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TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter I—Determination of Prices

[Sugar Determination 877.9]

PART 877—SUGARCANE: PUERTO RICO 1956-57 CROP

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation, and due consideration of the evidence presented at the public hearing held in Santurce, Puerto Rico, on October 25 and 26, 1956, the following determination is hereby issued:

§ 877.9 *Fair and reasonable prices for the 1956-57 crop of Puerto Rican sugarcane.* A producer of sugarcane in Puerto Rico who is also a processor of sugarcane (herein referred to as "processor"), shall have paid, or contracted to pay, for sugarcane of the 1956-57 crop grown by other producers and processed by him, in accordance with the following requirements:

(a) *Definitions.* For the purpose of this section, the term:

(1) "Raw sugar" means raw sugar, 96° basis.

(2) "Sugar yield period" means the 2-week, 4-week, or any other period, as may be elected by the processor to determine the yield of raw sugar. The period adopted by the processor shall be used uniformly throughout the grinding season, except that, in instances where a processor begins or ends grinding on a day which does not correspond with the beginning or ending of the sugar yield period the number of odd days on which grinding occurs prior to the beginning of the sugar yield period shall be added to the next regular full sugar yield period and the number of odd days on which grinding occurs after the ending of the sugar yield period shall be added to the immediately preceding full sugar yield period.

(3) "Price of raw sugar" means the daily spot quotation of raw sugar of the New York Coffee and Sugar Exchange (domestic contract), adjusted to a duty-paid basis by adding the U. S. duty prevailing on Cuban raw sugar, except, that if the Director of the Sugar Division de-

termines that such price does not reflect the true market value of raw sugar, he may designate the price to be effective under this determination, which he determines will reflect the true market value of raw sugar.

(4) "Inferior varieties of sugarcane" means sugarcane of the *Saccharum Spontaneum* or *Saccharum Sinense* variety (including sugarcane of the Japanese, Uba, Kavangerie, Zuinga, Caledonia, Coimbatore 213 and Coimbatore 281 varieties).

(5) "Yield of raw sugar" means the yield of raw sugar, 96° basis, per 100 pounds of net sugarcane determined for the sugar yield period in accordance with the formula set forth in Schedule A set forth below.

(6) "Net sugarcane" means (1) the gross weight of the sugarcane delivered to the mill determined to contain a quantity of trash not in excess of 5 percent of the gross weight, or (2) the gross weight of the sugarcane delivered to the mill less the quantity of trash determined to be in excess of 5 percent of such gross weight.

(7) "Trash" means green or dried leaves, loose sugarcane tops, attached sugarcane tops, soil, stones and all other extraneous material.

(b) *Payment for sugarcane.* (1) The payment for net sugarcane delivered by the producer (colono) to the processor shall be made as agreed upon by the producer and the processor, either by the delivery to the producer of his share of raw sugar or by the payment to the producer of the money value of his share of raw sugar. In instances where raw sugar is delivered to the producer, the processor shall deliver such sugar packed in the customary bags or, if delivered in bulk, the processor shall also pay to the producer an allowance per 100 pounds of bulk sugar for non-use of bags equal to the average bag discount sustained by the processor on the processor's own bulk sugar of the 1956-57 crop.

(2) For each 100 pounds of net sugarcane (including inferior varieties of sugarcane) having a yield of raw sugar of 9 pounds or more, the payment shall be not less than the quantity of raw sugar determined by applying the following applicable percentage to the yield of raw sugar of the producer's net sugarcane:

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(As of January 1, 1957)

The following Supplements are now available:

- Title 3, 1956 Supp. (\$0.40)
- Title 26: Parts 80-169 (\$0.50)
- Parts 183-299 (\$0.30)

Previously announced: Title 7, Parts 900-959 (\$0.50); Title 18 (\$0.50); Title 21 (\$0.50); Title 26, Parts 1-79 (\$0.35).

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Pounds of raw sugar per 100 pounds of net sugarcane:	<i>Percentage</i>
9.0 -----	63.0
9.5 -----	63.5
10.0 -----	64.0
10.5 -----	64.5
11.0 -----	65.0
11.5 -----	65.5
12.0 -----	66.0
12.5 -----	66.5
13.0 -----	67.0
13.5 and over -----	67.5

Intermediate points within the above scale are to be interpolated to the nearest one-tenth point.

(3) For each 100 pounds of net sugarcane (including inferior varieties of sugarcane) having a yield of raw sugar less than 9 pounds, the payment shall be not less than the quantity determined by subtracting 3 1/3 pounds of raw sugar from the yield of raw sugar of the producer's net sugarcane.

(4) If settlement with the producer is made in cash, the processor shall pay to the producer the money value of his share of raw sugar determined on the basis of the simple average price of raw sugar for the period March 1, 1957 through February 28, 1958, converted to an f. o. b. mill price by subtracting the admissible deductions for selling and delivery expenses on raw sugar listed in Schedule B set forth below.

(c) *Molasses payment.* For each ton of net sugarcane delivered, the processor shall pay to the producer an amount equal to the product of (1) 66 percent of the net proceeds per gallon of blackstrap molasses sold of the 1956-57 crop in excess of five cents per gallon, and (2) the average production of blackstrap molasses per ton of net sugarcane of the 1956-57 crop processed at each mill. A processor operating more than one mill may compute the net proceeds on the basis of the average gross proceeds from the sales of molasses produced at all mills operated by such processor. Admissible deductions for selling and delivery expenses to be used in calculating molasses net proceeds are listed in Schedule C set forth below.

(d) *Determination of net sugarcane and sampling charges.* The net sugarcane of each producer (including the processor) which is delivered to the mill each day shall be determined as follows: A representative of the processor shall jointly with a representative designated by the producers or producer organizations in any mill area, examine the sugarcane deliveries and estimate whether the deliveries contain a quantity of trash (1) not in excess of 5 percent of the gross weight, or (2) in excess of 5 percent of the gross weight. In the absence of a designated representative of producers in any mill area, the processor representative shall nevertheless make

such estimations. As to the deliveries of sugarcane of any producer which are estimated to contain trash not in excess of 5 percent, the gross weight of the sugarcane delivered shall be the net weight. As to the deliveries of sugarcane of any producer estimated to contain quantities of trash in excess of 5 percent, the net weight shall be determined by taking a representative sample within the range of 100 to 200 pounds of the sugarcane from one or more of the deliveries deemed to be representative and separate therefrom all trash. The weight of the trash which is removed from the sample of sugarcane shall be expressed as a percentage of the gross weight of the sample. If such percentage exceeds 5 percent, that percentage in excess of 5 percent shall be applied to the gross weight of the sugarcane delivery from which the sample was taken to determine the net weight of such sugarcane, and the same percentage shall be applied to the gross weight of other deliveries of sugarcane delivered by that producer during the same day which are estimated to contain a trash content reasonably similar to the delivery from which the sample was taken. The processor may charge the producer 66 percent of the actual cost, but not to exceed \$2.64, for each sample taken to cover the cost of sampling sugarcane and measuring the actual quantity of trash. With respect to the sample taken as provided in this paragraph, the processor may make a separate determination of the weight of soil and stones contained in such sample taken of a producer's sugarcane and may charge the producer 5 cents per ton of net sugarcane delivered during the day which is represented by the sample for each one percent, fractions in proportion, by which the weight of soil and stones is in excess of one percent of the gross weight of the sample.

(e) *Services and allowances to producers.* (1) When payment is made to the producer by the delivery of raw sugar, the processor shall store and insure all such sugar through December 31, 1957, free of charge to the producer. (2) When payment is made to the producer by the delivery of raw sugar, the processor shall share with the producer on a pro rata basis all ocean shipping facilities available to the processor. (3) Allowances made to producers by the processor for the 1955-56 crop shall be made for the 1956-57 crop at the rates which were effective under comparable conditions in 1955-56; the costs of services which were borne by the processor for the 1955-56 crop, shall be borne for the 1956-57 crop: *Provided*, That nothing in this subparagraph shall be construed as prohibiting modification of practices which may be necessary because of unusual circumstances, any modifications to be subject to approval of the Caribbean Area Agricultural Stabilization and Conservation Office, San-turce, Puerto Rico (herein referred to as the "Area Office").

(f) *Reporting requirements.* (1) The processor shall submit to the Area Office, a list of those producers with whom settlement will be made in cash and those with whom settlement will be made in

sugar, together with a statement as to the sugar yield period which will be used during the grinding season.

(2) The processor shall submit in duplicate to the Area Office not later than August 1, 1958, statements verified by a certified public accountant of the deductions made in determining the f. o. b. mill price of sugar and the net proceeds from molasses.

(g) *Compliance date.* The processor shall comply with the provisions of paragraph (d) of this section and shall submit the reports required by paragraph (f) (1) of this section within 15 days after the date this section is published in the FEDERAL REGISTER.

(h) *Subterfuge.* The processor shall not reduce returns to the producer below those determined herein through any subterfuge or device whatsoever.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination establishes the fair and reasonable price requirements which must be met, as one of the conditions for payment under the act, by a producer who processes sugarcane of the 1956-57 crop grown by other producers.

(b) *Requirements of the act.* Section 301 (c) (2) of the act provides as a condition for payment, that the producer on the farm who is also directly or indirectly a processor of sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

(c) *1956-57 price determination.* The 1956-57 determination differs from the 1955-56 determination in the following major respects: (1) The definition of "sugar yield period" provides that the processor shall elect the period to be used and shall use such period uniformly throughout the season; (2) the processor is required to submit to the Area Office a statement as to the sugar yield period which is being used; (3) the formula for determining "yield of raw sugar" has been restated and a factor has been included which tends to correct the formula for the effects of extraneous material delivered with sugarcane; (4) definitions are included for "net sugarcane" and "trash"; (5) the method is prescribed for determining the quantity of trash delivered with sugarcane and the charges to producers for sampling sugarcane for trash are specified; (6) the processor may, at his option, sample sugarcane for soil and stones and make a charge to producers for such extraneous matter in excess of one percent; (7) in instances where payment for sugarcane is made by the delivery to the producer of raw sugar in bulk, the processor is also required to pay the producer an allowance for non-use of bags equal to the average bag discount sustained on the sale of the processor's sugar; and (8) the 8.7 cents per hundredweight allowance for certain items of admissible selling and delivery

expenses has been reduced to 7.0 cents on sugar shipped in bulk.

A public hearing was held in Santurce, Puerto Rico on October 25 and 26, 1956 at which interested persons were afforded the opportunity to testify with respect to fair and reasonable prices for 1956-57 crop sugarcane. At this hearing or in a supplemental brief, the representatives of the Puerto Rico Grower-Processor Committee recommended that adjustments be provided for both hand and mechanically loaded sugarcane containing trash in excess of 6 percent; that inasmuch as shipment of sugar in bulk results in savings in handling and delivery expenses, provision be made for the equitable sharing of such savings between the processor and producers; and that there be no change in the sugar yield periods specified in the 1955-56 price determination nor in the provisions of that determination relating to the delivery point of sugarcane.

