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partment of Agriculture that such lands are suitable for national-forest purposes and upon acquisition of title thereto by the United States, be added to and reserved as parts of the respective national forests within which they are located.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
April 10, 1953.

[F. R. Doc. 53-3251; Filed, Apr. 10, 1953; 4:35 p. m.]

RULES AND REGULATIONS

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Civil Service Rule VI was completely revised by Executive Order No. 10440 of March 31, 1953 (18 F. R. 1823). By this Executive order the Commission is authorized to except positions from the competitive service and to place them in Schedules A, B, and C. Section 2 of the order provides that the positions in Schedules A and B as presently constituted shall continue therein until the Commission has taken action with respect to such positions under the order.

Schedules A, B, and C, as provided for in Executive Order No. 10440, will comprise §§ 6.100 to 6.199, 6.200 to 6.299, and 6.300 to 6.399, respectively. The section numbers for new Schedule A will be the same as the section numbers in the present Schedule A. Agencies will receive corresponding section numbers for new Schedule B and Schedule C. For example, State Department, which is presently listed under § 6.102 in Schedule A, will retain that section number in new Schedule A and will be listed under § 6.202 in new Schedule B and under § 6.302 in Schedule C.

In this document Civil Service Rule VI as issued by Executive Order No. 10440 is codified; § 6.300 is redesignated as § 6.400 and new positions excepted for the first time are added to Schedule C for the State Department (§ 6.302) Department of Commerce (§ 6.312) and the Federal Trade Commission (§ 6.330). These amendments are effective upon publication in the FEDERAL REGISTER.

CIVIL SERVICE RULE VI

- Sec.
- 6.1 Authority to except positions from the competitive service.
 - 6.2 Classes of excepted positions.
 - 6.3 Status of incumbents of excepted positions.
 - 6.4 Removal of incumbents of excepted positions.
 - 6.5 Assignment of excepted employees.
 - 6.6 Revocation of exceptions.

REGULATIONS UNDER CIVIL SERVICE RULE VI

- SCHEDULE A
- 6.100 to 6.199.
- SCHEDULE B
- 6.200 to 6.299.
- SCHEDULE C
- 6.300 to 6.399.
- GENERAL
- 6.400 Regulations for the administration and enforcement of the Veterans' Preference Act in connection with positions excepted from the competitive service.

AUTHORITY: §§ 6.1 to 6.400 issued under R. S. 1753, sec. 2, 22 Stat. 493; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823.

CIVIL SERVICE RULE VI

§ 6.1 *Authority to except positions from the competitive service.* (a) The Commission is authorized to except from the competitive service and to place in appropriate schedules positions to which appointments through competitive examination are not practicable and, upon the recommendation of the agency concerned, positions which are of a confidential or policy-determining character. Such exceptions from the competitive service shall be effective upon publication thereof in the FEDERAL REGISTER. Positions excepted by the Commission shall be listed in the Commission's annual report for the fiscal year in which the exceptions are made.

(b) The Commission shall decide whether the duties of any particular position are such that it may be classified as an excepted position.

§ 6.2 *Classes of excepted positions.* The Commission shall classify positions that it excepts as follows:

Schedule A. Positions other than those of a confidential or policy-determining character for which it is not practicable to examine shall be placed in Schedule A.

Schedule B. Positions other than those of a confidential or policy-determining character for which it is not practicable to hold a competitive examination shall be placed in Schedule B. Appointments to these positions shall be subject to such noncompetitive examination as may be prescribed by the Commission.

Schedule C. Positions of a confidential or policy-determining character shall be placed in Schedule C.

§ 6.3 *Status of incumbents of excepted positions.* Persons given excepted appointments to positions listed in Schedules A, B, and C or to positions excepted from the competitive service by statute shall not acquire a competitive status by reason of such appointments. Persons appointed to such positions in the same manner as competitive positions are filled may acquire a competitive status in accordance with the Civil Service rules and regulations.

§ 6.4 *Removal of incumbents of excepted positions.* Except as may be required by the Veterans' Preference Act, the Civil Service rules and regulations shall not apply to removals from positions listed in Schedule C or from positions excepted from the competitive service by statute. The Civil Service rules and regulations shall apply to removals from positions listed in Schedules

GENERAL

§ 6.400 *Regulations for the administration and enforcement of the Veterans' Preference Act in connection with positions excepted from the competitive service.* The regulations issued by the Commission pursuant to section 11 of the Veterans' Preference Act of 1944 for the administration and enforcement of the provisions of that act in connection with positions excepted from the competitive service shall be followed by agencies with respect to positions listed in Schedules A, B, and C and positions excepted from the competitive service by statute.

CROSS REFERENCE: For regulations governing appointment to positions excepted from the competitive service, see Part 21 of this chapter. For regulations governing appeals of preference eligibles under the Veterans' Preference Act, see Part 22 of this chapter. For regulations governing removals which apply to removals from positions listed in Schedules A and B of persons who have competitive status, see Part 9 of this chapter.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] C. L. EDWARDS,
Executive Director

[F. R. Doc. 53-3220; Filed, Apr. 13, 1953;
8:55 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

[BAI Order 383, Amdt. 15]

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

CHANGES IN AREAS QUARANTINED BECAUSE OF VESICULAR EXANTHEMA

Pursuant to the authority conferred by sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123 and 125) sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111 and 120) and section 7 of the act of May 29, 1884, as amended (21 U. S. C. 117) § 76.26 in Part 76 of Title 9, Code of Federal Regulations, containing a notice of the existence in certain areas of the swine disease known as vesicular exanthema and establishing a quarantine because of such disease, is hereby amended to read as follows:

§ 76.26 *Notice and quarantine.* (a) Notice is hereby given that the contagious, infectious and communicable disease of swine known as vesicular exanthema exists in the following areas:

The State of California;
Escambia County, in Florida;
Hartford, Litchfield, Middlesex and New Haven Counties, in Connecticut;
Androscooggin, Cumberland, Kennebec, Somerset, and York Counties, in Maine;
City of Baltimore, in Maryland;
Bristol, Essex, Hampden, Middlesex, Norfolk, Plymouth and Worcester Counties, in Massachusetts;
Macomb and Oakland Counties, in Michigan;

Jefferson and Pulaski Counties, in Missouri;

Clark County, in Nevada;
Bergen, Burlington, Camden, Cape May, Gloucester, Hudson, Hunterdon, Middlesex, Morris, and Ocean Counties, in New Jersey;
Clarkstown Township, in Rockland County, in New York;

Council Grove, Mustang, Oklahoma and Greeley Townships, in Oklahoma County, in Oklahoma;

Bucks, Butler, Delaware, Lehigh and York Counties, in Pennsylvania;

Bristol, Kent, Providence, and Washington Counties, in Rhode Island;

Dyer County, in Tennessee;

Pierce and Whatcom Counties, in Washington.

(b) The Secretary of Agriculture, having determined that swine in the States named in paragraph (a) of this section are affected with the contagious, infectious and communicable disease known as vesicular exanthema and that it is necessary to quarantine the areas specified in said paragraph (a) of this section and the following additional areas in such States in order to prevent the spread of said disease from such States, hereby quarantines the areas specified in paragraph (a) of this section and in addition:

Essex and Union Counties, in New Jersey;
Montgomery County, in Pennsylvania.

Effective date. This amendment shall become effective upon issuance. It includes within the areas in which vesicular exanthema has been found to exist, and in which a quarantine has been established:

Escambia County, in Florida;
Oakland County, in Michigan;
Pulaski County, in Missouri;
Dyer County, in Tennessee.

Hereafter, all of the restrictions of the quarantine and regulations in 9 CFR Part 76, Subpart B, as amended (17 F. R. 10538, as amended) apply with respect to shipments of swine and carcasses, parts and offal of swine from these areas.

This amendment excludes from the areas in which vesicular exanthema has been found to exist, and in which a quarantine has been established:

Marshall County, in West Virginia.

Hereafter, none of the restrictions of the quarantine and regulations in 9 CFR Part 76, Subpart B, as amended, (17 F. R. 10538, as amended) apply with respect to shipments of swine and carcasses, parts and offal of swine from this area.

The foregoing amendment in part relieves restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to such restrictions. In part the amendment imposes further restrictions necessary to prevent the spread of vesicular exanthema, a communicable disease of swine, and to this extent it must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and contrary to public interest and good cause is found for making the amend-

A and B of persons who have competitive status, however they may have been or may be appointed.

§ 6.5 *Assignment of excepted employees.* Persons who are appointed to excepted positions without competitive examination shall not be assigned to the work of a position in the competitive service without prior approval of the Commission.

§ 6.6 *Revocation of exceptions.* The Commission may remove any position from or may revoke in whole or in part any provision of Schedule A or B, and, with the concurrence of the agency concerned, may remove any position from or may revoke in whole or in part any provision of Schedule C. Such changes shall become effective upon publication thereof in the FEDERAL REGISTER.

REGULATIONS UNDER CIVIL SERVICE RULE VI

SCHEDULE A

§ 6.100 *Positions other than those of a confidential or policy-determining character for which it is not practicable to examine.* The positions enumerated in §§ 6.101 to 6.199 are positions other than those of a confidential or policy-determining character for which it is not practicable to examine and which are excepted from the competitive service and constitute Schedule A.

SCHEDULE B

§ 6.200 *Positions other than those of a confidential or policy-determining character for which it is not practicable to hold a competitive examination.* The positions enumerated in §§ 6.200 to 6.299 are positions other than those of a confidential or policy-determining character for which it is not practicable to hold a competitive examination and which are excepted from the competitive service and constitute Schedule B. Appointments to these positions shall be subject to such noncompetitive examination as may be prescribed by the Commission.

SCHEDULE C

§ 6.300 *Positions of a confidential or policy-determining character.* The positions enumerated in §§ 6.300 to 6.399 are positions of a confidential or policy-determining character which are excepted from the competitive service, to which appointments may be made without examination by the Commission and which constitute Schedule C.

§ 6.302 *State Department.*

(a) *Office of the Secretary.* [Reserved.]

(b) *Bureau of Security and Consular Affairs.* (1) Deputy Administrator.

(2) Assistant Deputy Administrator.

(3) One confidential assistant to the Administrator.

§ 6.312 *Department of Commerce.*

(a) *Office of the Secretary.* [Reserved.]

(b) *Inland Waterways Corporation.*

(1) Chairman of the Advisory Board.

§ 6.330 *Federal Trade Commission.*

(a) One private secretary or confidential assistant to the Chairman.

ment effective less than 30 days after publication hereof in the FEDERAL REGISTER.

(Secs. 4, 5, 23 Stat. 32, as amended, sec. 2, 32 Stat. 792, as amended, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U. S. C. 120, 111, 123, 125. Interprets or applies sec. 7, 23 Stat. 32, as amended; 21 U. S. C. 117)

Done at Washington, D. C., this 9th day of April 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-3183; Filed, Apr. 13, 1953; 8:53 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART B—UNITED STATES STANDARDS¹

U. S. STANDARDS FOR GRADES OF CANNED SWEET CHERRIES

On April 29, 1952, a notice of proposed rule making was published in the FEDERAL REGISTER (17 F. R. 3796) regarding a proposed revision of the United States Standards for Grades of Canned Sweet Cherries. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised United States Standards are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952)

§ 52.243 *Canned sweet cherries.* "Canned sweet cherries" means the canned product prepared from mature cherries and as defined in the standard of identity for canned cherries (21 CFR 27.30) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(a) *Types of canned sweet cherries.* (1) "Light" type are of the light sweet varietal group and includes, but is not limited to, such varieties known as Royal Anne.

(2) "Dark" type are of the dark sweet varietal group and includes, but is not limited to, such varieties known as Bing, Black Republican, Schmidt, and Lambert.

(b) *Styles of canned sweet cherries.* Unless specifically designated as "pitted" canned sweet cherries are considered as "unpitted."

(1) "Unpitted" sweet cherries are stemmed cherries without the pits removed.

(2) "Pitted" sweet cherries are stemmed cherries with the pits removed.

¹ The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(c) *Grades of canned sweet cherries.*

(1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned sweet cherries that are practically free from defects; that possess a good character; that possess a normal flavor and odor; and that are of such quality with respect to color and uniformity of size as to score not less than 90 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of canned sweet cherries that are reasonably free from defects; that possess a reasonably good character; that possess a normal flavor and odor; and that are of such quality with respect to color and uniformity of size as to score not less than 80 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade C" or "U. S. Standard" is the quality of canned sweet cherries that possess a fairly good color; that are fairly uniform in size; that are

fairly free from defects; that possess a fairly good character; that possess a normal flavor and odor; and that score not less than 70 points when scored in accordance with the scoring system outlined in this section.

(4) "Substandard" is the quality of canned sweet cherries that fail to meet the requirements of U. S. Grade C or U. S. Standard and is the quality of canned sweet cherries that may or may not meet the minimum standard of quality for canned cherries issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(d) *Liquid media and Brix measurements for canned sweet cherries.* "Cut-out" requirements for liquid media in canned sweet cherries are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix measurement, as applicable, for the respective designations are as follows:

Designation	Brix measurement
"Extra heavy sirup" or "Extra heavy cherry juice sirup"	25° or more but not more than 35°
"Heavy sirup" or "Heavy cherry juice sirup"	20° or more but less than 25°.
"Light sirup" or "Light cherry juice sirup"	16° or more but less than 20°
"Slightly sweetened water" or "Slightly sweetened cherry juice"	Less than 16°
"In water"	Packed in water.
"In cherry juice"	Packed in cherry juice.

(e) *Fill of container for canned sweet cherries.* The standard of fill of container for canned sweet cherries is the maximum quantity of cherries which can be sealed in the container and processed by heat to prevent spoilage, without crushing such ingredient. Canned sweet cherries that do not meet this requirement are "Below Standard in Fill."

(f) *Recommended minimum drained weight.* The minimum drained weight recommendations in Table I of this section are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades. The drained weight of canned sweet cherries is determined by emptying the contents of the container upon a United States Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-inch±3%, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for two minutes. The drained weight is the weight of the sieve and sweet cherries less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

(g) *Compliance with recommended drained weights.* Compliance with the recommended drained weights for canned sweet cherries is determined by

averaging the drained weights from all the containers which are representative of a specific lot, and such lot is considered as meeting the recommendations, for the applicable styles, if:

(1) The average drained weight from all the containers meets the recommended drained weight;

(2) One-half or more of the containers meet the recommended drained weight; and

(3) The drained weights from the containers which do not meet the recommended drained weight are within the range of variability for good commercial practice.

TABLE I—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR PITTED AND UNPITTED CANNED SWEET CHERRIES

Container size or designation (metal, unless otherwise stated)	In extra heavy sirups and in declared "dietetic packs" whether or not packed in water		In light sirup and in slightly sweetened water or juice		Other than declared "dietetic packs" packed in water
	(Oz.)	(Gm.)	(Oz.)	(Gm.)	
8 1/2 tall	4 3/4	5	5 3/4	5 3/4	5 3/4
No. 1 tall	6 3/4	10	10 3/4	10 3/4	10 3/4
No. 2 3/4	6 3/4	10	10 3/4	10 3/4	10 3/4
No. 3 3/4	6 3/4	10	10 3/4	10 3/4	10 3/4
No. 2	12	12 3/4	12 3/4	12 3/4	12 3/4
No. 2 1/2	17 3/4	15	19 3/4	19 3/4	19 3/4
No. 2 1/2	17 3/4	17 3/4	19 3/4	19 3/4	19 3/4
No. 1 1/2	6 3/4	6 3/4	7 3/4	7 3/4	7 3/4

(h) *Ascertaining the grade.* (1) The grade of canned sweet cherries is ascertained by considering, in conjunction

with the requirements of the respective grade, the respective ratings for the factors of color, uniformity of size, absence of defects, and character.

(2) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
(i) Color.....	30
(ii) Uniformity of size.....	20
(iii) Absence of defects.....	30
(iv) Character.....	20
Total score.....	100

(3) "Normal flavor and odor" means that the canned sweet cherries are free from objectionable flavors and objectionable odors of any kind.

(i) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "27 to 30 points" means 27, 28, 29, or 30 points)

(1) *Color* The factor of color refers to the color typical of the varietal group—either light sweet or dark sweet; and to the intensity and brightness of such characteristic color.

(i) Canned sweet cherries that possess a good color may be given a score of 27 to 30 points. "Good color" means that the cherries are bright and possess a color typical of well-matured cherries of similar varieties which have been properly processed; that in light sweet cherries, the basic background color, exclusive of blush, is a pinkish-yellow to pale amber color and that the blush appears as a surface color ranging from very light pinkish-tan to tannish-brown; and that in dark sweet cherries, the basic background color is a typical deep-red to purple-red or purple-black.

(ii) If the canned sweet cherries possess a reasonably good color, a score of 24 to 26 points may be given. "Reasonably good color" means that the cherries possess a color typical of reasonably well-matured cherries of similar varieties which have been properly processed; that in light sweet cherries, the basic background color, exclusive of blush, is a pinkish-yellow to amber color which may be no more than slightly dull and that the blush appears as a surface color ranging from tan to tannish-brown; and that in dark sweet cherries, the basic background color is a typical deep red to purple-red or purple-black which may be no more than slightly dull.

(iii) If the canned sweet cherries possess a fairly good color, a score of 21 to 23 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Fairly good color" means that the cherries possess a color typical of fairly well-matured cherries of similar varieties which have been properly processed; that in light sweet

cherries, the basic background color and blush may be variable or may be slightly dull but is not off-color and that in dark sweet cherries, the cherries may possess a slightly dull deep red to slightly dull purple-red color or slightly dull purple-black color that may be variable but is not off-color.

