-Nevada state line north through a portion of California to the Las Vegas area where it sells gas to Applicant for resale in and near Las Vegas and to California-Pacific Utilities Company for resale in Henderson, Nevada, and to Boulder City, Nevada, for resale in Boulder City. Nevada Natural also transports and sells gas directly to six industrial customers near Las Vegas. Nevada Natural's facilities consist of approximately 223 miles of main transmission lines, 32.5 miles of sales laterals and other appurtenant facilities. In addition, Nevada Natural owns all the outstanding stock of the Utility Financial Corp. and the Carson Water Company.

The application shows that pursuant to the agreement of merger, dated August 15, 1961, Applicant proposes to issue on the effective date of the merger:

(1) 240,000 shares of \$1.00 Dividend Cumulative Convertible Preferred Stock, \$5.00 par value, in exchange for 480,000 shares of \$1.00 par value Common Capital Stock of Nevada Natural, or on a basis of one share for two shares.

(2) 19,806 shares of \$1.50 Dividend Cumulative Preferred Capital Stock, \$21.00 par value, in exchange for 19,806 shares of \$1.50 Dividend Cumulative Preferred Capital Stock, \$21.00 par value, issued and outstanding of Nevada Natural.

The application further shows that as of August 31, 1961, the total depreciated plants of Applicant and Nevada Natural were \$12,434,167 and \$5,893,404, respectively.

Required authorizations have been received from the appropriate regulatory agencies of Arizona and California.

Applicant as the surviving corporation will continue all services presently being rendered by Nevada Natural at the latter's existing filed FPC rates; therefore, Applicant states that there will be no interruption or abandonment of service now being rendered by Nevada Natural.

Applicant requests that its name be substituted for that of Nevada Natural in all certificate authorizations heretofore granted to Nevada Natural by this Commission.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 25, 1962, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 22, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-160; Filed, Jan. 5, 1962;
8:47 a.m.]

[Docket Nos. CP61-234 etc.]

MONTANA-DAKOTA UTILITIES CO. ET AL.

Notice of Further Postponement of Hearing

DECEMBER 4, 1961.

Montana-Dakota Utilities Co., Docket Nos. CP61-234; CP61-297; Amerada Petroleum Corporation, Docket No. CI61-1133; Signal Oil and Gas Company, Docket No. CI61-1271; Lyda Hunt-Herbert Trusts, et al., Docket No. CI61-1621; The TXL Oil Corporation, Docket No. CI61-

1687; Continental Oil Company, Operator, et al., Docket No. G-14440.

Notice is hereby given that the hearing in the above-designated matters now scheduled to commence on December 12, 1961, is hereby postponed to January 22, 1962, at 10:00 a.m., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-211; Filed, Jan. 5, 1962;
8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-223 etc.]

ARKANSAS FUEL OIL CORP. AND CITIES SERVICE CO.

Order Approving and Releasing Jurisdiction in Respect of Certain Fees and Expenses and Continuing Reservation of Jurisdiction in Respect of Other Requests for Allowances

DECEMBER 20, 1961.

In the matter of Arkansas Fuel Oil Corporation (Shreveport, Louisiana), Cities Service Company (New York, New York); File Nos. 54-223; 54-226; 54-227; 31-622; 54-186; 59-93; 70-1804.

In the above consolidated proceedings the Commission, pursuant to section 11(d) of the Public Utility Holding Company Act of 1935 ("Act"), among other things, approved a plan, as modified (Holding Company Act Release No. 14260, July 14, 1960, approved and enforced by the United States District Court for District of Delaware, No. 2223, September 2, 1960), to effectuate compliance with the order issued September 20, 1957 (Hold-

ing Company Act Release No. 13549) under section 11(b)(2) of the Act. Under the plan, as modified, the 48.5 percent publicly-held minority stock interest in Arkansas Fuel Oil Corporation ("Arkansas"), a subsidiary company of Cities Service Company ("Cities"), a registered holding company, was eliminated by the payment to the public stockholders of Arkansas, of \$41 in cash per share, or a total of \$75,577,186. In the order approving the section 11(d) plan, the Commission reserved jurisdiction in respect of the allowance and allocation of fees and expenses, incurred in connection with the consolidated proceedings, which are to be paid by Cities.

Pursuant to notice given by the Commission, applications for the allowance of the fees and expenses or the approval of sums paid therefor, have been filed by the various parties to and participants in the consolidated proceedings.

