

Washington, Tuesday, August 18, 1953

### TITLE 3—THE PRESIDENT

#### EXECUTIVE ORDER 10479

##### ESTABLISHING THE GOVERNMENT CONTRACT COMMITTEE

WHEREAS it is in the interest of the Nation's economy and security to promote the fullest utilization of all available manpower; and

WHEREAS it is the policy of the United States Government to promote equal employment opportunity for all qualified persons employed or seeking employment on government contracts because such persons are entitled to fair and equitable treatment in all aspects of employment on work paid for from public funds; and

WHEREAS it is the obligation of the contracting agencies of the United States Government and government contractors to insure compliance with, and successful execution of, the equal employment opportunity program of the United States Government; and

WHEREAS existing Executive orders, require the government contracting agencies to include in their contracts a provision obligating the government contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and obligating the government contractor to include a similar provision in all subcontracts; and

WHEREAS a review and analysis of existing practices and procedures of government contracting agencies show that the practices and procedures relating to compliance with the nondiscrimination provisions must be revised and strengthened to eliminate discrimination in all aspects of employment:

NOW THEREFORE, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States, and pursuant to the authority conferred by and subject to the provisions of section 214 of the act of May 3, 1945, 59 Stat. 134, (31 U. S. C. 691) it is ordered as follows:

SECTION 1. The head of each contracting agency of the Government of the United States shall be primarily responsible for obtaining compliance by any contractor or subcontractor with the

said nondiscrimination provisions of any contract entered into, amended, or modified by his agency and of any subcontract thereunder, and shall take appropriate measures to bring about the said compliance.

SEC. 2. The head of each contracting agency shall take appropriate measures, including but not limited to the establishment of compliance procedures, to carry out the responsibility set forth in section 1 hereof.

SEC. 3. There is hereby established the Government Contract Committee, hereinafter referred to as the Committee. The Committee shall be composed of fourteen members as follows:

(a) One representative of the following-named agencies to be designated by the respective heads of such agencies: the Atomic Energy Commission, the Department of Commerce, the Department of Defense, the Department of Justice, the Department of Labor, and the General Services Administration.

(b) Eight other members to be appointed by the President. The Chairman and Vice Chairman shall be designated by the President.

SEC. 4. The Committee shall make recommendations to the contracting agencies for improving and making more effective the nondiscrimination provisions of government contracts. All contracting agencies of the Government are directed and authorized to cooperate with the Committee and, to the extent permitted by law, to furnish the Committee such information and assistance as it may require in the performance of its functions under this order. The Committee shall establish such rules as may be necessary for the performance of its functions under this order, and shall make annual or semiannual reports on its progress to the President.

SEC. 5. The Committee may receive complaints of alleged violations of the nondiscrimination provisions of government contracts. Complaints received shall be transmitted by the Committee to the appropriate contracting agencies to be processed in accordance with the agencies' procedure for handling such

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complaints. Each contracting agency shall report to the Committee the action taken with respect to all complaints received by the agency, including those transmitted by the Committee. The Committee shall review and analyze the reports submitted to it by the contracting agencies.

**Sec. 6.** The Committee shall encourage the furtherance of an educational program by employer, labor, civic, educational, religious, and other voluntary non-governmental groups in order to eliminate or reduce the basic causes and costs of discrimination in employment.

**Sec. 7.** The Committee is authorized to establish and maintain cooperative relationships with agencies of state and local governments, as well as with non-governmental bodies, to assist in achieving the purposes of this order.

**Sec. 8.** The government agencies (except the Department of Justice) designated in section 3 (a) of this order shall defray such necessary expenses of the Committee as may be authorized by law, including section 214 of the act of May 3, 1945, 59 Stat. 134 (31 U. S. C. 631), provided that no agency shall supply more than 50% of the funds necessary to carry out the purposes of this order. The Department of Labor shall provide necessary space and facilities for the Committee. In the case of the Department of Justice the contribution shall be limited to the rendering of legal services.

**Sec. 9.** Executive Order No. 10308 of December 5, 1951 (16 F. R. 12303) is hereby revoked and the Committee on Government Contract Compliance established thereby is abolished. All records and property of the said Committee are transferred to the Government Contract Committee. The latter Committee shall wind up any outstanding affairs of the abolished Committee.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,  
 August 13, 1953.

[F. R. Doc. 53-7230; Filed, Aug. 17, 1953; 11:11 a. m.]

**RULES AND REGULATIONS**

**TITLE 5—ADMINISTRATIVE PERSONNEL**

**Chapter I—Civil Service Commission**

**PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE**

**DEPARTMENT OF THE INTERIOR**

Effective upon publication in the FEDERAL REGISTER, § 6.110 (j) (1) is revoked and the positions listed below are excepted from the competitive service under Schedule C.

§ 6.310 *Department of the Interior.*

- \*\*\*  
 (h) *National Park Service.* (1) Director.  
 (2) One private secretary to the Director.

- (3) Three Assistant Directors.  
 (4) Chief Counsel.  
 (i) *Bonneville Power Administration.*  
 (1) Administrator.  
 (2) One private secretary to the Administrator.  
 (3) Executive Secretary.  
 (j) *Bureau of Indian Affairs.* (1) Chief Counsel.  
 (2) Program Director.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] Wm. C. HULL,  
 Executive Assistant.

[F. R. Doc. 53-7230; Filed, Aug. 17, 1953; 8:48 a. m.]

**PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE**

**DEPARTMENT OF THE INTERIOR**

Effective upon publication in the FEDERAL REGISTER, the positions listed below are excepted from the competitive service under Schedule C.

§ 6.310 *Department of the Interior.*

- \*\*\*  
 (k) *Southwestern Power Administration.* (1) Administrator.  
 (2) Assistant Administrator.  
 (3) Assistant to the Administrator.  
 (4) One private secretary to the Administrator.  
 (5) Chief Counsel.

## RULES AND REGULATIONS

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, Mar. 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] WM. C. HULL,  
*Executive Assistant.*

[F. R. Doc. 53-7255; Filed, Aug. 17, 1953; 8:51 a. m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

INTERSTATE COMMERCE COMMISSION

Effective upon publication in the FEDERAL REGISTER, the position listed below is excepted from the competitive service under Schedule C.

§ 6.317 *Interstate Commerce Commission*, \* \* \*

(b) Managing Director.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] WM. C. HULL,  
*Executive Assistant.*

[F. R. Doc. 53-7261; Filed, Aug. 17, 1953; 8:52 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1953 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 1, Flaxseed]

PART 601—GRAINS AND RELATED COMMODITIES.

SUBPART—1953-CROP FLAXSEED LOAN AND PURCHASE AGREEMENT PROGRAM

COUNTY SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 18 F. R. 2367 and containing the specific requirements for the 1953-Crop Flaxseed price support program are hereby amended as follows:

Section 601.308 (c) *County support rates* is amended by adding the State of Georgia to the States listed and by showing the rate for all counties in Georgia to be \$3.25 per bushel.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat., 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1447, 1421)

Issued this 13th day of August 1953.

[SEAL] M. B. BRASWELL,  
*Acting Executive Vice President,*  
*Commodity Credit Corporation.*

Approved:

JOHN H. DAVIS,  
*President,*  
*Commodity Credit Corporation.*

[F. R. Doc. 53-7265; Filed, Aug. 17, 1953; 8:54 a. m.]

[1953 C. C. C. Flaxseed Bulletin 1, Amdt. 2]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1953 TEXAS FLAXSEED PURCHASE PROGRAM

BASIC PURCHASE PRICES

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 18 F. R. 1650 and 2911 and containing the specific requirements for the 1953 Texas Flaxseed Purchase Program are hereby amended as follows:

Section 601.329 (a) is amended by adding the following counties at the rates shown, to the list of counties for which the program is authorized:

Bastrop County, \$3.51 per bushel, No. 1 flaxseed.

Burnet County, \$3.46 per bushel, No. 1 flaxseed.

Mason County, \$3.46 per bushel, No. 1 flaxseed.

Hamilton County, \$3.43 per bushel, No. 1 flaxseed.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup. 714c, 7 U. S. C. Sup. 1447, 1421)

Issued this 13th day of August 1953.

[SEAL] M. B. BRASWELL,  
*Acting Executive Vice President,*  
*Commodity Credit Corporation.*

Approved:

JOHN H. DAVIS,  
*President,*  
*Commodity Credit Corporation.*

[F. R. Doc. 53-7266; Filed, Aug. 17, 1953; 8:54 a. m.]

TITLE 7—AGRICULTURE

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

PART 951—TOKAY GRAPES GROWN IN SAN JOAQUIN AND SACRAMENTO COUNTIES IN CALIFORNIA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 951.0 *Findings and determinations.*

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of this order and 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 Public Act No. 10, 73d Congress (May 12, 1933) as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was

held at Lodi, California, beginning on April 20, 1953, upon proposed amendments to Marketing Agreement No. 93, as amended, and Order No. 51, as amended (7 CFR Part 951), regulating the handling of Tokay grapes grown in San Joaquin and Sacramento Counties in California. 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 said order, as amended, and as hereby further amended, regulates the handling of Tokay grapes grown in San Joaquin and Sacramento Counties in California in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the marketing agreement upon which hearings have been held;

(3) The said order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms applicable to different parts of the production area, as are necessary to give due recognition to differences in the production and marketing of the grapes covered thereby.

(4) The said order, as amended, and as hereby further amended, is limited in its application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act; and

(5) All handling of Tokay grapes which are grown in the production area is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found and determined, on the basis hereinafter indicated, that good cause exists for making the provisions of this order effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after such publication (60 Stat. 237; 5 U. S. C. 1001 et seq.) It is necessary, in the public interest, to make this order effective as soon as practicable, so as to facilitate, promote, and maintain orderly marketing of the grapes covered hereunder. Shipments of Tokay grapes grown in San Joaquin and Sacramento Counties will begin to be made in a limited way about the middle of August and in volume soon thereafter. It is necessary therefore, to make this order effective promptly so that it will be operative prior to the date on which regulations may be formulated and issued. In this way, the full benefits of the amended program will be available to producers and handlers throughout the 1953 marketing season. Furthermore, the Industry Committee must be afforded opportunity for the consideration of such changes in the current rules and regulations as may be appropriate in view of the amendatory provisions hereof, and such changes should be in

effect prior to the beginning of the Tokay grape shipping season. The provisions of this order are well known to handlers, the public hearing on the amendments having been held in Lodi, California, on April 20, 21, and 22, 1953, and the recommended decision and final decision having been published on June 26 (18 F. R. 3665) and July 25, 1953 (18 F. R. 4382) respectively. Handlers and producers have received copies of the text of the amendatory order; and compliance with the provisions hereof will not require any advance preparation on the part of persons subject thereto that cannot be completed prior to such effective date.

(c) *Determinations.* It is hereby determined that:

(1) The "Agreement Amending the Marketing Agreement, as Amended, Regulating the Handling of Tokay Grapes Grown in San Joaquin and Sacramento Counties in California," upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the grapes covered by this order) who, during the period April 1, 1952, through March 31, 1953, shipped not less than 50 percent of the volume of Tokay grapes covered by said order, as amended and hereby further amended;

(2) The aforesaid agreement, amending the said marketing agreement, as amended, has been executed by handlers who were signatory parties to said marketing agreement and who, during the preceding fiscal year (April 1, 1952, through March 31, 1953) shipped not less than 50 percent of the Tokay grapes, grown in San Joaquin and Sacramento Counties in California, shipped by all handlers signatory to said marketing agreement during such fiscal year;

(3) The issuance of this order, amending the aforesaid order, as amended, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (April 1, 1952, through March 31, 1953) were engaged within the production area specified in said order, as amended, in the production of Tokay grapes for market.

It is therefore ordered, That, on and after the effective date hereof, all handling of Tokay grapes grown in the production 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 as follows:

1. Add after § 951.12 *Production area* the following new definitions:

§ 951.13 *Pack.* "Pack" means to place grapes into containers for shipment to market as fresh grapes and to deliver such containers of grapes to a packing platform or shed or to a vehicle for transportation to market or storage. The term "pack" also means to place grapes into a shipping container in a packing shed.

§ 951.14 *Allotment period.* "Allotment period" means any three consecutive days commencing with such day as may be established in a regulation issued pursuant to § 951.61.

§ 951.15 *Day.* "Day" means one calendar day except that Saturday and Sunday shall be considered as one such day.

2. Delete § 951.30 *Compensation* and insert, in lieu thereof, the following:

§ 951.30 *Compensation.* The members of the Industry Committee, and the alternate members of such committee, may be reimbursed for expenses necessarily incurred by them in attending meetings of the said committee and in performing services, necessary in connection with this subpart, at the request of such committee; and they may receive compensation in an amount not in excess of \$10.00 per day for attending each such meeting and for performing such services. The members of the Shippers' Advisory Committee, and the alternate members of such committee, may be reimbursed for expenses necessarily incurred by them in attending meetings of the said committee.

3. Amend § 951.33 *Procedure* by redesignating paragraph (b) as paragraph (c) and adding a new paragraph (b) as follows:

(b) The Industry Committee may vote by mail, telephone or telegraph: *Provided,* That any action taken by the committee on a mail, telephone, or telegraph vote shall be by unanimous vote of all members of the committee or their appropriate alternates. Any vote by telephone or telegraph shall be confirmed in writing. At any assembled meeting, all votes shall be cast in person.

4. Delete paragraph (b) of § 951.52 *Exemptions* and insert, in lieu thereof, the following:

(b) In the event the Secretary issues a regulation pursuant to § 951.51, the Industry Committee shall issue an exemption certificate to any grower who furnishes proof, satisfactory to such committee, that by reason of conditions beyond his control he will be prevented, because of the regulation issued, from shipping or having shipped in fresh fruit channels from a particular vineyard a percentage of his crop of grapes equal to (1) the average percentage of grapes, as determined by the committee, produced in and so shipped from his district during the preceding three seasons or (2) the average percentage of grapes produced in and so shipped from such vineyard during the preceding three seasons, whichever percentage is the greater. The certificate shall permit such grower to ship, or have shipped, in fresh fruit channels, a percentage of his crop of grapes from such vineyard equal to such greater percentage: *Provided,* That as to vineyards having an age of nine years or less, the committee shall each season establish, for the vineyards of each such age, the quantity of grapes, per acre, likely to be shipped from such vineyards during that season and the applicable quantity shall be used in lieu of the quantity of grapes determined by the committee pursuant to subparagraph (1) of this paragraph. In computing the aforesaid quantities that were shipped during the preceding three seasons, there shall be omitted the aggregate quantities

of grapes shipped under exemption certificates.

5. Add after paragraph (d) of § 951.52 a new paragraph (e) as follows:

(e) Exemptions granted under the provisions of this section shall apply only as to regulations issued by the Secretary under § 951.51, and all shipments of grapes under exemption certificates, issued pursuant to this section, shall be subject to, and limited by, such regulations as may be effective under § 951.61 at the time of the respective shipment.

6. Delete §§ 951.60 through 951.70 together with the center headnotes which precede § 951.60 and § 951.70, and insert, in lieu thereof, the following:

#### REGULATION BY VOLUME

§ 951.60 *Recommendation for volume regulation.* (a) Whenever the Industry Committee finds, after investigation of the factors enumerated in paragraph (b) of this section, that the supply of grapes available for shipment exceeds the demand therefor and that it is advisable to regulate the handling of grapes pursuant to the provisions of §§ 951.60 through 951.72, it shall so recommend to the Secretary. Each such recommendation shall specify the period of time during which such regulation shall be effective and the respective total quantities of grapes which the committee deems advisable to be handled each allotment period during such period of time. The committee shall promptly report its findings and recommendations, together with supporting information, to the Secretary.

(b) In making each such recommendation, the Industry Committee shall give due consideration to the following factors: (1) Market prices for grapes; (2) supply, quality, and condition of grapes in the production area; (3) the supplies of all varieties of grapes on hand in, and en route to, the principal markets; (4) market prices and supplies of competitive fruits, including other varieties of grapes; (5) the probable daily shipments of grapes in the absence of regulation; (6) trend and level of consumer income; and (7) other relevant factors.

(c) The Industry Committee may, at any time, recommend to the Secretary that the quantity of grapes that may be handled during any such allotment period be increased or decreased, or that such regulation be terminated. Any such recommendation shall be supported by the reasons and information relied upon by the committee in making such recommendation.