(iv) Canned sweet cherries that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(2) *Uniformity of size.* The factor of uniformity of size refers to the uniformity of diameters in pitted and unpitted cherries, and to the variation of weight and minimum weight in unpitted cherries.

(i) "Diameter" of a cherry is the diameter of a rigid round hole through which the cherry will just pass without using force. In pitted cherries, the diameter is that which approximates the apparent original size had the cherry not been pitted but does not apply to any pitter-torn cherries.

(ii) Canned sweet cherries that are practically uniform in size may be given a score of 18 to 20 points. "Practically uniform in size" means that:

(a) In unpitted cherries,
(1) The weight of each cherry is not less than $\frac{1}{10}$ ounce (2.54 grams)

(2) The weight of the largest cherry is not more than twice the weight of the smallest cherry and

(3) The diameter of the cherry with the greatest diameter may exceed the diameter of the cherry with the smallest diameter by not more than $\frac{3}{16}$ inch, and in 85 percent, by count, of all the cherries with the most uniform diameters the diameter of the cherries with the greatest diameters may exceed the diameter of the cherries with the smallest diameters by not more than $\frac{1}{16}$ inch.

(b) In pitted cherries,
(1) The diameter of the cherry with the greatest diameter may exceed the diameter of the cherry with the smallest diameter by not more than $\frac{3}{16}$ inch; and in 85 percent, by count, of all the cherries with the most uniform diameters the diameter of the cherries with the greatest diameters may exceed the diameter of the cherries with the smallest diameters by not more than $\frac{1}{16}$ inch.

(iii) If the canned sweet cherries are reasonably uniform in size, a score of 16 or 17 points may be given. "Reasonably uniform in size" means that:

(a) In unpitted cherries,
(1) The weight of each cherry is not less than $\frac{1}{10}$ ounce (2.54 grams)

(2) The weight of the largest cherry is not more than twice the weight of the smallest cherry and

(3) The diameter of the cherry with the greatest diameter may exceed the diameter of the cherry with the smallest diameter by not more than $\frac{3}{16}$ inch; and in 85 percent, by count, of all the cherries with the most uniform diameters the diameter of the cherries with the greatest diameters may exceed the diam-

eter of the cherries with the smallest diameters by not more than $\frac{1}{16}$ inch.

(b) In pitted cherries,

(1) The diameter of the cherry with the greatest diameter may exceed the diameter of the cherry with the smallest diameter by not more than $\frac{3}{16}$ inch; and in 85 percent, by count, of all the cherries with the most uniform diameters the diameter of the cherries with the greatest diameters may exceed the diameter of the cherries with the smallest diameters by not more than $\frac{1}{16}$ inch.

(iv) If the canned sweet cherries are fairly uniform in size, a score of 14 or 15 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule) "Fairly uniform in size" means that:

(a) In unpitted cherries,

(1) The weight of each cherry is not less than $\frac{1}{10}$ ounce (2.54 grams),

(2) The weight of the largest cherry is not more than twice the weight of the smallest cherry and

(3) The cherries may vary in diameter measurements,

(b) In pitted cherries,

(1) The cherries may vary in diameter measurements.

(v) Canned "unpitted" sweet cherries which fail to meet subdivision (iv) of this subparagraph may be given a score of 0 to 13 points, shall not be graded above Substandard (this is a limiting rule) and are also "Below Standard in Quality" for the applicable reasons:

"Small"
"Mixed sizes."

(3) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material; from portions of stems; from pits or portions thereof in pitted style; from slightly damaged, damaged, slightly misshapen, misshapen, blemished, and seriously blemished cherries; and from any other defects which detract from the appearance or edibility of the product. Processing cracks are not considered as defects but are considered under the factor of character.

(i) "Cherry" means a whole cherry, whether or not pitted, or portions of such cherries which in the aggregate approximate the average size of a cherry.

(ii) "Harmless extraneous material" means any vegetable substance (including, but not limited to, a leaf or portion thereof, a stem or portion thereof longer than $\frac{1}{2}$ inch) that is harmless.

(iii) "Portions of cherry stems," whether loose or attached, means such portions that are $\frac{1}{2}$ inch or less and such portions are considered as a defect separate from "harmless extraneous material."

(iv) A "pit" is considered as a defect only in the style of pitted cherries and means a whole pit or portions of pits computed as follows:

(a) A single piece of pit shell, whether or not within or attached to a whole cherry, that is larger than one-half pit shell is considered as one pit;

(b) A single piece of pit shell, whether or not within or attached to a whole cherry, that is not larger than one-half pit shell is considered as one-half pit;

(c) Pieces of pit shell, within or attached to a whole cherry, when their combined size is larger than one-half pit shell are considered as one pit; and

(d) Pieces of pit shell, within or attached to a whole cherry, when their combined size is not larger than one-half pit shell are considered as one-half pit.

(v) "Slightly damaged" means any injury other than blemishes which affects the appearance of the cherry, and includes:

(a) Slight circular cracks with slight discoloration, such as "rain checks," confined entirely within the stem basin and more than $\frac{1}{4}$ inch, but not more than $\frac{1}{2}$ inch, in length;

(b) Slight cracks with slight discoloration, such as "rain checks," outside the stem basin and more than $\frac{3}{16}$ inch but not more than $\frac{3}{8}$ inch in length;

(c) Mutilated cherries in unpitted style whereby the cherry is seriously torn at the stem end and that such torn area exceeds that of a circle $\frac{1}{4}$ inch in diameter; and mutilated cherries in pitted style whereby the cherry is so pitted-torn or so damaged by other similar means that the entire pit cavity is exposed and the appearance of the cherry is seriously affected.

(vi) "Damaged" means any injury other than blemishes which affects the appearance of the cherry and includes:

(a) Serious circular cracks with discoloration, such as "rain checks," confined entirely within the stem basin and more than $\frac{1}{2}$ inch in length;

(b) Serious cracks with discoloration, such as "rain checks," outside the stem basin and more than $\frac{3}{8}$ inch in length;

(c) Deep cracks with discoloration, in unpitted style, outside the stem basin that are so deep as to expose the pit or that otherwise seriously affect the appearance of the cherry.

(vii) "Slightly misshapen" cherries includes, but is not limited to, cherries which are slightly deformed or in which there is a cleavage (or deep furrow) with the skin unbroken at the suture extending more than $\frac{3}{16}$ inch but no more than one-half the length from the stem cavity to the apex.

(viii) "Misshapen" cherries means cherries which are deformed to the extent that the appearance is materially affected and includes, but is not limited to, "double" cherries in unpitted style and cherries in which there is a cleavage (or deep furrow) with the skin unbroken at the suture extending more than one-half the length from the stem cavity to the apex.

(ix) "Blemished" means any blemished areas on the skin, which singly or in the aggregate, materially affect the appearance of the cherry and includes:

(a) Such surface blemishes having an aggregate area exceeding that of a circle $\frac{3}{16}$ inch in diameter, not extending into the fruit tissue but which materially affect the appearance of the cherry or

(b) Such blemishes having an aggregate area equivalent of, or less than, that of a circle $\frac{3}{16}$ inch in diameter and extending into the fruit tissue so that the flesh is materially discolored.

(x) "Seriously blemished" means blemished to the extent that the appearance or edibility of the cherry is seriously affected.

(xi) Canned sweet cherries that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that the canned sweet cherries are practically free from any defects not specifically mentioned that affect the appearance or edibility of the product and that for the applicable style not more than the following defects or defective units may be present:

(a) 1 piece of harmless extraneous material for each 60 ounces of net contents;

(b) 1 portion of cherry stem for each 20 ounces of net contents;

(c) In pitted style, 1 pit for each 20 ounces of net contents; and

(d) A total of 10 percent by count of the cherries may be slightly damaged, damaged, slightly misshapen, misshapen, blemished, seriously blemished, or any combination thereof but not more than 5 percent by count of the cherries may be damaged, misshapen, blemished, seriously blemished, or any combination thereof: *Provided*, That not more than 2 percent by count of the cherries may be seriously blemished.

(xii) If the canned sweet cherries are reasonably free from defects, a score of 24 to 26 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the canned sweet cherries are reasonably free from any defects not specifically mentioned that affect the appearance or edibility of the product and that for the applicable style not more than the following defects or defective units may be present:

(a) 1 piece of harmless extraneous material for each 40 ounces of net contents;

(b) A total of 5 portions of cherry stems but not more than 1 portion of cherry stem may be longer than $\frac{1}{4}$ inch but not longer than $\frac{1}{2}$ inch for each 20 ounces of net contents;

(c) In pitted style, 1 pit for each 20 ounces of net contents; and

(d) A total of 20 percent by count of the cherries may be slightly damaged, damaged, slightly misshapen, misshapen, blemished, seriously blemished, or any combination thereof but not more than 10 percent by count of the cherries may be damaged, misshapen, blemished, seriously blemished, or any combination thereof: *Provided*, That not more than 3 percent by count of the cherries may be seriously blemished.

(xiii) If the canned sweet cherries are fairly free from defects, a score of 21 to 23 points may be given. Canned sweet cherries that fall into this classi-

fication shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the canned sweet cherries are fairly free from any defects not specifically mentioned that affect the appearance or edibility of the product and that for the applicable style not more than the following defects or defective units may be present:

(a) 1 piece of harmless extraneous material for each 20 ounces of net contents;

(b) A total of 10 portions of cherry stems but not more than 3 portions of cherry stems, each of which may be longer than $\frac{1}{4}$ inch but not longer than $\frac{1}{2}$ inch for each 20 ounces of net contents;

(c) In pitted style, 1 pit for each 20 ounces of net contents; and

(d) A total of 30 percent by count of the cherries may be slightly damaged, damaged, misshapen, blemished, seriously blemished, or any combination thereof but not more than 15 percent by count of the cherries may be blemished and seriously blemished.

(xiv) Canned sweet cherries which fall to meet subdivision (xiii) of this subparagraph may be given a score of 0 to 20 points; shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule), and may be "Below Standard in Quality" for the applicable reasons:

"Partially pitted;"

"Blemished."

(4) *Character*. The factor of character refers to the fleshiness and to the tenderness and texture in relation to maturity in the canned sweet cherries and to the presence of serious processing cracks in unpitted style.

(i) "Serious processing cracks" means cracks without any discoloration that are so deep as to expose the pit; processing cracks that are not serious are not scoreable.

(ii) Canned sweet cherries that possess a good character may be given a score of 18 to 20 points. "Good character" means that the cherries are thick-fleshed, are tender but not soft or noticeably flabby, and otherwise possess a good texture characteristic of canned sweet cherries that have been properly processed from well-matured cherries; that not more than 10 percent by count of the cherries may possess a reasonably good character; and that, in unpitted style, not more than 5 percent by count of the cherries may possess serious processing cracks.

(iii) If the canned sweet cherries possess a reasonably good character, a score of 16 or 17 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that the cherries are reasonably thick-fleshed, are reasonably tender but not more than slightly soft nor markedly flabby, and otherwise possess a texture characteris-

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tic of canned sweet cherries that have been properly processed from reasonably well-matured cherries; that not more than 10 percent by count of the cherries may possess a fairly good character provided, in unpitted cherries, none are thin-fleshed; and that, in unpitted style, not more than 10 percent by count of the cherries may possess serious processing cracks.

(iv) If the canned sweet cherries possess a fairly good character, a score of 14 or 15 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly good character" means that the cherries may be lacking in thickness of flesh but, in unpitted cherries, the total weight of pits is not more than 12 percent of the weight of drained cherries; may be variable in tenderness and texture, ranging from firm to soft, but characteristic of canned sweet cherries that may have been processed from slightly immature to slightly over-mature cherries; that not more than 10 percent by count of the cherries may be markedly flabby and that, in unpitted style, serious processing cracks may be present.

(v) Canned sweet cherries that fail to meet the requirements of subdivision (iv) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule) Canned pitted sweet cherries in which the total weight of the pits is more than 12 percent of the weight of drained cherries are also "Below Standard in Quality—Thin-Fleshed."

(j) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned sweet cherries, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, with respect to those factors which are scored:

- (i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;
- (ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;
- (iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores;
- (iv) The average score of all containers for any factor subject to a limiting rule must be within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample; and

(2) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(k) Score sheet for canned sweet cherries.

Size and kind of container.....		.....
Container mark or identification.....		.....
Label.....		.....
Net weight (ounces).....		.....
Vacuum (inches).....		.....
Drained weight (ounces).....		.....
Count per container.....		.....
Brix measurement.....		.....
Sirup designation (Extra heavy, heavy, etc.).....		.....
Type () Light..... () Dark.....		.....
Style () Unpitted..... () Pitted.....		.....
<hr/>		
Factors	Score points	
I. Color.....	(A) 27-30	
	(B) 24-26	
	(C) 21-23	
	(SSStd) 0-20	
	(A) 18-20	
II. Uniformity of size..	(B) 16-17	
	(C) 14-15	
	(SSStd) 0-13	
	(A) 27-30	
	(B) 24-26	
III. Absence of defects..	(C) 21-23	
	(SSStd) 0-20	
	(A) 18-20	
	(B) 16-17	
	(C) 14-15	
IV. Character.....	(SSStd) 0-13	
	(A) 27-30	
	(B) 24-26	
	(C) 21-23	
	(SSStd) 0-20	
Total score.....	100	
<hr/>		
Normal flavor and odor.....		.....
Grade.....		.....

1 Indicates limiting rule.

(1) *Effective time and supersedure.* The revised United States Standards for Grades of Canned Sweet Cherries (which is the fourth issue) contained in this section will become effective thirty days after the date of publication of these standards in the FEDERAL REGISTER and will thereupon supersede the United States Standards for Grades of Canned Sweet Cherries which have been in effect since May 15, 1940.

(Sec. 205, 60 Stat. 1090, Pub. Law 451, 82d Cong.; 7 U. S. C. 1624)

Issued at Washington, D. C., this 9th day of April 1953.

[SEAL] ROY W LENNARTSON,
Assistant Administrator
Production and Marketing Ad-
ministration.

[F. R. Doc. 53-3177; Filed, Apr. 13, 1953;
8:50 a. m.]

PART 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF AND UNITED STATES CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

REDUCTION OF REQUIRED MINIMUM NUMBER OF CONTAINERS COMPRISING POULTRY SAMPLE SUBMITTED FOR GRADING

Notice of a proposed amendment to the regulations governing the grading and inspection of poultry and edible products thereof and United States classes, standards, and grades with respect thereto (7 CFR Part 70) was published in the FEDERAL REGISTER on February 4, 1953 (18 F. R. 733) The amendment hereinafter promulgated is pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and

the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong. approved July 5, 1952)

The amendment reduces the required minimum number of containers comprising a representative sample of poultry submitted for grading and will have little or no effect on the users of the service. It has been found that a decrease in the number of the samples will not affect the accuracy of the grading but will increase the efficiency thereof.

After consideration of all relevant matters presented, including the proposal in the aforesaid notice, the amendment hereinafter set forth is promulgated to become effective 30 days following publication in the FEDERAL REGISTER.

The amendment is as follows: Change § 70.31 *General* to read as follows:

§ 70.31 *General.* Grading service performed with respect to any quantity of products shall, as the case may require, be on the basis of an examination, pursuant to the regulations in this part, of each unit thereof or of each unit in the representative sample thereof drawn by a grader. Whenever the grading service is performed on a representative sample basis, such sample shall be drawn and consist of not less than the minimum number of containers as indicated in the following table:

[Minimum number of containers comprising a representative sample]

Containers in lot:	Containers in sample
3 containers, or less.....	(¹)
4 to 20, inclusive.....	3
21 to 50, inclusive.....	5
51 to 140, inclusive.....	7
In excess of 140 containers.....	(²)

¹All containers.

²Five percent of the number of containers in the lot.

(Sec. 205, 60 Stat. 1090, Pub. Law 451, 82d Cong.; 7 U. S. C. 1624)

Issued at Washington, D. C., this 9th day of April 1953.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 53-3176; Filed, Apr. 13, 1953;
8:50 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO 160-A16]

PART 965—MILK IN THE CINCINNATI, OHIO, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

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

in conflict with the findings and determinations set forth herein.

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

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

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

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

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order, as amended, effective not later than April 1, 1953. The regulatory provisions of this order amending the order, as amended, are such that little or no preparation prior to its effective date will be required of handlers regulated thereunder. Under these circumstances the handlers will be afforded reasonable time for any such preparations as may be necessary. Therefore, it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order amending the order, as amended, until at least 30 days after its publication in the FEDERAL REGISTER, and good cause exists, pursuant to section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1000) for making this order amending the order, as amended, effective April 1, 1953.