Subsequently, as a first step in the procedure for determining whether the fees requested are for compensable services rendered and whether the amounts of fees and expenses requested are reasonable, the Commission, in order to expedite the proceeding in respect thereof, and to assist it in making such determinations, requested Cities in writing (with a copy to each of the applicants) to advise the Commission, on or before July 25, 1961 (later extended to September 11, 1961), as to the amounts of fees and expenses which the Company is willing to pay and which each of the applicants, after negotiations with the company, has indicated a willingness to accept as settlement in full of his request for allowance of fees and expenses in connection with the consolidated proceeding. Thereafter, Cities and certain of the fee claimants have agreed that the following such persons are to be paid the following amounts:

	Fees	Expenses
1. Cities Service Co.—		
Counsel:		
Cravath, Swaine & Moore, and Meyer, Kissel, Matz & Seward	\$200,000.00	\$18,359.01
Experts:		
Stone & Webster Service Corp.	161,535.00	21,400.88
DeGolyer and Mac Naughton	81,818.10	93,551.57
Standard Research Consultants, Inc.	70,618.96	3,845.46
Thompson, Knight, Wright & Simmons	70,000.00	7,095.04
Distribution trustee:		
Wilmington Trust Co. (plus \$1.50 per transaction subsequent to Mar. 30, 1961)	17,434.50	3,970.18
Total	601,406.56	148,222.14
2. Common Stockholders Committee of Cities Service Co.—		
Members:		
Estate of James M. Fawcett, deceased	1,500.00	-----
Norman S. Nemser	1,500.00	-----
Dr. Samuel R. Berlin	1,000.00	-----
Irwin L. Feinberg	1,000.00	-----
Counsel:		
Nemerov & Shapiro and Stanley Nemser	50,000.00	8,319.72
Experts:		
Theodore R. Mackoul	25,000.00	1,040.18
Total	80,000.00	9,359.90
3. Arkansas Fuel Oil Corp.—		
Counsel:		
Blanchard, Goldstein, Walker & O'Quin	30,000.00	1,003.19
Total	30,000.00	1,003.19

	Fees	Expenses
4. Arkansas Fuel Oil Corp. Public Common Stock Committee-----		5,095.84
Members:		
Dr. Louis Alfano-----	2,500.00	
Herbert H. Lederman-----	2,500.00	
William Stuberfield, I-----	2,500.00	
Perry King-----	5,000.00	
Counsel:		
Percival E. Jackson-----	532,500.00	24,545.89
Experts:		
King and Co.-----	45,000.00	1,481.26
Purvin & Gertz, Inc.-----	58,418.75	9,856.74
H. J. Gruy and Associates, Inc.-----	11,742.50	1,799.22
Joseph T. Foley-----	475.00	516.00
Total-----	660,636.25	43,294.95
5. Section 11(d) plan proponents--		
Counsel:		
Shanley & Fisher-----	85,000.00	2,357.63
Total-----	85,000.00	2,357.63

As a part of the agreements pursuant to which the amounts of fees and expenses set forth above were fixed, the applications of Berl, Potter and Anderson for allowance of fees in the sum of \$7,250.00 and expenses in the sum of \$176.83; of Madison Fund, Inc. for allowance of expenses in the sum of \$23,990.70; and of Louis E. Marron for allowance of expenses in the sum of \$36,192.02, were withdrawn.

Upon motion of counsel for Cities, the various applications for the amounts set forth above were severed for disposition from the remaining applications.

The Commission having considered the applications filed by applicants whose names are set forth above and the amounts agreed upon; and being of the opinion that the allowances itemized above are for necessary services and reasonable in amounts, and that an order should be entered approving such fees and expenses, directing payment thereof, and releasing jurisdiction in respect thereof;

It is ordered, That the applications for allowances of fees and reimbursement of expenses incurred by the applicants named and in the amounts set forth above, be, and they hereby are, approved, and that Cities is hereby directed to pay such amounts to them to the extent that any portion thereof has not been heretofore paid, and that the jurisdiction heretofore reserved in respect thereof is hereby released.

It is further ordered, That the jurisdiction reserved in respect of the other applications for allowances of fees and expenses be, and hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-166; Filed, Jan. 5, 1962; 8:49 a.m.]

[File No. 812-1473]

TOWNSEND MANAGEMENT CO.

Notice of Filing of Application for Order Permitting Closed-End Investment Company To Purchase Stock Issued by It

DECEMBER 28, 1961.