(d) The Industry Committee shall give reasonable notice to growers and handlers of each meeting to consider recommendations for regulation, or for the modification or termination of regulation, pursuant to the provisions of this section. The committee shall also give prompt notice to growers and handlers of any such recommendation.

§ 951.61 *Issuance of volume regulation.* (a) Whenever the Secretary finds, from the recommendations and information submitted by the Industry Committee, or from other available information,

that to limit the total quantity of grapes that may be handled during one or more allotment periods would tend to effectuate the declared policy of the act, he shall so limit the shipment of grapes. The Secretary may at any time increase or decrease the quantity of grapes which may be handled during an allotment period, or may terminate such regulation: *Provided*, That no decrease in the quantity of grapes which may be handled during an allotment period shall be made effective after the beginning of such allotment period.

(b) The Secretary shall immediately notify the Industry Committee of the issuance of each such regulation, and of each modification or termination thereof; and the committee shall give such notice thereof as may be reasonably calculated to bring such action to the attention of growers and handlers.

§ 951.62 *Allotments*. (a) Whenever the Secretary has fixed the total quantity of grapes that may be handled during an allotment period, the Industry Committee shall compute, for each person entitled thereto, the quantity of grapes which may be shipped by such person during such period. Such quantity shall be the allotment of such person and shall be in an amount equal to the product obtained by multiplying:

(1) The quantity of grapes fixed by the Secretary as the total quantity of grapes that may be handled during such allotment period, or

(2) The quantity of grapes so fixed by the Secretary less the portion thereof for allocation as adjusted allotment pursuant to § 951.65,

whichever is applicable, by such person's allotment percentage, computed in accordance with § 951.64. The Industry Committee shall notify each such person of his allotment on the day immediately preceding the allotment period.

(b) No person shall ship grapes during any allotment period when grapes are regulated pursuant to § 951.61 unless such person has allotment or adjusted allotment, pursuant to §§ 951.62 through 951.72, to ship such grapes: *Provided*, That allotment shall not be required to deliver grapes to a refrigerated storage warehouse, for storage purposes, within the State of California.

§ 951.63 *Application for allotment*. (a) Each person who proposes to ship grapes as the first handler thereof during any period in which grapes may be regulated pursuant to § 951.61 shall submit to the Industry Committee, at such time and in such manner as the committee may prescribe, a written application for allotment. Such application shall be substantiated in such manner and shall be supported by such information as the committee may require, including (1) an accurate description of the location of each vineyard, or portion thereof, from which grapes will be handled by the applicant during the current season; (2) the number of acres and the age of the vines in each such vineyard or portion thereof; (3) the name and address of the producer, or authorized agent, for each such vineyard or portion thereof; (4) the number of standard packages, or the

equivalent thereof, of grapes from each such vineyard, or portion thereof, that were shipped during each of the two preceding seasons; and (5) information identical to that required in subparagraphs (1) through (4) of this paragraph with respect to all other vineyards or portions thereof from which the applicant shipped grapes during either or both of the two preceding seasons. If the applicant does not have the record of shipments of grapes from a particular vineyard or vineyards but can furnish the record for a group of vineyards of which such vineyard or vineyards are a part, he shall set forth such record in his application and the shipments from each such vineyard shall be considered to be equal to the product obtained by multiplying the number of acres contained in that vineyard by the average shipments per acre for such group.

(b) The Industry Committee shall check the accuracy of the information submitted pursuant to paragraph (a) of this section and of § 951.75. If the committee finds that there is an error, omission, or inaccuracy in such information, it shall correct the same and shall notify the applicant, giving the reasons therefor. Upon request, the applicant shall be given an opportunity to discuss with the committee the factors considered in making the correction. If it is determined that an error, omission, or inaccuracy has resulted in a person receiving more or less allotment than that to which such person is entitled under the provisions of this subpart, such person's allotment shall be adjusted, over such period as may be determined by the committee, to the extent required to offset the error, omission, or inaccuracy.

§ 951.64 *Allotment percentage*. (a) The allotment percentage, of each applicant entitled thereto, for each allotment period shall be seventy-five percent of the percentage obtained by dividing the total grape shipments from such applicant's vineyards, as reported pursuant to subparagraphs (1) through (4) of § 951.63 (a) by the total grape shipments during the preceding two years from vineyards of all applicants, plus twenty-five percent of the percentage obtained by dividing the total quantity of grapes packed by or for such applicant during the three days preceding the day which immediately precedes the allotment period by the total quantity of grapes packed by or for all applicants during such three-day period: *Provided*, That, with respect to the first allotment period each season, the percentage based upon grapes packed shall be computed by using the applicable quantities of grapes packed during the six days preceding the day which immediately precedes such allotment period.

(b) If a person gains or loses the right to ship grapes from a vineyard by reason of a grower's transfer of his grapes from one person to another, there shall be a corresponding increase or decrease in that portion of the respective person's allotment percentage which is based on previous shipments. The person gaining the right so to ship grapes may submit an application to the Industry Committee for such increase, accompanied

by a verification of the transfer by the grower or the person losing the right to ship such grapes. Such increase and decrease shall not be effective for any allotment period unless such application is received by the committee at least two days prior to such period.

(c) An allotment percentage shall be computed for, and allotment issued to, a person only if such person has made application therefor in accordance with the provisions of this section.

§ 951.65 *Adjustment of allotment*. A portion of the total quantity of grapes fixed by the Secretary as the quantity of grapes that may be handled during an allotment period shall be allocated, as adjusted allotment, to handlers in accordance with the provisions of this section.

(a) Each season, prior to recommending regulation pursuant to § 951.60, the Industry Committee shall establish the quantity of grapes, per acre, which is likely to be shipped during the current season from mature vineyards and separate quantities for vineyards from nine years to one year of age, respectively. In establishing these quantities, the committee shall consider (1) the estimated production of grapes for the current season; (2) the average number of standard packages of grapes, per acre, shipped from the production area during preceding seasons; (3) the estimated total acreage of grapes in the production area during the current and past seasons; (4) the acreage of grapes which have been thinned; (5) production records of mature vineyards and of vineyards from nine years to one year of age; and (6) other relevant factors.

(b) Adjusted allotment shall be allocated to handlers proposing to ship grapes, as first handlers thereof (1) from a vineyard from which grapes were not shipped during one or both of the two preceding seasons, (2) from a vineyard for which records of shipments during one or both of such seasons are not available, or (3) from a vineyard with less shipments per acre during one or both of such seasons than the quantity established by the Industry Committee in accordance with paragraph (a) of this section for vineyards of similar age. The amount of adjusted allotment so allocated to a handler shall be equal to the difference between the allotment to which such handler is entitled pursuant to the provisions of paragraph (a) (1) of § 951.62 and the allotment to which such handler would be entitled pursuant to the provisions of said paragraph (a) (1) if the previous shipments from such vineyard were equal to the applicable quantity established by the committee in accordance with paragraph (a) of this section: *Provided*, That in no event shall such amount exceed the amount of adjusted allotment requested by such handler.

(c) Any handler entitled to adjusted allotment may apply to the Industry Committee, on forms prescribed by it, for such allotment. Such application shall be filed with the committee at least two days prior to the first allotment period for which he desires adjusted allotment and shall contain the following informa-

tion: (1) The identity of each vineyard for which adjusted allotment is requested; (2) the allotment period, or periods, for which such allotment is requested; and (3) the quantity of adjusted allotment requested for each such period.

(d) Any handler, to whom adjusted allotment is allocated for a vineyard, who fails to pack, or have packed, grapes from such vineyard to the extent of at least fifty percent during the first such allotment period, and eighty percent during each subsequent allotment period, of the applicable adjusted allotment, in addition to that portion of his allotment that is based on previous shipments from such vineyard, shall have deducted from allotment issued to him during the next allotment period an amount equivalent to such adjusted allotment. In addition, such handler shall not be entitled to adjusted allotment with respect to such vineyard unless such handler again applies for adjusted allotment therefor as provided in paragraph (c) of this section. Any quantity of grapes packed from a vineyard during an allotment period in excess of the quantity required to be packed pursuant to this paragraph may be carried forward and used in subsequent allotment periods to meet the packing requirements of this paragraph with respect to such vineyard.

§ 951.66 *Daily shipments during an allotment period.* A handler's daily allotment for any day of an allotment period shall be one-third of the total allotment (including adjusted allotment) issued to him for such allotment period; and a handler's shipments of grapes during any day of such period shall not exceed his daily allotment except by reason of allotment available as the result of the following: (a) An undershipment as provided in § 951.67; (b) an overshipment as provided in § 951.68; (c) an allotment loan as provided in § 951.69; (d) the repayment of allotment as provided in § 951.69.

§ 951.67 *Undershipments.* If, during any day within an allotment period, a handler ships grapes in an amount less than his daily allotment, he may ship during the remainder of such period, or during the allotment period beginning on the next day a quantity of grapes equal to such undershipment: *Provided,* That the amount of undershipment which such handler may ship on any one day shall not exceed the equivalent of such percentage of the total allotment issued to him for the allotment period during which such undershipment occurred as shall be established by the Industry Committee, or 1,105 standard packages of grapes, whichever is the greater.

§ 951.68 *Overshipments.* During any day within an allotment period, a handler may ship, in addition to his daily allotment, a quantity of grapes equivalent to such percentage of the total allotment issued to him for such period as shall be established by the Industry Committee, or 1,105 standard packages of grapes, whichever is the greater: *Provided,* That overshipments during an al-

lotment period shall be offset by undershipments during such period so that the net overshipment during such period shall not exceed the equivalent of 500 standard packages of grapes. Any such overshipment during an allotment period shall be deducted from the total allotment issued to such handler for the allotment period beginning on the next day.

§ 951.69 *Allotment loans.* (a) A person to whom allotment has been issued may lend such allotment to another person to whom allotment has also been issued. Such loans shall be confirmed to the Industry Committee by each such person within twenty-four hours after the loan agreement has been entered into; and each such agreement shall provide for the repayment of the loan during a specified allotment period of the current marketing season when shipments of grapes are regulated pursuant to § 951.61.

(b) An allotment may be loaned for use only during the allotment period for which such allotment is issued. Persons to whom allotment is repaid may use such allotments only during the allotment period in which the repayment is made.

(c) No allotment which is loaned may again be loaned by the borrower.

(d) The Industry Committee may act on behalf of persons desiring to arrange allotment loans. In each case, the committee shall confirm such transactions immediately after the completion thereof by memorandum addressed to the respective persons, which memorandum shall satisfy the confirmation requirements of paragraph (a) of this section.

(e) Except as provided in this section and in § 951.71, allotments are not transferable.

§ 951.70 *Priority of allotment.* Shipments during an allotment period shall first be applied against allotment issued for such allotment period before being applied against allotment available by reason of an undershipment, allotment loan, or repayment of allotment, in that order.

§ 951.71 *Assignment of allotment.* In connection with each handling of grapes which requires allotment, each handler shall, except with respect to shipments by rail car, at the time of shipment issue to the consignee or purchaser or agent thereof, an assignment of allotment certificate covering each quantity of grapes so handled. Such assignment of allotment certificate shall be on the form, and distributed in the manner, prescribed by the Industry Committee and shall contain the following information: (a) Date of shipment; (b) name and address of consignee or purchaser; (c) number of standard packages of grapes or the equivalent thereof in weight; (d) destination of shipment; (e) the license number or numbers of the truck and trailer transporting such grapes from the handler's place of business; and (f) the name of the handler issuing the assignment certificate. Such assignment shall also contain a certification to the United States Department of Agriculture and to the Industry Committee as to the

truthfulness of the information shown thereon.

§ 951.72 *Right of appeal.* If any grower or handler is dissatisfied with any action taken by the Industry Committee pursuant to §§ 951.60 through 951.72, such grower or handler may appeal to the Secretary: *Provided,* That such appeal shall be made promptly. Any such appeal shall be made by filing with the Industry Committee a written notice of appeal stating the grounds upon which the appeal is made. Thereupon, the Industry Committee shall review the action being contested and shall determine whether and to what extent its original action should be revised. If the committee affirms its original action, it shall promptly forward the notice of appeal to the Secretary together with all data and information applicable thereto. The Secretary may, upon an appeal made as aforesaid, affirm, modify, or reverse the action of the Industry Committee and such action by the Secretary shall be final.

7. Delete § 951.75 Reports and insert, in lieu thereof, the following:

§ 951.75 *Reports.* For the purpose of enabling the Industry Committee to perform its functions under this subpart, each handler shall furnish, or authorize any or all railroad, transportation, and cold storage agencies to furnish, to the confidential employees of the Industry Committee, complete information, in such form and at such times and substantiated in such manner as shall be prescribed by the Industry Committee, with regard to each shipment of grapes. Such information may include (a) a report of all grapes packed by or for such handler; (b) a report of each shipment outside the production area, except the delivery of grapes to a refrigerated storage warehouse for storage purposes within the State of California, which report shall include all grapes shipped from such storage and shall contain with respect to each such shipment the date and time of shipment, the name and address of the shipper, the car or truck license number, the number of standard packages of grapes or the billing weight thereof, the grade of such grapes, the name of the grower for whom such grapes are shipped, the place where the shipment originated, the destination and any diversion of the shipment made through any and all agencies; (c) a report of each delivery of grapes to a refrigerated storage warehouse, for storage purposes, within the State of California showing the name and address of the shipper, the location of the storage warehouse, and the number of standard packages of grapes or the billing weight thereof; (d) a report of each shipment made within the area of production showing the name and address of the shipper, the name and address of the consignee or purchaser, and the number of standard packages of grapes or the billing weight of the shipment; (e) a report by vineyards of all grapes packed from vineyards for which adjusted allotment was issued under the provisions of § 951.65; and (f) such other reports as the Industry Committee may require.

Such information may be compiled by the confidential employees and made available in summary form to all handlers and other interested persons who request a copy thereof: *Provided*, That such compilation or summary shall not reveal the identity of the individual furnishing the information. Such confidential employees shall not disclose, to any person other than the Secretary, any information that may be obtained pursuant to this section, except in the aforesaid manner.

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

Issued at Washington, D. C., this 13th day of August 1953, to become effective upon publication in the FEDERAL REGISTER.

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

[F. R. Doc. 53-7269; Filed, Aug. 17, 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

[B. A. I. Order 383, Revised, Amdt. 3]

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

##### SUBPART B—VESICULAR EXANTHEMA

##### DESIGNATION OF AREAS IN WHICH SWINE ARE AFFECTED

Pursuant to the authority conferred upon the Administrator of the Agricultural Research Administration by § 76.27 of Subpart B, as amended, Part 76, Title 9, Code of Federal Regulations (18 F. R. 3637) § 76.27a of said Subpart B (18 F. R. 3829, as amended) is hereby amended to read as follows:

§ 76.27a *Designation of areas in which swine are affected with vesicular exanthema.* The following areas are hereby designated as areas in which swine are affected with vesicular exanthema.

The State of California;  
The Town of Manchester in Hartford County, in Connecticut;  
Androscoggin, Cumberland, Kennebec, Somerset, and York Counties, in Maine;  
That area consisting of Hampden, Worcester, Middlesex, Essex, Suffolk, Norfolk, Bristol, and Plymouth Counties, in Massachusetts;

Section 20, Township One North, Range 26 East, in Yellowstone County, in Montana; Bergen, Hudson, Hunterdon, and Morris Counties and that area consisting of Union, Middlesex, Monmouth, Ocean, Burlington, Camden, Gloucester, Atlantic, and Cape May Counties, in New Jersey;

Poughkeepsie Township, in Dutchess County, and that area in Clarkstown Township lying north of New York State Route No. 59, in Rockland County, in New York; Swan Creek Township in Fulton County, in Ohio;

Bucks and Delaware Counties, in Pennsylvania;

That area in Atascosa County lying west of State Highway No. 346 and north of State Highway No. 173, that area in Bell County

lying north of U. S. Highway No. 190 and west of State Highways No. 36 and No. 317, that area in Dallas County lying south of State Highway No. 183 and west of the City of Dallas and U. S. Highway No. 67, and that area in Wichita County lying south of U. S. Highway No. 287 and east of U. S. Highway No. 281, in Texas.

*Effective date.* The foregoing amendment shall become effective upon issuance.

Section 76.27 of Subpart B, as amended, Part 76, Title 9, Code of Federal Regulations (18 F. R. 3637) quarantines the areas so designated.