A representative of one processor recommended that the regulations of the Department of Agriculture and of the Puerto Rican Government, relating to the trash problem, be modified so that they would complement and supplement each other; stated that he did not believe the regulation issued by the Sugar Board of Puerto Rico, relating to penalties on trash delivered with sugarcane, was a solution to the trash problem; and recommended that trash penalties be applied to both mechanically loaded and hand loaded sugarcane. A representative of another processor described the methods followed by his company in sampling sugarcane for trash and recommended that trash penalties apply to both mechanically loaded and hand loaded sugarcane. A representative of a third processor stated that on the basis of 1955 crop operations there was a conflict between rulings of the Sugar Board and provisions of the fair price determination; that the mill had sustained considerable damage to its milling equipment from the rocks and soil delivered with sugarcane; and recommended that restrictive measures be developed to correct the sugarcane trash problem; that such regulations be made equally applicable to hand loaded and mechanically loaded sugarcane; that a trash tolerance of 6 or 7 percent be permitted; and that the sampling of sugarcane for trash be conducted at the mill.

Consideration has been given to the recommendations made at the public hearing, to an analysis of the returns, costs, and profits of processing and producing sugarcane as obtained by a field cost survey for prior years and recast for the 1956-57 crop in terms of price, production, and income conditions likely to prevail, to the results of investigations and to other pertinent factors. An examination of all factors indicates that the basic sharing relationship between producers and the processor as provided in the 1955-56 price determination is equitable for the 1956-57 crop under anticipated conditions. However, this determination contains provisions applicable to (1) the delivery of sugarcane containing excessive quantities of trash; (2) the expenses incident to the ship-

ment of sugar in bulk; and (3) certain other requirements which affect settlement practices.

Prior to 1954, all sugarcane in Puerto Rico was harvested and loaded by hand and the percentage of trash delivered with sugarcane was low and relatively uniform. However, in that year one processor began to load sugarcane by mechanical methods. Representatives of the Department at the hearing on fair and reasonable prices, held in Puerto Rico in the fall of 1954, called to the attention of the industry that changing methods of loading could create a problem arising from variable quantities of trash delivered with sugarcane. Industry representatives at that time, because of limited experience with mechanized harvesting operations, apparently were not concerned with the problem and recommended that it not be covered by the 1954-55 determination. In view of the custom of not sampling sugarcane and because of the large number of small growers in Puerto Rico, it was recognized that the institution of compulsory sampling would be a very expensive procedure and that time would be required in which to develop a practical and efficient method to cope with the problem. Moreover, because of limited experience with the trash problem, there was no data upon which to evaluate the effects of trash on sugar recovery, nor to appraise the extent to which adjustments in the settlement formula were necessary to adequately redistribute the over-all yield of sugar when trash and clean cane were ground jointly. It is generally recognized that extraneous material in sugarcane adversely affects the recovery of sugar, although there is some question as to the level at which trash actually has a measurable effect. Therefore, in making adjustments in the sugar yield formula care must be exercised so that such adjustments will not result in inequitable distribution of sugar among the growers and the processor. Accordingly, the Department believed it desirable to proceed cautiously until the industry had had more experience with the problem.

During the next two harvesting seasons other producers began to use mechanical loaders. The Department conducted surveys during 1955 and 1956 for the purpose of determining a feasible method of sampling sugarcane and to determine what adjustments would be appropriate in the sugar yield formula as a result of the introduction of excessive quantities of trash into the milling operations.

In the 1955-56 determination, provision was made for the settlement of sugarcane based upon deductions for the trash content. Information obtained during the last two years indicates that in many instances sugarcane containing excessive quantities of trash had been delivered. Although producers believed that excessive trash was generally attributable to mechanized loading operations, observation has shown that hand loaded sugarcane also contained excessive quantities of trash during those years. There is also evidence that relatively trash-free sugarcane can be delivered regardless of the method of loading, ex-

cept under extremely wet weather conditions.

Certain growers in one mill area brought to the attention of the Sugar Board of Puerto Rico that mechanically loaded sugarcane containing excessive quantities of trash was affecting the recovery of sugar at the mill, which they believed to be detrimental with respect to the settlement for their sugarcane. In an effort to meet the problem the Sugar Board, pursuant to the Sugar Act of Puerto Rico, issued a ruling which provided for the determination of net weight of mechanically loaded sugarcane containing trash in excess of 5 percent, and for adjusting the settlement formula for calculating the yield of sugar from sugarcane. Determination of the net weight of such sugarcane as specified in the ruling was based upon (1) field samples of sugarcane taken under wet and dry conditions; (2) a tolerance of 5 percent of the gross weight; and (3) an averaging of all trash determinations taken during a settlement period for each producer both above and below the specified tolerance. The ruling further provided that a correction factor be applied to such sugarcane in a manner so as to effect a redistribution of sugar yields between those producers delivering mechanically loaded sugarcane in excess of the tolerance and other producers. Penalties against the producer were also provided in cases where the quantity of soil and stones exceeded one percent of the gross weight of mechanically loaded sugarcane. The above ruling was in effect for the 1954-55 and 1955-56 crops. Since this ruling did not conform with the settlement provisions of the fair price determinations for those crops, some processors were placed in an unfavorable position.

Subsequent to the hearing on fair and reasonable prices for the 1956-57 sugarcane crop, the Department communicated with the Grower-Processor Committee of Puerto Rico by letter, outlining its views generally regarding the actions which it believed should be taken in the 1956-57 crop determination with respect to the problem of trash delivered with sugarcane. The committee has submitted no objections to the proposals as contained in that letter.

The 1956-57 determination requires that settlement with producers be based upon net sugarcane and specifies that representatives of the processor and producers shall examine the deliveries of sugarcane to estimate which deliveries contain quantities of trash of 5 percent or less and which deliveries contain trash in excess of 5 percent. As to the deliveries of any producer estimated to contain quantities of trash of 5 percent or less, the gross weight will be considered to be the net weight. As to the deliveries of any producer estimated to contain quantities of trash in excess of 5 percent, one or more of such deliveries deemed to be representative shall be sampled to determine the actual quantities of trash, and the net weight will be computed by subtracting the weight of trash in excess of 5 percent. The size of the sample has been fixed within the range of 100-200 pounds, as this quantity has been found

to be satisfactory for determining the quantities of trash in sugarcane and will not involve excessive costs.

In view of the large number of producers delivering sugarcane to most of the mills and the cost involved in sampling, it does not appear to be feasible to require trash determinations for each load of sugarcane delivered. Therefore, this determination provides that the percentage of trash in excess of 5 percent determined by sampling one or more representative deliveries may be made applicable to all other similar deliveries of the same producer made during the same day. The recommendations for a trash tolerance of more than 5 percent have not been adopted. Experience has shown in other sugarcane-producing areas that to permit any tolerance for extraneous material tends to encourage all producers to deliver sugarcane containing at least as much trash as the tolerance allowed. While it appears desirable ultimately to establish a tolerance for trash below 5 percent, it does not appear feasible at this time to adopt a lower percentage.

Analysis of limited data available indicates that the cost of sampling sugarcane for trash varies widely depending on the quantity of sugarcane sampled and the method of sampling. It is deemed equitable that the producer bear that proportion of the actual cost of sampling up to a stated maximum, which will conform substantially to his share of the sugar recovered from his sugarcane. Accordingly, this determination provides that the processor may charge the producer 66 percent of the actual cost of sampling, but not in excess of \$2.64 for each sample.

This determination requires that the processor apply an adjustment factor in the calculation of the sugar yield for sugarcane which contains trash in excess of 5 percent. This correction factor is to vary in relation to the amount of extraneous matter. The adjustment in the sugar yield formula will permit the processor to make a redistribution of sugar yields in accordance with the specific adjustment factors heretofore contained in rulings of the Sugar Board of Puerto Rico. Since more data must be obtained before such adjustments can be determined with the desired degree of accuracy, study of the problem will be continued. The determination also permits the processor at his option, to make a separate determination of the quantity of soil and stones contained in the sample and charge the producer 5 cents per ton of net sugarcane for each 1 percent that the weight of soil and stones is in excess of 1 percent of the gross weight, as provided in the previous ruling of the Sugar Board. Such determination may be made applicable to all other deliveries of the same producer made during that day which are represented by the sample. Representatives of the industry recommended that these provisions be made applicable to the 1956-57 crop.

For many years processors have used a number of sugar yield periods for purposes of making settlements with producers. It is believed that any period

adopted will give reasonably equitable results if it is used uniformly throughout the entire crop. This determination permits the use of any period elected by the processor provided such period is used uniformly throughout the season in making settlements with all producers.

In instances where the processor delivers sugar to the producer, rather than making payment in cash for his share of the raw sugar recovered from the sugarcane, such sugar may be either in bags or in bulk. The quoted price for raw sugar is the price for sugar in bags, and the refiner usually realizes income from sale of used bags. In purchasing bulk sugar it is customary for the mainland refiner to make a deduction from the quoted price of raw sugar to compensate for the absence of bags. Accordingly, this determination provides that if settlement with the producer is made by the delivery of raw sugar in bulk, the processor must pay to the producer the average bag discount sustained by the processor on his own bulk sugar of the 1956-57 crop.

It has been the established practice of processors to make certain allowances to producers for the transporting of sugarcane from the farm to the point at which sugarcane is delivered to the mill and to provide certain other services free of charge to producers. This determination provides that the allowances made and services furnished to producers for the 1955-56 crop shall also be made for the 1956-57 crop.

Prior determinations have specified that for the purpose of making settlements with producers in cash, processors may deduct from the market price of sugar those expenses applicable to the selling and delivery of raw sugar. Certain expenses were allowed on the basis of the costs actually incurred by the processor while other expenses have been grouped within a fixed rate allowance of 8.7 cents per hundredweight of raw sugar in lieu of actual expenses. This determination continues the 8.7 cents per hundredweight allowance for sugar which is shipped in bags, but specifies that processors who ship sugar in bulk may charge a fixed allowance of 7 cents per hundredweight. This amount is deemed equitable upon examination of the expenses furnished by those processors who maintain bulk sugar facilities.

After consideration of all factors this determination is considered to be fair and reasonable. Accordingly, I hereby find and conclude that the foregoing price determination will effectuate the price provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. 1131)

Issued this 15th day of February 1957.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

SCHEDULE A

FORMULA FOR DETERMINING THE "YIELD OF RAW SUGAR" FOR EACH PRODUCER

$$R = TI (S - 0.3B) F$$

where:

R = Yield of raw sugar;

S = Polarization of the crusher juice obtained from the sugarcane of each producer;

B = Brix of the crusher juice obtained from the sugarcane of each producer;

T = Trash correction factor which varies inversely with the amount of trash contained in the sugarcane of each producer from 1.0 for sugarcane which contains an amount of trash not in excess of 5 percent of the gross weight of sugarcane to 0.90075 for sugarcane which contains an amount of trash in excess of 16 percent of the gross weight of sugarcane.