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, as amended, and as hereby further amended, which is marketed within the Cincinnati, Ohio, marketing area) of more than 50 percent of the milk which is marketed within the said marketing

area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (January 1953) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Cincinnati, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

Amend § 965.75 (a) to read as follows:

(a) The market administrator shall deduct an amount not exceeding 6 cents per hundredweight (the exact amount to be determined by the market administrator) from the payments made pursuant to § 965.73 (b) with respect to the milk of those producers for whom the marketing services set forth in paragraph (b) of this section are not being performed by a cooperative association

which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," for the purpose of performing the services set forth in paragraph (b) of this section.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 602c)

Issued at Washington, D. C., this 9th day of April 1953 to be effective on and after May 1, 1953.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 53-3191; Filed, Apr. 13, 1953; 8:54 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 53]

PART 608—DANGER AREAS

ALTERATIONS

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

Part 608 is amended as follows:

1. In § 608.14, a Point Mugu, California, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
POINT MUGU (D-100) (Los Angeles chart).	Beginning at lat. 34°07'00" N., long. 116°07'00" W., SE. to lat. 34°04'15" N., long. 116°03'40" W.; ESW. to lat. 34°02'15" N., long. 116°04'00" W., northwesterly paralleling the shoreline at a distance of 3 nautical miles to lat. 34°05'00" N., long. 116°13'00" W.; ENE. to lat. 34°02'15" N., long. 116°11'15" W.; NE. to lat. 34°07'00" N., long. 116°07'00" W.; easterly to lat. 34°07'00" N., long. 116°07'00" W., point of beginning.	Unlimited.....	Continuous.....	Naval Air Missiles Test Center N A S Point Mugu, Calif.

2. In § 608.30, the Hammond Bay, Michigan, area (D-424) published on November 22, 1952 in 17 F. R. 10643, is amended by changing the "Using Agency" column to read: "Kinross AFB, Sault Ste. Marie, Michigan"

3. In § 608.30, a Little Sable Point, Michigan, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
LITTLE SABLE POINT (D-437) (Milwaukee chart).	Beginning at lat. 43°32'00" N., long. 85°44'00" W., SE. to lat. 43°26'00" N., long. 85°31'00" W., due W. to long. 85°44'00" W., due N. to lat. 43°32'00" N., long. 85°44'00" W., point of beginning.	Surface to 60,000 ft. MSL.	Daylight hours only, Apr. 15, 1953, through Dec. 31, 1953.	25th AAA Group, Selfridge AFB, Mount Clemens, Mich.

(Sec. 205, 53 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 651)

This amendment shall become effective on April 15, 1953.

[SEAL]

F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 53-3163; Filed, Apr. 13, 1953; 8:45 a. m.]

TITLE 19—CUSTOMS DUTIES**Chapter I—Bureau of Customs,
Department of the Treasury**

[T. D. 53236]

**PART 8—LIABILITY FOR DUTIES, ENTRY OF
IMPORTED MERCHANDISE****ROCKINGHAM AND OTHER EARTHENWARE AND
CHINAWARE**

In addition to all other information required by law or regulations, customs invoices for Rockingham earthenware; or earthenware or crockery ware composed of a nonvitrified absorbent body (including white granite and semiporcelain earthenware and cream-colored ware, stoneware, and terra cotta, but not including common brown, gray, red, or yellow earthenware) embossed or plain, common salt-glazed stoneware, and stoneware or earthenware crucibles; or china, porcelain, or other vitrified wares, composed of a vitrified nonab-

sorbent body which when broken shows a vitrified, vitreous, semivitrified, or semivitreous fracture; or bisque or parian wares shall contain the following information:

(1) If in sets, the kinds of articles composing each kind of set, and the quantity of each kind of article in each set in the shipment.

(2) The exact maximum diameter, expressed in inches, of each size of all plates in the shipment.

(3) The unit value for each style and size of plate, cup, saucer, or other separate piece in the shipment.

These requirements shall be effective as to invoices certified after 30 days after the publication of this document in the weekly Treasury Decisions.

Section 8.13 (i) Customs Regulations of 1943 (19 CFR 8.13 (i)) as amended, is further amended by deleting the following from the list of merchandise in connection with which additional information is required:

Tableware, kitchenware, or table or kitchen utensils which are earthenware or crockeryware composed of a nonvitrified absorbent body not wholly of clay, including white granite and semiporcelain earthenware, and cream-colored ware, terra cotta, and stoneware, and tableware, kitchenware, or table or kitchen utensils not containing 25 per centum or more of calcined bone and not hotel or restaurant ware or utensils, which are china, porcelain, or other vitrified wares, composed of a vitrified nonabsorbent body which when broken shows a vitrified or vitreous, or semivitrified or semivitreous fracture, or bisque or parian wares; all the foregoing which are painted, colored, tinted, stained, enameled, gilded, printed, ornamented, or decorated in any manner.

Earthenware and crockeryware composed of a nonvitrified absorbent body, including cream-colored ware and terra cotta, clock cases with or without movements, pill tiles, plaques, ornaments, charms, vases, statues, statuettes, mugs, cups, steins, lamps, and all other articles composed wholly or in chief value of such ware.

Earthenware, common yellow, brown, red, or gray plain or embossed, and manufactures wholly or in chief value of such ware.

and substituting in lieu thereof the following:

Rockingham earthenware; or earthenware or crockery ware composed of a nonvitrified absorbent body (including white granite and semiporcelain earthenware and cream-colored ware, stoneware, and terra cotta, but not including common brown, gray, red, or yellow earthenware), embossed or plain, common salt-glazed stoneware, and stoneware or earthenware crucibles; or china, porcelain, or other vitrified wares composed of a vitrified nonabsorbent body which when broken shows a vitrified, vitreous, semivitrified, or semivitreous fracture; or bisque or parian wares.

and by inserting the number and date of this Treasury decision opposite the foregoing item.

T. Ds. 50942, 51691, and 52011 are hereby revoked, effective as to invoices certified after 30 days after the publication of this document in the weekly Treasury Decisions.

(Secs. 481, 624, 46 Stat. 719, 759; 19 U. S. C. 1481, 1624)

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

Approved: April 7, 1953.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F. R. Doc. 53-3182; Filed, Apr. 13, 1953;
8:51 a. m.]

**TITLE 31—MONEY AND
FINANCE: TREASURY****Chapter II—Fiscal Service, Department
of the Treasury**

Subchapter B—Bureau of the Public Debt
[1953 Dept. Circ. No. 530, 7th Rev., Amdt. 1,
May 21, 1952]

**PART 315—UNITED STATES SAVINGS BONDS
MISCELLANEOUS AMENDMENTS**

APRIL 6, 1953.

Pursuant to section 22 (a) of the Second Liberty Bond Act, as amended (55 Stat. 7, 31 U. S. C. 757c) §§ 315.21 (a), 315.28, and 315.29 of Department Circular No. 530, Seventh Revision (17 F. R.

4871), are hereby amended to read as follows:

§ 315.21 *Current income bonds.* * * *

(a) *Method of interest payments.* With the exception of the final interest due on bonds of Series G, which will be paid with the principal and in the same manner, the interest due on a current income bond will be paid on each interest payment date by check drawn to the order of the person or persons in whose name the bond is inscribed, in the same form as their names appear in the inscription on the bond. In the case of a bond registered in the form "A, payable on death to B" a check will be drawn to the order of A alone until the Bureau of the Public Debt, Division of Loans and Currency, 536 South Clark Street, Chicago 5, Illinois, receives notice of A's death, and thereafter the payment of interest will be suspended until such time as the bond is presented for payment or reissue. Interest so withheld will be paid to the person found to be entitled to the bond. Checks issued in payment of interest on a bond registered in the names of coowners will be drawn to the order of "A or B" and will be mailed to the address of record of the payee first named unless otherwise specifically directed or until the Bureau of the Public Debt, Division of Loans and Currency, 536 South Clark Street, Chicago 5, Illinois, receives notice of his death. Upon receipt of notice of the death of the coowner to whom interest is being mailed the interest will be mailed to the other coowner, if living, or, if not, will be held subject to the claim of the representatives of or persons entitled to the estate of the last surviving coowner.

§ 315.28 *Presentation, surrender, and payment, all series.* Except as otherwise provided in § 315.22 or § 315.29, payment will be made in accordance with the provisions of this section. The request for payment should be duly signed by the owner and certified as provided in § 315.24. The bond should then be presented and surrendered to (a) a Federal Reserve Bank or Branch, (b) the Bureau of the Public Debt, Division of Loans and Currency 536 South Clark Street, Chicago 5, Illinois, or (c) the Treasurer of the United States, Washington 25, D. C. Usually payment will be expedited by surrender to a Federal Reserve Bank. In all cases presentation will be at the expense and risk of the owner, and, for his protection, the bond should be forwarded by registered mail if not presented in person. Payment will be made by check drawn to the order of the registered owner or other person entitled and mailed to him at the address given in his request for payment.

§ 315.29 *Optional procedure limited to bonds of Series A to E, inclusive, in names of individual owners or coowners only.* An individual (natural person) whose name is inscribed on the face of a bond of Series A, B, C, D, or E, either as owner or coowner in his own right, may present such bond (unless marked "Duplicate") to any incorporated bank or trust company or any other organization qualified as a paying agent under the provisions of Part 321 of this chapter

(Department Circular No. 750, Revised) If such bond is in order for payment by the paying agent, the owner or coowner, upon establishing his identity to the satisfaction of the paying agent and upon signing the request for payment and adding his home or business address, may receive immediate payment at the appropriate redemption value, as provided in §§ 315.22 and 315.23. Even though the request for payment has been signed, or signed and certified prior to the presentation of the bond, nevertheless the paying agent is required to establish to its satisfaction the identity of the owner or coowner requesting payment and such paying agent may require the owner or coowner to sign again the request for payment. No charge will be made to the owner. This procedure is authorized notwithstanding the provisions of any Treasury Department circulars offering the bonds for sale and notwithstanding any instructions which may be printed on the bond and is optional with individual owners. This procedure is not applicable to deceased owner cases or other cases in which documentary evidence is required or to partial redemption cases.

Compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is found to be impracticable with respect to these amendments. They are matters of fiscal policy and it was deemed inadvisable to make determinations with respect thereto at an earlier date.

(Sec. 22, 49 Stat. 41, as amended; 31 U. S. C. 757c)

[SEAL] G. M. HUMPHREY,
Secretary of the Treasury.

[F. R. Doc. 53-3181; Filed, Apr. 13, 1953; 8:51 a. m.]

**Chapter V—Foreign Assets Control,
Department of the Treasury**

**PART 500—FOREIGN ASSETS CONTROL
REGULATIONS**

MISCELLANEOUS AMENDMENTS

The Foreign Assets Control Regulations, 31 CFR 500.101-500.808, copies of which, as amended, are available on request from the Foreign Assets Control, Treasury Department, Washington 25, D. C. or the Federal Reserve Bank of New York, 33 Liberty St., New York 45, N. Y. are hereby amended as follows:

1. Section 500.201 (b) (1) is amended to read as follows:

§ 500.201 *Transactions involving designated foreign countries or their nationals; effective date.* * * *

(b) (1) All dealings in, including, without limitation, transfers, withdrawals, or exportations of, any property or evidences of indebtedness or evidences of ownership of property by any person subject to the jurisdiction of the United States; and

2. Section 500.204 is amended to read as follows:

§ 500.204 *Importation of and dealings in certain merchandise.* (a) Except as specifically authorized by the Secretary of the Treasury (or any person, agency, or instrumentality designated by him) be means of regulations, or rulings, instructions, licenses, or otherwise, no person subject to the jurisdiction of the United States may purchase, transport, import, or otherwise deal in or engage in any transaction with respect to any merchandise outside the United States if such merchandise is:

(1) Merchandise the country of origin of which is China (except Formosa) or North Korea. Articles which are the growth, produce, or manufacture of China (except Formosa) or North Korea shall be deemed for the purposes of this chapter to be merchandise whose country of origin is China (except Formosa) or North Korea notwithstanding that they may have been subjected to one or any combination of the following in another country: (i) Grading; (ii) testing; (iii) checking; (iv) shredding; (v) slicing; (vi) peeling or splitting; (vii) scraping; (viii) cleaning; (ix) washing; (x) soaking; (xi) drying; (xii)

cooling, chilling, or refrigerating; (xiii) roasting; (xiv) steaming; (xv) cooking; (xvi) curing; (xvii) combining of fur skins into plates; (xviii) blending; (xix) flavoring; (xx) preserving; (xxi) pickling; (xxii) smoking; (xxiii) dressing; (xxiv) salting; (xxv) dyeing; (xxvi) bleaching; (xxvii) tanning; (xxviii) packing; (xxix) canning; (xxx) labeling; (xxxi) carding; (xxxii) combing; (xxxiii) pressing; (xxxiv) any process similar to any of the foregoing. Any article wheresoever manufactured shall be deemed for the purposes of this chapter to be merchandise whose country of origin is China (except Formosa) or North Korea, if there shall have been added to such article any embroidery, needle point, petit point, lace, or any other article of adornment which is the product of China (except Formosa) or North Korea notwithstanding that such addition to the merchandise may have occurred in a country other than China (except Formosa) or North Korea.

(2) Merchandise specified in this subparagraph unless such merchandise is imported directly from a country named as excepted for that type of merchandise:

<i>Type of merchandise</i>	<i>Exceptions</i>
(i) All merchandise, not elsewhere specified in this paragraph, if prior to Dec. 17, 1950, imports thereof into the United States were chiefly of Chinese origin within the meaning of this chapter.	None.
(ii) Aniseed and aniseed oil.....	None.
(iii) Antiques, Chinese type (other than Chinese porcelain which qualifies within the provisions of par. 1811 of the Tariff Act of 1930 and which is decorated with the armorial bearings, crests, monograms, cyphers, or badges of European or American families or societies or bearing motifs based thereon, or with European or American political, memorial, or Masonic scenes or devices or with European or American figures, ships, or other scenes, or with motifs or inscriptions in English, Latin, or any other European language).	None.
(iv) Bamboo, split.....	None.
(v) Beverages, Chinese type.....	None.
(vi) Braids, straw.....	Italy, Japan.
(vii) Bristles, hog, Asiatic (other than Indian) including such bristles in knots or other processed condition.	None.
(viii) Bristles, hog, dyed, including such bristles in knots or other processed condition.	None.
(ix) Carpet wool, Tibetan type.....	None.
(x) Cashmere.....	Iran.
(xi) Cassia.....	Associated states of Cambodia, Laos and Vietnam (formerly known as Indochina), Indonesia.
(xii) Cassia oil.....	None.
(xiii) Drugs, Chinese type.....	None.
(xiv) Firecrackers.....	None.
(xv) Floor coverings, grass and straw, including seagrass mats and squares.	Japan.
(xvi) Foodstuffs, Chinese type.....	None.
(xvii) Fur skins: Goat and kid.....	Argentina, Ethiopia (including Eritrea), Iran, Iraq.
Weasel.....	Canada.
(xviii) Gall nuts, including tannic acid.....	None.
(xix) Ginger root, candied or otherwise prepared or preserved.	None.
(xx) Hair, human: Raw, Asiatic.....	None.
Nets and netting.....	None.

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Type of merchandise	Exceptions
(xxi) Hats, unfinished:	
Manila Hemp (Abaca)-----	None.
Palm leaf-----	Mexico, Philippines.
Straw-----	Brazil, Dominican Republic, Italy, Japan, Philippines.
(This subdivision does not include hats of the following types: Lindu, Lintao, Macorra, Panama, Pandan, Raffia, Toquilla, and Yeddo.)	
(xxii) Medicines, prepared, Chinese type-----	None.
(xxiii) Menthol-----	None.
(xxiv) Musk-----	None.
(xxv) Sophora Japonica, including Rutin-----	None.
(xxvi) Tea, Chinese type-----	Formosa.
(xxvii) Tung oil-----	Argentina, Brazil, Paraguay.
(xxviii) Walnuts-----	France, Iran, Italy, Turkey.

(3) Merchandise specified in this subparagraph if such merchandise is located in or is transported from or through Hong Kong, Macao, or any country not in the authorized trade territory.

Type of Merchandise

- (i) Agar Agar.
- (ii) Antimony.
- (iii) Bamboo:
 - Bags, baskets and other manufactures excluding furniture.
 - Poles and sticks.
- (iv) Bismuth.
- (v) Camphor:
 - Natural.
 - Oil.
- (vi) Carpet wool.
- (vii) Carpets.
- (viii) Chinaware.
- (ix) Citronella oil.
- (x) Cotton manufactures:
 - Embroideries and laces.
 - Embroidered and lace articles.
 - Handkerchiefs.
 - Wearing apparel.
- (xi) Cotton waste.
- (xii) Earthenware.
- (xiii) Feathers and down, Asiatic.
- (xiv) Hair, animal.
- (xv) Hardwood manufactures, including furniture.
- (xvi) Hats, paper.
- (xvii) Hides, buffalo, including India water buffalo.
- (xviii) Ivory manufactures.
- (xix) Linen manufactures:
 - Handkerchiefs.
 - Embroideries and laces.
 - Embroidered and lace articles.
 - Other articles excluding wearing apparel.
- (xx) Molybdenum.
- (xxi) Quicksilver.
- (xxii) Ramie.
- (xxiii) Rugs.
- (xxiv) Seagrass and straw manufactures, excluding floor covering.
- (xxv) Sesame, oil and seed.
- (xxvi) Shoes, leather-soled with nonleather uppers.
- (xxvii) Silk:
 - Raw and manufactures.
 - Waste.
- (xxviii) Skins, deer and goat.
- (xxix) Stones, semiprecious and manufactures thereof excluding jewelry.
- (xxx) Tapestries (including needlework tapestries).
- (xxxi) Tapioca and tapioca flour.
- (xxxii) Tin:
 - Alloys.
 - Bars, blocks and pigs.
 - Ore.
- (xxxiii) Tungsten ores and concentrates.