The amendment designates the following as areas in which swine are affected with vesicular exanthema in addition to the areas heretofore designated:

Section 20, Township One North, Range 26 East, in Yellowstone County, in Montana; Swan Creek Township in Fulton County, in Ohio.

Hereafter, the restrictions pertaining to the interstate movement of swine and carcasses, parts and offal of swine from or through quarantined areas contained in 9 CFR, Part 76, Subpart B, as amended (18 F. R. 3636 et seq) apply to these areas.

The amendment excludes from the areas heretofore designated as areas in which swine are affected with vesicular exanthema.

Paris Township in Kent County, and Brownstown and Huron Townships in Wayne County, in Michigan;

That area in Bexar County lying south of Highway Loop 13 (South-west Military Drive) and between U. S. Highways No. 281 and No. 81, in Texas;

Sections 31-32, Township 4 North, Range One West, in Davis County, in Utah.

The Administrator of the Agricultural Research Administration has determined that swine in these areas are no longer affected with the disease, and that the quarantine of such areas is no longer required to prevent the dissemination thereof. Accordingly, these areas are no longer quarantined under said § 76.27, and the restrictions pertaining to the interstate movement of swine and carcasses, parts and offal of swine from or through quarantined areas contained in 9 CFR, Part 76, Subpart B, as amended (18 F. R. 3636 et seq) no longer apply to such areas. However, the restrictions pertaining to such movement from non-quarantined areas contained in said Subpart B apply thereto.

The effect of the amendment is to impose certain further restrictions necessary to prevent the spread of vesicular exanthema, a contagious, infectious, and communicable disease of swine, and to relieve certain restrictions presently imposed. The amendment must be made effective immediately to accomplish its purpose in the public interest and to be of maximum benefits to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest and good cause is found for making it effective less than 30 days after publication 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. Interpret or apply sec. 7, 23 Stat. 32, as amended; 21 U. S. C. 117)

Done at Washington, D. C., this 12th day of August 1953.

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

[F. R. Doc. 53-7264; Filed, Aug. 17, 1953; 8:54 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

#### Subchapter B—Economic Regulations

[Reg. No. ER-188]

#### PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

##### OPERATIONS BY AIR TAXI OPERATORS OVER CERTIFICATED HELICOPTER PASSENGER ROUTES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 12th day of August 1953.

On January 11, 1952, the Board adopted Part 298 to its Economic Regulations, which established a classification of air carriers known as air taxi operators, and granted to such air taxi operators certain exemption authority. The principal restriction on the authority therein contained in respect of operations within the continental limits of the United States was that no service should be offered or performed by an air taxi operator between any two points between which a scheduled helicopter passenger service is provided by the holder of a certificate of public convenience and necessity authorizing such service. "Point" as used in the regulation meant "any airport or place where aircraft may be landed or taken off, including the area within a 25-mile radius of such airport or place"

By petition filed on June 12, 1952, National Air Taxi Conference requested the Board to initiate rule-making proceedings looking to the repeal of this restriction or the amendment of the part so as to permit irregular air taxi service between points served by helicopter passenger carriers.

This proposal was circulated to the public under date of July 14, 1952, as a Notice of Proposed Rule-Making in response to petition, and concurrently therewith a Special Economic Regulation was issued permitting air taxi operators to perform irregular service between points between which scheduled helicopter service is provided by the holder of a certificate of public convenience and necessity authorizing such service. The effect of this special regulation, which was to be in force as an interim measure pending the reconsideration by the Board of the restriction on Part 298, was to liberalize in a certain measure the operating authority granted in Part 298. However, while irregular operations were permitted between points served by helicopter passenger carriers, the definition of "point" was left unchanged, with the result that operations otherwise than on

an irregular basis would be foreclosed within and between areas of considerable size in those metropolitan districts in which authorized helicopter passenger service is now or shortly will be performed.

The Board, after having given full consideration to the comment received, now desires to incorporate the principle of the special interim regulation as a permanent amendment to Part 298 and, in addition, to narrow the word "point" as used in the regulation to an area within a radius of three miles of an airport.

In granting this further liberalization from the restriction initially contained in Part 298, the Board is confining the exemption authority in this area to operators of fixed wing aircraft. Thus, while uncertificated helicopter operators who otherwise satisfy the conditions of Part 298 will be permitted to operate such aircraft between points not served by certificated passenger helicopter services, they will be entirely prohibited from competing in any respect with certificated helicopter carriers.

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

In consideration of the foregoing, the Civil Aeronautics Board finds that, except to the extent provided in Part 298 as hereby amended, the enforcement of the provisions of Title IV of the Civil Aeronautics Act of 1938, as amended, and the rules and regulations issued thereunder is or would be an undue burden on air taxi operators by reason of the limited extent of and unusual circumstances affecting the operations of such class of air carriers and is not in the public interest. Accordingly, the Civil Aeronautics Board hereby amends Part 298 of the Economic Regulations (14 CFR 298) effective September 16, 1953, as follows:

1. By amending § 298.1 (a) (3) to read as follows:

(3) "Point" when used in connection with territory or possession of the United States, means any airport or place where aircraft may be landed or taken off, including the area within a 25-mile radius of such airport or place; when used in connection with the continental United States (excluding Alaska) it shall have a similar meaning but shall be limited to the area within a 3-mile radius of such airport or place.

2. By amending § 298.7 (b) to read as follows:

(b) Within the territories or within the possessions of the United States, other than the Territory of Alaska, or between any two points between which scheduled helicopter passenger service is provided by the holder of a certificate of public convenience and necessity authorizing such service, no air taxi operator shall operate or hold out to the public expressly or by course of conduct that it operates thereon, one or more aircraft between designated points or within a designated point, regularly or with a reasonable degree of regularity, upon

which aircraft it accepts for transportation, for compensation or hire, such members of the public as apply therefor or such property as the public offers. Service shall be deemed to be regular within the meaning of this paragraph unless it is of such infrequency as to preclude an implication of a uniform pattern or normal consistency of operation between, or within, such designated points.

3. By amending § 298.7 (d) to read as follows:

(d) No service by helicopter shall be offered or performed by an air taxi operator between any two points between which scheduled helicopter service is provided by the holder of a certificate of public convenience and necessity authorizing such service.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 53-7281; Filed, Aug. 17, 1953; 8:55 a. m.]

**Chapter II—Civil Aeronautics Administration, Department of Commerce**

[Amdt. 15]

**PART 600—DESIGNATION OF CIVIL AIRWAYS ALTERATIONS**

The civil airway 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 to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 600 is amended as follows:

1. Section 600.6003 *VOR civil airway No. 3 (Key West, Fla., to Bangor, Maine)* is amended after Wilton, Conn., omnirange station to read: "Wilton, Conn., omnirange station; Hartford, Conn., omnirange station; intersection of the Hartford omnirange 045° True and the Boston omnirange 256° True radials; Boston, Mass., omnirange station; Kennebunk, Maine, omnirange station; Augusta, Maine, omnirange station to the Bangor, Maine omnirange station."

2. Section 600.6012 *VOR civil airway No. 12 (Daggett, Calif., to Philadelphia, Pa.)* is amended between the Columbus, Ohio, omnirange station and the Pittsburgh, Pa., omnirange station to read: "Columbus, Ohio, omnirange station, including a north alternate; Wheeling, W. Va., omnirange station; Pittsburgh, Pa., omnirange station;"

3. Section 600.6090 is amended to read:

§ 600.6090 *VOR civil airway No. 90 (Lansing, Mich., to Milford, Mich.)* From the Lansing, Mich., omnirange station to the point of intersection of the

Lansing omnirange 039° True and the Detroit, Mich., omnirange 343° True radials.

4. Section 600.6098 is added to read:

§ 600.6098 *VOR civil airway No. 98 (Erie, Pa., to Elmira, N. Y.)* From the Erie, Pa., omnirange station to the Elmira, N. Y., omnirange station.

5. Section 600.6116 is added to read:

§ 600.6116 *VOR civil airway No. 116 (Erie, Pa., to Wilkes-Barre, Pa.)* From the Erie, Pa., omnirange station via the Bradford, Pa., nondirectional radio beacon to the Wilkes-Barre, Pa., omnirange station.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 352, 52 Stat. 935, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. August 18, 1953.

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

[F. R. Doc. 53-7229; Filed, Aug. 17, 1953; 8:45 a. m.]

[Amdt. 15]

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

**ALTERATIONS**

The control area and reporting point 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 to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.6098 is added to read:

§ 601.6098 *VOR civil airway No. 98 control areas (Erie, Pa., to Elmira, N. Y.)*. All of VOR civil airway No. 98.

2. Section 601.6116 is added to read:

§ 601.6116 *VOR civil airway No. 116 control areas (Erie, Pa., to Wilkes-Barre, Pa.)* All of VOR civil airway No. 116.

3. Section 601.7001 *Domestic VOR reporting points* is amended by adding the following reporting points:

Millbury intersection: the intersection of the Hartford, Conn., omnirange 045° True and the Boston, Mass., omnirange 253° True radials.

Olean intersection: the intersection of the Buffalo, N. Y., omnirange 178° True and the Elmira, N. Y., omnirange 269° True radials.  
Point Reyes, California, omnirange station.

and by deleting the following reporting point:

Point Reyes intersection: Intersection of the Oakland, Calif., omnirange 305° True and the Ukiah, Calif., omnirange 162° True radials.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1097, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. August 18, 1953.

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

[F. R. Doc. 53-7221; Filed, Aug. 17, 1953;  
8:46 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 6001]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### GENERAL SHOE CORP.

Subpart—*Advertising falsely or misleadingly*: § 3.170 *Qualities or properties of product or service*. In connection with the offering for sale, sale or distribution in commerce, of respondent's shoes designated "Storybook Shoes" "Acrobat Shoes" and "Acrobat Safety Shoes" or any other shoes of similar construction, irrespective of the designation applied thereto, (1) representing, directly or by implication that the wearing of respondent's "Storybook Shoes" will hold the foot in its natural position, keep the foot properly aligned, hold the foot accurately in the shoe, insure correct growth of the foot, provide strong support for the arch of the foot, guard against foot ills, or provide better balance; (2) representing, directly or by implication, that the resilient pads at the heel and arch in respondent's children's shoes prevent forward skid, give arch support, cushion jolts, or protect nerve terminals of the nerve ends in the heel, (3) representing, directly or by implication, that the wearing of respondent's "Acrobat Shoes" gives growing feet the proper foundation and combination of features for foot health, will keep young feet healthy, eliminate pronation of ankles or keep young ankles straight or strong; (4) representing, directly or by implication, that the wearing of respondent's "Acrobat Safety Shoes" will start children, in good walking habits; will set the foot in a straight line, gives extra ankle support or guides the ankle straight, or will have any value in the building of muscles or strong sound feet; (5) using the word "health" or any other word or term of similar meaning, alone or in combination with any other word or words, to designate, describe or refer to respondent's shoes, or representing in any manner that the wearing of respondent's shoes will prevent or cure diseases or abnormalities of the feet, keep the feet healthy, prevent the development of abnormalities, or correct any disorder of the feet; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Cease and desist order, General Shoe Corporation, Nashville, Tenn., Docket 6001, July 13, 1953.]

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission on June 17, 1952, issued and subsequently served its

complaint in this proceeding upon respondent General Shoe Corporation, a corporation, charging it with the use of unfair and deceptive acts and practices in commerce in violation of the provisions of said act. After the service of said complaint and the filing of respondent's answer thereto, hearings were held at which testimony and other evidence in support of the allegations of said complaint were introduced before a hearing examiner of the Commission theretofore duly designated by it and named in the "Notice" appended to the complaint at the time of its issuance, and said testimony and other evidence were duly recorded and filed in the office of the Commission. Respondent elected to offer no evidence on its own behalf, except the cross-examination of witnesses produced against it. Thereafter the proceeding regularly came on for final consideration by said hearing examiner on the complaint, the answer thereto, and testimony and other evidence, and said hearing examiner on October 13, 1952, filed his initial decision.

The Commission, having reason to believe that the order contained in said initial decision did not constitute an appropriate disposition of the proceeding, on November 12, 1952, issued and thereafter served upon the parties its order placing the case upon the Commission's own docket for review. Thereafter the Commission, having considered the entire record and having prepared a tentative order, caused copies of the said tentative order to be served upon respondent together with its order issued on March 31, 1953, granting leave to respondent to file, within twenty days after service thereof, objections to the changes in the order continued in the hearing examiner's initial decision as shown in the tentative order of the Commission.

No objections having been filed, the proceeding came on for final consideration by the Commission upon the record herein for review and the Commission, having duly considered the matter and being now fully advised in the premises, finds that this proceeding is in the interest of the public and makes the following findings as to the facts,<sup>1</sup> conclusion drawn therefrom,<sup>1</sup> and order, the same to be in lieu of the initial decision of the hearing examiner.

*It is ordered*, That the respondent General Shoe Corporation, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's shoes designated "Storybook Shoes," "Acrobat Shoes" and "Acrobat Safety Shoes," or any other shoes of similar construction, irrespective of the designation applied thereto, do forthwith cease and desist from:

(1) Representing, directly or by implication that the wearing of respondent's "Storybook Shoes" will hold the

foot in its natural position, keep the foot properly aligned, hold the foot accurately in the shoe, insure correct growth of the foot, provides strong support for the arch of the foot, guard against foot ills, or provide better balance.

(2) Representing, directly or by implication, that the resilient pads at the heel and arch in its children's shoes prevent forward skid, give arch support, cushion jolts, or protect nerve terminals of the nerve-ends in the heel.

(3) Representing, directly or by implication, that the wearing of respondent's "Acrobat Shoes" gives growing feet the proper foundation and combination of features for foot health; will keep young feet healthy, eliminate pronation of ankles or keep young ankles straight or strong.

(4) Representing, directly or by implication, that the wearing of respondent's "Acrobat Safety Shoes" will start children in good walking habits; will set the foot in a straight line, gives extra ankle support or guides the ankle straight, or will have any value in the building of muscles or strong, sound feet.

(5) Using the word "health" or any other word or term of similar meaning alone or in combination with any other word or words, to designate, describe or refer to respondent's shoes, or representing in any manner that the wearing of respondent's shoes will prevent or cure diseases or abnormalities of the feet, keep the feet healthy, prevent the development of abnormalities, or correct any disorder of the feet.

*It is further ordered*, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: July 13, 1953.

By the Commission.<sup>2</sup>

[SEAL] D. C. DANIEL,  
Secretary.

[F. R. Doc. 53-7262; Filed, Aug. 17, 1953;  
8:52 a. m.]

## TITLE 29—LABOR

### Chapter V—Wage and Hour Division, Department of Labor

#### PART 516—RECORDS TO BE KEPT BY EMPLOYERS

##### PART 621—GLOVES AND MITTENS INDUSTRY, MINIMUM WAGE ORDER, HOME WORKERS

NOTE: For Notice of Exceptions from Record-Keeping Requirements to employers of home workers in the Glove Industry in the State of New York, relieving such employers from certain requirements of § 516.21 (c) and § 621-108, see F. R. Doc. 53-7224 in the Notices Section, *infra*.

<sup>2</sup> Commissioner Mason dissenting and stating that he is in accord with the ruling of the hearing examiner as approved by the United States Court of Appeals for the Seventh Circuit in Docket 4795—R. J. Reynolds Tobacco Company.

<sup>1</sup> Filed as part of the original document.

**TITLE 32A—NATIONAL DEFENSE,  
APPENDIX**

**Chapter I—Office of Defense  
Mobilization**

[Defense Mobilization Order 7, Revised]

**DMO 7—RECONSTITUTING THE COMMITTEE ON DEFENSE TRANSPORTATION AND STORAGE**

By virtue of the authority vested in me by Executive Order 10461 of June 17, 1953, and in accordance with Executive Order 10219 of February 28, 1951, and in order to insure coordination and effectiveness of Federal policies and programs relating to transportation and storage, it is hereby ordered:

1. The Committee on Defense Transportation and Storage, heretofore created by Defense Mobilization Order No. 7 of March 13, 1951, is hereby reestablished and shall consist of a Chairman, who shall be the Under Secretary of Commerce for Transportation, and a representative designated by the head of each of the following agencies:

- Department of State.
- Department of the Treasury.
- Department of Defense.
- Department of the Interior.
- Department of Agriculture.
- Department of Commerce.
- Defense Transport Administration.
- Foreign Operations Administration.
- Federal Civil Defense Administration.

and such other members as the Director of the Office of Defense Mobilization may hereafter provide.