I = Inferior sugarcane correction factor which is applied only to inferior varieties of sugarcane of each producer and is determined as follows:

(a) When the purity, P, (where $P = 100S - B$), of the crusher juice of sugarcane is equal to 75 or more, the factor, $I = 0.9$; or

(b) When the purity, P, (where $P = 100S - B$), of the crusher juice of such sugarcane is less than 75, the factor, $I = 0.9 - 0.02(75 - P)$;

F = Yield factor which is determined as follows:

(a) Determine the "tentative recovery of raw sugar" for each producer delivering sugarcane during the settlement period from the product of the formula $(S - 0.3B)$, the number of hundredweights of net sugarcane, the applicable trash correction factor, T; and where applicable the inferior sugarcane correction factor, I; and

(b) Divide the pounds of the raw sugar, 96° basis, produced during the settlement period at the mill by the sum of the "tentative recoveries of raw sugar" for all producers to obtain the yield factor, F.

SCHEDULE B

ADMISSIBLE DEDUCTIONS FOR SELLING AND DELIVERY EXPENSES ON RAW SUGAR

Admissible deductions for selling and delivery expenses are for those expenses incurred on 1956-57 crop raw sugar which commence with the unstacking of raw sugar in bags or in bulk at the warehouse and include expenses incurred thereafter incidental to the delivery of raw sugar to the purchaser. The deductions are limited to the sum of the following expenses actually incurred at each mill operated by a processor, net of any receipts which reduce such expenses:

1. Freight from warehouse to dock, including covering cars or trucks where necessary;
2. Handling at dock, including unloading and stacking;
3. Wharfage, lighterage, and dock warehousing when incurred as an item separate from wharfage and when necessary in delivery of sugar from warehouse or mill to shipside;
4. Ocean freight, including loading and unloading where freight rate is "free in and free out";
5. Freight demurrage resulting from causes beyond control of the shipper;
6. Unstacking, tallying and loading at warehouse;
7. Shore risk, marine and war risk insurance;
8. Rebagging and mending sugar bags whenever and wherever incurred;
9. Brokerage or commissions and exchange;
10. Weighing, testing, sampling, mending sugar bags, and taring at destination;
11. All other expenses not itemized herein;

and the following additional expenses incurred during the period January 1, 1958-February 28, 1958;

12. Personal property tax;
13. Storage;
14. Insurance on stored sugar.

When any of the necessary services included in items 1 through 5 and item 13

above are furnished by the processor, costs incurred shall include for each of the services rendered;

1. Direct and immediate supervisory labor;
2. Maintenance labor and supplies required for the facilities used;
3. Taxes and insurance assessed or charged to the processor on such labor and a proportionate share of retirement and pension, bonuses and vacation expenses properly allocable to such labor;
4. Direct supplies;
5. Depreciation (at rates allowed by the taxing authority), property taxes, and property insurance on the facilities used.

Administrative expenses and interest shall be excluded from the computation of costs. In the event that facilities used in providing the necessary services are also used for other purposes by the processor, only that portion of the maintenance, depreciation, property taxes, and property insurance of such facilities properly apportionable to the necessary service shall be allowed.

The Director of the Area Office, may permit the use of the lowest rate charged by a public utility or carrier for comparable service in lieu of the costs incurred by the processor in furnishing the necessary service in the event that the costs incurred therefor cannot be accurately determined.

In determining the f. o. b. mill price of raw sugar sold or processed in Puerto Rico, equivalent selling and delivery expenses as approved by the Director of the Area Office, may be allowed in lieu of expenses actually incurred.

The following certification shall be made on statements submitted in duplicate not later than August 1, 1958 to the Area Office:

CERTIFICATION

I hereby certify that the deductions set forth herein are properly chargeable as deductions for selling and delivery expenses for sugar in accordance with the determination of fair and reasonable prices for the 1956-57 crop of Puerto Rican sugarcane.

SCHEDULE C

DEFINITION OF ADMISSIBLE DEDUCTIONS FOR SELLING AND DELIVERY EXPENSES FOR MOLASSES

Admissible deductions for selling and delivery expenses in connection with the molasses payment provided in paragraph (c) of the 1956-57 price determination, are limited to the sum of the following expenses actually incurred at each mill operated by a processor, net of any receipts which reduce such expenses:

1. Operation of pumps to deliver molasses from mill tank to shipside or other delivery point;
2. Freight from mill tank to shipside (or to local buyers when such molasses is sold on a delivered price basis);
3. Operation of tank barges, tugs, or other marine equipment used in delivering molasses to shipside;
4. Weighing and testing;
5. Wharfage;
6. Shore risk insurance (limited in coverage from mill to shipside);
7. Freight demurrage resulting from causes beyond the control of the shipper;
8. Insular taxes on molasses produced in Puerto Rico;
9. Brokerage paid to a bona fide broker.

When any of the necessary services included in items through 9 above are furnished by the processor, costs incurred shall include for each of the services rendered:

1. Direct and immediate supervisory labor;
2. Maintenance labor and supplies required for the facilities used;

3. Taxes and insurance assessed or charged to the processor on such labor and a proportionate share of retirement and pensions, bonuses and vacation expenses properly allocable to such labor;

4. Fuel, energy or direct supplies;
5. Depreciation (at rates allowed by the taxing authorities), property taxes and property insurance on the facilities used.

Administrative expenses and interest shall be excluded from the computation of cost. In the event that facilities used in providing the necessary services are also used for other purposes by the processor, only that portion of the maintenance, depreciation, property taxes, and property insurance of such facilities, properly apportionable to the necessary service, shall be allowed.

The Director of the Area Office, may permit the use of the lowest rate charged by a public utility or carrier for comparable service in lieu of the cost incurred by the processor in furnishing the necessary service in the event that the costs incurred therefor cannot be accurately determined.

The following certification shall be made on statements submitted in duplicate not later than August 1, 1958 to the area Office:

CERTIFICATION

I hereby certify that the deductions set forth herein are properly chargeable as deductions for selling and delivery expenses for molasses in accordance with the determination of fair and reasonable prices for the 1956-57 crop of Puerto Rican sugarcane.

[F. R. Doc. 57-1342; Filed, Feb. 19, 1957; 8:51 a. m.]

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

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

EXPENSES FOR 1956-57 SEASON; INCREASED EXPENSES WITH RESPECT TO EARLY AND LATE VARIETIES OF PLUMS

On January 25, 1957, notice of proposed rule making was published in the FEDERAL REGISTER (22 F. R. 501), that consideration was being given to a proposal regarding an increase in expenses pertaining to Early varieties of plums and Late varieties of plums for the 1956-57 fiscal period under the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums and Elberta peaches grown in the State of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was submitted by the Control Committee (established pursuant to said amended marketing agreement and order): *It is hereby ordered*, That the provisions in paragraph (a) (2) and (3) of § 936.210 *Expenses and rates of assessment for the 1956-57 season* (21 F. R. 4073) be, and hereby are, amended to read as follows:

- (2) Early varieties of plums, \$20,000.00.
- (3) Late varieties of plums, \$21,000.00.

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

Done at Washington, D. C., this 15th day of February, 1957, to become effective 30 days after publication in the FEDERAL REGISTER.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 57-1338; Filed, Feb. 19, 1957; 8:50 a. m.]

[957.315 Amdt. 3]

PART 957—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

LIMITATION OF SHIPMENTS

Findings. a. Pursuant to Marketing Agreement No. 98 and Order No. 57, as amended (7 CFR Part 957), regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Idaho-Eastern Oregon Potato Committee, established pursuant to said marketing agreement and order, as amended, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

b. It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this amendment, (iii) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, (iv) reasonable time is permitted, under the circumstances, for such preparation, (v) information regarding the committee's recommendations has been made available to producers and handlers in the production area, and (vi) this amendment relieves restrictions on the handling of potatoes grown in the production area.

Order, as amended. The provisions of paragraph (b) (1) of § 957.315 (21 F. R. 7480, 9165; 22 F. R. 812) are hereby amended to read as follows:

(1) During the period from February 25, 1957, through June 30, 1957, no handler shall ship potatoes of any variety unless such potatoes (i) are generally

"fairly clean," which means that at least 90 percent of such potatoes are "fairly clean" and (ii) meet the requirements of the U. S. No. 2, or better, grade, Size A, 2 inches minimum diameter or 4 ounces minimum weight; as such terms, grades, and sizes are defined in the United States Standards for Potatoes (§§ 51.1540 through 51.1559 of this title), including the tolerances set forth therein: *Provided*, That potatoes of the red skin varieties may be shipped if such potatoes are generally, "fairly clean," as aforesaid, grade at least U. S. No. 2, and are of a size not smaller than 1 1/8 inches in diameter.

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

Dated: February 15, 1957, to become effective February 25, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director,
Fruit and Vegetable Division.

[F. R. Doc. 57-1340; Filed, Feb. 19, 1957; 8:51 a. m.]

TITLE 19—CUSTOMS DUTIES

**Chapter I—Bureau of Customs,
Department of the Treasury**

[T. D. 54244]

**PART 6—AIR COMMERCE REGULATIONS
ADVANCE NOTICE OF ARRIVAL OF AIRCRAFT**

Section 6.2 (b) (1) of the Customs regulations was referred to as § 6.2 (b) in Treasury Decision 54244, published in the FEDERAL REGISTER November 21, 1956 (21 F. R. 9054). The reference to § 6.2 (b) in that Treasury Decision is therefore corrected to read § 6.2 (b) (1).

[SEAL] RALPH KELLY,
Commissioner of Customs.

[F. R. Doc. 57-1334; Filed, Feb. 19, 1957; 8:50 a. m.]

**TITLE 15—COMMERCE AND
FOREIGN TRADE**

**Chapter III—Bureau of Foreign Commerce,
Department of Commerce**

Subchapter B—Export Regulations

[8th Gen. Rev. of Export Regs., Amdt. 26]

PART 384—GENERAL ORDERS

**EXTENSION OF VALIDITY PERIOD OF CERTAIN
EXPORT LICENSES**

§ 384.4 *Order extending the validity period of licenses expiring November 30, 1956* is amended to read as follows:

§ 384.4 *Extension of validity period of certain export licenses.* In view of the work stoppage at United States ports which began February 12, 1957, the validity period of any outstanding export license which expires on February 28, 1957 is hereby extended until March 31, 1957. In the event the work stoppage continues beyond February 28, 1957, the validity period of any outstanding export license, including such license ex-

piring on February 28, 1957, which expires between February 28, 1957 and the last day of the month during which the work stoppage terminates, is hereby extended to the last day of the month following the month in which the work stoppage terminates.