3. Section 500.409 is amended to read as follows:

§ 500.409 *Certain payments to designated foreign countries and nationals through third countries.* Section 500.201 prohibits any request or authorization

made by or on behalf of a bank or other person within the United States to a bank or other person outside of the United States as a result of which request or authorization such latter bank or person makes a payment or transfer of credit either directly or indirectly to a designated national.

4. Section 500.533 (b) (1) is amended to read as follows:

§ 500.533 *Transactions incident to exportations to designated countries.*
* * *

(b) (1) The financing of any transaction from any blocked account;

5. Section 500.536 is amended to read as follows:

§ 500.536 *Certain transactions with respect to merchandise affected by § 500.204.* (a) With respect to merchandise the importation of which is prohibited by § 500.204, all Customs transactions are authorized except the following:

(1) Entry for consumption (including any appraisement entry or entry of goods imported in the mails, regardless of value, but excluding other informal entries) -

(2) Entry for immediate exportation;

(3) Entry for transportation and exportation;

(4) Withdrawal from warehouse;

(5) Transfer or withdrawal from a foreign-trade zone; or

(6) Manipulation or manufacture in a warehouse or in a foreign-trade zone.

(b) Paragraph (a) of this section is intended solely to allow certain restricted disposition of merchandise which is imported without proper authorization. Paragraph (a) of this section does not authorize the purchase or importation of any merchandise.

(c) The purchase outside the United States for importation into the United States of merchandise specified in § 500.204 (other than merchandise to which § 500.204 (a) (1) is applicable) and the importation of such merchandise into the United States (including transactions listed in paragraph (a) of this section) are authorized if the merchandise is shipped to the United States directly or on a through bill of lading from Hong Kong, Japan, Taiwan (Formosa) or the Republic of Korea, provided that there is presented to the collector of customs in connection with such importation the original of an appropriate certificate of origin as defined in paragraph (d) of this section.

(d) A certificate of origin is appropriate for the purposes of this section only if

(1) It is a certificate of origin which

(i) In the case of merchandise shipped from Hong Kong is issued by the Hong Kong Department of Commerce and Industry and termed a "comprehensive" certificate of origin;

(ii) In the case of merchandise shipped from Japan is issued by the Japanese Ministry of International Trade and Industry;

(iii) In the case of merchandise shipped from Taiwan (Formosa) is issued by the Ministry of Economic Affairs of the Republic of China, and

(iv) In the case of merchandise shipped from South Korea is issued by the Ministry of Commerce and Industry of the Republic of Korea, and

(2) It bears a statement by the issuing agency referring to the Foreign Assets Control Regulations and stating that the certificate has been issued under procedures agreed upon with the United States Government.

6. Section 500.537 is amended to read as follows:

§ 500.537 *Financing of merchandise affected by § 500.204.* (a) To the extent that the financing of merchandise is prohibited by § 500.204, such financing by any bank is authorized except as provided in paragraph (b) of this section.

(b) This section does not authorize financing (including the opening, advising, or confirming of, or any transaction under, any letter of credit) in connection with:

(1) Any merchandise outside of the United States to which § 500.204 (a) (1) is applicable;

(2) The shipment of any merchandise to the United States unless

(i) The purchase of the merchandise is authorized by § 500.536 (c) and

(ii) The bank is advised in writing by the person seeking the financing of such merchandise that the commodity is one to which the certification procedure specified in § 500.536 (c) applies and that the purchase and importation of the merchandise are authorized by that paragraph, or

(3) The shipment of any merchandise from or through Hong Kong, Macao, or any country not in the authorized trade territory, except as provided in subparagraph (2) of this paragraph.

7. Section 500.808 is amended to read as follows:

§ 500.808 *Customs procedures; merchandise specified in § 500.204.* (a) With respect to merchandise specified in § 500.204, whether or not such merchandise has been imported into the United States, collectors of customs shall not accept or allow any

(1) Entry for consumption (including any appraisement entry or entry of goods imported in the mails, regardless of value, but excluding other informal entries)

(2) Entry for immediate exportation;

(3) Entry for transportation and exportation;

(4) Withdrawal from warehouse;

(5) Transfer or withdrawal from a foreign-trade zone; or

(6) Manipulation or manufacture in a warehouse or in a foreign-trade zone, until either:

(i) A specific license pursuant to this chapter is presented,

(ii) Instructions from the Foreign Assets Control, either directly or through the Federal Reserve Bank of New York, authorizing the transaction are received, or

(iii) The original of an appropriate certificate of origin as defined in § 500.536 (d) is presented.

(b) Whenever a specific license is presented to a collector of customs in accordance with this section, two additional legible copies of the entry, withdrawal or other appropriate document with respect to the merchandise involved shall be filed with the collector of customs at the port where the transaction is to take place. Each copy of any such entry, withdrawal or other appropriate document, including the two additional copies, shall bear plainly on its face the number of the license pursuant to which it is filed. The original copy of the specific license shall be presented to the collector in respect of each such transaction and shall bear a notation in ink by the licensee or person presenting the license showing the description, quantity, and value of the merchandise to be entered, withdrawn or otherwise dealt with. This notation should be so placed and so written that there will exist no possibility of confusing it with anything placed on the license at the time of its issuance. If the license in fact authorizes the entry, withdrawal or other transaction with regard to the merchandise the collector, or other authorized customs employee, shall verify the notation by signing or initialing it after first assuring himself that it accurately describes the merchandise it purports to represent. The license shall thereafter be returned to the person presenting it and the two additional copies of the entry, withdrawal or other appropriate document shall be forwarded by the collector to the Federal Reserve Bank of New York.

(c) (1) Whenever the original of an appropriate certificate of origin as defined in § 500.536 (d) is presented to a collector of customs in accordance with this section, two additional legible copies of the entry, withdrawal or other appropriate document with respect to the merchandise involved shall be filed with the collector of customs at the port where the transaction is to take place. Each copy of any such entry, withdrawal or other appropriate document, including the two additional copies, shall bear plainly on its face the following statement: "This document is presented under the provisions of § 500.536 (c) of the Foreign Assets Control Regulations." The original of the certificate of origin shall not be returned to the person presenting it. It shall be securely attached to one of the two additional copies required by this subparagraph and both additional copies (one of which will have the certificate of origin attached) shall be promptly forwarded by the collector to the Federal Reserve Bank of New York.

(2) If the original of an appropriate certificate of origin is properly presented to a collector of customs with respect to a transaction which is the first of a series of transactions which may be allowed in connection therewith under subdivision (iii) of paragraph (a) (6) of this section (as, for example, where merchandise has been entered in a bonded warehouse and on appropriate certificate of origin is presented which relates to all of the merchandise entered therein but the importer desires to withdraw only part of the merchandise in the first transaction) the collector shall take up the original of the appropriate certificate of origin and promptly forward it to the Federal Reserve Bank of New York together with two additional copies of the withdrawal or other appropriate document relating to the transaction pursuant to subparagraph (1) of this paragraph. In addition, the collector shall endorse his pertinent records so as to record what merchandise is covered by the appropriate certificate of origin presented. The collector may thereafter allow subsequent authorized transactions without presentation of a further certificate of origin. In this case, however, the collector shall, with respect to each such subsequent transaction, demand two additional copies of each withdrawal or other appropriate document, which copies shall be promptly forwarded by the collector to the Federal Reserve Bank of New York with an endorsement thereon reading: "This document has been accepted pursuant to § 500.808 (c) (2) of the Foreign Assets Control Regulations."

(d) Whenever a person shall present an entry, withdrawal or other appropriate document affected by this section and shall assert that no specific Foreign Assets Control license or appropriate certificate of origin as defined in § 500.536 (d) is required in connection therewith, the collector of customs shall withhold action thereon and shall advise such person to communicate directly with the Federal Reserve Bank of New York to request that instructions be issued to the collector to authorize him to take action with regard thereto.

(Sec. 5, 40 Stat. 415, as amended; 50 U. S. C. App. 5; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum Supp., E. O. 9983, Aug. 20, 1948, 13 F. R. 4891, 3 CFR, 1948 Supp.)

[SEAL]

G. M. HUMPHREY,
Secretary of the Treasury.

[F. R. Doc. 53-3206; Filed, Apr. 13, 1953;
8:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

PART 578—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

GOOD CONDUCT MEDAL

EDITORIAL NOTE: For order affecting the regulations in § 578.27, see Executive Order 10444, *supra*, amending Executive Order 8809 of June 28, 1941, establishing the Good Conduct Medal.

Chapter VII—Department of the Air Force

PART 878—DECORATIONS AND AWARDS

GOOD CONDUCT MEDAL

EDITORIAL NOTE: For order affecting the regulations in § 878.46, see Executive Order 10444, *supra*, amending Executive Order 8809 of June 28, 1941, establishing the Good Conduct Medal.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

1. In Part 3, § 3.0 (a) is amended to read as follows:

§ 3.0 *World Wars I and II and service on or after June 27, 1950, and prior to the delimiting date contained in Public Law 28, 82d Congress.* (a) The beginning and termination dates of World War I are April 6, 1917, and November 11, 1918, but as to service in Russia the ending date is April 1, 1920. Except as to emergency officers retirement pay, reenlistment in the military or naval service on or after November 12, 1918, and before July 2, 1921 (August 28, 1919, as to service in the United States Coast Guard) where there was prior active service between April 6, 1917, and November 11, 1918, shall be considered as World War I service under the laws providing compensation or pension for World War I veterans and their dependents.

2. In § 3.1, paragraph (s) is amended to read as follows:

§ 3.1 *Persons included in the acts in addition to commissioned officers and enlisted men.* * * *

(s) *Coast Guard.* Active service rendered by officers and enlisted men of the United States Coast Guard on and after January 28, 1915, while serving under the jurisdiction of either the Treasury Department or the Navy Department, is compensable and pensionable on the same basis as active service in the Army, Air Force, Navy, or Marine Corps with the exception that reenlistments on and after November 12, 1918, and before August 28, 1919, where there was prior active service between April 6, 1917 and November 11, 1918, shall be considered World War I service. See § 3.0 (a) *Provided*, That no award of compensation under Public Law 182, 77th Congress, to former personnel of the United States Coast Guard who served on or after January 28, 1915, and prior to July 2, 1930, shall be effective prior to the date of receipt on or after July 18, 1941, of an acceptable application, formal or informal, as required in claims generally.

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(Pub. No. 497, 71st Cong., act of July 2, 1930; sec. 5, Pub. Law 166, 77th Cong., act of July 11, 1941, Pub. Law 182, 77th Cong., act of July 18, 1941.)

3. In Part 4, § 4.93 (a) is amended to read as follows:

§ 4.93 *Awards where all beneficiaries do not file a claim on the same date; fractions of one cent; awards to minor widows*—(a) *Awards where some but not all dependents apply.* In any case where claim has been filed by or on behalf of one or more dependents but has not been filed by or on behalf of all dependents who may be entitled, the awards (original or amended) for those dependents who have filed claim will be made for all periods affected at the rates and in the same manner as though there were no other dependents: *Provided however* That if the file reflects that there is a child or children under 18 years of age not included in the claim of record the award will be made only at the apportioned rate, if as to the children not included it is possible for a claim to be filed under which benefits may be awarded for a period prior to date of filing claim. If, at the expiration of the period allowed, claims for such additional children have not been filed, the award to the widow or child will be amended to provide for payment at the full rate over the periods affected.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective April 14, 1953.

[SEAL] H. V. STIRLING,
Deputy Administrator.

[F. R. Doc. 53-3180; Filed, Apr. 13, 1953; 8:51 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 35—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

MAILABLE NONINTOXICATING, NONINFLAMMABLE, AND NONINJURIOUS MATTER; MERCURY

In § 35.15 *Mailable nonintoxicating, nonflammable, and noninjurious matter* amend paragraph (f) to read as follows:

(f) *Mercury.* (1) Mercury in quantities not exceeding five 1-pound containers shall be accepted for transmission in the domestic mails when in tightly closed strong containers of glass, earthenware, or metal, with each 1-pound container securely cushioned in a strong fiber box, which box, when only one is shipped, shall be cushioned in a larger fiberboard box testing not less than 175 pounds (Mullen or Cady tester), tightly closed and securely fastened.

(2) When more than one 1-pound unit is contained in a parcel (but not

more than five) the units shall be cushioned in a larger fiberboard box, testing not less than 200 pounds, or its equivalent, by not less than 2 inches of firmly packed cushioning material on all sides. The shipping box shall be tightly closed and securely fastened.

(3) Mercury in small quantities such as contained in switches used to make and break an electric current may also be packed in approved mailing tubes when the glass tube of mercury is completely surrounded with at least one-half inch of approved cushioning material.

(E. S. 161, 396; sec. 24, 20 Stat. 361, secs. 304, 309; 42 Stat. 24, 25, 62 Stat. 781, as amended; 5 U. S. C. 22, 369, 18 U. S. C. 1716, 39 U. S. C. 250)

[SEAL] ROSS RIZLEY,
Solicitor

[F. R. Doc. 53-3156; Filed, Apr. 13, 1953; 8:46 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

Subchapter E—Load Lines

[CGFR 53-16]

PART 45—MERCHANT VESSELS WHEN ENGAGED IN A VOYAGE ON THE GREAT LAKES

LOAD LINES FOR GREAT LAKES VESSELS

A notice regarding proposed changes in the rules and regulations governing load lines for merchant vessels when engaged in voyages on the Great Lakes was published in the FEDERAL REGISTER dated February 13, 1953, 18 F. R. 883, as Item XIX on the agenda to be considered by the Merchant Marine Council and a public hearing was held by the Merchant Marine Council on March 24, 1953, in Washington, D. C. All the comments submitted were considered and where practicable were incorporated into the rules and regulations.

The purpose of the miscellaneous amendments in 46 CFR Part 45 is to modify the period of the intermediate and summer seasons for all merchant vessels engaged on voyages on the Great Lakes; establish a new load line mark "MS" which will be applicable to tank vessels and cargo vessels; and provide a new season to be known as "midsummer" for such vessels allowed to carry the new load line mark "MS" These changes are based on the experiences which have been acquired in the operation of merchant vessels on the Great Lakes since the inception of the Federal load line standards in 1935.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521) to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendments to the regulations are prescribed which shall become effective on and after April 15, 1953:

SUBPART 45.01—ADMINISTRATION

1. Section 45.01-15 is amended by adding a new paragraph (b), reading as follows:

§ 45.01-15 *Tankers.* * * *

(b) For the purpose of the application of §§ 45.01-75, 45.05-15 and 45.15-94 there are included non-propelled tank barges of ship-shape form specially constructed for the carriage of liquid cargoes in bulk.

2. Part 45 is amended by adding a new § 45.01-17, reading as follows:

§ 45.01-17 *Cargo vessels.* For the purpose of §§ 45.01-75, 45.05-15 and 45.15-94 a cargo vessel is defined as a vessel either self-propelled or non-propelled of ship-shape form constructed for the carriage of dry cargoes, and which is regularly engaged in the transportation thereof.

3. Section 45.01-75 is amended to read as follows:

§ 45.01-75 *Seasonal load lines.* (a) For load line purposes there is hereby established for the Great Lakes a winter, intermediate, summer, and for tankers and cargo vessels (see §§ 45.01-15 and 45.01-17) a midsummer season, and load lines applicable to each season are established by the regulations in this part. The winter season shall be that period from November 1 through April 15 of the next year, the intermediate seasons from April 16 through April 30, and from October 1 through October 31 and the summer season from May 1 through September 30. The midsummer season shall be the portion of the summer season from May 16 through September 15 which shall be applicable only in those cases where midsummer season load lines are permitted. (All dates are inclusive.)

(b) For those vessels that are marked and certificated with load lines under the International Load Line Convention, 1930, the load line marks shall be applicable to voyages on the Great Lakes in accordance with Table 45.01-75 (b)

TABLE 45.01-75 (b)

Load line mark,	
salt water:	<i>Season applicable</i>
Tropical (T)---	May 1-Sept. 30 (summer).
Summer (S)---	Apr. 16-30, Oct. 1-31 (intermediate).
Winter (W)---	Nov. 1-Apr. 15 (winter).

NOTE: In the case of cargo vessels and tankers as defined in §§ 45.01-15 and 45.01-17 loading to the tropical fresh water mark (TF) for the midsummer season may be authorized. In such cases a special supplementary certificate shall be issued.

(c) No vessel shall be loaded so as to submerge at any time the load line applicable to the season.