Notice is hereby given that Townsend Management Company ("TMC"), 38

Chatham Road, Short Hills, N.J., a registered closed-end, non-diversified investment company has filed an application under section 23(c)(3) of the Investment Company Act of 1940 (the "Act") for an order exempting from the provisions of section 23(c) the proposed acquisition by TMC of 20,000 shares of its stock at \$31 per share from Pennsylvania Investment and Real Estate Corporation ("PIRE").

The request of TMC is based upon the following representations and information contained in its application:

TMC owns (a) 163,431 shares of Class A common stock (non-voting) of FIF Associates, Inc. ("Associates"), (b) 18,159 shares (33.9 percent) of the Class B common stock (voting) of Associates, (c) 163,431 shares of Class A common stock (non-voting) of FIF Management Company ("Management"), and (d) 18,159 shares (32.7 percent) of the Class B common stock (voting) of Management.

Under an agreement dated November 10, 1959, TMC sold to PIRE 20,000 shares of TMC stock at \$25 a share, and agreed to repurchase such shares upon demand two years thereafter at \$31 per share, which is in excess of its current net asset value. The repurchase obligation was secured by a pledge of 36,000 shares of Class A common stock of Associates, 4,000 shares of Class B common stock of Associates, 36,000 shares of Class A common stock of Management, and 4,000 shares of Class B stock of Management.

TMC registered as an investment Company pursuant to the Act on June 19, 1960, and on April 24, 1961, this Commission commenced an action against TMC in the United States District Court for the District of New Jersey ("Court") seeking injunctive relief with respect to alleged violations of, and seeking to enforce compliance with, certain sections of the Act. TMC consented to the entry of a final decree enjoining certain violations of the Act, specifying the procedure required for compliance with the Act, and appointing an interim board of directors ("Interim Board").

The decree directed that TMC take prompt action to divest itself, through sale or other distribution, of all of its holdings of Class A and Class B common stock in both Management and Associates, including the securities pledged under the repurchase agreement. The

Interim Board has discussed many alternative methods of divesting TMC of these Securities, and has taken steps to investigate the possibility of a public offering as well as the possibility of a private sale. After negotiations, the Interim Board, subject to the Court's approval, has entered into contracts for the sale of all the securities, including the pledged securities, with two insurance companies and five individuals associated with them. In order to make delivery to the purchasers of all of the stock of Associates and Management that TMC owns, it must perform its agreement to repurchase the 20,000 shares of its stock held by PIRE.

The Application states that while the repurchase of the shares from PIRE would be at a price in excess of the current net asset value of TMC shares, it would not be an unfair discrimination against other shareholders since the purchase would be made pursuant to the terms of an agreement under which PIRE has contractual rights, secured by portfolio securities of TMC, beyond those of a shareholder.

Section 23(c)(3) of the Act prohibits a registered investment company from purchasing its own securities other than on a securities exchange or pursuant to tenders, except under such circumstances as the Commission may permit by order to insure that such purchases are made in a manner or on a basis which does not unfairly discriminate against any holders of the class of securities to be purchased. Since the proposed purchase by TCA from PIRE of the 20,000 shares of its stock does not involve purchase on a securities exchange or pursuant to tenders, such purchase is prohibited unless the Commission issues its order permitting it.

Notice is further given that any interested person may not later than January 11, 1962, submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon TMC. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) should be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order or hearing upon said application shall be issued on request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-167; Filed, Jan. 5, 1962; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 583]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 3, 1962.

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

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

No. MC-FC 64368. By order of December 27, 1961, the Transfer Board approved the transfer to Walter W. Nogay, doing business as Nogay & Sons; Movers, Weirton, W. Va., of Certificate No. MC 76339, issued May 20, 1949, to Anthony Nogay and Walter Wm. Nogay, a partnership, doing business as Nogay & Son, Movers, Weirton, W. Va., authorizing the transportation of: Household goods, as defined in *Practices of Motor Common Carriers of Household goods, 17 M.C.C. 467*, over irregular routes, between points in Hancock County, W. Va., on the one hand, and, on the other, points in West Virginia, Ohio and Pennsylvania. George P. Bohach, 3216 Main Street, Weirton, W. Va., Attorney for applicants.