2. The Committee on Defense Transportation and Storage shall:

a. Advise the Director of the Office of Defense Mobilization on problems relating to transportation and storage which come within his jurisdiction.

b. Review Federal policies, plans, and programs relating to defense transportation and storage, and advise the Director of the Office of Defense Mobilization concerning policies, methods, and measures for improving the coordination and obtaining the most effective utilization of the various forms and facilities of transportation and storage, including among other matters, policies, methods, and measures for the coordination of inland and ocean transportation and the operation of ports.

c. Review for the Director of the Office of Defense Mobilization such proposed legislation, Executive Orders, and administrative orders and regulations relating to transportation and storage as he may direct.

3. This order shall take effect on August 19, 1953.

OFFICE OF DEFENSE  
MOBILIZATION,  
ARTHUR S. FLEMING,  
Director.

AUGUST 17, 1953.

[F. R. Doc. 53-7319; Filed, Aug. 17, 1953; 11. 07 a. m.]

**Chapter XIV—General Services  
Administration**

[Regulation 2, Amdt. 1 to Revision 1]

**REG. 2—TUNGSTEN REGULATION:  
DOMESTIC TUNGSTEN PROGRAM**

**PARTICIPATION IN THE PROGRAM**

Pursuant to the authority vested in me by delegation from the Defense Materials Procurement Administrator (16 F. R. 9446) this regulation is amended as follows:

In section 3 (a) delete the date "June 30, 1953" and in lieu thereof substitute the following: "June 30, 1954"

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 95, 83d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment is effective immediately.

Dated: August 13, 1953.

EDMUND F. MANSURE,  
Administrator.

[F. R. Doc. 53-7301; Filed, Aug. 14, 1953; 5:11 p. m.]

[Regulation 3, Amdt. 1 to Revision 1]

**REG. 3—MANGANESE REGULATION: PURCHASE PROGRAM FOR DOMESTIC MANGANESE ORE AT DELING, N. MEX.**

**PARTICIPATION IN THE PROGRAM**

Pursuant to the authority vested in me by delegation from the Defense Materials Procurement Administrator (16 F. R. 9446), this regulation is amended as follows:

In section 3, delete the date "June 30, 1953" and in lieu thereof substitute the following: "June 30, 1954"

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 95, 83d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment is effective immediately.

Dated: August 13, 1953.

EDMUND F. MANSURE,  
Administrator.

[F. R. Doc. 53-7305; Filed, Aug. 14, 1953; 5:11 p. m.]

[Regulation 4, Amdt. 3 to Revision 1]

**REG. 4—MANGANESE REGULATION: PURCHASE PROGRAM FOR DOMESTIC MANGANESE ORE AT BUTTE AND PHILIPSBURG, MONT.**

**PARTICIPATION IN THE PROGRAM**

Pursuant to the authority vested in me by delegation from the Defense Materials Procurement Administrator (16 F. R. 9446, 18 F. R. 396) this regulation as revised and amended, is further amended as follows:

In section 3, delete the date "June 30, 1953" and in lieu thereof substitute the following: "June 30, 1954"

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 95, 83d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment is effective immediately.

Dated: August 13, 1953.

EDMUND F. MANSURE,  
Administrator

[F. R. Doc. 53-7303; Filed, Aug. 14, 1953; 5:11 p. m.]

[Amdt. 1]

**ASBESTOS REGULATION: PURCHASE PROGRAM FOR NONFERROUS CHRYSOTILE ASBESTOS PRODUCED IN ARIZONA**

**PARTICIPATION IN THE PROGRAM**

Pursuant to the authority vested in me by delegation from the Defense Materials Procurement Administrator (17 F. R. 11706) this regulation is amended as follows:

In section 6, delete the date "June 30, 1953" and in lieu thereof substitute the following: "June 30, 1954"

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 95, 83d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment is effective immediately.

Dated: August 13, 1953.

EDMUND F. MANSURE,  
Administrator.

[F. R. Doc. 53-7299; Filed, Aug. 14, 1953; 5:10 p. m.]

[Amdt. 1]

**BERYL REGULATION: PURCHASE PROGRAM FOR DOMESTICALLY PRODUCED BERYL ORE**

**PARTICIPATION IN THE PROGRAM**

Pursuant to the authority vested in me by delegation from the Defense Materials Procurement Administrator (17 F. R. 9028), this regulation is amended as follows:

In section 2 (b) delete the date "June 30, 1953" and in lieu thereof substitute the following: "June 30, 1954"

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 95, 83d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment is effective immediately.

Dated: August 13, 1953.

EDMUND F. MANSURE,  
Administrator.

[F. R. Doc. 53-7300; Filed, Aug. 14, 1953; 5:11 p. m.]

[Revision 1, Amdt. 1]

**MANGANESE REGULATION: DOMESTIC MANGANESE PURCHASE PROGRAM**

**PARTICIPATION IN THE PROGRAM**

Pursuant to the authority vested in me by delegation from the Defense Materials Procurement Administrator (17 F. R. 6169), this regulation is amended as follows:

In section 4, delete the date "June 30, 1953" and in lieu thereof substitute the following: "June 30, 1954"

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 95, 83d Cong., 50 U. S. C. App. Sup. 2154)

This amendment is effective immediately.

Dated: August 13, 1953.

EDMUND F MANSURE,  
Administrator

[F. R. Doc. 53-7302; Filed, Aug. 14, 1953;  
5:11 p. m.]

[Amdt. 3]

MANGANESE REGULATION PURCHASE PROGRAM FOR DOMESTIC MANGANESE ORE AT WENDEN, ARIZONA

PARTICIPATION IN THE PROGRAM

Pursuant to the authority vested in me by delegation from the Defense Materials Procurement Administrator (17 F. R. 6013) this regulation, as amended, is further amended as follows:

In section 3, delete the date "August 31, 1953" and in lieu thereof substitute the following: "June 30, 1954"

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 95, 83d Cong., 50 U. S. C. App. Sup. 2154)

This amendment is effective immediately.

Dated: August 13, 1953.

EDMUND F MANSURE,  
Administrator

[F. R. Doc. 53-7304; Filed, Aug. 14, 1953;  
5:11 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers,  
Department of the Army

PART 203—BRIDGE REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499) § 203.85 is hereby amended to provide special regulations for the State of Rhode Island highway bridge across the Sakonnet River, as follows:

§ 203.85 *Sakonnet River R. I., State of Rhode Island highway bridge and New York, New Haven and Hartford Railroad Company bridge at Tiverton.* (a) The owner of or agency controlling each bridge shall maintain in good and efficient order the drawspan and the machinery and appliances for operating the same and for assisting vessels while passing through the draw. The owner of or agency controlling each bridge shall also provide and maintain at the drawspan such number of draw tenders or operators as may be necessary to open and close the same promptly and shall also provide and maintain in good order on the bridge piers or fenders such fixtures as may be necessary to vessels in mooring or making fast while waiting for the drawspan to open.

(b) The signal for opening the draw of each of these bridges shall be three short blasts of a whistle or horn. This signal shall be answered by one long blast of a whistle or horn on the bridge when the operation of opening is commenced, or, if the draw cannot be opened promptly, by three long blasts and in addition a red flag or ball by day and a red light by night shall be conspicuously displayed on the bridge.

(c) Except as otherwise provided in paragraphs (d) and (h) of this section the draw of each bridge shall be immediately opened upon receiving the prescribed signal for the passage of vessels at any hour of the day or night.

(d) Exceptions: (1) When a train which will entirely cross the railroad bridge before stopping has reached the distance signal of the bridge and is in motion toward the bridge, the train may continue across the bridge, but in no case, except as provided in subparagraph (2) of this paragraph, shall the opening of the bridge for a vessel be delayed more than four minutes after the signal is given.

(2) When the draw of either of the bridges shall have been open for 10 minutes or longer, it may be closed for the crossing of trains, cars, vehicles, or persons, if any be waiting to cross, and after being so closed for 10 minutes or for such shorter time as may be necessary for the trains, cars, vehicles, or persons to cross, it shall again be opened promptly for the passage of all vessels if there be any such desiring to pass. The length of time that a draw shall have been open shall be computed from the time that the draw is fully open, and the length of time that a draw has been open shall be computed from the time that the draw ceases to move in closing.

(3) The exceptions contained in this paragraph shall not apply to vessels owned or operated by the United States, vessels in distress, and vessels employed for police and fire protection by any town or municipality touching upon Sakonnet River. All such United States and municipal vessels, and vessels in distress, shall be passed through the draws of the bridges at any hour of the day or night.

(e) For every vessel that cannot pass a closed bridge the operation of the draw shall afford full horizontal and vertical clearance in the draw opening regardless of the size or requirements of the passing vessel.

(f) Trains, cars, vehicles, or persons shall not be stopped on a bridge for the purpose of delaying its opening, nor shall watercraft be so handled or placed as to delay the opening or closing of the draw, but all passage over, under, or through a draw shall be prompt to prevent delay to either land or water traffic.

(g) The general regulations contained in paragraphs (a) to (f) inclusive, of this section shall apply to each bridge except as modified by the special regulation contained in paragraph (h) of this section. The special regulations shall not apply to vessels owned or operated by the United States, a vessel in distress, or to vessels employed for police or fire protection by any town or municipality touching upon Sakonnet River. All such United States and mu-

nicipal vessels, and vessels in distress, shall be passed through the draws of the bridges during the closed period.

(h) State of Rhode Island highway bridge: From 7:10 a. m. to 7:40 a. m., Monday through Friday, inclusive, the draw of the highway bridge will not be required to be opened for the passage of vessels.

2. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499) § 203.349 is hereby prescribed establishing special signals for the operation of the Norfolk-Berkley Bridge across the eastern branch of Elizabeth River, between Norfolk and Berkley, Virginia, as follows:

§ 203.349 *Eastern Branch of Elizabeth River Va., Elizabeth River Tunnel Commission bridge between Norfolk and Berkley*—(a) *Sound signals.* To be used if weather conditions are such that sound signals can be heard:

(1) *Call signal for opening of draw.* When a vessel approaches the bridge and desires to pass through the draw, three distinct blasts of a whistle, horn or megaphone or three loud and distinct strokes of a bell shall be sounded from the vessel when within reasonable hearing distance of the bridge.

(2) *Acknowledging signals*—(i) *When the draw must be cleared of traffic and prepared for opening.* The draw tender shall reply with two distinct blasts of a whistle, horn or megaphone or by two loud and distinct strokes of a bell. The vessel shall be checked and standby for either the signal in subdivision (ii) or subdivision (iii) of this subparagraph.

(ii) *When the draw is clear of traffic and can be opened immediately.* The draw tender shall reply with three distinct blasts of a whistle, horn or megaphone or by three loud and distinct strokes of a bell.

(iii) *When the draw cannot be opened for an indefinite period or when it is open and must be closed immediately.* The draw tender shall reply with four or more distinct blasts of a whistle, horn or megaphone or four or more loud and distinct strokes of a bell, to be followed by the signal in subdivision (ii) of this subparagraph when the draw is to be opened.

(b) *Visual signals.* To be used if weather conditions are such that sound signals may not be heard.

(1) *Call signal for opening of draw.* When a vessel approaches the bridge and desires to pass through the draw signals shall be made from the approaching vessel by swinging in vertical circles at arm's length a lighted lantern at night and a flag by day.

(2) *Acknowledging signals*—(i) *When the draw must be cleared of traffic and prepared for opening.* The draw tender shall reply by swinging in vertical circles at arm's length a lighted lantern at night and a flag by day. The vessel shall be checked and standby for either the signal in subdivision (ii) or subdivision (iii) of this subparagraph.

(ii) *When the draw is clear of traffic and can be opened immediately.* The draw tender shall reply by raising and lowering in a vertical plane a number of

times a lighted lantern at night and a flag by day.

(iii) *When the draw cannot be opened for an indefinite period or when it is open and must be closed immediately.* The draw tender shall reply by swinging to and fro horizontally a number of times a lighted lantern at night and a flag by day, to be followed by the signal in subdivision (ii) of this subparagraph when the draw is to be opened.

(c) *Posting of regulations in this section.* The owner of or agency controlling the bridge shall keep a legible copy of the regulations in this section posted conspicuously on both the upstream and downstream sides of the bridge.

3. In § 203.712 (g) subparagraph (2) is changed to read as follows:

§ 203.712 *Tributaries of San Francisco Bay and San Pablo Bay Calif.* \* \* \*

(g) *Petaluma Creek.* \* \* \*  
(2) *State of California bridge at "D" Street, Petaluma.* From 8:00 a. m. to 6:00 p. m., the bridge shall be opened promptly on receipt of the prescribed signal from a vessel desiring to pass through the bridge. Between 6:00 p. m. and 8:00 a. m., at least 6 hours' advance notice required, to be given to the Petaluma Police Department, telephone Petaluma 2-2727.

[Regs., July 23, 1953, ENGWO] (28 Stat. 3C2; 33 U. S. C. 499)

[SEAL] Wm. E. BERGIN,  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 53-7218; Filed, Aug. 17, 1953; 8:45 a. m.]

## TITLE 36—PARKS, FORESTS, AND MEMORIALS

### Chapter III—Corps of Engineers, Department of the Army

#### PART 323—PUBLIC USE OF THE McNARY RESERVOIR AREA, OREGON AND WASHINGTON

*Determination of the Secretary.* The Secretary of the Army having determined that the use of the McNary Reservoir Area by the general public for boating, swimming, bathing, fishing and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the reservoir for its primary purpose, hereby prescribes rules and regulations pursuant to the provision of section 4 of the act of Congress approved December 22, 1944 (58 Stat. 889; 16 U. S. C. 460d) as amended by the Flood Control Act of 1946 (60 Stat. 641) for the public use of the McNary Reservoir Area, Oregon and Washington.

A new Part 323 is hereby prescribed as follows:

Sec.  
323.1 Area covered.  
323.2 Boats commercial.  
323.3 Boats private.  
323.4 Houseboats.  
323.5 Swimming and bathing.  
323.6 Hunting and fishing.

Sec.  
323.7 Camping.  
323.8 Picnicking.  
323.9 Access to water area.  
323.10 Destruction of public property.  
323.11 Firearms and explosives.  
323.12 Gasoline and oil storage.  
323.13 Sanitation.  
323.14 Advertisement.  
323.15 Unauthorized solicitations and business activities.  
323.16 Commercial operations.  
323.17 Recreational activity programs.

AUTHORITY: §§ 323.1 to 323.17 issued under sec. 4, 58 Stat. 889, as amended; 16 U. S. C. 460d.

SOURCE: Regs., July 23, 1953, ENGWO.

§ 323.1 *Area covered.* (a) The regulations contained in this part shall be applicable to lands of the McNary Reservoir Area, excluding the lock area, Columbia River, Oregon and Washington, under the jurisdiction of the Department of the Army and to access and use of the reservoir from such lands.

(b) In those portions of the reservoir area which are now or which hereafter are managed by other governmental agencies (including state, county and municipal) pursuant to leases or licenses granted by the Department of the Army, such agencies may make and enforce such rules and regulations as are necessary, and within its legal authority.

§ 323.2 *Boats commercial.* No boat, barge or other vessel shall be placed upon or operated upon any water of the reservoir from any lands covered by § 323.1, for a fee or profit, either as a direct charge to a second party or as an incident to other services provided to the second party, except as specifically authorized by lease, license, or concession contract with the Department of the Army.

§ 323.3 *Boats private.* (a) The operation of boats on the reservoir for fishing and recreational use is permitted, except in prohibited areas designated by the District Engineer in charge of the reservoir area.

(b) All boats using the reservoir area shall be equipped for safe operation and operated in a safe manner.

(c) Boats shall be moored only in areas designated by the District Engineer.

(d) A permit shall be obtained from the District Engineer for any special boat-mooring facilities.

(e) The District Engineer in charge of the area shall have authority to revoke the permit for the boat mooring facilities and to require their removal upon the failure of the permittee to comply with the terms and conditions of the permit or with the regulations in this part.

§ 323.4 *Houseboats.* (a) A permit shall be obtained from the District Engineer for moorage of any houseboat on the water of McNary Reservoir, Columbia River, Oregon and Washington.

(b) Refuse, garbage, rubbish, or waste of any kind shall be disposed of in the manner designated by the District Engineer or his authorized representative.

(c) Houseboats shall be securely moored in the area designated by the District Engineer.