SUBPART 45.05—GENERAL RULES FOR DETERMINING MAXIMUM LOAD LINES OF MERCHANT VESSELS ON THE GREAT LAKES

4. Section 45.05-5 is amended by revising figure 45.05-5 (a) by adding on the diagram a new load line mark labeled "MS" above the load line mark labeled "S" and a note as follows:

§ 45.05-5 Deck line. (a) * * *

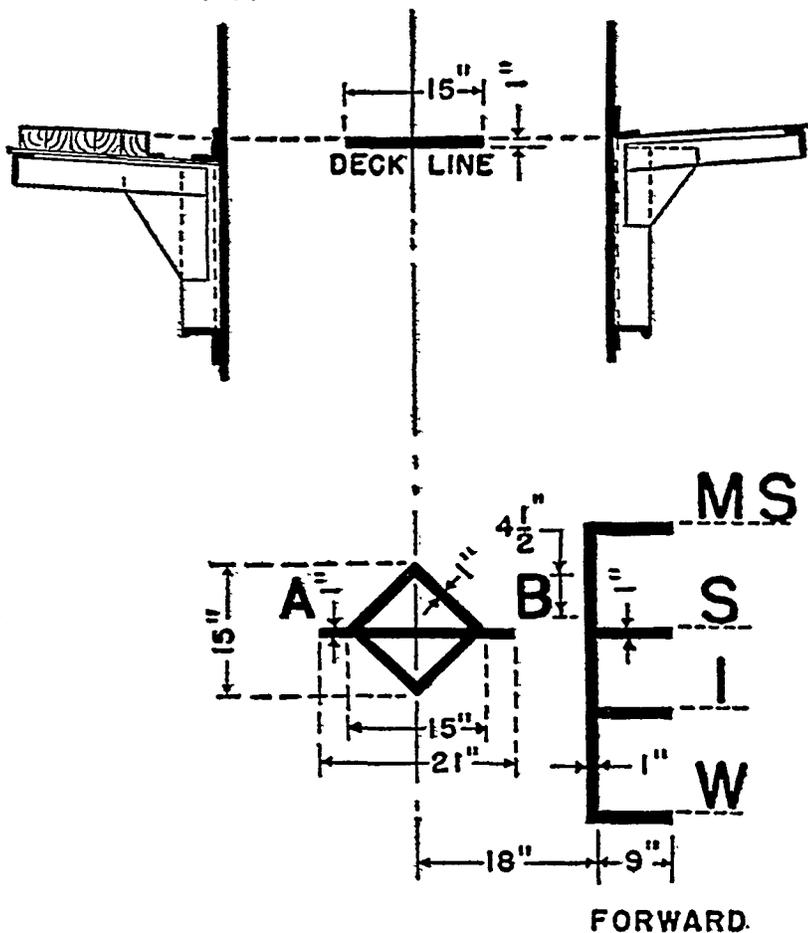


FIGURE 45.05-5 (a)

NOTE: The line marked "MS" shall be used only where applicable to vessels defined in §§ 45.01-15 and 45.01-17.

5. Section 45.05-15 (b) is amended to read as follows:

§ 45.05-15 Lines to be used in connection with the diamond. * * *

(b) The following are the lines to be used:

(1) *Midsummer load line.* The midsummer load line is indicated by the upper edge of a line marked "MS"

(2) *Summer load line.* The summer load line is indicated by the upper edge of the line which passes through the center of the diamond and also by a line marked "S"

(3) *Intermediate load line.* The intermediate load line is indicated by the upper edge of a line marked "I"

(4) *Winter load line.* The winter load line is indicated by the upper edge of a line marked "W".

SUBPART 45.15—LOAD LINES FOR STEAMERS

6. Section 45.15-17 (c) (4) is amended to read as follows:

§ 45.15-17 Strength. * * *

(c) * * *

(4) *Draft (d)* The draft is the vertical distance in feet amidships from the top of the keel to the center of the diamond except in those cases where midsummer marks are granted, the draft to be used is the draft to the midsummer mark.

7. Part 45 is amended by adding a new § 45.15-94, reading as follows:

§ 45.15-94 *Midsummer freeboard.*

(a) In the case of cargo vessels and tankers which comply fully with the provisions of § 45.15-17 as to strength of structure at the deeper draft, the Assigning Authority may permit a reduction in the freeboard for the midsummer season of an amount in inches not exceeding the product of 0.3 multiplied by the summer draft in feet, measured from the top of the keel to the center of the diamond. However, in no case shall the freeboard be less than 2 inches.

SUBPART 45.20—LOAD LINES FOR TANKERS

8. Section 45.20-80 *Form of load line certificate* is canceled.

SUBPART 45.25—FEES AND FORM OF CERTIFICATE

9. Part 45 is amended by adding a new Subpart 45.25 containing a new § 45.25-5, reading as follows:

§ 45.25-5 *Form of load line certificate.*

LOAD LINE CERTIFICATE FOR THE GREAT LAKES [SEAL]

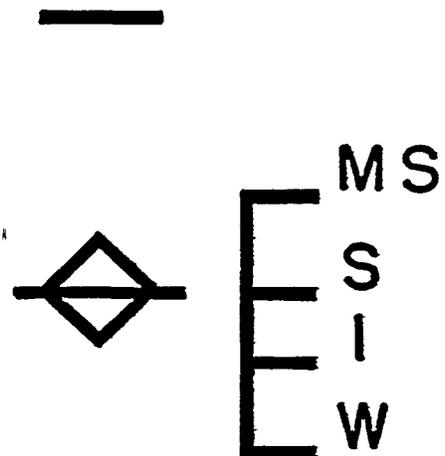
Issued under the authority of the Commandant, U. S. Coast Guard, United States

of America, under the provisions of the act of August 27, 1935, as amended, to establish load lines for American merchant vessels of 150 gross tons or over engaged in trade on the Great Lakes of North America.

Ship _____
Certificate No. _____ Official No. _____
Gross tonnage _____ Port of registry _____

FREEBOARD FROM DECK LINE	LOAD LINE
Midsummer _____ MS	_____ above S
Summer _____ S	_____ Upper edge of line through center of diamond.
Intermediate _____ I	_____ below S
Winter _____ W	_____ below S

The upper edge of the deck line from which these freeboards are measured is _____ inches above the top of the deck at side.



This is to certify that this ship has been surveyed and the freeboards and load lines shown above have been found to be correctly marked upon the vessel in manner and location as provided by the load line regulations of the Commandant, U. S. Coast Guard, applicable to the Great Lakes.

This certificate¹ remains in force until _____ issued at _____ on the _____ day of _____ 19____

(Here follows the signature, seal, if any, and the name of the authority issuing the certificate.)

NOTES: In accordance with the Great Lakes Load Line Regulations the diamond and lines must be permanently marked by center punch marks or cutting. The "MS" load line shall be assigned only to those particular vessels that qualify under the regulations.

(On the reverse side of the load line certificate, or on a separate sheet attached and forming part of the certificate, provision is to be made for annual inspection and renewal endorsements.)

(Sec. 2, 49 Stat. 833, as amended; 46 U. S. C. 83a)

Dated: April 7, 1953.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 53-3035; Filed, Apr. 13, 1953; 8:45 a. m.]

¹ Upon the expiration of the certificate, renewal must be obtained as provided by the Great Lakes Load Line Regulations and the certificate so endorsed.

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[2d Rev. S. O. 866-B]

PART 95—CAR SERVICE

SATURDAYS TO BE INCLUDED IN COMPUTING DEMURRAGE ON ALL FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of April A. D. 1953.

Upon further consideration of Second Revised Service Order No. 856 (16 F. R. 3929, 10560; 17 F. R. 896, 3458, 4949, 10737) and good cause appearing therefor: It is ordered, that:

Section 95.856 *Saturdays to be included in computing demurrage on all freight cars*, of Second Revised Service Order No. 856 be, and it is hereby suspended until 11:59 p. m., May 31, 1953.

It is further ordered, that this order shall become effective at 7:00 a. m., April 16, 1953; that a copy of this order and direction be served upon each State railroad regulatory body and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-3164; Filed, Apr. 13, 1953; 8:47 a. m.]

[S. O. 865, Amdt. 34]

PART 95—CAR SERVICE

DEMURRAGE ON FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of April A. D. 1953.

Upon further consideration of Service Order No. 865 (15 F. R. 6197, 6256, 6330, 6452, 7800; 16 F. R. 320, 819, 1131, 2040, 2894, 3619, 5175, 6184, 7359, 8583, 9901, 10994, 11313, 12096, 13102; 17 F. R. 896, 1357, 2850, 3166, 3886, 4169, 4823, 4824, 5193, 5467, 5771, 5772, 5953, 6558; 18 F. R. 37, 1857) and good cause appearing therefor: It is ordered, that:

Section 95.865, Amendment No. 33 of Service Order No. 865, *Demurrage on freight cars* be, and it is hereby vacated.

It is further ordered, that:

Section 95.865 *Demurrage on freight cars*, of Service Order No. 865 as amended, be, and it is hereby suspended until 11:59 p. m., June 30, 1953, on all freight cars except cars described in the current Official Railway Equipment Register, Agent M. A. Zenobia's I. C. C. 306, supplements thereto and reissues thereof, as Class "F"—Flat Car Type.

It is further ordered, that this amendment shall become effective at 7:00 a. m., April 16, 1953, and a copy be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-3163; Filed, Apr. 13, 1953; 8:47 a. m.]

[Rev. S. O. 866, Amdt. 6]

PART 95—CAR SERVICE

RAILROAD OPERATING REGULATIONS FOR FREIGHT CAR MOVEMENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of April A. D. 1953.

Upon further consideration of the provisions of Revised Service Order No. 866 (15 F. R. 6198, 6256, 6573; 16 F. R. 2894, 13102; 17 F. R. 2765, 3458, 4949, 18 F. R. 1858), and good cause appearing therefor: It is ordered, that:

Section 95.866 *Railroad operating regulations for freight car movement*, of Revised Service Order No. 866 be, and it is hereby amended by substituting the following paragraph (b) (3) hereof for paragraph (b) (3) thereof:

(3) When computing the periods of time provided in this section, exclude Saturdays, Sundays and such holidays as are listed in Item No. 7, Agent L. C. Schuldt's Demurrage Tariff I. C. C. 4442 or reissues thereof, only when they occur within the said periods of time, but not after.

It is further ordered, that this amendment shall become effective at 7:00 a. m., April 16, 1953; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-3165; Filed, Apr. 13, 1953; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 953]

[Docket No. AO 144-A4]

LEMONS GROWN IN CALIFORNIA AND ARIZONA

NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENT TO AMENDED MARKETING AGREEMENT AND ORDER REGULATING HANDLING

Pursuant to the applicable provisions of the Agricultural Marketing Agree-

ment Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, as amended (7 CFR Part 900) notice is hereby given of a public hearing to be held in Room 810 Federal Building, 312 North Spring Street, Los Angeles, California, beginning at 10:00 a. m., P. d. s. t., May 1, 1953, with respect to a proposed amendment to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953) hereinafter referred to as "marketing agreement"

and "order," respectively, regulating the handling of lemons grown in the States of California and Arizona. The proposal has not received the approval of the Secretary of Agriculture.

Such public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions relating to the proposed amendment, which is hereinafter set forth, and appropriate modifications thereof.

The amendment to the marketing agreement and order which has been proposed by the Lemon Administrative Committee, the administrative agency established pursuant to the marketing agreement and order, is as follows:

Amend paragraph (b) of § 953.64 to read as follows:

(b) "District 2" shall include that part of the State of California which is south of a line drawn due east and west through the Tehachapi Mountains, but shall exclude Imperial County, California, that part of Riverside County, California, situated south and east of the San Geronimo Pass, and that part of San Bernardino County, California, situated east of the 115th Meridian.

The Fruit and Vegetable Branch, Production and Marketing Administration, has proposed that consideration be given to making such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform with any amendment thereto that may result from this hearing.

Copies of this notice of hearing may be obtained from the Hearing Clerk, United States Department of Agriculture, or from the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, 117 West Ninth Street, Room 103, Los Angeles 15, California.

Filed at Washington, D. C., this 9th day of April 1953.

[SEAL] ROY W LENNARTSON,
Assistant Administrator

[F. R. Doc. 53-3175; Filed, April 13, 1953; 8:50 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Parts 686, 687, 697, 699]

[Administrative Order 428]

SPECIAL INDUSTRY COMMITTEE NO. 14 FOR PUERTO RICO

APPOINTMENT TO INVESTIGATE CONDITIONS AND RECOMMEND MINIMUM WAGES FOR CERTAIN INDUSTRIES

1. Pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C., and Sup., 201 et seq.), I, Wm. R. McComb, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene a special industry committee for Puerto Rico composed of the following representatives:

For the public: Antonio J. Colorado, chairman, San Juan, P. R., David M. Helfeld, Rio Piedras, P. R. (Additional public member to be appointed.)

For the employers: Jose A. Aneses, Aguadilla, P. R., Robert A. Bristol, Ponce, P. R., Ellsworth Green, Jr., Kansas City, Kans.

For the employees: (employee members to be appointed.)

2. The special industry committee herein created, in accordance with the provisions of the Fair Labor Standards Act, as amended, and regulations promulgated thereunder (29 CFR Part 511) shall meet beginning on May 12, 1953, at 10:00 a. m. in Room 412, New York Department Store Building, Stop 16½ Ponce de Leon Avenue, Santurce, San Juan, Puerto Rico, and shall proceed to

investigate conditions in the industries in Puerto Rico hereinafter enumerated and recommend to the Administrator minimum wage rates for all employees in said industries in Puerto Rico, who within the meaning of said act are "engaged in commerce or in the production of goods for commerce" excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14. Minimum wage rates recommended by the committee shall be the highest rates (not in excess of 75 cents per hour) which it determines will not substantially curtail employment in such industries and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico.

Said special industry committee shall investigate conditions respecting, and recommend minimum wage rates for, the employees in the following industries in Puerto Rico: The shoe manufacturing and allied industries, the hosiery industry, and the textile and textile products industry. Said committee shall also investigate conditions respecting, and recommend minimum wage rates for, the employees in the costume jewelry division of the button, buckle, and jewelry industry (as defined below), in the event that I disapprove the recommendations of Special Industry Committee No. 12 for Puerto Rico for the necklace, bracelet, and similar jewelry division and the metal and plastic jewelry and miscellaneous products division of the button, buckle, and jewelry industry.

3. For the purpose of this order these industries are defined as follows:

Shoe manufacturing and allied industries. (a) The manufacture or partial manufacture of footwear from any material and by any process except knitting (including crocheting) vulcanizing of the entire article or vulcanizing (as distinct from cementing) of the sole to the upper. The term footwear as used herein includes but without limitation: Athletic shoes, boots, boot tops, burial shoes, custom-made boots and shoes, moccasins, puttees (except spiral puttees) sandals, shoes completely rebuilt in a shoe factory, and slippers.

(b) The manufacture from leather or from any shoe upper material of all cut stock and findings for footwear, including bows, ornaments and trimmings: *Provided, however* That the production of bows, ornaments and trimmings by a manufacturer not otherwise covered by this definition shall not be included.

(c) The manufacture of the following types of cut stock and findings for footwear from any material except from rubber or composition of rubber, molded to shape: Outsoles, midsoles, insoles, taps, lifts, rands, toplifts, bases, shanks, box-toes, counters, stays, stripping, sock linings, and heel pads.

(d) The manufacture of heels from any material except molded rubber, but not including the manufacture of wood-heel blocks.

(e) The manufacture of cut upper parts for footwear, including linings, vamps, and quarters.

(f) The manufacture of pasted shoe stock.

(g) The manufacture of boot and shoe patterns.

Hosiery industry. The manufacturing or processing of full-fashioned and seamless hosiery including among other processes the knitting, dyeing, clocking, and all phases of finishing hosiery, but not including the manufacturing or processing of yarn or thread.

This definition supersedes the definitions contained in any and all wage orders heretofore issued for other industries in Puerto Rico to the extent that such definitions include products or operations covered by the definition of this industry.

Textile and textile products industry. The preparation of textile fibers, including the ginning and compressing of cotton; the manufacture of batting, wadding, and filling; the manufacture of yarn, cordage, twine, felt, woven and knitted fabrics, and lace-machine products, from cotton, jute, sisal, coir, maguey, silk, rayon, nylon, wool or other vegetable, animal, or synthetic fibers, or from mixtures of these fibers; and the manufacture of blankets, textile bags, oil cloth and artificial leather, woven carpets and rugs, mattresses, quilts and pillows, and hairnets: *Provided, however,* That the definition shall not include the chemical manufacturing of synthetic fiber and such related processing of yarn as is conducted in establishments manufacturing synthetic fiber.

This definition supersedes the definitions contained in any and all wage orders heretofore issued for other industries in Puerto Rico to the extent that such definitions include products or operations covered by the definition of this industry.

Costume jewelry division of the button, buckle, and jewelry industry. The manufacture of jewelry (except rosaries, metal expansion watch bands or bracelets, and metal, glass, plastic, and wooden beads) and jewelry findings from any material except precious metals or materials of local origin such as seeds, shells, natural fibers and similar materials.

Signed at Washington, D. C., this 9th day of April 1953.

Wm. R. McComb,
Administrator,
Wage and Hour Division.

[F. R. Doc. 53-3183; Filed, Apr. 13, 1953; 8:52 a. m.]

[29 CFR Part 709]

MINIMUM WAGE RATES IN BUTTON, BUCKLE, AND JEWELRY INDUSTRY IN PUERTO RICO

NOTICE OF PROPOSED DECISION

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended, hereinafter called the act, the Administrator of the Wage and Hour Division, United States Department of Labor, by Administrative Order No. 421, dated May 8, 1952, as amended by Administrative Order No. 422, dated June 3, 1952, appointed Special Industry Committee No. 12 for Puerto Rico, herein-

after called the Committee, and directed the Committee to investigate conditions in a number of industries in Puerto Rico specified and defined in said orders, including the button, buckle, and jewelry industry in Puerto Rico, and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in such industries.

For purposes of investigating conditions in and recommending minimum wage rates for the button, buckle, and jewelry industry in Puerto Rico, the Committee included three disinterested persons representing the public, a like number representing employers, and a like number representing employees in the button, buckle, and jewelry industry in Puerto Rico, and was composed of residents of Puerto Rico and of the United States outside of Puerto Rico. After investigating economic and competitive conditions in the industry, the Committee filed with the Administrator a report containing (a) its recommendations that the industry be divided into separable divisions for the purpose of fixing minimum wage rates; (b) the titles and definitions recommended by the Committee for such separable divisions of the industry and (c) its recommendations for minimum wage rates to be paid employees engaged in commerce or in the production of goods for commerce in such divisions of the industry.