This amendment shall become effective as of February 19, 1957.

(Sec. 3, 63 Stat. 7, as amended; 50 U. S. C. App. 2023. E. O. 9630, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, 13 F. R. 59, 3 CFR 1948 Supp.)

LORING K. MACY,
Director,

Bureau of Foreign Commerce.

[F. R. Doc. 57-1333; Filed, Feb. 19, 1957; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 26]

**PART 3—AIRPLANE AIRWORTHINESS; NOR-
MAL, UTILITY, AND ACROBATIC CATE-
GORIES**

MISCELLANEOUS AMENDMENTS

This supplement is issued (1) to delete the requirement that the center of gravity limits information be furnished the Washington office for ruling when the center of gravity limits cannot be obtained practically during type tests (this can now be handled in the field) (§ 3.71-1 (c)); (2) to provide the pilot with a needed indication when the trim device is in the neutral position (§ 3.337-3), (3) to assure that a new airplane will have adequate generator capacity when the airplane is equipped for IFR flight under the provisions of Part 43 of this subchapter (§ 3.681-2), and (4) to permit consideration of a bottom fuselage installation for an anticollision light (§ 3.700-3).

1. Section 3.71-1 is amended by deleting paragraph (c) and redesignating paragraph (d) as paragraph (c).

2. A new § 3.337-3 is added to read as follows:

§ 3.337-3 *Trim device indications (CAA policies which apply to § 3.337).* In addition to providing means to indicate to the pilot the position of the trim device with respect to the range of adjustment, provisions should also be incorporated to indicate when the trimming surfaces are in the neutral position with respect to the primary control surfaces.

3. A new § 3.681-2 is added to read as follows:

§ 3.681-2 *Generator capacity (CAA policies which apply to § 3.681).* When a generator is required,¹ its capacity should be sufficient to supply during flight all probable combinations of con-

¹ A generator of adequate capacity is required by § 43.30 (c) (7) of this subchapter for operation under instrument flight rules.

tinuous loads,² with adequate reserve for storage battery charging. In no case should the maximum probable continuous load exceed 80 percent of total generator rating.

4. Section 3.700-3 is amended by inserting the following sentence between the first and second sentences: "If there is no acceptable location on top of the fuselage or tail, a bottom fuselage installation may be considered."

This supplement shall become effective March 15, 1957.

(Sec. 205, 52 Stat. 984, 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007 as amended, 49 U. S. C. 551)

[SEAL] S. A. KEMP,
*Acting Administrator of
Civil Aeronautics.*

[F. R. Doc. 57-1318; Filed, Feb. 19, 1957; 8:47 a. m.]

[Supp. 42]

**PART 42—IRREGULAR AIR CARRIER AND
OFF-ROUTE RULES**

LISTING OF LARGE AIRCRAFT

The use of Form ACA-518A, Operations Specifications—Aircraft Identification, has been discontinued. Form ACA-1014, Operations Specifications, is now being used for the listing of large aircraft utilized by the air carrier.

This revision does not impose any additional burden upon interested persons, and no useful purpose would be served by compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act. Therefore, compliance is unnecessary and is not required.

Section 42.11-1 is amended by substituting "Form ACA-1014" for "Form ACA-518A" in the first and second sentences.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies secs. 601, 604, 52 Stat. 1007, 1010, as amended; 49 U. S. C. 551, 554)

This supplement shall become effective February 15, 1957.

[SEAL] S. A. KEMP,
*Acting Administrator
of Civil Aeronautics.*

[F. R. Doc. 57-1317; Filed, Feb. 19, 1957; 8:47 a. m.]

[Supp. 2]

**PART 49—TRANSPORTATION OF EXPLOSIVES
AND OTHER DANGEROUS ARTICLES**

**APPLICATION FOR AUTHORIZATION TO DEVIATE
FROM CERTAIN PROVISIONS**

In order to avoid confusion between the appendix material relative to the

² Continuous loads are those which draw current continuously during flight, such as radio equipment and position lights. Occasional intermittent loads (such as landing gear, flaps, or landing lights) are not considered.

Civil Air Regulations, Part 49, and the appendix material relative to Civil Aeronautics Manual 49, § 49.71-3 (a), as published in 21 F. R. 9103, November 22, 1956, is amended by removing the reference to appendix A in the first sentence and the footnote 1.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This supplement shall become effective February 15, 1957.

[SEAL]

S. A. KEMP,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc 57-1316; Filed, Feb. 19, 1957; 8:46 a. m.]

Subchapter C—Procedural Regulations

[Reg. PR-27]

PART 303—RULES OF PRACTICE IN AIRCRAFT ACCIDENT INQUIRIES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 12th day of February 1957.

The procedures which the Board has followed in aircraft accident inquiries have been in effect for a considerable period of time. The Board has decided to revise its rules of practice in these inquiries to establish a prehearing conference procedure and to permit limited questioning by parties to the investigation as designated by the Presiding Officer. The purpose of this part is to make available to the public this revised information concerning the procedures to be followed by the Board in aircraft accident inquiries.

An aircraft accident inquiry is held solely for the purpose of discovering the facts, conditions, and circumstances concerning an aircraft accident in order to determine the probable cause of the accident and to ascertain the measures which will best tend to prevent similar accidents in the future. Such inquiries are not held for the purpose of determining the rights or liabilities of private parties, and the Board makes no attempt to do so. The procedures followed by the Board in such inquiries are adapted to the special nature of the inquiries.

Since this part is a rule of agency procedure and practice, notice and public procedure are not necessary.

In consideration of the foregoing, the Civil Aeronautics Board hereby promulgates a revised Part 303 of the Procedural Regulations to read as follows, effective February 15, 1957.

- Sec.
303.0 Applicability of part.
303.1 Nature of inquiry.
303.2 Institution of inquiry.
303.3 Designation of Presiding Officer.
303.4 Notice of inquiry.
303.5 Investigator-in-Charge.
303.6 Legal Officer.
303.7 Board of Inquiry.

CONDUCT OF INQUIRY

- 303.11 Powers of Presiding Officer.
303.12 Prehearing conference with parties to the investigation.

- Sec.
303.13 Examination of witnesses.
303.14 Evidence.
303.15 Recommendations by interested persons.
303.16 Stenographic transcript.
303.17 Docket.
303.18 Investigation to remain open.
303.19 Withholding of information.

BOARD REPORT

- 303.22 Basis of report.
303.23 Supplemental report.

AUTHORITY: §§ 303.0 to 303.23 issued under sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 701, 702, 1004, 52 Stat. 1012, as amended, 1013, as amended, 1021, as amended; 49 U. S. C. 581, 582, 644.

§ 303.0 *Applicability of part.* The provisions of this part shall govern all aircraft accident inquiries conducted by the Civil Aeronautics Board under the authority of Title VII of the Civil Aeronautics Act of 1938, as amended, unless otherwise specifically ordered by the Board.

§ 303.1 *Nature of inquiry.* Aircraft accident inquiries are held by the Board as a part of the investigation of accidents involving aircraft in order to determine the facts, conditions, and circumstances relating to each accident and the probable cause thereof and to ascertain measures which will best tend to prevent similar accidents in the future. It is purely a fact-finding procedure, and there are no formal pleadings or issues and no adverse parties and during the course of the hearing no objections to any matter will be entertained from any party to the investigation or any other person. Aircraft accident inquiries are not subject to the provisions of Sections 4, 5, 7, 8, or 10 of the Administrative Procedure Act.

INITIAL PROCEDURE

§ 303.2 *Institution of inquiry.* The Director, Bureau of Safety, shall, on behalf of the Board, order an inquiry into an accident involving aircraft whenever he deems it necessary in the public interest.

§ 303.3 *Designation of Presiding Officer.* The Director, Bureau of Safety, shall designate in writing a Presiding Officer to conduct the inquiry.

§ 303.4 *Notice of inquiry.* The Presiding Officer shall designate a time and place for the inquiry which meets the needs of the Board and gives due consideration to the convenience of the witnesses. The time and place of the inquiry shall be published in the Notices Section of the FEDERAL REGISTER prior to the date of the inquiry, unless such notice is impractical or unnecessary.¹

§ 303.5 *Investigator-in-Charge.* An employee of the Board shall be designated to serve as the Investigator-in-Charge. It shall be his responsibility to direct the investigation in the field and to serve on the Board of Inquiry.

¹ The Board ordinarily gives personal notice to all known interested persons and also publicizes the inquiry by a press release to aviation trade journals and local newspapers near the scene of the accident.

§ 303.6 *Legal Officer.* A member of the staff of the General Counsel shall be designated by the General Counsel to serve as the Legal Officer. It shall be such Legal Officer's responsibility to serve the Board of Inquiry and to assist and advise the Presiding Officer on such evidentiary and other legal questions as shall arise during the inquiry.

§ 303.7 *Board of Inquiry.* The Board of Inquiry shall be composed of the Presiding Officer, the Investigator-in-Charge, and such other persons as are appointed by the Director, Bureau of Safety. It shall be the duty of the Board of Inquiry to secure in the form of a public record all known facts pertaining to the cause of the accident and the surrounding circumstances and conditions from which corrective action may be formulated.

CONDUCT OF INQUIRY

§ 303.11 *Powers of Presiding Officer.* A Presiding Officer shall have the following powers:

- (a) To give notice concerning and hold inquiries;
- (b) To adjourn, continue, or postpone inquiries;
- (c) To administer oaths and affirmations;
- (d) To examine witnesses;
- (e) To issue subpoenas and to take or cause depositions to be taken in accordance with the provisions of section 1004 of the Civil Aeronautics Act of 1938, as amended;
- (f) To rule upon the admissibility of and receive evidence;
- (g) To regulate the course of the inquiry;
- (h) To dispose of procedural requests or similar matters;
- (i) To take any other action necessary or incident to the orderly conduct of such proceedings; and
- (j) To designate parties to the investigation.

§ 303.12 *Prehearing conference with parties to the investigation.* The Presiding Officer shall designate as parties to the investigation those persons, government agencies, companies and associations whose employees, functions, activities, or products were involved in the accident, or who participated in the accident investigation. A prehearing conference will be held with such parties to the investigation by the Presiding Officer, the Legal Officer, and such other members of the Board of Inquiry as may be designated by the Presiding Officer, at a convenient time and place. At or before such prehearing conference the parties to the investigation will be furnished with copies of exhibits which it is proposed to receive in evidence at the inquiry, and will also be furnished with copies of statements obtained from witnesses during the investigation or, if such statements are unavailable, a description of their anticipated testimony. At such prehearing conference the parties to the investigation will indicate to the Presiding Officer whether they desire to examine any such witnesses and the intended area and scope of such

examination. They will also be given an opportunity to suggest additional witnesses, exhibits or other evidence which, in their view, would be pertinent to the inquiry.