(d) Houseboats shall be maintained in a condition satisfactory to the District Engineer and shall not be abandoned on the reservoir area.

(e) The District Engineer shall have authority to revoke the permit and require the removal of the houseboat upon failure of the permittee to comply with the terms and conditions or with the regulations in this part.

§ 323.5 *Swimming and bathing.* Swimming and bathing are permitted except in prohibited areas designated by the District Engineer.

§ 323.6 *Hunting and fishing.* (a) Hunting and fishing are permitted in accordance with all applicable Federal, State, and local laws for the protection of fish and game, except in prohibited areas designated by the District Engineer.

(b) Hunting shall be with shotgun only.

(c) A permit shall be obtained from the District Engineer or his authorized representative to construct a duckblind on the water of the reservoir or upon the reservoir land.

§ 323.7 *Camping.* (a) Camping is permitted only in areas designated by the District Engineer in charge of the reservoir area or his authorized representative, or the managing agency referred to in § 323.1 (b)

(b) Approval of the District Engineer, or his authorized representative, is required to camp in the reservoir area for any one period of two weeks or longer, or the managing agency referred to in § 323.1 (b)

(c) Camping equipment shall not be abandoned or left unattended for 48 hours or more.

(d) The installation of any permanent facilities at any public campground is permitted only on written authorization of the District Engineer or his authorized representative, or the managing agency referred to in § 323.1 (b)

(e) Campers shall keep their campgrounds clean and dispose of combustibles and refuse in accordance with instructions posted by the District Engineer at each campground, or the managing agency referred to in § 323.1 (b)

(f) Due diligence shall be exercised in building and putting out campfires to prevent damages to trees and vegetation and to prevent forest and grass fires.

(g) Camps must be completely razed and sites cleaned before the departure of the campers.

§ 323.8 *Picnicking.* Picnicking is permitted except in prohibited areas designated by the District Engineer or his authorized representative, or the managing agency referred to in § 323.1 (b)

§ 323.9 *Access to water area.* (a) Pedestrian access is permitted along the shores of the reservoir except in areas designated by the District Engineer or his authorized representatives.

(b) Automobile access is permitted only over open public and reservoir roads.

(c) Access for the general public to launch boats is permitted except in prohibited areas designated by the District

Engineer or his authorized representative or by the managing agency referred to in § 323.1.

§ 323.10 *Destruction of public property.* The destruction, injury, defacement, or removal of public property or of vegetation, rock or minerals, except as authorized, is prohibited.

§ 323.11 *Firearms and explosives.* Loaded rifles, loaded pistols, and explosives of any kind are prohibited in the area, except when in the possession of a law enforcement officer on official duty or when specifically authorized. Loaded shotguns are also prohibited in the area except during the hunting season, as permitted under § 323.6, or when in the possession of a law enforcement officer on official duty, or when specifically authorized.

§ 323.12 *Gasoline and oil storage.* Gasoline and other inflammable or combustible liquids shall not be stored in, upon, or about the reservoir or shores thereof without the written permission of the District Engineer or his authorized representative.

§ 323.13 *Sanitation.* Refuse, garbage, rubbish, or waste of any kind shall not be thrown on or along roads, picnicking or camping areas, in the reservoir waters, or on any of the lands around the reservoir, but shall be buried or burned, or disposed of at designated points or places designed for the sanitary disposal thereof.

§ 323.14 *Advertisements.* Private notices and advertisements shall not be posted, distributed, or displayed in the reservoir areas except such as the District Engineer or his authorized representative may deem necessary for the convenience and guidance of the public using the area for recreation purposes.

§ 323.15 *Unauthorized solicitations and business activities.* No person, firm, or corporation, or their representatives shall engage in or solicit any business on the reservoir area without permission in writing from the District Engineer or in accordance with terms of a lease, license, or concession contract with the Department of the Army.

§ 323.16 *Commercial operations.* All commercial operations or activities on the lands under the control of the Department of the Army around the reservoir shall be in accordance with lease, license, or other agreements with the Department of the Army.

323.17 *Recreational activity programs.* (a) Special recreational programs requiring the temporary use of lands covered in § 323.1 (a) are permitted in areas designated by the District Engineer or his authorized representative or by the managing agency referred to in § 323.1 (b)

(b) The responsible agency conducting such special recreation program shall obtain a permit for the program. No charge will be made for this permit.

(c) The District Engineer in charge of the area shall have authority to revoke any permit granted under this section and to require the removal of any equipment upon failure of the permittee to comply with the terms and conditions

of the permit or with the regulations in this part.

[SEAL] WM. E. BERGIN,  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 53-7219; Filed, Aug. 17, 1953;  
8:45 a. m.]

## TITLE 39—POSTAL SERVICE

### Chapter I—Post Office Department

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

##### PART 52—RURAL DELIVERY

#### MAILING OF MATTER WITHOUT STAMPS AFFIXED; UNSTAMPED MAIL PLACED IN RURAL BOXES

a. In § 35.4 *Mailing of matter without stamps affixed* amend paragraph (h) as follows:

1. Strike out "Bureau of Finance" and insert in lieu thereof the following: "Bureau of Post Office Operations, except that second-class publications charged with postage at the per copy rates prescribed by § 34.41 (a) (b) (i) and (j) of this chapter shall bear only the indicia prescribed by § 34.31 (a) of this chapter."

2. Add the following note:

NOTE: See § 42.12 (d) and (e) of this chapter as to advertisements, slogans, pictures, and insignia used in connection with meter indicia.

(R. S. 161, 396, sec. 5, 41 Stat. 583, as amended, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 273)

b. In § 52.41 *Unstamped mail placed in rural boxes* amend paragraph (c) to read as follows:

(c) *Boxes to be used for mail only.* Mail boxes erected on rural routes shall be used exclusively for the reception of matter regularly in the mails, and any mailable matter, such as circulars and handbills deposited therein shall be treated in accordance with the rules governing the mails, including proper addressing and the payment of postage at the regular rate, except that publishers of newspapers entered to the second class of mail matter may for Sundays and national holidays only place copies of the Sunday or holiday issues in the rural and star route boxes of subscribers with the understanding that the copies will be removed from the boxes before the next day on which mail deliveries are scheduled.

(R. S. 161, 396, sec. 1, 39 Stat. 423, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 191)

[SEAL] ROSS RIZLEY,  
Solicitor

[F. R. Doc. 53-7227; Filed, Aug. 17, 1953;  
8:47 a. m.]

#### PART 63—INDEMNITY FOR LOSSES

##### PART 96—AIR MAIL SERVICE

#### WHEN INDEMNITY WILL BE PAID; FIXING OF RATES OF COMPENSATION FOR TRANSPORTATION OF MAIL BY AIRCRAFT

1. In § 63.3 *When indemnity will be paid* amend paragraph (a) to read as follows:

(a) In the case of loss or irreparable damage, the actual value of the article at the time of loss, or on date of mailing, if date of loss cannot be ascertained. Actual value shall be defined as follows:

(1) New articles: Actual value shall be the cost to replace under the same circumstances as originally acquired. In the case of a manufacturer, actual value is interpreted to be the cost to manufacture, and should not include selling and administrative expenses. In the case of wholesalers, retailers, and ultimate consumers, actual value will be the cost to purchase a like replacement. Generally, the actual value may be measured by the investment of the insured in the lost or damaged article.

(2) Used or second-hand articles: Actual value shall be defined as above less reasonable deductions for depreciation, use, and wear, however caused. Generally actual value is limited to the cost to replace with a similar used or second-hand article.

(3) Matter of unusual value and fine arts: Actual value shall be the intrinsic worth and shall not include sentimental value. Generally, actual value may be measured by the price at which the article would have been salable, reduced by the costs of selling.

(R. S. 161, 396, 3926, as amended, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 381)

2. In § 96.16 *Fixing of rates of compensation for transportation of mail by aircraft* amend paragraph (a) by the addition of a note to read as follows:

NOTE: Certain of the functions with respect to payments to air carriers, vested in the Postmaster General by this paragraph, were transferred to the Civil Aeronautics Board, effective October 1, 1953, by Reorganization Plan No. 10 of 1953. For provisions of Reorganization Plan No. 10 of 1953, see 18 F. R. 4543.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369; Reorganization Plan No. 10 of 1953, 18 F. R. 4543)

[SEAL] ROSS RIZLEY,  
Solicitor

[F. R. Doc. 53-7228; Filed, Aug. 17, 1953;  
8:47 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

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

#### Subchapter C—Areas Subject to Special Laws [Circular No. 1855]

#### PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RECONVEYED COOS BAY WAGON ROAD GRANT LANDS IN OREGON

##### PERMITS FOR RIGHTS-OF-WAY FOR LOGGING ROADS; STATEMENT OF POLICY

Section 115.155 is amended by adding at the end thereof two new paragraphs, as follows:

§ 115.155 *Statement of policy.* \* \* \*

(h) Where in the judgment of the regional administrator there is a good prospect of arriving at a long term agreement, short term revocable right-of-way permits may be issued by the regional

administrator when: (1) The applicant has consummated with the Bureau of Land Management pursuant to either § 115.165 or § 115.162 one or more road agreements on a substantial road system, or, (2) the applicant, in the opinion of the regional administrator, is conducting negotiations for a long term agreement in good faith. Such right-of-way permits shall be for two years, subject to one-year extensions. Extensions shall be granted when the regional administrator deems such action to be in the interest of the Government. The permit shall specify the volume of timber which may be carried over the right-of-way and the area from which such timber may be logged. The applicant must comply with § 115.162 (a) (1) and (2), and (d) to the extent that rights-of-way and road use rights are needed to remove Government timber offered for sale during the period for which the short term right-of-way is granted.

(i) The regional administrator may, in his discretion, issue to private operators rights-of-way across O. and C. lands, needed for the conduct of salvage operations, for a period not to exceed five years. A salvage operation as used in this paragraph means the removal of trees injured or killed by windstorms, insect infestation, disease, or fire, together with any adjacent green timber needed to make an economic logging show. As a condition of the granting of such rights-of-way, the operator will be required, when the regional administrator deems it necessary, to grant to the United States and its licensees for the conduct of salvage operations on O. and C. lands for a period not to exceed five years, rights-of-way across lands controlled directly or indirectly by him and to grant the right to use to the extent indicated in §§ 115.163 and 115.164 any portions of the road system controlled directly or indirectly by the private operator which is adequate or can economically be made adequate to accommodate the requirements of both the operator and of the United States and its licensees.

(28 Stat. 635, as amended, sec. 11, 39 Stat. 223, sec. 6, 40 Stat. 1181, sec. 5, 50 Stat. 875; 43 U. S. C. 956)

RALPH A. TUDOR,  
*Acting Secretary of the Interior*

AUGUST 12, 1953.

[F. R. Doc. 53-7233; Filed, Aug. 17, 1953; 8:48 a. m.]

[Circular No. 1854]

PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RECONVEYED COOS BAY WAGON ROAD GRANT LANDS IN OREGON

PERMITS FOR RIGHTS-OF-WAY FOR LOGGING ROADS; TRESPASS

Section 115.160 is amended to read as follows:

§ 115.160 *Trespass.* The mere filing of an application under §§ 115.154 to 115.179 does not authorize the applicant to use the right-of-way in any manner or for any purpose until written permis-

sion therefor has been duly executed by the regional administrator and delivered to the applicant. Any unauthorized use of O. and C. land constitutes a trespass for which the trespasser is liable in damages to the United States. Where there has been such a trespass, no permit shall be issued to the alleged trespasser unless (a) the trespass claim is fully satisfied; or (b) the alleged trespasser files a bond conditioned upon payment of the amount of damages found by the regional administrator, or upon appeal by the Secretary of the Interior or his delegate, to be due the United States; or (c) the regional administrator finds in writing that there is a legitimate dispute as to the fact of the alleged trespasser's liability or as to the extent of his liability and the trespasser files a bond guaranteeing payment of the amount found by a court of competent jurisdiction to be due the United States.

CROSS REFERENCE: For disposal of timber or material to a trespasser, see § 233.12 of this chapter, added by F. R. Doc. 53-7231, Title 43, Chapter I, Part 238, *infra*.

(28 Stat. 635, as amended, sec. 11, 39 Stat. 223, sec. 6, 40 Stat. 1181, sec. 5, 50 Stat. 875; 43 U. S. C. 956)

RALPH A. TUDOR,  
*Acting Secretary of the Interior.*

AUGUST 12, 1953.

[F. R. Doc. 53-7232; Filed, Aug. 17, 1953; 8:48 a. m.]

[Circular No. 1853]

PART 238—GENERAL TRESPASS REGULATIONS

SALE, LEASE OR PERMIT TO TRESPASSER

The following new centerhead and section are added:

SALE, LEASE OR PERMIT TO TRESPASSER

§ 238.12 *When timber or material may be sold, or a lease or permit issued, to a trespasser* (a) For the purpose of this section, a trespasser is a person who is responsible for the unlawful use of or injury to property of the United States.

(b) No sale of timber or material will be made, and no permit or license will be issued, to a trespasser who has not satisfied his liability to the United States, except where:

(1) The Government has seized the materials cut, harvested, removed, or mined in trespass and the sale is made to the person who allegedly committed the trespass, at not less than the appraised value of the materials at the time of seizure, and without relieving the trespasser of liability for trespass damages to the extent that such damages exceed the amount paid for the materials; or

(2) The alleged trespasser files a bond conditioned upon payment of the amount of damages found by the regional administrator, or upon appeal by the Secretary of the Interior or his delegate, to be due the United States; or

(3) The regional administrator finds in writing that there is a legitimate dispute as to the fact of the alleged tres-

passer's liability, or as to the extent of liability, or that the extent of the damages has not yet been determined, and the trespasser files a bond guaranteeing payment of the amount found by a court of competent jurisdiction to be due the United States; or

(4) The regional administrator finds in writing that:

(i) There is no other qualified bidder or that no other qualified bidder will meet the high bid, and

(ii) The sale or lease to the alleged trespasser is necessary to protect substantially the interest of the Government, either by preventing deterioration of or damage to the resource to be sold or loss or damage to other resources, or by accepting a highly advantageous price, and

(iii) The timber management or other resource management program of the Government will not be adversely affected by the sale.

(R. S. 161, 2478; 5 U. S. C. 22, 43 U. S. C. 1201)

RALPH A. TUDOR,  
*Acting Secretary of the Interior.*

AUGUST 12, 1953.

[F. R. Doc. 53-7231; Filed, Aug. 17, 1953; 8:48 a. m.]

TITLE 45—PUBLIC WELFARE  
Chapter V—War Claims Commission

Subchapter E—Receipt, Adjudication and Payment of Claims

PART 505—FILING OF CLAIMS AND PROCEDURES THEREFOR

Subchapter C—Appeals and Hearings

PART 515—APPEALS

MISCELLANEOUS AMENDMENTS

1. Section 505.1 (b) is amended to read as follows:

§ 505.1 *Claims defined.* \* \* \*

(b) Any communication, letter, note or memorandum from a claimant, or his duly authorized representative, or a person acting as next friend of a claimant who is not sui juris, setting forth sufficient facts to apprise the Commission of an intent to apply under the provisions of sections 5 (a) through (e) 6 and 7 (a) of the act shall be deemed to be an informal claim. When an informal claim is received and an official form is forwarded for completion and execution by the applicant, such official form shall be considered as evidence necessary to complete the initial claim, and unless such official form is received within three months from the date it was transmitted for execution, the claim will be disallowed.

2. Section 505.6 (a) is amended to read as follows:

§ 505.6 *Documents to accompany forms.* (a) All claims filed pursuant to the provisions of sections 5 (a) through (e) 6 and 7 (a) of the act shall be accompanied by all the evidentiary documents, instruments and records prescribed in the instructions which accompany each type of official form (see § 505.3). If such evidentiary documents,

instruments, and records do not accompany the claim and are not furnished within four months following the date of request, the claim may be deemed to have been abandoned and be disallowed.

(Sec. 2, 62 Stat. 1240; 50 U. S. C. App. 2001)

3. The headnote and paragraph (c) of § 515.2 are amended to read as follows:

§ 515.2 *Appeal form and time limitations for filing.* \* \* \*

(c) (1) All documents, briefs or other additional evidence relative to an appeal from the award or disallowance of a claim under sections 5 (a) through (e) 6 or 7 (a) of the act shall be filed with the Commission at the time of the filing of WCC Form 1105 or within 30 days thereafter except that if such documents, briefs or other additional evidence are requested by the Commission, they shall be filed within 60 days from the date of request therefor if the claimant is within the continental United States or within 90 days from the date of request therefor if the claimant is outside the continental United States. Failure on the part of the claimant to file such documents, briefs or other additional evidence within the time limits shall be grounds for dismissal of the appeal in accordance with § 515.22.