No. MC-FC 64635. By order of December 27, 1961, the Transfer Board approved the transfer to James McAllister, doing business as B & H Transfer, P.O. Box 256, Butte, Nebr., of Certificate No. MC 88966, issued October 19, 1949, to Ben Hahn, Butte, Nebr., authorizing the transportation of: Livestock, between Atkinson, O'Neill and Butte, Nebr., and points within 50 miles of Butte, on the one hand, and, on the other, Sioux City, Iowa; household goods and grain, between Butte, Nebr., and points within 10 miles of Butte, on the one hand, and, on the other, points in Iowa; coal, building materials, supplies and equipment, fencing materials, feed, seeds, agricultural implements, between Butte, Nebr., and points within 10 miles of Butte, on the one hand, and, on the other, Sioux City, Iowa; livestock, agricultural commodities, feed, and agricultural implements, between Naper, Nebr., and points in Nebraska within 12 miles of Naper,

on the one hand, and Sioux City, Iowa, on the other; petroleum products, in containers, and binder twine, from Sioux City, Iowa, to Butte, Nebr.; empty petroleum containers, from Butte, Nebr., to Sioux City, Iowa; and emigrant movables, from Butte, Nebr., and points within 10 miles of Butte, to points in Iowa.

No. MC-FC 64640. By order of December 27, 1961, the Transfer Board approved the transfer to Shamrock Transport, Inc., Towson, Md., of Certificate No. MC 35539, issued April 4, 1957, to John Robert Walker, Jr., doing business as Dallas Express Co., Philadelphia, Pa., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between points in the Philadelphia, Pa., Commercial Zone, as defined by the Commission. John W. Hessian III, Campbell Building, Towson 4, Md., attorney for applicants.

No. MC-FC 64648. By order of December 27, 1961, the Transfer Board approved the transfer to General Transfer Company, a corporation, Decatur, Ill., of the operating rights in Certificates Nos. MC 98952 Sub 2 and MC 98952 Sub 8, issued March 21, 1958 and December 8, 1960, respectively, to M. W. Crosby and C. E. Maxey, a partnership, doing business as General Transfer Co., Decatur, Ill., authorizing the transportation over irregular routes of meat, meat products, meat byproducts, dairy products, and articles distributed by the meat-packing houses, as described in Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 empty containers used in transporting such commodities, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers, between Decatur, Ill., on the one hand, and, on the other, Paducah, Owensboro, and Henderson, Ky., and points within 5 miles of each point, and points in 53 specified counties in Indiana, meat, meat products, meat byproducts, dairy products, and articles distributed by meat-packing houses, between Decatur, Ill., and points in Illinois, petroleum products, in bulk, in tank vehicles, from New Goshen, Ind., and points within 5 miles thereof in Vigo County, Ind., to points in Illinois, and agricultural machinery, agricultural implements, and parts thereof, from Springfield, Ill., to points in 44 specified counties in Missouri. Marvis S. Lieberman, 602 Millikin Building, Decatur, Ill., attorney for applicants.

No. MC-FC 64652. By order of December 29, 1961, the Transfer Board approved the transfer to E. J. Davies, Inc., New York (Bronx), N.Y., Permits Nos. MC 88726 and MC 88726 Sub 1, issued May 16, 1950 and April 4, 1958, respectively, to L. M. & M. Trucking Co., Inc.,

New York (Bronx), N.Y., authorizing the transportation of concrete reinforcements of wire and steel, over regular routes, between New York, N.Y., and Trenton and Camden, N.J., Component parts used in wire display racks, bar accessories, and barbecue grills, which do not require special equipment, from the site of the plant of Display and Construction Units Company at Freeland, Pa., to the site of the plant of Conver Steel and Wire Company, Inc., New York (Bronx), N.Y.; and wire, in coils, and steel sheets and blanks, not requiring special equipment, from the site of the plant of Conver Steel and Wire Company, Inc., New York (Bronx), N.Y., to the site of the plant of Display and Construction Units Company at Freeland, Pa. William D. Traub, 350 Fifth Avenue, New York 1, N.Y., representative for applicants.