§ 303.13 *Examination of witnesses.* (a) Witnesses will be examined by the Board of Inquiry. Following such examination the parties to the investigation who have indicated at the prehearing conference their desire to examine such witnesses will be given an opportunity to do so. If a party to the investigation who has not indicated at the prehearing conference an intention to examine a witness, desires to do so, he may make a request to the Presiding Officer along with his justification as to why such examination is now deemed necessary. The Presiding Officer will then determine whether to permit examination by such party to the investigation.

(b) Materiality, relevancy and competency of witnesses' testimony, exhibits or physical evidence will not be the subject of objections by a party to the investigation or any other person, but such matters will be controlled by rulings of the Presiding Officer on his own motion. If the examination of a witness by a party to the investigation is interrupted by a ruling of the Presiding Officer, opportunity will be given to show materiality, relevancy or competency of the testimony or evidence sought to be elicited from the witness.

§ 303.14 *Evidence.* The Presiding Officer shall receive all testimony and exhibits which might be of aid in determining the cause of the accident. He may exclude any testimony or exhibits which are not pertinent to the inquiry or which are merely cumulative. He may withhold from public disclosure any evidence, pending a final determination by the Board as to whether it is in the public interest to release such evidence.

§ 303.15 *Recommendations by interested persons.* Any person may submit his recommendations as to the proper conclusions to be drawn from the testimony and exhibits submitted at the inquiry. Such recommendations may be submitted by a written brief either at or after the inquiry, provided that the Presiding Officer may in his discretion permit such recommendations to be presented orally at the close of the inquiry. Five copies of such briefs shall be submitted, and they shall be made a part of the docket.

§ 303.16 *Stenographic transcript.* A verbatim report of the inquiry shall be taken. Copies of the transcript may be obtained by any interested person from the official reporter upon payment of the fees fixed therefor.

§ 303.17 *Docket.* The docket of any inquiry shall include the transcript, exhibits, briefs, and all other information concerning the accident which the Board has not ordered to be withheld from the public. A copy of the docket shall be made available to any person for review

at the Washington office of the Board. Photostatic copies of exhibits may be obtained from the Chief of the Docket Section upon paying the cost of such copies.

§ 303.18 *Investigation to remain open.* Safety investigations are never officially closed but are kept open for the submission of new and pertinent evidence. If the Director of the Bureau of Safety finds that such evidence is relevant and probative, it may be made a part of the docket, unless the Board orders it to be withheld from public disclosure.

§ 303.19 *Withholding of information.* Any person may make written objection to the public disclosure of information contained in any report or document filed pursuant to this part or the provisions of the Civil Aeronautics Act of 1938, as amended, or of information obtained by the Board pursuant to the provisions of this part or the act, stating the grounds for such objection. Whenever such objection is made, the Board shall order such information withheld from public disclosure when, in its judgment, a disclosure of such information would adversely affect the interests of such person and is not required in the interest of the public.

BOARD REPORT

§ 303.22 *Basis of report.* The Board's report as to the facts, conditions, and circumstances relating to the accident and the probable cause thereof shall be based upon the docket of the inquiry, together with any other information which has come to the attention of the Board and its staff.

§ 303.23 *Supplemental report.* Upon receipt of any newly discovered evidence, the Board, after due consideration, may issue a supplemental report if it finds that such evidence warrants such action.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 57-1345; Filed, Feb. 19, 1957; 8:51 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 7]

PART 514—TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

TSO—C30B, AIRCRAFT POSITION LIGHTS

Minimum performance standards for aircraft position lights which are to be used in civil aircraft of the United States are established in the new regulation § 514.41 (TSO—C30b).

Section 514.41 appeared as a notice of proposed rule making in 21 F. R. 9779-9780 on December 11, 1956. All interested persons have been afforded an opportunity to submit written views, data, or argument. No comments were received.

Section 514.41 is added under Subpart B of this part to read as follows:

§ 514.41 *Aircraft position lights—TSO—C30b—(a) Applicability—(1) Minimum performance standards.* Minimum performance standards are hereby established for position lights which are to be used in civil aircraft of the United States.¹ New models of position lights manufactured for installation on civil aircraft on or after March 31, 1957, shall meet the standards set forth in SAE Specification AS271, "Aircraft Position Lights," dated October 15, 1952,² with the exception listed in subparagraph (2) of this paragraph. Position lights approved by the Civil Aeronautics Administration prior to March 31, 1957, may continue to be manufactured under the provisions of their original approval.

(2) *Exceptions.* For the purpose of this section only the standards set forth in subsection 3.3 and section 4 (except subsection 4.3.2.3 and 4.7) need be complied with.

(b) *Marking.* In lieu of the marking requirements of paragraph (c) of § 514.3, the minimum lamp candle power or lamp part number shall be shown.

Effective date: March 31, 1957.

(Sec. 205, 54 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] S. A. KEMP,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 57-1315; Filed, Feb. 19, 1957; 8:46 a. m.]

[Amdt. 234]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

NOTE: Where the general classification (LFR, VAR, ADF, ILS, RADAR, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

¹ The number and types of position lights for each aircraft category are established in Civil Air Regulations Parts 3, 4b, 6, and 7 of this title. In general, air-carrier aircraft use all five types listed in AS271, section 2, while other aircraft are equipped with types I, II, and III only.

² Copies may be obtained from the Society of Automotive Engineers, 29 West 39th Street, New York, N. Y.

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles. If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Amarillo, Tex.; Air Terminal Airport, elevation 3,604'; facility SBRAZ, identification AMA; Procedure No. 1, Amendment No. 9, effective date, Mar. 2, 1957; supersedes Amendment No. 8, dated July 30, 1955

From—	Transition	To—	Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		Notes	
						2-engine or less 65 knots or less	More than 2-engine, more than 65 knots		
Amarillo VOR Sony Intersection (fina)	AMA-LFR AMA-LFR		Direct Direct	4,800 4,600	T-dn C-dn A-dn	300-1 400-1 800-2	300-1 500-1 800-2	200-1/2 500-1/2 800-2	Procedure turn S side of W course, 257° outbound, 077° inbound, 5,000' within 10 miles. Beyond 10 miles not authorized. Minimum altitude over facility on final approach course, 4,600'. Course and distance, facility to airport, 077-1.8. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 1.8 miles, climb to 4,700' on E course or when directed by ATC turn right and climb to 5,000' on SW course within 20 miles.

Amarillo, Tex.; Air Terminal Airport, elevation 3,604'; facility SBRAZ, identification AMA; Procedure No. 2, Amendment No. 9, effective date, Mar. 2, 1957; supersedes Amendment No. 8, dated Jan. 14, 1955

Amarillo VOR Conway Intersection	Amarillo LFR Amarillo Intersection (fina)		Direct Direct	4,800 4,200	T-dn C-dn A-dn	300-1 400-1 800-2	300-1 500-1 800-2	*200-1/2 500-1/2 800-2	Procedure turn S side of E course, 077° outbound, 267° inbound, 4,700' within 10 miles. Minimum altitude over Amarillo Intersection* on final approach course, 4,200'. Course and distance, Amarillo Intersection to airport, 257-4.2. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 4.2 miles climb to 5,000' on W course within 20 miles, or when directed by ATC, turn right and climb to 4,800' on N course within 20 miles. *Amarillo Intersection is intersection E course Amarillo LFR and radial 147° AMA. NOTE: Procedure authorized only for aircraft equipped to receive Amarillo LFR and Amarillo VOR simultaneously.
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Buffalo, N. Y.; Municipal Airport, elevation 711'; facility SBRAZ, identification BUF; Procedure No. 2, Amendment No. 4, effective date, Mar. 2, 1957; supersedes Amendment No. 3, dated Apr. 1, 1954

Wolcottville FM E Pembroke FM	BUF-LFR (fina) BUF-LFR		Direct Direct	1,300 1,900	T-dn C-dn A-dn	300-1 400-1 800-2	300-1 500-1 800-2	200-1/2 500-1/2 800-2	Procedure turn N side NE course, 050° outbound, 230° inbound, 1,800' within 10 miles. Minimum altitude over facility on final approach course, 1,300'. Course and distance, facility to airport, 214-0.8. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 0.8 mile, climb to 2,000' on SW course within 20 miles, or when directed by ATC, climb as rapidly as possible to 2,300' on W course within 10 miles. CAUTION: 1,349' TV tower 5 miles WNW of airport.
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Buffalo, N. Y.; Municipal Airport, elevation 711'; facility SBRAZ-BUF, identification FM-OQA; Procedure No. 2, Amendment No. 4, effective date, Mar. 2, 1957; supersedes Amendment No. 3, dated Apr. 1, 1954

Angola FM	Cheektowaga FM (fina)		Direct	1,500	T-dn C-dn S-dn-E A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-1/2 400-1 800-2	* Do not descend below 2,000' until 7 miles past Angola FM. (Distance from Angola FM to Cheektowaga FM exceeds standard.) Procedure turn S side SW course, 230° outbound, 059° inbound, 2,000' within 10 miles of Cheektowaga FM. Minimum altitude over Cheektowaga FM on final approach course, 1,600'. Course and distance, Cheektowaga FM to airport, 059-2.3. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 2.3 miles after passing Cheektowaga FM, climb to 2,000' on NE course within 20 miles or, when directed by ATC, make right climbing turn to 2,100' on E course within 10 miles. CAUTION: 1,349' TV tower 5 miles WNW of airport.
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2. The very high frequency omnirange (VOR) procedures prescribed in § 609.9 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles. If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Amarillo, Tex.; Air Terminal Airport, elevation 3,004'; facility BVOR, identification AMA; Procedure No. 1, Amendment No. 4, effective date, Mar. 2, 1957; supersedes Amendment No. 3, dated July 30, 1955

Transition		Ceiling and visibility minimums				Notes
From--	To--	Minimum altitude (feet)	Condition	2-engine or less 45 knots or less	More than 2-engine, more than 65 knots	
Amarillo LFR	AMA-VOR	4,800	T-dn	300-1	200-1½	Procedure turn N side of course, 025° outbound, 200' inbound, 4,000' within 10 miles. Minimum altitude over facility on final approach course, 4,400'. Course and distance, facility to airport, 208-4. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 4 miles, climb to 5,000' on R-209 within 20 miles, or when directed by ATC, turn left, climb to 4,700' on R-075 within 20 miles.
Treadwind MEHW	AMA-VOR	5,000	C-dn S-dn-2L A-dn	400-1 400-1 800-2	500-1½ 400-1 800-2	

Buffalo, N. Y.; Municipal Airport, elevation 711'; facility VOR-DME, identification BUF; Procedure No. R-107, Amendment No. 4, effective date, Mar. 2, 1957; supersedes Procedure No. 1, Amendment No. 3, dated Jan. 28, 1955