Pursuant to notices published in the FEDERAL REGISTER and circulated to all interested persons, public hearings upon the Committee's recommendations were held before Hearing Examiner E. West Parkinson, as presiding officer, in Washington, D. C., on October 7, 1952, and March 10, 1953, at which all interested parties were given an opportunity to be heard. After the hearing was closed the record of the hearing was certified to the Administrator by the presiding officer.

Upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act, particularly sections 5 and 8 thereof, I have concluded:

(1) The recommendations of the Committee for the following minimum wage rates for the following divisions of the button, buckle, and jewelry industry in Puerto Rico, as defined, were made in accordance with law, are supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act:

	<i>Cents per hour</i>
(a) Pearl button and buckle division.....	54
(b) Leather and fabric button and buckle division.....	53
(c) Button and buckle (other than pearl, leather, or fabric) and bead division.....	48
(d) Rosary and native jewelry division.....	33
(e) Precious jewelry division.....	55
(f) Metal expansion watch band division.....	60

(2) The recommendations of the Committee for minimum wage rates for the following divisions of the industry, as defined, were not made in accordance

with law, are not supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, would not, if approved, carry out the purposes of sections 5 and 8 of the act:

	<i>Cents an hour</i>
(a) Necklace, bracelet, and similar jewelry division.....	36
(b) Metal and plastic jewelry and miscellaneous products division.....	50

I have set forth my decision in a document entitled "Findings and Opinion of the Administrator in the Matter of the Recommendations of Special Industry Committee No. 12 for Minimum Wage Rates in the Button, Buckle, and Jewelry Industry in Puerto Rico" a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington 25, D. C.

Accordingly, notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237 5 U. S. C. 1001) and the rules of practice governing this proceeding, that I propose to approve the recommendations of the Committee for the pearl button and buckle division, the leather and fabric button and buckle division, the button and buckle (other than pearl, leather, or fabric) and bead division, the rosary and native jewelry division, the precious jewelry division, and the metal expansion watch band division and to issue a wage order for the button, buckle, and jewelry industry in Puerto Rico, to read as set forth below to carry such recommendations into effect. Notice is also given that I propose to disapprove the minimum wage recommendations of the Committee for the necklace, bracelet, and similar jewelry division, and the metal and plastic jewelry and miscellaneous products division, and to refer the matter of recommending appropriate minimum wage rates for the activities included in such divisions to Special Industry Committee No. 14 for Puerto Rico, which will commence public hearings on May 12, 1953, in the New York Department Store Building, Santurce, Puerto Rico, to consider minimum wage rates for various industries in Puerto Rico.

Within 20 days from publication of this notice in the FEDERAL REGISTER, interested parties may submit written exceptions to the proposed action above described. Exceptions should be addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C. They should be submitted in quadruplicate, and should include supporting reasons for any exceptions.

- Sec.
 709.1 Wage rates.
 709.2 Notices of order.
 709.3 Definitions of the button, buckle, and jewelry industry in Puerto and its divisions.

AUTHORITY: §§ 709.1 to 709.3 issued under sec. 8, 63 Stat. 915; 29 U. S. C. 208. Interpret and apply sec. 5, 63 Stat. 911; 29 U. S. C. 205.

§ 709.1 *Wage rates.* (a) Wages at a rate of not less than 54 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as

amended, by every employer to each of his employees in the pearl button and buckle division of the button, buckle, and jewelry industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate of not less than 53 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the leather and fabric button and buckle division of the button, buckle, and jewelry industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(c) Wages at a rate of not less than 48 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the button and buckle (other than pearl, leather, or fabric) and bead division of the button, buckle, and jewelry industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(d) Wages at a rate of not less than 33 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the rosary and native jewelry division of the button, buckle, and jewelry industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(e) Wages at a rate of not less than 55 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the precious jewelry division of the button, buckle, and jewelry industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(f) Wages at a rate of not less than 60 cents per hour shall be paid under section 6 of the Fair Labor Standards Act, of 1938, as amended, by every employer to each of his employees in the metal expansion watch band division of the button, buckle, and jewelry industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

NOTE: Special Industry Committee No. 12 for Puerto Rico recommended a minimum wage rate of 36 cents an hour for the necklace, bracelet, and similar jewelry division which it defined as follows:

The stringing of artificial pearl and other necklaces, bracelets, and similar jewelry items made of beads, including pearlizing and other processing operations. The Committee also recommended a minimum wage of 50 cents an hour for the metal and plastic jewelry and miscellaneous products division which it defined as follows:

The manufacture from plastics, non-precious metals, or other materials of jewelry, jewelry findings and all other products included in the button, buckle, and jewelry industry, as defined in Administrative Order No. 421, except those included in the pearl button and buckle division, the leather and fabric button and buckle division, the button and buckle (other than pearl, leather, or fabric) and bead division, the rosary and native jewelry division, the necklace, bracelet, and similar jewelry division, the precious jewelry division, and the metal watch band division.

The recommendations of the Committee for the necklace, bracelet, and similar jewelry division and for the metal and plastic jewelry and miscellaneous products division being disapproved, activities included within the definitions for these divisions are and will remain subject to the applicable minimum wage rates provided in the wage order for the button, buckle, and jewelry industry which was published in the FEDERAL REGISTER on July 21, 1950 (15 F. R. 4680), Part 697 of this chapter, until a new wage order is issued covering such activities.

§ 709.2 *Notices of order* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the button, buckle, and jewelry industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 709.3 *Definitions of the button, buckle, and jewelry industry in Puerto Rico and its divisions.* (a) The button, buckle, and jewelry industry in Puerto Rico, to which this part shall apply, is hereby defined as follows: The manufacture from any material of buttons, buckles, jewelry (including rosaries) and jewelry findings (including beads). *Provided, however* That the definition shall not include any activities covered by the definition of the jewel cutting and polishing industry in Puerto Rico (Part 707 of this chapter)

(b) The separable divisions of the industry, as defined in paragraph (a) of this section, to which this part shall apply, are hereby defined as follows:

(1) *Pearl button and buckle division.* The manufacture of buttons and buckles from ocean pearl or other natural shell.

(2) *Leather and fabric button and buckle division.* The manufacture of buttons and buckles from leather, cotton tape, or other fabric.

(3) *Button and buckle (other than pearl, leather or fabric) and bead division.* The manufacture of buttons and buckles from any material except ocean pearl or other natural shell, leather, cotton tape or other fabric; and the manufacture of metal, glass, plastic and wooden beads, but not including the pearlizing or further processing and assembling of beads into necklaces, bracelets, and similar jewelry items.

(4) *Rosary and native jewelry division.* The assembling of rosaries and the manufacture of novelty jewelry from materials of local origin such as seeds, shells, natural fibers and similar materials.

(5) *Precious jewelry division.* The manufacture of jewelry or jewelry findings made of precious metals whether or not embellished with natural or synthetic stones.

(6) *Metal expansion watch band division.* The manufacture or partial manufacture from metal of expansion bands or expansion bracelets for watches.

NOTE: See Note at end of § 709.1.

Signed at Washington, D. C., this 9th day of April 1953.

WIL R. McCOZM,
Wage and Hour Division.

[F. R. Doc. 53-3187; Filed, Apr. 13, 1953; 8:53 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 294]

[Economic Regs. Draft Release No. 60]

CLASSIFICATION AND EXEMPTION OF CERTAIN OPERATIONS CONDUCTED BY AIR CARRIERS FOR THE MILITARY ESTABLISHMENT

NOTICE OF PROPOSED RULE MAKING

APRIL 8, 1953.

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of a proposed new part to the Economic Regulations, to be numbered Part 294 and entitled "Classification and Exemption of Certain Operations Conducted by Air Carriers for the Military Establishment"

The principal features of the proposed new Part 294 are explained in the attached explanatory statement.

The proposed new Part 294 is set forth below.

Interested persons may participate in the proposed rule-making through the submission of written data, views or arguments pertaining thereto, in triplicate, addressed to the Secretary, Civil Aeronautics Board, Washington, D. C. All relevant material in communications received on or before April 30, 1953, will be considered by the Board before taking final action on the proposed rule. Copies of comments received will be available for inspection on and after May 4, 1953, at the Docket Section of the Board.

The proposals herein contained may be altered or modified as a result of comments received.

(Sec. 205, 52 Stat. 984, U. S. C. 425. Interpret or apply sec. 416, 52 Stat. 1004, 49 U. S. C. 496)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

Explanatory statement. At the present time air carriers of the United States are performing many transport activities for and on behalf of the military services. These transport operations vary in nature from individual charter flights, sometimes called CAM movements, to extended contract operations. While it is possible that some of the latter services would be deemed by the Board to be contract operations and therefore fall outside the definition of the term "air transportation" as set forth in the act, many long-term services performed by air carriers are considered "air transportation" by the Board, since the activities performed fall within the area of holding out by the air carriers concerned. See *Transocean Air Lines, Inc., Enforcement Proceeding*, 11 C. A. B. 350 (1950).

Services by air carriers in air transportation are, of course, subject to the

full economic regulatory controls of the act regardless of whether the user is the United States Government or not. Recent past experience of the Board, however, in its administration of certain of the act's provisions in regard to long-term charter operations for the military, has indicated the desirability of relieving air carriers performing these services from the tariff provisions and from certain other restrictive requirements of the act and the Board's regulations.

Arrangements for the performance of these long-term charter operations are generally made after advertisement for bids for the service by the interested branch of the Defense Department. The terms and conditions under which the charters are to be performed, together with the commitments of equipment and possible changes therein, make it extremely difficult to devise a charter rate which would be properly applicable to all such charters. It should be borne in mind that the nature of the contracting organization as well as the contract renegotiation procedure, appear to provide adequate protection from excessive charges by the air carriers, while the governmental nature of the activities involved will tend to avoid possible harmful discriminatory effects which might arise if this type of charter were generally exempt from tariff and rate requirements. It therefore appears to the Board that the limited exemption of such operations would be in the public interest.

It should be noted that the proposed exemption is extremely limited. It will apply only to operations performed pursuant to a charter agreement covering a period of at least 90 days, but not in excess of one year. Moreover, such charter agreement must provide for a minimum average of 24 one-way schedules to or from the same point (a circle trip to be counted as 2 such schedules) per 30-day period, which schedules shall be in conformance with a pre-agreed schedule pattern. The exemption will also apply to any air carrier acting as a sub-contractor under such an exemption charter contract. Both charter agreements and authorized sub-contracts must be filed with the Board prior to the exemption's becoming effective. The exemption will extend to the requirements of sections 401, 403, 404 (b) and 405 of the act, and parts 202, 207, 221, 222, 231 and 233 of the Economic Regulations, and it will be in addition to any other economic operation authority held by the carrier concerned. It goes without saying that the exemption will apply only with respect to the operations covered by the contract, and that the air carriers will, in regard to their other operations be subject to all other provisions prescribed by or pursuant to law to which the air carrier concerned would otherwise be subject.

§ 294.1 *Definitions.* (a) Air Carrier shall have the meaning ascribed to it by the the Civil Aeronautics Act.

(b) Military Operations Charter Agreement shall mean a contract between an air carrier and any Department of the Military Establishment of the United States which has been filed with

the Civil Aeronautics Board by the air carrier (1) whereby the air carrier undertakes to perform air transportation services for or on behalf of such Department on an average of at least 24 one-way schedules to or from the same point (counting circle trips as two such schedules) per 30-day period, (2) which provides for a definite schedule pattern, and (3) the duration of which is not less than 90 days and not more than one year. It also includes any authorized sub-contract thereunder.

(c) "Party" shall mean the air carrier entering into a military operations charter agreement and any other air carrier or air carriers performing services thereunder pursuant to an authorized subcontract with the prime contracting air carrier which has been filed with the Board by the sub-contractor.

§ 294.2 *Classification.* There is hereby established a class of air carriers, designated as Military Operations Carriers, composed of all air carriers who hold currently effective authorization from the Board to engage in air transportation and who are parties to currently effective and unexecuted military operation charter agreements as herein defined.

§ 294.3 *Exemption.* Subject to the provisions of this part, Military Operations Carriers are hereby exempted from the following requirements of the Civil Aeronautics Act of 1938, as amended, and of the Board's Economic Regulations:

Section 401 of the Civil Aeronautics Act.
Section 403 of the Civil Aeronautics Act.
Section 404 of the Civil Aeronautics Act (except for obligation to provide safe service, equipment and facilities).
Section 405 of the Civil Aeronautics Act.
Part 202 of the Economic Regulations.
Part 207 of the Economic Regulations.
Part 221 of the Economic Regulations.
Part 222 of the Economic Regulations.
Part 231 of the Economic Regulations.
Part 233 of the Economic Regulations.

§ 294.4 *Scope of exemption.* The exemption herein granted shall extend only to operations conducted pursuant to military operations charter agreements which have been filed with the Board and shall in no way affect the obligation of Military Operations Carriers to abide by the act and the Board's Economic Regulations with respect to other air trans-

portation performed: *Provided,* That the authority hereby granted shall be in addition to all other authority to engage in air transportation issued by the Board and shall not in any way be construed as limiting such other authority.

§ 294.5 *Regulation.* In performing service pursuant to the authority contained in this part, Military Operations Carriers shall conform as closely as practicable to the agreed schedule pattern in the governing military operations charter agreement.

[F. R. Doc. 53-3185; Filed, Apr. 13, 1953; 8:52 a. m.]

NATIONAL MEDIATION BOARD

[29 CFR Part 1206]

HANDLING OF REPRESENTATION DISPUTES UNDER RAILWAY LABOR ACT

TIME LIMIT ON APPLICATIONS

1. Pursuant to section 4 (a) of the Administrative Procedure Act, notice is hereby given of proposed rule making in the above-entitled matter.

2. On May 1, 1947, the National Mediation Board issued certain rules and regulations relating to the handling of representation disputes under Section 2, Ninth, of the Railway Labor Act. These rules and regulations were issued after due notice to all interested parties in accordance with Section 4 (a) of the Administrative Procedure Act.

3. The rules and regulations above referred to have assisted the Board in carrying out the mandate of the Railway Labor Act in promptly resolving disputes over employee representation since the enactment thereof. On the basis of experience since the enactment of § 1206.4 (Rule 4) however, the Board now feels that the principle contained therein should be extended to cases which are closed without the issuance of a Certification. Constant attempts to change collective bargaining representatives defeat the basic purposes of the act, i. e., stability in collective bargaining relationships.

4. Sufficient reason appearing therefor, the National Mediation Board now proposes to adopt the following rule in place and instead of § 1206.4 of the existing rules and regulations:

§ 1206.4 *Time limit on applications.*

(a) The National Mediation Board will not commence the investigation of a representation dispute for a period of two (2) years from the date of a certification hereafter issued covering the same craft or class of employees on the same carrier in which a representative was certified, except in unusual or extraordinary circumstances.

(b) Except in unusual or extraordinary circumstances, the National Mediation Board will not accept for investigation under section 2, Ninth, of the Railway Labor Act an application for its services covering a craft or class of employees on a carrier for a period of one (1) year after the date on which:

(1) An election among the same craft or class on the same carrier has been conducted and no certification was issued account less than a majority of eligible voters participated in the election; or

(2) A docketed representation dispute among the same craft or class on the same carrier has been dismissed by the Board account no dispute existed as defined in § 1206.2; or

(3) The applicant has withdrawn an application covering the same craft or class on the same carrier which has been formally docketed for investigation.

5. The National Mediation Board will afford all interested parties full opportunity to submit written data, views, arguments, and briefs in connection with the subject of the proposed amendment to § 1206.4. Unless specifically requested, no public hearing will be held on this subject.

6. In accordance with the provisions of section 4 (c) of the Administrative Procedure Act, in the absence of a request for a public hearing on the proposed amendment to § 1206.4, such amendment will become effective thirty (30) days from the date of the publication of this notice in the FEDERAL REGISTER.

By order of the National Mediation Board at Washington, D. C., this seventh day of April 1953.

[SEAL] E. C. THOMPSON,
Secretary.

[F. R. Doc. 53-3166; Filed, Apr. 13, 1953; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

APRIL 6, 1953.

Notice is given that the plat of original survey of the following described lands, accepted October 13, 1952 will be officially filed in the Land Office, Fairbanks, Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

FAIRBANKS MERIDIAN

Township 6 South; Range 4 East;
Secs. 3, 4, 5, 8, 9, 10, 15, 16, 23, 24, 25, 26.

The area described contains 4185.05 acres.

The lands lie approximately 46 miles southeast along the Richardson Highway from Fairbanks, and lie approximately two to three miles southwest of Harding Lake. The land is characterized by rolling hills and with a fairly good growth of spruce trees with a considerable amount of birch trees scattered throughout. Cottonwood trees

are also in evidence. The land has a fairly good cover of topsoil consisting mostly of black loam, and is considered fairly suitable for agricultural purposes.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only

to (1) application under the Homestead or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461) by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-284) as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under the paragraph either at or before 10:00 a. m. on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

ALFRED P. STEGER,
Manager.

[F. R. Doc. 53-3155; Filed, Apr. 13, 1953;
8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6478]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE OF FIRST MORTGAGE BONDS

APRIL 8, 1953.

Notice is hereby given that on April 7, 1953, the Federal Power Commission issued its order entered April 6, 1953, authorizing issuance of first mortgage bonds in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3157; Filed, Apr. 13, 1953;
8:46 a. m.]