No. MC-FC 64713. By order of December 28, 1961, the Transfer Board approved the transfer to William F. Broderick, doing business as John W. Broderick Company, 311 North Harvard Street, Allston, Mass., of Certificate No. MC 11698, issued February 19, 1942, to John W. Broderick, 311 North Harvard Street, Allston, Mass., authorizing the transportation of: Acoustical tile, from Portsmouth, N.H., to Boston, Mass.; printed matter, chemicals, plywood, metal, building materials, auto parts, oil burners, and machinery, from Boston, Mass., to points in Rhode Islands, gas stoves, machinery, electric refrigerators, and acoustical stock, from Boston, Mass., and points within 10 miles of Boston, to points in Connecticut; building material, acoustical stock, asphalt in containers, tools, advertising matter and chemicals, from Boston, Mass., to Manchester and Nashua, N.H.; and household goods, between Boston, Mass., and points within 20 miles of Boston, on the one hand, and, on the other, points in New York, Rhode Island, New Hampshire, Connecticut, and New Jersey.

No. MC-FC 64728. By order of December 29, 1961, the Transfer Board approved the transfer to Keenan Transit Co., a corporation, Melrose Park, Ill., of Permit No. MC 116510 issued April 7, 1958, to William B. Keenan, doing business as Keenan Transit Co., Stone Park, Ill., authorizing the transportation of: Cast iron pipe, and fittings, cast iron manhole covers, jute, caulking leads, fire hydrants and waterworks valves only when transported with cast iron pipe, from Bensenville, Ill., to points in Indiana, Iowa, Wisconsin, Minnesota (except St. Paul and Minneapolis), and Michigan. Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., attorney for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 62-171; Filed, Jan. 5, 1962;
8:50 a.m.]

CUMULATIVE CODIFICATION GUIDE—JANUARY

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**CFR SUPPLEMENTS
(As of January 1, 1961)**

1960 Supplement to Title 3 (\$0.50); Titles 1-4 (Revised) (\$4.00); Title 5 (Revised) (\$4.00); Title 6 (\$2.25); Title 7, Parts 1-50 (\$0.55); Parts 51-52 (\$0.60); Parts 53-209 (\$0.55); Parts 210-399 (\$0.35); Parts 400-899 (\$1.25); Parts 900-959 (\$1.75); Parts 960 to end (\$2.75); Title 8 (\$0.40); Title 9 (\$0.40); Titles 10-13 (\$0.75); Title 14, Parts 1-199 (Revised) \$3.75; Parts 200-399 (Revised) (\$1.50); Parts 400-599 (Revised) (\$1.00); Parts 600 to end (Revised) (\$2.25); Title 15 (\$1.25); Title 16 (\$0.35); Title 17 (\$1.00); Title 18 (Revised) (\$6.75); Title 19 (Revised) (\$5.50); Title 20 (Revised) (\$5.50); Title 21 (\$1.75); Titles 22-23 (\$0.50); Title 24 (\$0.55); Title 25 (\$0.50); Title 26, Part 1 (§§ 1.0-1-1.400) (Revised) (\$5.50); Part 1 (§§ 1.401-1.860) (Revised) (\$5.50); Part 1 (§ 1.861 to end) to Part 19 (Revised) (\$5.00); Parts 20-29 (Revised) (\$4.25); Parts 30-39 (Revised) (\$3.50); Parts 40-169 (Revised) (\$4.50); Parts 170-299 (Revised) \$6.25; Parts 300-499 (Revised) (\$4.00); Parts 500-599 (Revised) (\$4.25); Parts 600 to end (Revised) (\$3.00); Title 27 (Revised) (\$3.00); Titles 28-29 (\$1.75); Titles 30-31 (\$0.60); Title 32, Parts 1-39 (Revised) (\$5.50); Parts 40-399 (Revised) (\$4.00); Parts 400-699 (\$2.00); Parts 700-799 (\$1.00); Parts 800-999 (\$0.40); Parts 1000-1099 (\$1.00); Parts 1100 to end (\$0.60); Title 32A (\$0.60); Title 33 (\$1.75); Title 35 (\$0.30); Title 36 (\$0.30); Title 37 (\$0.30); Title 38 (\$1.25); Title 39 (\$1.50); Titles 40-41 (Revised) (\$1.50); Title 42 (\$0.35); Title 43 (\$1.00); Title 44 (\$0.30); Title 45 (\$0.40); Title 46, Parts 1-145 (\$1.25); Parts 146-149 (1961 Supp. 1) (\$1.00); Parts 150 to end (\$1.00); Title 47, Parts 1-29 (\$1.25); Parts 30 to end (\$0.40); Title 49, Parts 1-70 (\$1.00); Parts 71-90 (\$1.00); Parts 91-164 (\$0.50); Parts 165 to end (Revised) (\$5.00); Title 50 (Revised) (\$3.75); General Index (\$1.00).

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