Varysburg Intersection* via course 336°	Darien Intersection#	3,000	T-dn	300-1	200-½	*Varysburg Intersection: Buffalo VOR R-132 and 15 miles DME. #Darien Intersection: Buffalo VOR R-107 and 8 miles DME. Procedure turn E side of course, 107° inbound, 237° inbound, 2,000' with 10 miles. Procedure turn need not be accomplished with DME. Minimum altitude over facility on final approach course, 1,600'. Course and distance, facility to airport, 287-3.0. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 3.6 miles, make a 180° right climbing turn to 2,000' on R-107 BU within 20 miles. CAUTION: 1,389' TV tower 5 miles WNW of airport.
Darien Intersection#	Buffalo VOR	1,500	C-dn S-dn-3L, 27 A-dn	400-1 400-1 800-2	500-1½ 400-1 800-2	

San Jose, Calif.; San Jose Airport, elevation 62'; facility BVOR, identification AGW; Procedure No. 1, Amendment No. 3, effective date, Mar. 2, 1957; supersedes Amendment No. 2, dated Sept. 24, 1955

Oakland LFR	AGW-VOR	3,000	T-dn*	300-1	300-1	*500-1 required for takeoff, runway 12. NOTE: All transitions to AGW-VOR above 2,000' must descend to 2,000' in 1 minute, let turn holding pattern on R-115 AGW before executing procedure turn. Procedure turn N side course, 295° outbound, 115° inbound, 1,500' within 5 miles. Not authorized beyond 5 miles due to possible conflict with SFO LOM holding pattern. Minimum altitude over facility on final approach course, 1,100'. Course and distance, facility to airport, 115-3.4. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles, turn right and proceed to the AGW-VOR, climbing to 2,000' on R-120 (300° inbound), then hold SE of AGW-VOR in a 1-minute left turn pattern on R-115 at 2,000'.
San Francisco LFR	AGW-VOR	2,000	C-dn	600-1	600-1½	
San Francisco LOM	AGW-VOR	2,000	A-dn	600-1	800-2	
Moffett LFR	AGW-VOR	1,700		300-1	300-1	
Evergreen FMHW	AGW-VOR	1,700		600-1	600-1	
Saratoga Intersection	AGW-VOR	4,500		800-2	800-2	
Mission Intersection	AGW-VOR	3,000				
Intersection R-290 AGW and bearing 360 to Fremont HW	AGW-VOR (final)	4,100				

3. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Coffings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Amarillo, Tex.; Air Terminal Airport, elevation 3,604'; facility ILS-LAMA, identification LOM-TDW; Procedure No. 1, Amendment 3, Combination ILS-ADF, effective date, Mar. 2, 1957; supersedes Amendment No. 2, dated Aug. 6, 1955

Transition		Coffing and visibility minimums				Notes	
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less 65 knots or less		More than 2-engine, more than 65 knots
Amarillo VOR.....	TDW.....	Direct.....	5,000	T-dn.....	300-1	200-1/2	#400-3/4 required when glide slope not utilized. Procedure turn S side of SW course, 203° outbound, 029° inbound, 5,000' within 10 miles. Minimum altitude at G, S, intersection inbound, 5,000' ILS, minimum altitude over LOM inbound final 4,500' ADF. Altitude of G, S, and distance to approach end of runway at OM 4,920-4.1; at MIM 3,832-0.6. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 4.1 miles after passing LOM (ADF), climb to 4,900' on NE course ILS (029) or, when directed by ATC, climb to 4,700' on E course LFR within 20 miles.
Amarillo LFR.....	TDW.....	Direct.....	5,000	C-dn.....	500-1	500-1/2	
Soney Intersection.....	TDW.....	Direct.....	5,000	S-dn-3#.....	300-1	300-1/2	
Bivins Intersection.....	TDW.....	Direct.....	5,300	ILS.....	400-1	400-1	
Panhandle Intersection.....	TDW.....	Direct.....	4,900	ADF.....	200-1/2	200-1/2	
Conway Intersection.....	TDW.....	Direct.....	4,900	A-dn.....	400-1	400-1	
Claude Intersection.....	TDW.....	Direct.....	4,900	ILS.....	600-2	600-2	
Palo Duro Intersection.....	TDW.....	Direct.....	4,900	ADF.....	800-2	800-2	
Tower Intersection.....	TDW.....	Direct.....	5,000				
Sam Intersection.....	TDW.....	Direct.....	5,300				

Amarillo, Tex.; Air Terminal Airport, elevation 3,604'; facility ILS-LAMA, identification BVOR-AMA; Procedure No. 2, Amendment No. 1, Combination ILS and VOR, effective date, Mar. 2, 1957; supersedes Amendment Original, dated Nov. 3, 1955

Amarillo LFR.....	AMA-VOR.....	Direct.....	4,800	T-dn.....	300-1	200-3/4	Procedure turn N side of NE course 029° outbound, 209° inbound, 4,900' within 10 miles of AMA VOR. No glide slope, 4,400' over AMA VOR. 4 miles from VOR to approach end of runway 21. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 4 miles, climb to 5,000' on SW course ILS or R-209 or when directed by ATC turn left, climb to 4,700' on R-075 within 20 miles. NOTE: Procedure authorized only for aircraft equipped to receive Amarillo ILS and Amarillo VOR simultaneously.
Tradewind MHW.....	AMA-VOR.....	Direct.....	5,000	C-dn.....	500-1	500-1/2	
				S-dn-21 ILS.....	300-1	300-1	

Billings, Mont.; Municipal Airport, elevation 3,612'; facility ILS-BIL, identification LOM-BI; Procedure No. 1, Amendment No. 1, effective date, Mar. 2, 1957; supersedes Amendment Original, dated Dec. 15, 1956

BIL-VOR.....	LOM.....	Direct.....	5,200	T-dn.....	300-1	200-3/4	#300-1 required for takeoff on all runways except 9-27. #400-1 required with glide slope inoperative. Procedure turn S side of course, 275° outbound, 093° inbound, 5,200' within 10 miles. Not authorized beyond 10 miles. Minimum altitude at G, S, intersection inbound, 5,000' ILS; minimum altitude over LOM inbound final 4,800' ADF. Altitude of G, S, and distance to approach end of runway at OM 4905-1.1 at MIM 3816-0.6. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 4.1 miles of LOM (ADF) climb to 5,200' on E course ILS-LFR within 20 miles. NOTE: Approach lights not installed. CAUTION: Stanchion clearance over obstructions not provided on ADF final approach (terrain 9,860' mean sea level at BIL-VOR).
BIL LFR.....	LOM.....	Direct.....	5,200	C-dn.....	500-1	500-1/2	
Park City FM.....	LOM.....	Direct.....	6,000	S-dn-3#.....	300-1	300-1/2	
Lavina FM.....	LOM.....	Direct.....		ILS.....	300-3/4	300-3/4	
				ADF.....	400-1	400-1	

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Buffalo, N. Y.; Municipal Airport, elevation 711'; facility ILS, identification BUF; Procedure No. 1, Amendment No. 6, effective date, Mar. 2, 1957; supersedes Amendment No. 5, dated Apr. 1, 1954

From—	To—	Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums			Notes
					2-engine or less	More than 2-engine, more than 05 knots	More than 05 knots	
SW course Buffalo LFR via course 052°	SW course ILS	Direct	2,000	T-dn	300-1	200-1/2	200-1/2	Procedure turn N side NE course 052° outbound, 232° inbound, 1,800' within 10 miles of LOM. Minimum altitude at glide slope intersection inbound, 1,800'. Minimum altitude at glide slope and distance to approach end of runway at OM—1,600, 217, at M.M.—800-1/2. If visual contact not established upon descent to authorized landing minimums of 1,600' on SW course ILS or, if landing not accomplished, climb to 2,000' on SW course ILS or, if landing not accomplished, climb as rapidly as possible to 2,800' on W. course Buffalo LFR within 10 miles. CAUTION: 1,340' TV tower 9 miles WNW of airport.
Wolcottsville FM.	LOM (final)	Direct	1,800	C-dn	500-1	500-1 1/2	500-1 1/2	
Buffalo VOR	LOM	Direct	1,800	S-dn-23	200-1/2	200-1/2	200-1/2	
				A-dn	600-2	600-2	600-2	

Buffalo, N. Y.; Municipal Airport, elevation 711'; facility ILS-BUF, identification FM-CQA; Procedure No. 2, Amendment No. 2, effective date, Mar. 2, 1957; supersedes Amendment No. 1, dated Apr. 1, 1954

SW course Buffalo LFR via course 052°	SW course ILS	Direct	2,000	T-dn	300-1	200-1/2	200-1/2	*Do not descend below 2,000' until 7 miles past Angola FM. (Distance from Angola FM to Cheektowaga FM exceeds standard.) Procedure turn S side SW course, 232° outbound, 052° inbound, 2,000' within 10 miles of Cheektowaga FM. No glide slope or markers; 1,600' over Cheektowaga FM; 2.3 miles from Cheektowaga FM to runway 6. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 2.3 miles after passing Cheektowaga FM, climb to 2,800' on NE course ILS or, when directed by ATO, make a climbing right turn to 2,100' on E course Buffalo LFR within 10 miles.
Angola FM.	SW course ILS (final)	Direct	*1,500	C-dn	500-1	500-1 1/2	500-1 1/2	
Buffalo VOR	SW course ILS	Direct	2,000	S-dn-5	400-1	400-1	400-1	
				A-dn	800-2	800-2	800-2	

Charleston, W. Va.; Kanawha County Airport, elevation 981'; facility ILS-CHW, identification LOM-CH; Procedure No. 1, Amendment No. 7, Combination ILS-ADF, effective date, Mar. 2, 1957; supersedes Amendment No. 6, dated Sept 28, 1956

Intersection NE course ILS and bearing 234° to CHW-LFR	LOM	Direct	2,500	T-dn	300-1	200-1/2	200-1/2	Procedure turn N side NE course, 050° outbound, 230° inbound, 2,300' within 10 miles. No glide slope, minimum altitude over LOM inbound final 1,800'. Distance to approach end of runway at LOM 4.3, at L.M.M. 0.5. If visual contact not established upon descent to authorized landing minimums of 1,800' on LOM, climb to 2,500' after passing LOM (ADF) and to 2,800' preceding to Charleston LFR or when directed by ATO climb to 2,800' preceding to CHW-VOR. Notes: Provisions for use with inoperative components are not applicable to this procedure.
CHW-LFR	LOM	Direct	2,500	C-dn	600-1	600-1 1/2	600-1 1/2	
CHW-VOR	LOM	Direct	2,500	S-dn-28	500-1	500-1	500-1	
Gay Intersection	LOM	Direct	2,500	ILS	600-1	600-1	600-1	
Vantage Grove Intersection	LOM	Direct	2,500	ADF	800-2	800-2	800-2	
Ivydale Intersection	LOM	Direct	2,500	A-dn	800-2	800-2	800-2	