(2) All documents or other additional evidence relative to an appeal from the award or disallowance of a claim under section 7 (b) or (c) of the act shall be submitted prior to December 1, 1953, provided that the appellant may at any time prior to December 1, 1953, notify the Commission that all additional evidence has been submitted. Appellants under section 7 (b) or (c) shall file all briefs which they desire to file in connection with their appeals prior to January 31, 1954.

4. Section 515.5 (b) is amended to read as follows:

§ 515.5 *Action by Commissioner of Appeals.* \* \* \*

(b) If the claimant in executing WCC Form 1105 has requested a personal appearance, the claim will be set for hearing at the earliest date permitted by the hearing docket. The claimant will be notified of the date set. If the claimant fails to appear, the case will be disposed of in the usual order. The claimant may request that the case be reset for a different date within 30 days of the date of notice of hearing if the claimant resides in the continental United States or 90 days if outside the continental United States. The claimant shall be limited to one such request.

5. Section 515.22 is amended to read as follows:

§ 515.22 *Dismissal of appeals.* (a) An appeal may be dismissed when the claim on its face is not allowable or when it appears to have been abandoned or when substantiating evidence has not

been furnished in accordance with § 515.2.

(b) The decision dismissing an appeal shall be final. The provisions as to notice of finding in § 515.31 and as to rehearing and reargument in § 515.32 shall apply to decisions of the Commission in dismissing an appeal.

6. Section 515.32 is amended to read as follows:

§ 515.32 *Rehearing and reargument.* Any party desiring a rehearing, reargument or any relief not specifically covered by this part, may file a petition with the Commission within ten (10) days if a resident within the continental United States or within sixty (60) days if outside the continental United States after notice of the decision, stating the relief sought and the reasons in support thereof. The Commission may allow the petition in whole or in part, as it deems proper.

(Sec. 2, 62 Stat. 1240; 50 U. S. C. App. 2001)

DANIEL F. CLEARY,  
Chairman,  
War Claims Commission.

[F. R. Doc. 53-7251; Filed, Aug. 17, 1953;  
8:50 a. m.]

## TITLE 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[Docket No. 8333]

#### PART I—PRACTICE AND PROCEDURE DAYTIME SKYWAVE TRANSMISSIONS OF STANDARD BROADCAST STATIONS

In the matter of promulgation of rules and regulations and Standards of Good Engineering Practice concerning daytime skywave transmissions of standard broadcast stations; Docket No. 8333.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of August 1953.

The Commission having under consideration an order in the above-entitled case adopted on December 4, 1950 and footnote 10 b to § 1.371 of its rules and regulations relating to the acceptance of applications; and

It appearing, that as a result of the above order the policy of the Commission to avoid the making of new daytime or limited-time assignments on the clear channels which might not conform to the rules and regulations and Standards of Good Engineering Practice which might be adopted as a result of the proceedings in Docket No. 8333 was codified as footnote 10 b to § 1.371 of the rules and regulations; and

It further appearing, that footnote 10 b to § 1.371 presently allows the processing of applications for unlimited-time stations on the clear channels, even though

such stations might operate with different power and/or antenna daytime and nighttime; and

It further appearing, that further authorization of such stations may render difficult the proper formulation and effectuation of any new rules which might be adopted as a result of this proceeding, because such stations may incur financial and contractual commitments in reliance on their extended daytime coverage which would be a serious obstacle to their reverting to an operation with a smaller daytime service area, and may develop a listening audience in the extended area which they serve which might be discommoded by any future withdrawal of that service in the event that Docket No. 8333 results in the adoption of rules and regulations and Standards of Good Engineering Practice which would require such stations to restrict their daytime coverage; and

It further appearing, that the amendment of footnote 10 b to § 1.371 of the Commission's rules adopted herein is procedural in nature, and may, pursuant to the provisions of section 4 of the Administrative Procedure Act, be adopted and made effective immediately;

It is therefore ordered, That, pursuant to sections 4 (i) 303 (c), 303 (f), 303 (h) and 303 (r) of the Communications Act of 1934, as amended, effective immediately footnote 10 b to § 1.371 of the rules and regulations of this Commission is amended by the addition of a new subsection (d) so that the footnote henceforth will read as follows:

<sup>10b</sup> Pending conclusion of the proceeding in Docket No. 8333 action will be withheld on all of the following types of applications: (a) Applications whether by existing stations or applicants for new stations proposing new daytime or limited-time assignments on any of the frequencies specified in § 3.25 (a) and (b) of this chapter; (b) applications from existing daytime or limited-time stations presently assigned to a frequency specified in § 3.25 (a) and (b) of this chapter proposing an increase in the power of that assignment or a change of antenna pattern resulting in an increase in radiation towards any Class I station; (c) applications from existing daytime or limited-time stations presently assigned to a frequency specified in § 3.25 (a) and (b) of this chapter proposing a change in that assignment involving a substantial change in transmitter location, and (d) applications either by existing stations or applicants for new stations proposing unlimited time Class II assignments on any of the frequencies specified in § 3.25 (a) and (b) of this chapter which would operate differently in the daytime from the operation proposed to be used nighttime.

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

Released: August 11, 1953.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] W. P. MASSING,  
Acting Secretary.

[F. R. Doc. 53-7260; Filed, Aug. 17, 1953;  
8:52 a. m.]

## PROPOSED RULE MAKING

### FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 1 ]

[Docket No. 10581]

#### FILING AND ACTION ON APPLICATIONS FOR BROADCAST FACILITIES

##### EXTENSION OF TIME FOR FILING COMMENTS

In the matter of amendment of §§ 1.304, 1.382, and 1.387 of the Commission's rules and regulations relating to filing and action on applications for broadcast facilities; Docket No. 10581.

1. The Commission has under consideration the request filed August 6, 1953 by the Federal Communications Bar Association for an extension of time to September 15, 1953 in which to file

comments in the above-entitled proceeding.

2. The Federal Communications Bar Association states that its Committee on Practice and Procedure has reported to the Executive Committee that there is substantial disagreement among members of the Bar with respect to the desirability of the amendments proposed; and that the Association proposes to poll its membership in order that all views may be considered and the Commission fully advised. It is stated that it will not be possible to file such material in the proceeding by August 10, 1953, the date specified for the filing of comments; and, accordingly, it is requested that the time for filing such comments be extended to September 15, 1953.

3. It appears that an extension of the time for filing comments in this proceeding would serve the public interest.

4. In view of the foregoing, *it is ordered*, That, pursuant to the authority contained in section 0.143 (h) of the Commission's rules and regulations, the time for filing comments in the above-entitled proceeding is extended to September 15, 1953.

Adopted: August 7, 1953.

Released: August 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] W. P. MASSING,  
*Acting Secretary.*

[F. R. Doc. 53-7259; Filed, Aug. 17, 1953; 8:52 a. m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

##### ALASKA

#### NOTICE OF FILING OF PLAT OF SURVEY

AUGUST 10, 1953.

Notice is given that the plat of Dependent Resurvey of the following described lands, accepted June 23, 1953 will be officially filed in the Land Office, Anchorage, Alaska, effective at 10:00 a. m. on the 35th day after the date of this notice:

##### COPPER RIVER MERIDIAN

T. 29 S., R. 57 E.,  
Sec. 10: Lots 1, 2, 3 and 4.

The area described contains 85 acres. The land is located about 7½ miles northwest of Haines, Alaska, and is accessible by automobile by all weather highway. The land is rugged and covered with a fair to dense stand of timber, and is suitable for agricultural use.

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, 43 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 constitutive 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 hav-

ing 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 Anchorage, 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.

CHESTER W. McNALLY,  
*Acting Manager.*

[F. R. Doc. 53-7222; Filed, Aug. 17, 1953; 8:46 a. m.]

##### UTAH

#### NOTICE OF FILING OF PLAT OF SURVEY

AUGUST 7, 1953.

Notice is given that the plat of original survey of the following described lands, accepted May 11, 1953, will be officially filed in the Land and Survey Office, Salt Lake City, Utah, effective at 10:00 a. m., on the 35th day after the date of this notice:

##### SALT LAKE MERIDIAN

T. 37 S., R. 21 E.,  
All of Secs. 1 to 36, inclusive.

The area described aggregates 23,004.50 acres.

Sections 2 to 11, and 13 to 30, inclusive, are withdrawn from all forms of appro-

pration and reserved for the use of the United States Atomic Energy Commission by Public Land Order No. 565 of February 25, 1949. The SW $\frac{1}{4}$  of Sec. 3 and the NW $\frac{1}{4}$  of Sec. 10 are also withdrawn from all forms of appropriation by Public Land Order No. 221 of April 7, 1944.

No applications for the remainder of the land described may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

Available information indicates that the character of the land is rolling to rough.

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 desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a) as amended, 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) application 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 this 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 statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Salt Lake City, Utah.

ERNEST E. HOUSE,  
Manager

[F. R. Doc. 53-7252; Filed, Aug. 17, 1953;  
8:50 a. m.]

#### UTAH

#### NOTICE OF FILING OF PLAT OF SURVEY AUGUST 7, 1953.

Notice is given that the plat of original survey of the following described lands, accepted February 25, 1953, will be officially filed in the Land and Survey Office, Salt Lake City, Utah, effective at 10:00 a. m. on the 35th day after the date of this notice:

#### SALT LAKE MERIDIAN

T. 35 S., R. 4 $\frac{1}{2}$  W.,  
All of Secs. 1 to 4, inclusive;  
All of Secs. 9 to 16, inclusive;  
All of Secs. 21 to 28, inclusive;  
All of Secs. 33 to 36, inclusive.

The areas described aggregate 13,-658.51 acres.

All of secs. 1 to 3, 10 to 15, 22 to 27, 33 to 36, inclusive, are within the exterior boundaries of the Dixie National Forest pursuant to proclamations of January 17, 1906, December 23, 1910, November 27, 1918, February 14, 1922, and Public Land Order No. 260, of January 19, 1945. The remainder of the lands are within Utah Grazing District No. 11, and no applications for them may be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law unless the land has already been classified as valuable or suitable for such application or shall be so classified upon consideration of an application.

Available information indicates that the lands described are rough and mountainous.

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 desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, 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) application 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 this 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 statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that

such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Salt Lake City, Utah.

ERNEST E. HOUSE,  
Manager

[F. R. Doc. 53-7253; Filed, Aug. 17, 1953;  
8:51 a. m.]

UTAH

NOTICE OF FILING OF PLAT OF SURVEY

AUGUST 7, 1953.

Notice is given that the plat of original survey of the following described lands, accepted February 25, 1953, will be officially filed in the Land and Survey Office, Salt Lake City, Utah, effective at 10:00 a. m. on the 35th day after the date of this notice:

SALT LAKE MERIDIAN

- T. 35 S., R. 4 W.,
- Sec. 5, Lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ,
- Sec. 6, All,
- Sec. 7, Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , NE $\frac{1}{4}$ ,
- Sec. 17, SW $\frac{1}{4}$ ,
- Sec. 18, Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ , SE $\frac{1}{4}$ ,
- Sec. 19, All,
- Sec. 20, W $\frac{1}{2}$ ,
- Sec. 30, All.

The area described aggregates 3,695.82 acres.

All of the lands described are within the exterior boundaries of the Dixie National Forest pursuant to proclamations of January 17, 1906, December 23, 1910, February 14, 1922, and Public Land Order No. 260, of January 19, 1945.

Anyone having a valid settlement or right to any of these lands initiated prior to the date of the withdrawal of the lands should assert the same within three months from the date on which the plat is officially filed by filing an application under appropriate public land law setting forth all facts relevant thereto.

All inquiries relating to these lands should be addressed to the Manager, Land and Survey Office, Salt Lake City, Utah.

ERNEST E. HOUSE,  
Manager

[F. R. Doc. 53-7254; Filed, Aug. 17, 1953;  
8:51 a. m.]

DEPARTMENT OF COMMERCE

National Production Authority

[NPA Delegation 6, Supp. 1, Revocation]

CIVIL AERONAUTICS ADMINISTRATION

DELEGATION OF AUTHORITY FOR PRIORITY ASSISTANCE FOR MATERIALS TO RESTORE PROPERTY DAMAGED BY TYPHOON ON WAKE ISLAND; REVOCATION

Supplement 1 to NPA Delegation 6 (17 F. R. 11213) is hereby revoked. This

revocation does not affect the validity of any action taken pursuant to said supplement, prior to the effective date of this revocation.

This revocation shall take effect July 1, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
H. B. McCoy,  
Acting Administrator

[F. R. Doc. 53-7307; Filed, Aug. 17, 1953;  
9:43 a. m.]

[NPA Delegation 11, Revocation]

DEFENSE ELECTRIC POWER ADMINISTRATOR

AUTHORIZATION TO DELEGATE CERTAIN FUNCTIONS AND POWERS UNDER NPA ORDER M-50; REVOCATION

NPA Delegation 11 (16 F. R. 3950) is hereby revoked. This revocation does not affect the validity of any action taken pursuant to said delegation, prior to the effective date of this revocation.

This revocation shall take effect July 1, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
H. B. McCoy,  
Acting Administrator

[F. R. Doc. 53-7308; Filed, Aug. 17, 1953;  
9:43 a. m.]

[NPA Delegation 13 and Supp. 1; Revocation]  
ADMINISTRATOR OF PETROLEUM ADMINISTRATION FOR DEFENSE

DELEGATION OF AUTHORITY WITH RESPECT TO MATERIALS USED IN PETROLEUM, GAS, AND RELATED INDUSTRIES; DELEGATION OF FURTHER AUTHORITY AS TO CERTAIN MATERIALS; REVOCATION

NPA Delegation 13 (16 F. R. 5295) and Supplement 1 to NPA Delegation 13 (16 F. R. 6406) are hereby revoked. This revocation does not affect the validity of any action taken pursuant to said delegation or supplement prior to the effective date of this revocation.

This revocation shall take effect July 1, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
H. B. McCoy,  
Acting Administrator.

[F. R. Doc. 53-7309; Filed, Aug. 17, 1953;  
9:43 a. m.]

[NPA Delegation 14, Revocation]

ADMINISTRATOR OF FEDERAL SECURITY AGENCY ET AL.

DELEGATION OF AUTHORITY TO MAKE ALLOTMENTS AND ASSIGN RATINGS UNDER REVISED CLIP REGULATION NO. 6

NPA Delegation 14 (17 F. R. 8082) is hereby revoked. This revocation does not affect the validity of any action taken pursuant to said delegation, prior to the effective date of this revocation.

This revocation shall take effect July 1, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
H. B. McCoy,  
Acting Administrator.

[F. R. Doc. 53-7310; Filed, Aug. 17, 1953;  
9:44 a. m.]

[NPA Delegation 15, Revocation]

SECRETARY OF THE INTERIOR

DELEGATION OF AUTHORITY TO ADMINISTER NPA ORDER M-57; REVOCATION

NPA Delegation 15 (16 F. R. 11788) is hereby revoked. This revocation does not affect the validity of any action taken pursuant to said delegation, prior to the effective date of this revocation.

This revocation shall take effect July 1, 1953.

NATIONAL PRODUCTION  
AUTHORITY,  
H. B. McCoy,  
Acting Administrator

[F. R. Doc. 53-7311; Filed, Aug. 17, 1953;  
9:44 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended December 31, 1951, 16 F. R. 12043; and June 2, 1952; 17 F. R. 3818)

Beetform Foundations of Pa., Inc., Baumer and Cherry Streets, Johnstown, Pa., effective 8-3-53 to 8-2-54; 10 percent of the factory production workers for normal labor turnover purposes (girdles, brassieres and corsets).

The Cleveland Overall Co., 1763 East Twenty-fifth Street, Cleveland, Ohio, effective 8-21-53 to 8-20-54; 10 percent of the factory production workers for normal labor

turnover purposes (cotton work garments for men).

Emmaus Pajama Co., Inc., Ridge Street and Keystone Avenue, Emmaus, Pa., effective 8-4-53 to 8-3-54; 10 percent of the factory production workers for normal labor turnover (men's and boys' cotton pajamas).