[Docket Nos. G-996, G-1429, G-1526, G-1816, G-1817, G-1818, G-1916, G-1917, G-1918, G-1919, G-1920, G-1923, G-1924, G-1926, G-1927, G-2111, G-2121, G-2123]

NORTHWEST NATURAL GAS CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

In the matters of Northwest Natural Gas Company, Docket Nos. G-996, G-1916, G-1917; Pacific Northwest Pipeline Corporation, Docket No. G-1429; West-coast Transmission Company, Inc., Docket Nos. G-1526, G-1919, G-1920; Glacier Gas Company, Docket Nos. G-1816, G-1817, G-1818; Northern Natural Gas Company, Docket Nos. G-1918, G-1926, G-1927; Trans-Northwest Gas, Inc., Docket Nos. G-1923, G-1924, G-2111, Colorado Interstate Gas Company, Docket No. G-2121; Colorado-Wyoming Gas Company, Docket No. G-2123.

On February 13, 1953, Colorado Interstate Gas Company (Colorado Interstate) filed, in Docket No. G-2121, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities for the purpose of transporting natural gas proposed to be delivered and sold to Colorado Interstate by Pacific Northwest Pipeline Corporation in Docket No. G-1429.

On February 26, 1953, Colorado-Wyoming Gas Company (Colorado-Wyoming) filed, in Docket No. G-2128, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities for the purpose, in part, of transporting natural gas purchased from Colorado Interstate which would be first transported through facilities for which authorization is sought by Colorado Interstate in Docket No. G-2121.

By order issued January 28, 1952, the applications in Docket Nos. G-936, G-1429, G-1526, G-1816, G-1817 and G-1818 were consolidated. By order issued April 2, 1952, the applications in Docket Nos. G-1916, G-1917, G-1919, G-1920, G-1918, G-1926, G-1927, G-1923 and G-1924 were, among others, consolidated with the applications previously consolidated by the order issued January 28, 1952.

Hearings on the said consolidated applications commenced June 16, 1952, and were recessed on July 7, 1952. By order issued December 1, 1952, hearings on the said consolidated proceeding were reconvened to commence February 16, 1953, and are now in progress.

Paragraph (E) of the order issued December 1, 1952, set forth the procedure to be followed in the hearings on the said consolidated proceedings and, with certain exceptions, required that the "order specifying procedure" issued May 28, 1952, be followed.

By order issued January 29, 1953, the application in Docket No. G-2111 was consolidated with the aforementioned previously consolidated matters.

The Commission finds:

(1) The issues presented by the aforementioned applications in Docket Nos. G-2121 and G-2128 appear to be inter-related with those presented by the applications in the aforementioned consolidated proceeding, and it is appropriate and necessary to carrying out the provisions of the Natural Gas Act and the public interest requires that said applications be consolidated with the aforementioned consolidated proceeding for purpose of hearing.

(2) To facilitate the orderly conduct of the hearing on the proceedings referred to in Finding (1) herein, the Applicants in Docket Nos. G-2121 and G-2123 should present their evidence, as hereinafter provided, after all the other Applicants in the above-entitled matters shall have presented all matters with regard to their applications to the extent set forth in Paragraphs (A) (i) (A) (ii) and (A) (iii) of the said order issued May 28, 1952.

The Commission orders:

(A) The aforementioned applications, filed by Colorado Interstate Gas Company in Docket No. G-2121 and by Colorado-Wyoming Gas Company in Docket No. G-2128, be and the same are hereby consolidated with proceedings in the other dockets set forth in the heading hereof for purpose of hearing, which hearing is now in progress.

(B) The Applicants in Docket Nos. G-2121 and G-2128 shall, in the sequence set forth in the heading hereof, present all of their evidence in support of their applications; *Provided, however,* That all the Applicants in the other proceedings set forth in the heading hereof shall first have presented all matters with regard to their applications to the extent set forth in Paragraphs (A) (i) (A) (ii) and (A) (iii) of the aforesaid order issued May 28, 1952. In all other respects, the hearing procedure to be followed shall be that specified in Paragraph (E) of the aforesaid order issued December 1, 1952, and that specified in said order issued May 28, 1952.

NOTICES

(C) The hearing upon the applications in Docket Nos. G-2121 and G-2128 shall commence on April 27, 1953, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., or, if the Applicants in the other proceedings referred to in Paragraph (B) hereof shall not by that time have presented all matters with regard to their applications as provided in said Paragraph (B), at such time and place as may be fixed by the Presiding Examiner or by further order of the Commission.

Adopted: April 7, 1953.

Issued: April 8, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 53-3159; Filed, Apr. 13, 1953;
8:46 a. m.]

[Docket No. G-2120]

COLORADO INTERSTATE GAS CO.
ORDER FIXING DATE OF HEARING

On February 13, 1953, Colorado Interstate Gas Company (Applicant) a Delaware Corporation having its principal place of business at Colorado Springs, Colorado, filed an application in the above-captioned proceeding for a certificate of public convenience and necessity authorizing the construction and operation of certain natural-gas pipeline facilities for the purpose of attaching additional volumes of gas from the West Panhandle, Texas, gas field and the Morton County, Kansas, gas field. The application is on file with the Commission and open to public inspection, public notice thereof having been given including publication in the FEDERAL REGISTER on March 12, 1953 (18 F. R. 1426)

The Commission orders:

(A) 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 public hearing be held commencing on April 30, 1953 at 10:00 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C. concerning the matters involved and the issues presented by the application.

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

Adopted: April 7, 1953.

Issued: April 8, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 53-3161; Filed, Apr. 13, 1953;
8:47 a. m.]

[Docket No. G-2021]

PUBLIC SERVICE ELECTRIC AND GAS CO.
NOTICE OF EXTENSION OF TIME
APRIL 7, 1953.

Upon consideration of the Petition for Modification and Amendment of Certificate Order, filed April 3, 1953, by Public Service Electric and Gas Company (Applicant)

Notice is hereby given that an extension of time to and including June 6, 1953, is hereby granted within which Applicant shall comply with the conditions prescribed by Paragraph (C) of the Commission's order issued October 6, 1952, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 53-3158; Filed, April 13, 1953;
8:46 a. m.]

[Docket No. G-2070]

ALABAMA-TENNESSEE NATURAL GAS CO.
ORDER FIXING DATE OF HEARING AND
SPECIFYING PROCEDURE

By order issued September 16, 1952, the Commission suspended Third Revised Sheet No. 4 and First Revised Sheets Nos. 5, 6, and 7 to Alabama-Tennessee Natural Gas Company's FPC Gas Tariff, Original Volume No. 1, providing for an increase in the rates and charges to Alabama-Tennessee's interstate wholesale customers.

The maximum period of suspension expired on February 18, 1953, and in accordance with the provisions of section 4 (e) of the Natural Gas Act, Alabama-Tennessee filed a motion to make the proposed increase in rates effective as of that date.

In accordance with that motion, the proposed increased rates became effective on February 18, 1953, subject to the submission by Alabama-Tennessee and approval by the Commission of a bond obligating Alabama-Tennessee to refund, with interest at a rate of 6 percent per annum, to those entitled thereto, any portion of the increased rates or charges found by the Commission upon final order not to be justified.

A satisfactory bond was accepted for filing by the Commission on March 12, 1953.

The Commission finds: A public hearing to be held at the time and place hereinafter ordered concerning the lawfulness of the rates, charges, classifications, and services contained in Alabama-Tennessee's FPC Gas Tariff, Original Volume No. 1, as amended by Third Revised Sheet No. 4 and First Revised Sheets Nos. 5, 6, and 7 to said tariff, and that at such public hearing it is necessary and appropriate that the procedure hereinafter prescribed shall be followed in order that the proceedings may be conducted with reasonable dispatch.

The Commission orders:

(A) A public hearing be held on May 25, 1953, at 10 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the lawfulness

of the rates, charges, classifications, and services contained in Alabama-Tennessee's FPC Gas Tariff, Original Volume No. 1, as amended by Third Revised Sheet No. 4 and First Revised Sheets Nos. 5, 6, and 7 to said tariff.

(B) At the hearing the burden of proof to justify the proposed increase in rates and charges and changes in tariff provisions, as provided by section 4 (e) of the Natural Gas Act, shall be upon Alabama-Tennessee.

(C) At the hearing, Alabama-Tennessee shall go forward first and shall present its complete case-in-chief before cross-examination by any party, including the staff, is undertaken. On completion of Alabama-Tennessee's case-in-chief, other parties to the proceeding, including the staff, may proceed with such cross-examination as they are then prepared to conduct and, upon completion of such cross-examination, upon request of any party to the proceeding, including the staff, the hearing shall be recessed by the Presiding Examiner, subject to further order of the Commission.

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

Adopted: April 7, 1953.

Issued: April 8, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.
[F. R. Doc. 53-3160; Filed, Apr. 13, 1953;
8:46 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY TO REPRESENT FEDERAL GOVERNMENT BEFORE NEW MEXICO PUBLIC SERVICE COMMISSION REGARDING INCREASED GAS RATES

In the matter of Sacramento Corporation, increased gas rates; New Mexico P. S. C., Case No. 393.

1. Pursuant to the provisions of sections 201 (a) (4) and 205 (d) and (e) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, authority to represent the interests of the executive agencies of the Federal Government in the matter of Sacramento Corporation—Increased Gas Rates, Case No. 393, before the New Mexico Public Service Commission, is hereby delegated to the Secretary of Defense.

2. The Secretary of Defense is hereby authorized to redelegate any of the authority contained herein to any officer, official or employee of the Department of Defense.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures and controls prescribed by the General Services Administration and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.

4. This delegation of authority shall be effective as of March 31, 1953.

Dated: April 8, 1953.

RUSSELL FORBES,
Acting Administrator.

[F. R. Doc. 53-3184; Filed, Apr. 13, 1953; 8:52 a. m.]

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY TO REPRESENT FEDERAL GOVERNMENT BEFORE OKLAHOMA CORPORATION COMMISSION REGARDING INCREASED GAS RATES

In the matter of Consolidated Gas Utilities Corporation, increased gas rates; Oklahoma Corp. Comm., Cause No. 20381.

1. Pursuant to the provisions of sections 201 (a) (4) and 205 (d) and (e) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, authority to represent the interests of the executive agencies of the Federal Government in the matter of Consolidated Gas Utilities Corporation—Increased Gas Rates, before the Oklahoma Corporation Commission, Cause No. 20381, is hereby delegated to the Secretary of Defense.

2. The Secretary of Defense is hereby authorized to redelegate any of the authority contained herein to any officer, official or employee of the Department of Defense.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures and controls prescribed by the General Services Administration and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.

4. This delegation of authority shall be effective as of March 25, 1953.

Dated: April 8, 1953.

RUSSELL FORBES,
Acting Administrator

[F. R. Doc. 53-3183; Filed, Apr. 13, 1953; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1498]

UNION ELECTRIC CO. OF MISSOURI

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of April A. D. 1953.

The Philadelphia-Baltimore Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$10 Par Value, of Union Electric Company of Missouri, a security registered and listed on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the applica-

tion to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to May 5, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ^o ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-3173; Filed, Apr. 13, 1953; 8:50 a. m.]

[File No. 54-204]

PHILADELPHIA CO. AND DUQUESNE LIGHT CO.

ORDER MODIFYING PRIOR ORDER

APRIL 8, 1953.

Philadelphia Company ("Philadelphia") a registered holding company, and its public utility subsidiary, Duquesne Light Company ("Duquesne"), having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("the act") for approval of a plan and amendments thereto providing for the sale by Philadelphia of certain real estate known as the Central Building property and the simultaneous lease of such property to Duquesne;

The Commission having by order entered March 23, 1953, approved the plan, as amended, subject, among other things, to the terms and conditions contained in Rule U-24, pursuant to which rule the transactions proposed must be carried out within 60 days from the date of the aforesaid order;

Philadelphia and Duquesne considering that, in view of the contested nature of these proceedings, it may not be expedient to consummate the plan, as amended, until the aforesaid order becomes final and no longer subject to judicial review, and having filed a petition for modification of the aforesaid order and an amendment to their application for approval of the plan, as amended, in which they request that they be permitted to withhold consummation of the transactions which have been approved by the Commission until the third day after the date on which the Commission's order becomes final and no longer subject to review;

The Commission having considered applicants' request and having concluded that it may appropriately be granted:

It is ordered, That the sixth paragraph of the Commission's order entered March 23, 1953 in these proceedings be and it hereby is modified so as to read as follows:

It is ordered, That the said plan, as amended, be and it hereby is approved subject to the terms and conditions contained in Rule U-24, except that Philadelphia and Duquesne shall not be required to carry out the transactions set forth in the plan, as amended, until the third day following the date on which this Order shall become final and no longer subject to court review, and to the following additional terms and conditions:

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-3167; Filed, Apr. 13, 1953; 8:49 a. m.]

[File No. 54-210]

SOUTHERN NATURAL GAS CO. AND ALABAMA GAS CORP.

ORDER DECLARING THAT SOUTHERN NATURAL GAS COMPANY HAS CEASED TO BE A HOLDING COMPANY

APRIL 8, 1953.

The Commission, after a public hearing held with respect thereto, adopted and published its findings, opinion, and order, dated March 4, 1953 (Holding Company Act Release No. 11748) approving a plan filed under section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") by Southern Natural Gas Company ("Southern") a registered holding company, and its public utility subsidiary Alabama Gas Corporation ("Alabama") providing for the distribution by Southern to the holders of its common stock of all of its stock holdings in Alabama. The plan was conditioned upon a finding by the Commission that upon consummation of the plan, Southern would be entitled to an order pursuant to section 5 (d) of the act declaring that it has ceased to be a holding company under the act and that its registration under the act has ceased to be in effect. In the aforesaid findings and opinion the Commission stated, among other things, that it would be appropriate to enter such an order after the distribution since at such time Southern would have no public utility subsidiaries. The Commission has now been advised that the plan has been consummated in accordance with its terms and provisions as approved in the Commission's order of March 4, 1953, and its supplemental order dated March 27, 1953, and that pursuant thereto the distribution of the common stock of Alabama held by Southern has been effectuated. The Commission finding that Southern has ceased to be a holding company.

It is hereby ordered and declared, Pursuant to section 5 (d) of the act, that Southern has ceased to be a holding company and that its registration under the act is no longer in effect; subject to the condition that jurisdiction be, and

hereby is, reserved with respect to the reasonableness and payment of all fees and expenses or other remunerations paid or to be paid by Southern or Alabama in connection with said plan.

It is further ordered, That this order shall become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-3169; Filed, Apr. 13, 1953;
8:49 a. m.]

[File No. 59-15]

NORTHERN NEW ENGLAND CO. AND NEW
ENGLAND PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER CONTAINING RECITALS
REGARDING PLAN OF NEW ENGLAND PUBLIC
SERVICE CO. TO CONFORM TO SECTION-
1808 (F) AND SUPPLEMENT R OF THE IN-
TERNAL REVENUE CODE

APRIL 8, 1953.

The Commission, by orders dated February 13, 1953 and March 23, 1953, having approved an Amended Plan, dated November 4, 1952, and amendments thereto, of New England Public Service Company ("NEPSCO") a registered holding company and a subsidiary of Northern New England Company, also a registered holding company, which Amended Plan provides, in brief, for the distribution of NEPSCO's remaining assets to its security holders and for its liquidation and dissolution; and said Amended Plan, as amended, having been approved and ordered enforced by the United States District Court for the District of Maine, Southern Division, by order dated March 25, 1953; and

The NEPSCO Amended Plan having requested that any order approving the Amended Plan contain the recitals and other provisions necessary to bring the transactions involved therein within the provision of section 1808 (f) and Supplement R of the Internal Revenue Code, as amended; and the Commission having found in its findings and opinion, dated February 13, 1953, approving the Amended Plan that such recitals were clearly appropriate and having stated that a supplemental order would issue containing such recitals; and having reserved jurisdiction in its order of February 13, 1953 with respect to the entry of an order containing such recitals; and

The Commission now deeming it appropriate to issue a supplemental order with respect to the NEPSCO Amended Plan, as amended, containing the recitals and other provisions required by section 1808 (f) and Supplement R of the Internal Revenue Code, as amended:

It is ordered and recited, That all steps and transactions involved in the consummation of the Amended Plan for Liquidation and Dissolution, dated November 4, 1952, as amended, of New England Public Service Company, including particularly the issuances, exchanges, sales, transfers, expenditures, acquisitions, receipts and distributions, which have been heretofore authorized, approved and directed and are herein-

after described and recited in subparagraphs I through XII, below, are necessary or appropriate to the simplification of the New England Public Service Company Holding Company System and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; the stock and securities and other properties which are ordered to be issued, sold, exchanged, received and acquired, transferred and distributed as a part of such transactions and the expenditures which are ordered to be made being specified and itemized as follows:

I. The transfer to and deposit with Guaranty Trust Company of New York, Liquidation Trustee ("Guaranty") of certificates of common stock representing:

866,402 Shares of Central Maine Power Company.

189,091.5 Shares of Central Vermont Public Service Corporation.

404,320.7 Shares of Public Service Company of New Hampshire.

for exchange for and cancellation of the following stock of New England Public Service Company:

48,413 Shares of Preferred Stock, \$7 Dividend Series.

109,694 Shares of Preferred Stock, \$6 Dividend Series.