New York, N. Y.; International Airport, elevation 12'; facility ILS-IDL, identification FM Elmont Procedure No. 2, Amendment No. 6, effective date, Dec. 8, 1956; supersedes Amendment No. 5, dated Feb. 28, 1955

PROCEDURE CANCELED MAR. 2, 1957							
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less	More than 2-engine, more than 05 knots	Notes

Glenn Cove Radiobeacon	OM (final)	Direct	1,500	T-dn	300-1	200-1/2	*400-3/4 required with glide slope inoperative. CAUTION: Circling minimums do not provide standard clearance over the following obstructions: 278' stack 1.7 miles SE runway 4, 188' contact tower on airport. Procedure turn E side NE course, 048° outbound, 223° inbound, 1,500' within 10 miles of OM (nonstandard to avoid LaGuardia traffic). Minimum altitude at glide slope intersection inbound, 1,500'. Altitude of glide slope and distance to approach end of runway at OM—1,500'—4.8; at M.M. 240'—0.6. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 1,600' on SW course ILS and proceed to Scotland Intersection. Contact IDL approach control for further instructions.
Idlewild LFR	OM	Direct	1,500	C-dn	500-1	500-1 1/2	
Idlewild VOR	OM	Direct	1,500	S-dn-28	200-1/2	200-1/2	
Idlewild VOR	OM	Direct	1,500	A-dn	600-2	600-2	
Radar terminal area transition altitudes		Within 25 miles	2,500				
All directions E of NE/SW course LaGuardia LFR		Within 16 miles	1,500				

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Syracuse, N. Y.; Hancock Airport, elevation 419'; facility ILS-SYR, identification LOM-SY; Procedure No. 1, Amendment No. 13, Combination ILS-ADF, effective date, Feb. 23, 1957; supersedes Amendment No. 2, dated May 27, 1954

Transition		Ceiling and visibility minimums			Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	
Syracuse IFR	LOM	Direct	1,000	T-dm*	*600-1 required for takeoff to SE. #Standard clearance not provided over 830' radio mast 1.1 mile SE of airport. ##Altitude interception of 1,000' at final approach, descent on glide slope to cross the airfield at 1,000' and final approach is authorized. ###Descent to 1,800' authorized after passing SYR VORTAC. Procedure turn N side E course, 008° outbound, 278° inbound, 1,600' within 10 miles. Minimum altitude at G. S. intersection inbound 1,600' ILS, minimum altitude over LOM inbound final 1,400' ADF. Altitude of G. S. and distance to approach end of runway at OM 1,535—3.6; at MM 635—0.4. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing LOM (ADF) climb to 2,600' on W course ILS or course of 278° from LOM within 20 miles. AIR CARRIER NOTE: No reduction in minimums or sliding scale authorized for takeoff to the SE.
Syracuse VOR	LOM	Direct	1,000	C-dm	
Sherburne intersection via course 310.	E course ILS	Direct	#2,500	S-dm 28; € ILS ADF	
Intersection E course Syracuse	LOM	Direct	1,000	A-dm	
FRY and bearing 333° to LOM	LOM	Direct	#3,000		
Intersection S course Syracuse	LOM	Direct	#3,000		
LOM and bearing 043° to LOM	E course ILS	Direct	3,000		
Manassville intersection via course 328	LOM	Direct	3,000		
Fabius intersection					

These procedures shall become effective on the dates indicated on the procedures.
 (Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

JAMES T. PYLE,
 Administrator of Civil Aeronautics.

[F. R. Doc. 57-780; Filed, Feb. 19, 1957; 8:45 a. m.]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 609 is amended as follows:

Note: Where the general classification (LFR, VAR, ADF, ILS, RADAR, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

1. The very high frequency omnirange (VOR) procedures prescribed in § 609.9 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Cellings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles. If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

College Station, Tex.; Easternwood Airport, elevation 320'; facility BVOR, identification OLL; Procedure No. 1, Amendment Original No. 9, effective date, Mar. 9, 1957

From--		Transition		Ceiling and visibility minimums			Notes
	To--	Course and distance	Minimum altitude (feet)	Condition	2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	
BYT LFR	OLL-VOR	Direct	1,400	T-dn C-dn S-dn-10 A-dn	300-1 500-1 400-1 800-2	200-1/2 500-1/4 400-1 800-2	Procedure turn S side of course, 278° outbound, 098° inbound, 1,500' within 10 miles. Minimum altitude over facility on final approach course, 800'. Course and distance, facility to airport, 098-2.6 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 2.5 miles, climb to 1,600 on R-125 within 20 miles of VORT. Major changes: Procedure reinstated.
Hickory, N. C.; Municipal Airport, elevation 1,187'; facility BVOR, identification HKY; Procedure No. 1, Amendment Original, effective date, Mar. 30, 1957							
				T-dn C-dn S-dn-2 1/2 A-dn	300-1 500-1 500-1 800-2		Procedure turn N side of course, 042° outbound, 222° inbound, 3,500' within 10 miles. Minimum altitude over HKY-VOR on final approach course 2,600'. Minimum altitude over FM on final approach course 1,900'. Course and distance, VOR to airport, 222-10. Course and distance FM to airport, 222-30. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 10 miles, turn right, climb to 3,500', returning to HKY-VOR on R-222. If FM not received, descent below 1,900' not authorized.

2. The radar procedures prescribed in § 609.13 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

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

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for on route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach. A missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Colling and visibility minimums				Notes
Course and distance		Minimum altitude (feet)		Condition		2-engine or less		
						More than 65 knots		
						More than 65 knots		
Long Beach, Calif.; Municipal Airport, elevation 66'; facility and identification, Long Beach Radar; Procedure No. 1, Amendment Original No. 9, effective date, Mar. 9, 1957								
From	To	Dst	Alt	Dst	Alt	Dst	Alt	Radar terminal area transition altitudes: All bearings are from the radar site with sector azimuths progressing clockwise. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 800' mean sea level, then proceed to San Pedro intersection continuing climb to minimum of 2,600' mean sea level. CAUTION: Circling minimums do not provide clearance over 500' hill 1 mile S of airport. *300-1 required for takeoff runways 16L, 16R, 25L, 34R. #Runways 7L, 25R, 16R, 30.
205	255	61,800	10,200	15,300	15,300	300-1	200-1/4	
255	205	61,800	10,200	15,300	15,300	300-1	200-1/4	
205	255	61,800	10,200	15,300	15,300	300-1	200-1/4	
Los Angeles, Calif.; International Airport, elevation 126'; facility and identification, Los Angeles Intersection Radar; Procedure No. 1, Amendment No. 10, effective date, Mar. 9, 1957; supersedes Amendment No. 9, dated July 14, 1956								
From	To	Dst	Alt	Dst	Alt	Dst	Alt	Radar terminal area transition altitudes: All bearings are from the radar site with sector azimuths progressing clockwise. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2,000' on W course of Los Angeles LFR within 25 miles of LAX. LFR. Major changes: Reals small aircraft circling ceiling to 600' because of obstructions. *Runways 25L-R, 7L-R.
015	040	51,500	10,1,800	15,2,000	20,5,000	200-1/4	200-1/4	
040	060	51,500	10,1,800	15,2,000	20,5,000	200-1/4	200-1/4	
060	085	51,500	10,1,800	15,2,000	20,5,000	200-1/4	200-1/4	
085	135	51,500	10,1,800	15,1,500	20,3,000	300-1	300-1	
135	160	51,500	10,1,800	15,1,500	20,3,000	300-1	300-1	
160	180	51,500	10,1,800	15,2,500	20,3,000	300-1	300-1	
180	270	51,500	10,1,800	15,1,500	20,3,000	300-1	300-1	
270	345	51,500	10,2,500	15,3,500	20,5,000	300-2	300-2	
345	015	51,700	10,2,000	15,3,000	20,5,000	300-2	300-2	

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

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

[F. R. Doc. 57-1035; Filed, Feb. 19, 1957; 8:45 a. m.]

JAMES T. PYLE,
Administrator of Civil Aeronautics.

TITLE 32—NATIONAL DEFENSE
Chapter 1—Office of the Secretary of Defense

Subchapter C—Military Personnel
PART 56—MEDICAL CARE FOR DEPENDENTS OF MEMBERS OF THE UNIFORMED SERVICES IDENTIFICATION OF DEPENDENTS

The following amendments to § 56.2-2 of this part have been authorized by the Secretary of Defense and the Surgeon General of the Public Health Service, who has been delegated the authority for

this program by the Secretary of Health, Education and Welfare:

Section 56.2-2 is amended in the following respects:

1. Paragraph (a) is amended by changing the title of the form DD 1173 to "Uniform Services Identification and Privilege Cards." The paragraph as amended will read as follows:

(a) Upon an affirmative determination by the Secretary of a uniformed service or his designee that a dependent is eligible for medical care, such dependent will be issued a "Uniformed Services Identifi-

cation and Privilege Card", DD Form 1173. The DD Form 1173 will serve as the primary means of identifying dependents eligible for medical care.

2. Paragraph (b) (2) (iii) has been amended to read as follows:

(iii) Whenever the cardholder becomes ineligible.

3. Paragraph (b) (3) has been revised to read as follows:

(3) *Expiration date.* The DD Form 1173 shall be effective for the contracted

period of service of the sponsor upon whom the entitlement is based in the case of dependents of the uniformed services, or in the case of minors the 21st birthday if it occurs prior to the termination of the service of the sponsor, except that for entitlement to medical care, the provisions of § 56.1-3 (d) (7) will apply. The departments will insure that sponsors are directed to notify the appropriate authority immediately upon any change in status that would terminate or modify the right to any of the benefits for which the card may be used.

4. Paragraph (b) (4) has been revised to read as follows:

(4) *Dependents listed.* Each dependent, entitled to medical care, will be issued DD Form 1173.

5. In paragraph (b), subparagraph (5) *Family groups* has been deleted and subparagraph (6) has been renumbered subparagraph (5). No change in substance has been made to this subparagraph.

(70 Stat. 250)

MAURICE W. ROCHE,
Administrative Secretary.

[F. R. Doc. 57-1304; Filed, Feb. 19, 1957;
8:45 a. m.]

Subchapter N—Transportation

PART 208—TRANSPORTATION OF UNCRATED HOUSEHOLD GOODS BY FREIGHT FORWARDERS

PAYMENT OF TRANSPORTATION AND ACCESSORIAL CHARGES

Part 208 is amended by the addition of a new § 208.10, as follows:

§ 208.10 *Payment of transportation and accessorial charges to forwarders for shipments consigned to storage-in-transit at destination.* (a) The term "forwarder" as used in this section means a freight forwarder which has been duly authorized, under certificate or permit, to operate as such in intrastate or interstate commerce.