Flemington Manufacturing Division, Inc., Flemington, N. J., effective 8-4-53 to 8-3-54; 5 learners for normal labor turnover purposes (cotton and rayon dresses).

Frederick Tailoring Co., Inc., 809 Pasteur Street, New Bern, N. C., effective 8-10-53 to 8-9-54; 10 percent of the factory production workers for normal labor turnover purposes (men's pants).

Glaser Bros., Inc., Eldon, Mo., effective 8-10-53 to 8-9-54; 10 percent of the factory production workers for normal labor turnover purposes (men's dress and sport trousers).

The Hawk & Buck Co., Inc., 316 Washington Street, Waco, Tex., effective 8-10-53 to 8-9-54; 10 percent of the factory production workers for normal labor turnover purposes (work and sport clothes).

Kaley Shirts, Inc., Bliscoe, N. C., effective 8-4-53 to 11-20-53; 20 additional learners for expansion purposes (shirts) (supplemental certificate).

Kaska Manufacturing Co., Schuylkill County, Kaska, Pa., effective 8-3-53 to 8-2-54; 5 learners for normal labor turnover (ladies' rayon and cotton dresses).

Monterey Manufacturers, Monterey, Tenn., effective 8-10-53 to 2-2-54; 60 additional learners for expansion purposes (boys' sport shirts) (Supplemental Certificate).

Panther Valley Dress Co., Inc., 114 East Kline Avenue, Lansford, Pa., effective 8-10-53 to 8-9-54; 10 percent of the factory production workers for normal labor turnover purposes (children's dresses and related wearing apparel).

Patterson Manufacturing Co., Checotah, Okla., effective 8-10-53 to 8-9-54; 10 learners for normal labor turnover purposes (men's and boys' overalls).

Sel-Mor Garment Co., Edwardsville, Ill., effective 8-10-53 to 8-9-54; 10 percent of the production workers or 10 learners, whichever is greater (lingerie).

Shawnee Garment Manufacturing Co., 115½ North Bell Street, Shawnee, Okla., effective 8-19-53 to 8-18-54; 10 percent of the factory production workers for normal labor turnover purposes (shirts; khaki and chambray).

Southern Textiles, Inc., Alamo, Tenn., effective 8-11-53 to 8-10-54; 10 percent of the factory production workers or 10 learners, whichever is greater (foundation garments).

Southern Textiles, Inc., Alamo, Tenn., effective 8-11-53 to 2-10-54; 20 learners for expansion purposes (foundation garments).

Todd Manufacturing Co., Elkton Ky., effective 8-9-53 to 8-8-54; 10 percent of the factory production workers for normal labor turnover purposes (cotton work and sport shirts).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950, 15 F R. 6888; and July 13, 1953, 18 F R. 3292)

Jasper Glove Co., Inc., 611 Main Street, Jasper Ind., effective 8-20-53 to 8-19-54; 10 learners (leather and cotton combination work gloves).

Morris Manufacturing Co., Newbern, Tenn., effective 8-6-53 to 8-5-54; 10 learners (work gloves).

Warlong Glove Manufacturing Co., Conover, N. C., effective 8-20-53 to 8-19-54; 10 percent of the total number of machine stitchers (work gloves, canton, flannel, jersey and leather palms).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951, 16 F R. 10733)

Acme Hosiery Dye Works, Inc., Pulaski, Va., effective 8-11-53 to 4-12-54; 7 learners for expansion purposes.

Burgess Knit Hosiery Mill, Village of Kimball, Tenn., effective 8-4-53 to 3-30-53; 10 learners.

Melrose Hosiery Mills, Inc., High Point, N. C., effective 8-18-53 to 8-17-54; 5 percent of the total number of factory production workers (not including office and sales personnel).

Quitman Manufacturing Co., Quitman, Miss., effective 9-1-53 to 8-31-54; 5 percent of the total number of factory production workers (not including office and sales personnel).

Rockwood Mills, Rockwood, Tenn., effective 8-12-53 to 4-11-54; 75 learners for expansion purposes.

Rockwood Mills, Oneida Branch, Oneida, Tenn., effective 8-12-53 to 4-11-54; 55 learners for expansion purposes.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F R. 12866)

Mullins Textile Mills, Inc., Mullins, S. C., effective 8-20-53 to 8-19-54; 5 percent of the total number of factory production workers (not including office and sales personnel) (cotton knitted underwear and outerwear).

Old Dominion Knitting Co., Inc., 211½ West Oldtown Street, Galax, Va., effective 8-7-53 to 8-6-54; 5 learners (polo shirts).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260, as amended March 17, 1952; 17 F R. 1500)

Owensville Shoe Manufacturing Corp., Owensville, Mo., effective 8-10-53 to 8-9-54; 10 percent of the factory production workers (women's shoes).

Washington Shoe Manufacturing Corp., Washington, Mo., effective 8-10-53 to 8-9-54; 10 percent of the factory production workers (women's leather shoes).

The following special learner certificates were issued to the school-operated industries listed below:

Cedar Lake Academy, Cedar Lake, Mich., effective 9-1-53 to 8-31-54; woodwork shop— assembler, machine operator, and related skilled and semiskilled occupations including incidental clerical work in the shop; 30 learners; 250 hours at 60 cents per hour, 250 hours at 65 cents per hour, 250 hours at 70 cents per hour.

Glendale Union Academy, 700 Kimlin Drive, Glendale, Calif., effective 9-1-53 to 8-31-54; print shop—compositor, pressman, finisher and related skilled and semiskilled occupations; 4 learners; 350 hours at 60 cents per hour, 325 hours at 65 cents per hour, 325 hours at 70 cents per hour, unless State law sets higher standards.

Maplewood Academy, Hutchinson, Minn., effective 9-1-53 to 8-31-54; bookbinding—bookbinder, bindery worker, and related skilled and semiskilled occupations; 25 learners; 200 hours at 60 cents per hour, 200 hours at 65 cents per hour, 200 hours at 70 cents per hour; print shop—pressman, compositor and related skilled and semiskilled occupations; 5 learners; 350 hours at 60 cents per hour, 325 hours at 65 cents per hour, 325 hours at 70 cents per hour; craftshop— assembler, sawyer, machine operator and related skilled and semiskilled occupations; 25 learners; 250 hours at 60 cents per hour, 250 hours at 65 cents per hour, 250 hours at 70 cents per hour; clerical—typist, bookkeeper and related skilled and semiskilled occupations; 6 learners; 200 hours at 60 cents per

hour, 200 hours at 65 cents per hour, 200 hours at 70 cents per hour.

Ozark Academy, Gentry, Ark., effective 9-1-53 to 8-31-54; venetian blind shop—rall cutter, machine operator, spray painter, slat, cord and tape cutter, installer and related skilled and semiskilled occupations; 5 learners; 200 hours at 60 cents per hour, 150 hours at 65 cents per hour, 150 hours at 70 cents per hour; broom shop—winder, stitcher, sorter, painter and related skilled and semiskilled occupations; 32 learners; 150 hours at 60 cents per hour, 125 hours at 65 cents per hour, 125 hours at 70 cents per hour.

Pacific Union College, Angwin, Napa County, Calif., effective 9-1-53 to 8-31-54; print shop—pressman, compositor, lithographer, bindery worker, and related skilled and semiskilled occupations including incidental clerical work in shop; 12 learners; 350 hours at 60 cents per hour, 325 hours at 65 cents per hour, 325 hours at 70 cents per hour, unless higher standards are established by State law; bookbinding—bookbinder, including sewer, gold stamper, trimmer and booker, cutter, casemaker and related skilled and semiskilled occupations including incidental clerical work in shop; 8 learners; 200 hours at 60 cents per hour, 200 hours at 65 cents per hour, 200 hours at 70 cents per hour, unless higher standards are established by State law. Lamp shade shop—covering frame with fabric (hand skill), gluing braid, sewing and other related skilled and semiskilled occupations including incidental clerical work in shop; 12 learners; 200 hours at 60 cents per hour, 50 hours at 65 cents per hour, 50 hours at 70 cents per hour, unless higher standard established by State law.

Southern Missionary College, Collegedale, Tenn., effective 9-1-53 to 8-31-54; print shop—compositor, pressman and related skilled and semiskilled occupations; 25 learners; 350 hours at 60 cents per hour, 325 hours at 65 cents per hour, 325 hours at 70 cents per hour, broom shop—broom maker, sorter, winder, stitcher and related skilled and semiskilled occupations; 60 learners; 150 hours at 60 cents per hour, 125 hours at 65 cents per hour, 125 hours at 70 cents per hour; woodwork shop—machine operator, kiln worker, assembler, finisher and other related skilled and semiskilled occupations; 120 learners; 250 hours at 60 cents per hour, 250 hours at 65 cents per hour, 250 hours at 70 cents per hour, clerical work—typist, stenographer and related skilled and semiskilled occupations; 20 learners; 200 hours at 60 cents per hour, 200 hours at 65 cents per hour, 200 hours at 70 cents per hour.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 10th day of August 1953.

ROBERT G. GRONEWALD,  
Authorized Representative  
of the Administrator

[F. R. Doc. 53-7223; Filed, Aug. 17, 1953; 8:46 a. m.]

**RECORDS TO BE KEPT BY EMPLOYERS**

**NOTICE OF EXCEPTION FROM RECORD-KEEPING REQUIREMENTS TO EMPLOYERS OF HOMEWORKERS IN THE GLOVE INDUSTRY IN STATE OF NEW YORK**

Section 516.21 (c) of Regulations, Part 516 (29 CFR, Chapter V) issued pursuant to section 11 (c) of the Fair Labor Standards Act of 1938, as amended, (sec. 11 (c) 52 Stat. 1060; 29 U. S. C. 211 (c)) requires that each employer obtain a homemaker's handbook from the Wage and Hour Division for each homemaker employed by him. The information required therein must be entered by the employer or the person distributing or collecting homework on behalf of such employer each time work is given to, or received from, a homemaker. The handbook must remain in the possession of the homemaker until filled or until the homemaker's services are terminated. It must then be returned to the employer for preservation in accordance with the regulations.

The National Association of Leather Glove Manufacturers, Inc., has petitioned in writing to the Administrator for relief from the provisions of § 516.21 (c) and § 621.108 for the following reasons.

Homework Order No. 4 of the Department of Labor, State of New York, requires that each homemaker in the glove industry in that State shall have in his or her possession a handbook issued by that Department. The information that must be entered in the handbook of the New York Department of Labor is the same as that which must be entered in the handbook of the Wage and Hour Division. The handbooks of the New York Department of Labor must be returned to that Department when filled or their use discontinued. The handbooks in the homemaker's possession and those filed with the New York Department of Labor will be available for inspection by a duly authorized representative of the Administrator of the Wage and Hour Division.

Upon the basis of the information supplied by the petitioners and other information available to the Administrator, it appears that the relief for which petitioners have applied will avoid duplication in record-keeping and will not hamper or interfere with the enforcement of the provisions of the Fair Labor Standards Act or any regulations or orders issued thereunder. It also appears that the handbooks of the New York Department of Labor, when issued, will have fastened in them the "Notice to Employer and the Home Worker" contained in the handbooks of the Wage and Hour Division. Therefore, employers who maintain handbooks for homeworkers in the glove industry in accordance with the requirements of the Department of Labor, State of New York, are, pursuant to § 516.9 of regulations, Part 516, relieved of the requirements of § 516.21 (c) and § 621.108 of regulation, Part 621 with respect to handbooks of the Wage and Hour Division for such homeworkers.

Signed at Washington, D. C., this 11th day of August 1953.

F. GRANVILLE GRILLES, Jr.,  
*Acting Administrator,  
Wage and Hour Division.*

[F. R. Doc. 53-7224; Filed, Aug. 17, 1953; 8:46 a. m.]

**DEPARTMENT OF AGRICULTURE**

**Production and Marketing Administration**

**PEANUTS**

**NOTICE OF REDELEGATION OF FINAL AUTHORITY BY STATE PRODUCTION AND MARKETING ADMINISTRATION COMMITTEES**

The Marketing Quota Regulations for the 1953 Crop of Peanuts (18 F. R. 3316), issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1393) provides that any authority delegated to the State Production and Marketing Administration Committee by the regulations may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)), which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by several State Production and Marketing Administration Committees of authority vested in such committees by the Secretary of Agriculture in the regulations referred to above. There are set out below the sections of the regulations in which such authority appears and the person, office, or committee of the Production and Marketing Administration to whom the authority has been redelegated.

**ALABAMA**

Sections 729.441 (j) (2) and 729.453 (b) (c)—B. L. Collins, State Administrative Officer, or the county committee.

Section 729.461 (b) (2)—B. L. Collins, State Administrative Officer.

**FLORIDA**

Sections 729.441 (j) (2), 729.441 (u) (5), 729.448 (d) (3), 729.453 (b), 729.457 (b), 729.457 (c), 729.459 (a), 729.461 (b) (2), and 729.462 (d)—State Administrative Officer.

**NORTH CAROLINA**

Sections 729.448 (d) (3), 729.461 (b) (2), and 729.462 (d)—State Administrative Officer.  
Section 729.453 (b) (c)—County Committee.

Section 729.457 (b) (c)—Chief, Administrative Division, State PMA Office.

**VIRGINIA**

Sections 729.441 (j) (2) and 729.448 (d) (3)—P. A. Lewis, Chairman, State PMA Committee; W. T. Powers, State Administrative Officer; or J. S. Shackleton, Jr., Program Specialist.

Sections 729.453 (b) (c), 729.457 (b) (c), and 729.461 (b) (2)—P. A. Lewis, Chairman, State PMA Committee; W. T. Powers, State Administrative Officer; J. S. Shackleton, Jr., Program Specialist; or H. O. Simpson, Marketing Quota Specialist.

In addition to the foregoing redelegations of final authority by the State Production and Marketing Administration Committees, there are set out below

references to other provisions of peanut marketing quota regulations for the years 1949 to 1953, inclusive, under which the authority of the Alabama State PMA Committee has been redelegated to B. L. Collins, State Administrative Officer:

**ALABAMA**

Sections 729.14 and 729.62 of the 1949 regulations (13 F. R. 7639; 14 F. R. 3173).

Sections 729.114 and 729.161 of the 1950 regulations (14 F. R. 7611; 15 F. R. 4739).

Sections 729.14, 729.261, 729.262, and 729.265 of the 1951 regulations (15 F. R. 7232; 16 F. R. 5673).

Sections 729.314, 729.361, 729.362, and 729.363 of the 1952 regulations (16 F. R. 11946; 17 F. R. 4317).

Section 729.430 of the 1953 regulations (17 F. R. 10311).

Issued at Washington, D. C., this 13th day of August 1953.

[SEAL] HOWARD H. GORDON,  
*Administrator, Production and  
Marketing Administration.*

[F. R. Doc. 53-7263; Filed, Aug. 17, 1953; 8:53 a. m.]

[Notice No. 1 of Requirement of Certification—1953]

**SUGAR REQUIREMENTS AND QUOTAS**

**ENTRY OF SUGAR INTO CONTINENTAL UNITED STATES; CUBA**

Pursuant to § 817.4, Rev. 1 (13 F. R. 127, 14 F. R. 1169, 16 F. R. 12847) notice is hereby given that the direct-consumption portion of the 1953 sugar quota for Cuba, amounting to 375,000 short tons of sugar, raw value, has been filled to the extent of 80 per centum or more. Accordingly, pursuant to § 817.4, Rev. 1, for the remainder of the calendar year 1953 Collectors of Customs shall not permit the entry into the continental United States from Cuba of any direct-consumption sugar unless and until the certification described in § 817.4 (a) is issued.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153; 13 F. R. 127, 14 F. R. 1169; 16 F. R. 12847)

Issued this 12th day of August 1953.

THOMAS H. ALLEN,  
*Acting Director Sugar Branch,  
Production and Marketing  
Administration.*

[F. R. Doc. 53-7270; Filed, Aug. 17, 1953; 8:55 a. m.]

**FEDERAL COMMUNICATIONS COMMISSION**

[Docket Nos. 10552, 10553, 10607]

**MUSIC BROADCASTING CO. ET AL.**

**ORDER CONTINUING HEARING**

In re applications of Music Broadcasting Company, Grand Rapids, Michigan, Docket No. 10552, File No. BFCT-1275; W. S. Butterfield Theatres, Inc., Grand Rapids, Michigan, Docket No. 10553, File No. BFCT-1502; Peninsular Broadcasting Company, Grand Rapids, Michigan, Docket No. 10607, File No. BFCT-1730; for construction permits for new commercial television stations.