5 Shares of Preferred Stock, Adjustment Series.

II. The exchange by the stockholders of NEPSCO of each share of the Preferred Stock of NEPSCO, subject to the provisions as to fractions of a share, for common stock shown below:

NEPSCO preferred stock	Central Maine Power Co.	Central Vermont Public Service Corp.	Public Service Co. of New Hampshire
\$7 dividend series.....	6.0	1.3	2.8
\$6 dividend series.....	5.25	1.15	2.45
Adjustment series.....	6.0	1.3	2.8

III. The transfer to and deposit with Guaranty of cash, the amount, if any, of which is to be determined in accordance with paragraphs 3 (d) or 3 (e) of the Amended Plan, for payment to the preferred stockholders of an amount equivalent to current dividends on the preferred stock held by them, plus, in case of payments under paragraph 3 (e) an amount equivalent to 89 percent of "dividend accruals" or the payment by the preferred stockholders to NEPSCO of cash equivalent to the excess of "dividend accruals" on the common stocks listed in subparagraph I above over amounts equivalent to current dividends on the preferred stocks held by them as determined in said paragraphs 3 (d) or 3 (e)

IV. The transfer to and deposit with Guaranty of certificates of common stock representing:

182,600 shares of Central Maine Power Company.

38,442.1 Shares of Central Vermont Public Service Corporation.

86,494.7 Shares of Public Service Company of New Hampshire.

for exchange for and cancellation of 961,052 shares of the common stock of NEPSCO and the exchange by the stockholders of NEPSCO of each share of the common stock of NEPSCO, subject to the provisions as to fractions of a share, for common stock, shown below:

19/100 Share of Central Maine Power Company.

4/100 Share of Central Vermont Public Service Corporation.

9/100 Share of Public Service Company of New Hampshire.

V. The sale by NEPSCO of the following common stocks to provide cash to liquidate in part debts and liabilities of NEPSCO:

6,179 Shares of Central Maine Power Company.

4,134.9 Shares of Central Vermont Public Service Corporation.

3,041.4 Shares of Public Service Company of New Hampshire.

VI. The issuance of bearer scrip certificates in lieu of fractional shares of the portfolio stocks listed in subparagraphs I and IV by Guaranty which, when surrendered together with one or more similar certificates aggregating at least one whole share, will entitle the holder, at any time during a period commencing on the consummation date and ending one year thereafter, to a stock certificate for the number of whole shares of Central Maine Power Company, Central Vermont Public Service Corporation or Public Service Company of New Hampshire represented by the scrip certificates surrendered and a new scrip certificate for any remaining fractions, and the issuance of such new scrip certificates and such stock certificates;

VII. The sale of said scrip certificates by Guaranty for the account of the holder the purchase by Guaranty for the account of the holder of additional scrip certificates to make full shares for such holder or the purchase or sale of such scrip certificates by the holders thereof in the open market;

VIII. The sale by Guaranty, at the expiration of a period of one year after the consummation date, of shares of portfolio stocks equal to the aggregate number of shares represented by the then outstanding scrip certificates, disregarding any fractional shares, to provide cash, in amounts determined by Guaranty, on the basis of proceeds received from the sale, for payment to scrip certificate holders in accordance with the provisions of paragraph 4 (c) of the Amended Plan;

IX. The deposit by NEPSCO with Guaranty of cash remaining after payment of all debts;

X. The payment by Old Colony Trust Company, Plan Trustee under NEPSCO's Amended Plan for Corporate Simplification by Retirement of Prior Lien Stock, dated March 8, 1947, and heretofore approved by us, to Guaranty, of all funds remaining in its hands five years after the consummation date of the Amended Plan, dated November 4, 1952, for distribution by Guaranty to common stockholders of NEPSCO who have exchanged their stock under the Amended Plan, dated November 4, 1952, on or prior to the expiration of such five-year period;

XI. The conversion into cash by Guaranty at the expiration of five years from the consummation date of the Amended Plan of all unclaimed portfolio stocks remaining in its hands and the distribution of such cash, together with any other cash then remaining in its hands, pro rata among the former holders of NEPSCO common stock who, pursuant to the Amended Plan, shall have surrendered their certificates therefor prior to the expiration of said five-year period; and

XII. The payment by Guaranty of any funds represented by checks that have become void by reason of failure to present for payment at or before the expiration of five years from the consummation date of the Amended Plan, or within 120 days after the date of the check, whichever shall be the later, to NEPSCO's utility subsidiaries in the percentages shown below:

61 percent Central Maine Power Company.
10 percent Central Vermont Public Service Corporation.
29 percent Public Service Company of New Hampshire.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-3170; Filed, Apr. 13, 1953;
8:49 a. m.]

[File No. 59-15]

NORTHERN NEW ENGLAND CO. AND NEW
ENGLAND PUBLIC SERVICE CO.

SUPPLEMENTAL ORDER CONTAINING RECITALS
REGARDING PLAN OF NORTHERN NEW ENGLAND
CO. TO CONFORM TO SECTION
1808 (f) AND SUPPLEMENT R OF THE IN-
TERNAL REVENUE CODE

APRIL 3, 1953.

The Commission, by orders dated February 13, 1953, and March 23, 1953, having approved a Plan, dated November 14, 1952, and amendments thereto, of Northern New England Company ("Northern") a registered holding company, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, which Plan provides, in brief, for the distribution of Northern's remaining assets to its shareholders and for its liquidation and dissolution; and said Plan, as amended, having been approved and ordered enforced by the United States District Court for the District of Maine, Southern Division, by Order dated March 25, 1953; and

The Northern Plan having requested that any order approving the Plan contain the recitals and other provisions necessary to bring the transactions involved therein within the provisions of section 1808 (f) and Supplement R of the Internal Revenue Code, as amended; and the Commission having found in its findings and opinion, dated February 13, 1953, approving the Plan that such recitals were clearly appropriate and having stated that a supplemental order would issue containing such recitals; and having reserved jurisdiction in its order of February 13, 1953, with respect to the

entry of an order containing such recitals; and

The Commission now deeming it appropriate to issue a supplemental order with respect to the Northern Plan containing the recitals and other provisions required by section 1808 (f) and Supplement R of the Internal Revenue Code, as amended:

It is ordered and recited, That all steps and transactions involved in the consummation of the Plan for Liquidation and Dissolution, dated November 14, 1952, as amended, of Northern New England Company, including particularly the issuances, exchanges, sales, transfers, expenditures, acquisitions, receipts and distributions, which have been heretofore authorized, approved and directed and are hereinafter described and recited in subparagraphs I through X, below, are necessary or appropriate to the simplification of the Northern New England Company Holding Company System and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; the shares, stock and securities and other properties which are ordered to be issued, sold, exchanged, received and acquired, transferred and distributed as a part of such transactions and the expenditures which are ordered to be made being specified and itemized as follows:

I. The sale by Northern of 10 shares of Preferred Stock, \$6 Dividend Series, of New England Public Service Company.

II. The delivery by Northern to New England Public Service Company of 312,193 shares of Common Stock of New England Public Service Company in exchange for certificates of Common Stock representing:

59,316 67/100 Shares of Central Maine Power Company.
12,487 72/100 Shares of Central Vermont Public Service Corporation.
28,097 37/100 Shares of Public Service Company of New Hampshire.

III. The sale by Northern of certificates of Common Stock representing:

274 83/100 Shares of Central Maine Power Company.
1,133 52/100 Shares of Central Vermont Public Service Corporation.
847 29/100 Shares of Public Service Company of New Hampshire.

IV. The transfer to and deposit with Guaranty Trust Company of New York, Liquidation Agent ("Guaranty"), of certificates of Common Stock representing:

59,041 84/100 Shares of Central Maine Power Company.
11,354 20/100 Shares of Central Vermont Public Service Corporation.
27,250 8/100 Shares of Public Service Company of New Hampshire.

for exchange for and cancellation of 227,084 shares of beneficial interest of Northern and the exchange by the shareholders of Northern of each share of Northern, subject to the provisions as to fractions of a share, for shares of Common Stock shown below:

26/100 Shares of Central Maine Power Company.
5/100 Shares of Central Vermont Public Service Corporation.

12/100 Shares of Public Service Company of New Hampshire.

V. The issuance of bearer scrip certificates, in lieu of fractional shares of the stocks listed in subparagraph IV above, by Guaranty, which, when surrendered together with one or more similar certificates aggregating at least one whole share, will entitle the holder, at any time during a period commencing on the consummation date and ending one year thereafter, to a stock certificate for the number of whole shares of Central Maine Power Company, Central Vermont Public Service Corporation or Public Service Company of New Hampshire represented by the scrip certificates surrendered and a new scrip certificate for any remaining fractions, and the issuance of such new scrip certificates and such stock certificates;

VI. The sale of said scrip certificates by Guaranty for the account of the holder; the purchase by Guaranty for the account of the holder of additional scrip certificates to make full shares for such holder; or the purchase or sale of such scrip certificates by the holders thereof in the open market;

VII. The sale by Guaranty at the expiration of a period of one year after the consummation date, of shares of common stocks listed in subparagraph IV equal to the aggregate number of shares represented by the then outstanding scrip certificates, disregarding any fractional shares, to provide cash, in amounts determined by Guaranty, on the basis of proceeds received from the sale, for payment to scrip certificate holders in accordance with the provisions of paragraph 3 (c) of the Plan;

VIII. The deposit by Northern with Guaranty of cash remaining after payment of all debts.

IX. The conversion into cash by Guaranty at the expiration of five years from the consummation date of the Plan, of all unclaimed common stocks listed in subparagraph IV remaining in its hands and the distribution of such cash, together with any other cash then remaining in its hands, pro rata among the former holders of Northern shares who, pursuant to the Plan, shall have surrendered their certificates therefor prior to the expiration of said five-year period; and

X. The payment by Guaranty of any funds represented by checks that have become void by reason of failure to present for payment at or before the expiration of five years from the consummation date of the Plan, or within 120 days after the date of the check, whichever shall be the later, to New England Public Service Company's utility subsidiaries in the percentages shown below:

61 percent Central Maine Power Company.
10 percent Central Vermont Public Service Corporation.
29 percent Public Service Company of New Hampshire.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-3171; Filed, Apr. 13, 1953;
8:49 a. m.]

[File No. 70-3006]

UTAH POWER AND LIGHT CO. AND WESTERN
COLORADO POWER CO.ORDER AUTHORIZING REFINANCING OF NOTE
OF SUBSIDIARY, AND ISSUANCE AND SALE
TO PARENT OF NOTES AND COMMON STOCK

APRIL 8, 1953.

Utah Power and Light Company ("Utah") a registered holding company and electric utility company, and its wholly-owned electric utility subsidiary, The Western Colorado Power Company ("Colorado") having filed a joint application-declaration, and amendments thereto, pursuant to sections 6 (b) 7, 9 (a) 10 and 12-(f) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder with respect to the following proposed transactions:

Colorado proposes to issue and Utah proposes to acquire a note in the principal amount of \$500,000, bearing interest at the rate of 4½ percent per annum, and maturing July 1, 1963, in exchange for the 11-month note of Colorado now held by Utah in the same principal amount. Colorado also proposes to issue and sell to Utah, during the period ending March 31, 1954, not more than 20,000 shares of its \$20 par value common stock for a cash consideration of \$20 per share and to borrow from Utah not more than \$1,000,000, such borrowings to be evidenced by Colorado's promissory note or notes bearing interest at the rate of 4 percent per annum and maturing not more than 11 months from the date thereof. The application-declaration, as amended, states that at the end of the period, March 31, 1954, the ratio of the amount of the 4-percent notes, which shall have been issued by Colorado, to the amount of common stock issued will not exceed ten of notes to four of common stock.

Proceeds from the proposed sale by Colorado, to Utah of the 4 percent notes and common stock will be used by Colorado in connection with its construction program which is presently estimated to require the expenditure of approximately \$2,016,000 during the year 1953 and \$550,000 during the year 1954.

The issuance by Colorado of the 4 percent notes maturing July 1, 1963 and the issuance and sale of common stock by Colorado having been authorized by the Public Utilities Commission of Colorado; and

Said application-declaration having been filed on February 24, 1953 and amendments thereto having been filed on March 9 and April 2, 1953, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said application-declaration, as amended, within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the application-declaration, as amended, that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it

appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 53-3168; Filed, Apr. 13, 1953;
8:49 a. m.]

[File No. 70-3040]

COLUMBIA GAS SYSTEM, INC.

NOTICE OF FILING REGARDING ISSUANCE AND
SALE OF SHARES OF COMMON STOCK

APRIL 8, 1953.

Notice is hereby given that Columbia Gas System, Inc. ("Columbia") a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") and has designated sections 6, 7, and 12 thereof and Rules U-42 and U-50 of the rules and regulations promulgated thereunder as applicable to the proposed transactions, which are summarized as follows:

Columbia proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, 1,700,000 shares of its no par value common stock. The proceeds from this sale will be used to defray, in part, the cost of the 1953 construction program of Columbia's subsidiaries. This construction program will involve expenditures presently estimated at approximately \$68,000,000. It is estimated that after allowance for cash available at January 1, 1953, and cash to be generated from operations during 1953, Columbia will require from \$60,000,000 to \$65,000,000 in order to finance its 1953 construction program and to repay \$25,000,000 previously borrowed from commercial banks in order to complete its 1952 construction program and to finance part of its 1953 construction program. Accordingly, in addition to the presently proposed sale of common stock, Columbia proposes to sell approximately \$40,000,000 of new debentures later in the year. The \$25,000,000 bank loans will be repaid at the time the debenture financing is concluded.

Columbia proposes, if necessary and desirable, to stabilize the price of its common stock for purposes of facilitating the proposed sale of the common stock. In connection therewith, Columbia may for a period of 24 hours prior to the opening of bids, purchase shares of its common stock on the New York Stock Exchange, in the open market, or otherwise, such purchases to be made through brokers with the payment of the regular stock exchange commissions. With respect to such stabilizing, Columbia will

at no time acquire a net long position of shares of its common stock in excess of 170,000 shares, and, prior to selling shares of common stock purchased pursuant to stabilizing operations, will file a post-effective amendment to the declaration setting forth the terms and conditions upon which such shares will be sold or disposed of.

Columbia requests that the period for receiving competitive bids pursuant to Rule U-50 be shortened so that bids may be received on May 12, 1953.

Notice is further given that any interested person may, not later than May 1, 1953, at 5:30 p. m., Washington time, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said declaration, as filed or as amended, may be permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said declaration which is on file with this Commission for a full statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 53-3172; Filed, Apr. 13, 1953;
8:50 a. m.]INTERSTATE COMMERCE
COMMISSION

[4th Sec. Application 27071]

SULPHURIC ACID BETWEEN HOUSTON, TEX.,
AND SHREVEPORT, LA.

APPLICATION FOR RELIEF

APRIL 9, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by Lee Douglass, Agent, for carriers parties to schedule listed below.

Commodities involved: Sulphuric acid, carloads.

Between: Houston, Tex., and Shreveport (Bossier City) La.

Grounds for relief: Competition with rail carriers, circuitous routes, to meet intrastate rates.

Schedules filed containing proposed rates: Lee Douglass, Agent, ICC No. 802, suppl. 24.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than ap-

plicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-3162; Filed, Apr. 13, 1953;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 19243]

CERTAIN GERMAN NATIONALS

In re: Rights and interests of certain German nationals in Trade-marks of Carl Zeiss, Inc.

Under the authority of the Trading with the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) and Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Carl Zeiss, Jena, is a corporation, partnership, association, or other business organization which on or since December 7, 1941, and prior to January 1, 1947, was organized under the laws of and had its principal place of business in Jena, Germany, and is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

2. That Zeiss Ikon A. G. is a corporation, partnership, association, or other

business organization which on or since December 7, 1941, and prior to January 1, 1947, was organized under the laws of Germany and had its principal place of business in Dresden, Germany, and is and prior to January 1, 1947, was a national of a designated enemy country (Germany)

3. That the property described as follows:

All right, title and interest, if any, of whatsoever kind or nature, including without limitation any reversionary interest, under the statutory or common law of the United States and of the several States thereof, of Carl Zeiss, Jena, and/or Zeiss Ikon A. G., or the successors or assigns of either of them, in and to any and all goodwill of the business in the United States of Carl Zeiss, Inc., a corporation organized under the laws of New York, and in and to any and all registered or unregistered trade-marks and trade-names appurtenant to such business or heretofore transferred or assigned to, or now owned by the Attorney General of the United States, and in and to every license, agreement, privilege, power and right of whatsoever kind or nature arising under or with respect thereto, together with accruals to the foregoing, is property which is, and prior to January 1, 1947, was within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Carl Zeiss, Jena, and/or Zeiss Ikon A. G., the aforesaid nationals of a designated enemy country (Germany),

4. And it is hereby determined:

That the national interest requires that said Carl Zeiss, Jena and Zeiss Ikon A. G. be treated as business organizations which are, and prior to January 1, 1947, were nationals of a designated enemy country, Germany.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 8, 1953.

For the Attorney General.

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

[F. R. Doc. 53-3149; Filed, Apr. 10, 1953;
8:48 a. m.]

WAYNE NOBURU OZAKI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

Claimant, Claim No., Property, and Location

Wayne Noburu Ozaki, Kanagawa-Ken, Japan, Claim No. 41423; \$7,107.61 in the Treasury of the United States.

Executed at Washington, D. C., on April 6, 1953.

For the Attorney General.

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

[F. R. Doc. 53-3150; Filed, Apr. 10, 1953;
8:48 a. m.]