## FEDERAL POWER COMMISSION

[Docket No. E-6513]

MINNESOTA POWER &amp; LIGHT CO.

## NOTICE OF APPLICATION

AUGUST 11, 1953.

Take notice that on August 10, 1953, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Minnesota Power & Light Company a corporation organized under the laws of the State of Minnesota and doing business in said State with its principal business office in Duluth, Minnesota, seeking an order authorizing the issuance of 858,047 shares of Common Stock, without par value. Applicant proposes to issue to each common stockholder of record on October 9, 1953, one additional share of common stock for each share of such common stock held by him at such date; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application, should on or before the 31st day of August 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.[F. R. Doc. 53-7225; Filed, Aug. 17, 1953;  
8:46 a. m.]

[Docket No. G-2221]

EAST TENNESSEE NATURAL GAS CO.

## NOTICE OF APPLICATION

AUGUST 12, 1953.

Take notice that East Tennessee Natural Gas Company (Applicant) a Tennessee corporation having its principal place of business near Knoxville, Tennessee, filed, on August 3, 1953, 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 as hereinafter described.

Applicant proposes to construct and operate approximately 2½ miles of 4-inch pipe line, together with a physical connection and metering and regulating equipment, extending from a point of connection on Applicant's existing "Victor Chemical" lateral in Maury County Tennessee, to a point on or near the premises of the Virginia-Carolina Chemical Corporation's plant in said Maury County. Applicant's "Victor Chemical" lateral is connected to Applicant's existing "Columbia" lateral which, in turn, is connected to Applicant's existing 16-inch pipe line in Lawrence County, Tennessee. The afore-described proposed facilities would be used to transport gas for the purpose of a direct sale to the Virginia-Carolina Chemical Corporation on an interruptible basis in volumes not to exceed 2500 Mcf a day.

Applicant states that such gas would be used in the processing of phosphate for use in the production of fertilizer and feed for livestock. Applicant estimates the cost of facilities at \$46,474, and proposes to accomplish the financing out of cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of September 1953. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.[F. R. Doc. 53-7226; Filed, Aug. 17, 1953;  
8:47 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 24W-1630]

PIONEER ENTERPRISES, INC.

## ORDER DENYING EXEMPTION AND NOTICE OF OPPORTUNITY FOR HEARING

AUGUST 11, 1953.

Pioneer Enterprises, Inc., having filed, on July 28, 1953, with the Commission a notification on Form 1-A relating to an offering of 39,348 shares of its stock for the purpose of obtaining an exemption from the registration provisions of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof, and Regulation A promulgated thereunder, and

The Commission has reasonable cause to believe that the terms and conditions of said Regulation A have not been complied with, in that the notification on Form 1-A and the offering circular omit to state material facts necessary to make the statements made, in the light of the circumstances under which they are made, not misleading; namely,

(1) Failure to disclose the total amount of shares sold in violation of the act for which a contingent liability exists and which forms the basis for the present offering.

(2) Failure to disclose the material interests of the officers and directors in the issuer as required by Rule 219 (c) (2)

(3) Failure to value the investments of the issuer, for which no market exists and which comprise its principal assets, in accordance with generally accepted principles of accounting, in that (a) the stock of Natural Resources Corporation was valued without reference to its cost but at an amount equal to the price at which Natural Resources Corporation is offering its shares to the public; (b) the stock of the Clarvan Corporation was valued at an amount equal to what the President of the issuer "believed to be an obtainable public offering price" although the cost of such shares was considerably below such amount and although the issuer did in fact sell a substantial portion of such shares below such value, and (c) the royalty interest in Fashions for Industry is valued at an amount which is unsupported by any facts relating to its value,

The Commission having under consideration for the purposes hereinafter accomplished the applications in the above-styled proceeding which have been designated for a hearing to be commenced on August 28, 1953; and

It appearing, that the convenience of the Hearing Examiner and of all Counsel would be served by a postponement of the date for commencing the hearing, and that counsel for each applicant and for the Chief of the Broadcast Bureau have informally stated their agreement to the continuance, now therefore:

It is ordered, This 11th day of August 1953, that the hearing upon these applications be, and it is hereby continued from Friday August 28, 1953 to Wednesday, September 9, 1953 at 10:00 a. m. at the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] Wm. P. MASSING,  
Acting Secretary.[F. R. Doc. 53-7257; Filed, Aug. 17, 1953;  
8:51 a. m.]

[Docket No. 10569]

SYRACUSE BROADCASTING CORP. (WNDR)  
ORDER CONTINUING HEARING

In re-application of Syracuse Broadcasting Corporation (WNDR) Syracuse, New York, Docket No. 10569, File Nos. BR-1501 and BRH-91, for renewal of license.

The Commission having under consideration a petition filed August 6, 1953, by Syracuse Broadcasting Corporation (WNDR) Syracuse, New York, requesting an indefinite continuance of the hearing now scheduled for September 9, 1953, in Syracuse, New York; and

It appearing that on July 31, 1953, a petition for reconsideration of the Commission's Order of June 25, 1953, designating the above-entitled application for hearing and for renewal of application without hearing was filed by Syracuse Broadcasting Corporation (WNDR) and that it will conduce to the dispatch of the Commission's business and to the ends of justice to continue the hearing in this proceeding until after the Commission has acted upon said petition for reconsideration; and

It appearing further that there are no other applicants involved in this proceeding and counsel for the Broadcast Bureau of the Commission has consented to the requested continuance and thus the requirement of § 1.745 of the Commission's rule has been met;

It is ordered, This 10th day of August 1953, that the petition of Syracuse Broadcasting Corporation (WNDR) for indefinite continuance is granted and the hearing on the above-entitled application now scheduled for September 9, 1953, in Syracuse, New York, is continued without date, pending action by the Commission on its said petition for reconsideration.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] Wm. P. MASSING,  
Acting Secretary.[F. R. Doc. 53-7258; Filed, Aug. 17, 1953;  
8:51 a. m.]

(4) Failure to disclose that the issuer, because of its financial position and particularly its lack of cash and of assets which can readily be converted into cash, will be unable to fulfill its offer of rescission should a substantial number accept its offer.

(5) Failure to include financial statements, in accordance with Rule 219 (c) (6) which accurately and adequately reflect the issuer's financial condition with respect to the balance sheet furnished at April 30, 1953, and with respect to material transactions subsequent to that date.

(6) The statement that the issuer intends to offer its stock at \$10 per share once the rescission offer is completed; such statement misrepresents to the stockholder that the value of the Pioneer stock is \$10 a share when there appears to be no basis for such increased price.

(7) The statement in the postscript to the offering circular which indicates that the Commission has participated in the preparation of the offering circular and which implies that the Commission has passed upon the accuracy or completeness of the circular.

The use of the foregoing in connection with any offering of the shares to which the notification relates would operate as a fraud or deceit upon the offerees thereof;

*It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, that the conditional exemption under Regulation A be, and it hereby is, denied.

Notice is hereby given that, upon receipt of a written request, the Commission will set the matter down for hearing within twenty days after receipt of such request, at a place to be designated by the Commission, for the purpose of determining whether said order of denial shall be vacated, and that notice of the time and place for such hearing will be promptly given by the Commission.

*It is further ordered*, That this order and notice shall be served upon Pioneer Enterprises, Inc., personally or by registered mail or by confirmed telegraphic notice, and shall be published in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 53-7229; Filed, Aug. 17, 1953; 8:47 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

[Dissolution Order 104]

J. M. VOITH Co., INC.

Whereas, by Vesting Order 115 (7 F. R. 7155, September 4, 1942) issued under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. 1 et seq.) and Executive Order 9193 (3 CFR 1943 Cum. Supp.) there was vested in the Alien Property Custodian 200 shares of the no par value common stock of J. M. Voith Company, Inc. (hereinafter referred to as the "Company") a corporation organized under

the laws of the State of New York, constituting all of the issued and outstanding capital stock of the Company and

Whereas, by Executive Order 9788 (3 CFR, 1946 Supp.) all authority, rights, privileges, powers, duties, functions and property vested in the Alien Property Custodian were vested in or transferred or delegated to the Attorney General of the United States; and

Whereas, under the authority aforesaid, after investigation, it has been determined that dissolution of the Company and distribution of its assets is in the national interest; and

Whereas, a Certificate of Dissolution was issued by the Secretary of State of the State of New York on January 7, 1952, certifying to the dissolution of the Company and

Whereas, the Company has been substantially liquidated,

Now, therefore, under the authority aforesaid, after investigation, it is hereby found:

1. That the known assets of the Company consist of cash in the amount of \$2,346.94, and

2. That the claims of all known creditors of the Company have been paid except the claims of the following:

(a) The Attorney General of the United States for monies advanced to or services rendered to or on behalf of the Company on and after January 7, 1952, in connection with the dissolution and winding up of the affairs of the Company, in the total amount of \$132.87, as of February 4, 1952,

(b) The Attorney General of the United States for monies advanced to or services rendered to or on behalf of the Company prior to January 7, 1952, in the total amount of \$1,664.16,

(c) American Voith Contact Company, Inc., % Office of Alien Property, Washington, D. C., in the amount of \$36,865.68,

(d) Companhia Melhoramentos de Sao Paulo, Brazil, in the amount of \$3,033.01,

(e) Compania Manufacturera de Papeles y Cartones, Chile, in the amount of \$459.41,

(f) Garrido Garcia, Burr & Co., Chile, in the amount of \$100.50, and

*It is hereby ordered*, That the officers and directors of the Company (and their successors, or any of them) continue the proceedings for the dissolution and liquidation of the Company, and

*It is hereby further ordered*, That the said officers and directors wind up the affairs of the Company and distribute the assets thereof coming into their possession as follows:

I. They shall first pay the current expenses and necessary charges in effecting the dissolution of the Company and the winding up of its affairs,

II. They shall then pay all Federal, State and local taxes and fees owed by or accruing against the Company, if any,

III. They shall then pay to the Attorney General of the United States the aforesaid amount of \$132.87, as of February 4, 1952, for monies advanced or services rendered to or on behalf of the Company on and after January 7, 1952, and

IV. They shall then apply the funds, if any, remaining in their hands after

the payments as aforesaid pro rata to the following claims:

(a) The claim of the Attorney General of the United States in the amount of \$1,664.16 for monies advanced to or services rendered to or on behalf of the Company prior to January 7, 1952, by payment to the Attorney General of the United States.

(b) The claim of American Voith Contact Company, Inc., in the amount of \$36,865.68,

(c) The claim of Companhia Melhoramentos de Sao Paulo, Brazil, in the amount of \$3,033.01,

(d) The claim of Compania Manufacturera de Papeles y Cartones, Chile, in the amount of \$459.41, and

(e) The claim of Garrido Garcia, Burr & Co., Chile, in the amount of \$100.50, and

*It is hereby further ordered*, That after making the payments provided for in subparagraphs I, II, III, and IV hereof that the said officers and directors pay over, transfer, assign and deliver to the Attorney General of the United States all of the remaining funds and property of the corporation, if any, and all funds and property hereafter acquired by the corporation, to be applied, first, to pro rata payments on account of the balances owing on the creditors' claims described in subparagraph IV hereof and, second, as a liquidating distribution to the Attorney General of the United States as sole stockholder of the corporation, and

*It is hereby further ordered*, That, in the event the payments to the three claimants named in subparagraph IV (c) (d), and (e) hereof cannot be made to them, such payments shall be made into separate accounts to be maintained by the Comptroller's Branch, Deposit and Clearance Section, of the Office of Alien Property, that each of the said accounts shall be entitled substantially as follows: "Attorney General of the United States, Account of (Name of Account) in the case of J. M. Voith Company, Inc., Vesting Order No. 115" and that the payment of said sums as herein directed into such accounts shall, to the extent thereof, be a full acquittance for all purposes of J. M. Voith Company, Inc., and

*It is hereby further ordered*, That nothing herein set forth shall be construed as prejudicing the rights, under the Trading With the Enemy Act, as amended, of any person who may have a claim against the Company to file such claim with the Attorney General of the United States hereunder; *Provided, however* That nothing herein contained shall be construed as creating additional rights in such person; *Provided, further* That any such claim against the Company shall be filed with or presented to the Attorney General of the United States within the time and in the form and manner prescribed for such claims by the Trading With the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and

*It is hereby further ordered*, That all actions taken and acts done by the said officers and directors of the Company, pursuant to this order and the directions contained herein shall be deemed to

have been taken and done in reliance on and pursuant to section 5 (b) (2) of the Trading With the Enemy Act, as amended (50 U. S. C. App. 5) and the acquittance and exculpation provided therein.

Executed at Washington, D. C., on August 11, 1953.

For the Attorney General.

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

[F. R. Doc. 53-7206; Filed, Aug. 14, 1953;  
8:51 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28359]

CRUSHED BULK ROCK SALT FROM RETSOF  
AND LUDLOWVILLE, N. Y. TO MARYLAND,  
NEW JERSEY, PENNSYLVANIA AND DELA-  
WARE

APPLICATION FOR RELIEF

AUGUST 12, 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 C. W. Boin, Agent, for carriers parties to schedules listed below.

Commodities involved: Salt, bulk rock, crushed or screened, carloads.

From: Retsof and Ludlowville, N. Y.

To: Baltimore, Md., Carney's Point, N. J., Grasselli, N. J., Chester-Marcus Hook, Pa., and North Claymont, Del.

Grounds for relief: Competition with rail carriers, circuitous routes, market competition, to meet foreign competition.

Schedules filed containing proposed rates; B&O RR. Tariff I. C. C. No. 23862, supp. 10; DL&W RR. Tariff I. C. C. No. 24456 supp. 6; Erie RR. Tariff I. C. C. No. 20851, supp. 9; LV RR. Tariff I. C. C. No. C-9272, supp. 9; NYC RR. Tariff I. C. C. No. 1142, supp. 19; PRR. Tariff I. C. C. No. 3045, supp. 20.

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 applicants 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. 53-7240; Filed, Aug. 17, 1953;  
8:49 a. m.]

[4th Sec. Application 28361]

FERTILIZER SOLUTIONS FROM SOUTH POINT,  
OHIO, TO AUGUSTA, GA., AND JACKSON,  
S. C., GROUP

APPLICATION FOR RELIEF

AUGUST 13, 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 R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Fertilizer solutions, in tank-car loads.

From: South Point, Ohio.

To: Augusta, Ga., and Jackson, S. C., and points grouped therewith.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: C. A. Spangler, Agent, tariff I. C. C. No. 1221, supp. 38.

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 applicants 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. 53-7242; Filed, Aug. 17, 1953;  
8:49 a. m.]

[4th Sec. Application 28364]

BRICK AND RELATED ARTICLES FROM  
DENVER, COLO., TO DALLAS, TEX.

APPLICATION FOR RELIEF

AUGUST 13, 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: F. C. Kratzmeir, Agent, for the Missouri-Kansas-Texas Railroad Company, Missouri-Kansas-Texas Railroad Company of Texas, and Union Pacific Railroad Company.

Commodities involved: Brick and related articles, carloads.

From: Denver, Colo.  
To: Dallas, Texas.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, tariff I. C. C. No. 4046, supp. 22.

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 applicants 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. 53-7245; Filed, Aug. 17, 1953;  
8:50 a. m.]

[No. 31317]

EXPRESS CONTRACT, 1954

AUGUST 11, 1953.

The above-entitled proceeding is assigned for hearing September 9, 1953, at 8:30 o'clock a. m., United States standard time (9:30 o'clock a. m. District of Columbia daylight saving time), at the Office of the Interstate Commerce Commission, Washington, D. C., before Commissioner Knudson and Examiner Hosmer.

This is an application under section 5 (1) of the Interstate Commerce Act for an order approving the pooling or division of traffic, service and earnings which would result from the conduct of the express transportation business over the lines of applicant carriers under a proposed new Standard Express Operations Agreement between the Railway Express Agency, Inc., and applicant carriers. This application seeks approval of the pooling features of a new agreement to supersede the present Operations Agreement, which will expire February 28, 1954. A copy of the application was served upon the Governors of each of the 48 States, and a copy of the application also may be inspected in the offices of this Commission. Information about the application also may be requested of Mr. J. H. Mooers, Vice President and General Counsel, Railway Express Agency, Inc., 230 Park Avenue, New York 17, N. Y.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-7247; Filed, Aug. 17, 1953;  
8:50 a. m.]