(b) The payment of transportation charges from the point of shipment to the destination storage point on shipments of household goods forwarded for account of the Department of the Army, the Department of the Navy (including the Marine Corps), or the Department of the Air Force, and stored in transit for account of the forwarder for ultimate delivery to the consignee or owner may be made upon completion of the transportation to the forwarder's destination storage point and prior to ultimate delivery to the consignee, provided the forwarder hauling the shipment to the destination storage point certifies as follows over the signature of its duly authorized representative—

The household goods described on _____

(Government bill of lading number)
were placed in this forwarder's storage warehouse at _____ on _____
(Destination) (Warehouse) (Date)
and will be permitted to remain there for a period of _____ or such shorter period
(Number of days)

as may meet the consignee's or owner's demands. This forwarder assumes full carrier liability for the shipment during such storage and until delivery to the consignee or owner within the designated storage period.

Signature and title of forwarder's authorized representative, including name of company

(c) The certification required above will be made on the covering Government bill of lading except when there is not sufficient space on the bill of lading for this purpose. In the latter case the certification with reference to the appropriate Government bill of lading number may be made on plain paper and securely attached to said bill of lading.

(d) When transportation charges have been paid as authorized in paragraph (b) of this section, the payment of accessorial charges, if any, accruing against the shipment after delivery into storage may be made upon presentation by the forwarder of a claim therefor on Standard Form No. 1113, which should bear the same bill number as the forwarder's original bill for transportation charges but carrying a letter suffix (Example—No. 12345-A). The claims for accessorial charges must identify the bill of lading covering the transportation service, show the basis for the accessorial charges claimed, and be supported by an original Accessorial Services Certificate (DD Form 619) for services rendered at destination, signed by the consignee, showing:

(1) The accessorial services ordered and furnished;

(2) Receipt of the shipment by the consignee or owner; and

(3) Loss of or damage to the shipment, if any (use space captioned "Explanation or Remarks" for this information).

(Sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 171a)

PERKINS MCGUIRE,
Assistant Secretary of Defense,
(Supply and Logistics).

[F. R. Doc. 57-1305; Filed, Feb. 19, 1957;
8:45 a. m.]

TITLE 21—FOOD AND DRUGS

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

Subchapter C—Drugs

PART 141e—BACITRACIN AND BACITRACIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

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

PART 146c—CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS

PART 146e—CERTIFICATION OF BACITRACIN OR BACITRACIN-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (20 F. R. 1996), the regulations for tests and methods of assay and certification of antibiotic and antibiotic-containing drugs (21 CFR Parts 141e, 146, 146a, 146c, 146e; 21 F. R. 7433, 8215) are amended as indicated below:

² Filed as part of original document.

1. Section 141e.403 is amended by changing the section headnote and paragraph (a) to read as follows:

§ 141.403 *Bacitracin tablets; zinc bacitracin tablets; bacitracin methylene disalicylate tablets—(a) Potency.* Proceed as directed in § 141.401 (a), except § 141.401 (a) (3), and in lieu of the directions in § 141.401 (a) (1) (iii) proceed as follows: Place a representative sample (usually 5 tablets) in a blending jar and add thereto 125 milliliters of 1 percent phosphate buffer, pH 6.0, except that if it is bacitracin methylene disalicylate add 99 milliliters of an aqueous solution of 2 percent sodium bicarbonate and 1 milliliter of a 10 percent aqueous solution of polysorbate 80. After blending for 1 minute with a high-speed blender, add 125 milliliters of buffer to the blender. Blend again for 1 minute and make the proper estimated dilutions in 1 percent phosphate buffer, pH 6.0. The content of bacitracin, zinc bacitracin, or bacitracin methylene disalicylate is satisfactory if it contains not less than 85 percent of the number of units per tablet that it is represented to contain.

2. In § 141e.410, the section headnote and paragraph (a) (1) (i) are amended to read as follows:

§ 141e.410 *Bacitracin-neomycin tablets; zinc bacitracin-neomycin tablets; bacitracin methylene disalicylate-neomycin tablets—(a) Tablets—(1) Potency—(i) Bacitracin, zinc bacitracin, or bacitracin methylene disalicylate content.* Proceed as directed in § 141e.403 (a). Its content of bacitracin, zinc bacitracin, or bacitracin methylene disalicylate is satisfactory if it contains not less than 85 percent of the number of units per tablet that it is represented to contain.

3. In § 146.26 *Animal feed containing penicillin * * **, paragraph (b) (5) is amended by adding the following new subdivisions:

(x) Piperazine dihydrochloride, not less than 0.18 percent and not more than 0.55 percent (piperazine base 0.1 percent to 0.3 percent).

(xi) Piperazine phosphate monohydrate, not less than 0.23 percent and not more than 0.70 percent (piperazine base 0.1 percent to 0.3 percent).

(xii) Piperazine sulfate, not less than 0.21 percent and not more than 0.65 percent (piperazine base 0.1 percent to 0.3 percent).

(xiii) di-N-Butyl tin dilaurate 0.07 percent, piperazine sulfate 0.12 percent, and phenothiazine 0.29 percent.

4. In § 146a.58 *Penicillin and streptomycin * * **, subparagraph (1) (iv) of paragraph (c) *Labeling* is amended by changing the colon after the word "certified" to a comma and inserting the following new clause: ", except that the blank may be filled in with the date that is 60 months after the month during which the batch was certified if the person who requests certification has submitted to the Commissioner results of tests and assays showing that after having been stored for such period of time such drug as prepared by him com-

plies with the standards prescribed by paragraph (a) of this section:"

5. In § 146c.231 *Capsules tetracycline and oleandomycin phosphate*, subparagraph (1) of paragraph (a) *Standards of identity* * * * is amended by changing the words "80 milligrams" to read "30 milligrams".

6. Section 146.403 is amended in the following respects:

a. The section headnote and paragraph (a) are changed to read as follows:

§ 146e.403 *Bacitracin tablets; zinc bacitracin tablets; bacitracin methylene disalicylate tablets; bacitracin suppositories; zinc bacitracin suppositories (if they are represented for vaginal use); bacitracin implantation pellets; zinc bacitracin implantation pellets (if they are represented for use by implanting under the skin of animals)*—(a) *Standards of identity, strength, quality, and purity.* Bacitracin tablets, zinc bacitracin tablets, and bacitracin methylene disalicylate tablets are tablets composed of bacitracin, zinc bacitracin, or bacitracin methylene disalicylate, with or without kaolin and pectin and with or without one or more suitable and harmless buffer substances, diluents, binders, lubricants, colorings, and flavorings. The potency of each tablet is not less than 1,000 units nor more than 10,000 units. Its moisture content is not more than 5 percent. Unless it is represented to be used for inhalation therapy, the bacitracin used conforms to the requirements of § 146e.401 (a), except § 146e.401 (a) (1), (2), and (4), but in no case is its potency less than 30 units per milligram. If it is represented to be used for inhalation therapy, the bacitracin used conforms to the requirements of § 146e.401 (a), except § 146e.401 (a) (2) and (4). The zinc bacitracin used conforms to the requirements of § 146e.418 (a). The bacitracin methylene disalicylate used conforms to the requirements of § 146e.416 (a). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

b. In paragraph (c) *Labeling*, subparagraph (1) is amended by changing subdivision (iv) to read as indicated below and by adding a new subdivision (v) thereto, as follows:

(iv) If it is implantation pellets or bacitracin methylene disalicylate tablets, the statement "For veterinary use only".

(v) If the batch contains, in addition to bacitracin, zinc bacitracin, or bacitracin methylene disalicylate, one or more of the other active ingredients specified in paragraph (a) of this section, the name and quantity of each such other ingredient in each tablet.

c. Paragraph (c) is further amended by renumbering subparagraph (3) as (4) and inserting a new subparagraph (3), reading as follows, between subparagraph (2) and renumbered subparagraph (4):

(3) On the label and labeling, if it contains kaolin or pectin, after the name

"bacitracin tablets," "zinc bacitracin tablets," or "bacitracin methylene disalicylate tablets," wherever it appears, the words "with _____ (the blank being filled in with the word "kaolin" or "pectin" or the words "kaolin and pectin," in juxtaposition with such name)."

d. In paragraph (d) *Request for certification* * * *, subparagraph (1) is amended to read as follows:

(d) *Requests for certification; sampling.* (1) In addition to complying with the requirements of § 146.2 of this chapter, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the bacitracin, zinc bacitracin, or bacitracin methylene disalicylate used in making such batch was completed, the number of units in each tablet, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor, if any, by this section.

e. Paragraph (d) (2) (ii) is amended to read as follows:

(ii) The bacitracin, zinc bacitracin, or bacitracin methylene disalicylate used in making the batch; potency, toxicity, moisture, pH, and zinc content if it is zinc bacitracin.

f. Paragraph (d) (3) is amended by renumbering subdivision (iv) as (v) and inserting a new subdivision (iv), reading as follows, between subdivision (iii) and renumbered subdivision (v):

(iv) The bacitracin methylene disalicylate used in making the batch; 5 packages containing approximately equal portions of not less than 5 grams each, packaged in accordance with the requirements of § 146e.416 (b).

g. Paragraph (d) (4) is amended to read as follows:

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii), (iii), or (iv) of this paragraph, is required if such result or sample has been previously submitted.

h. In paragraph (e) *Fees*, subparagraph (1) is amended by changing the words "and (iv)" to read "(iv), and (v)".

7. Section 146c.410 is amended as follows:

a. The section headnote, the introduction to paragraph (a), and paragraph (a) (1) are changed to read as follows:

§ 146e.410 *Bacitracin-neomycin tablets; zinc bacitracin-neomycin tablets; bacitracin methylene disalicylate-neomycin tablets.* (a) Bacitracin-neomycin tablets, zinc bacitracin-neomycin tablets, and bacitracin methylene disalicylate-neomycin tablets conform to all requirements and are subject to all procedures prescribed for bacitracin tab-

lets, zinc bacitracin tablets, and bacitracin methylene disalicylate tablets, except that:

(1) Each tablet contains not less than 2,500 units of bacitracin, zinc bacitracin, or bacitracin methylene disalicylate.

b. Paragraph (a) (3) is changed to read as follows:

(3) In lieu of the labeling prescribed by § 146e.403 (c) (1) (ii), each package shall bear on the outside wrapper or container and the immediate container the number of units of bacitracin, zinc bacitracin, or bacitracin methylene disalicylate and the number of milligrams of neomycin in each tablet of the batch.

c. Paragraph (a) (4) is amended by changing the words "bacitracin or zinc bacitracin" to read "bacitracin, zinc bacitracin" or bacitracin methylene disalicylate".

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry, since it relaxes existing requirements, and since it would be against public interest to delay providing for the amendments set forth above.

I further find that animal feeds containing antibiotics and the drugs specifically enumerated in amendment 3 need not comply with the requirements of sections 502 (1) and 507 of the Federal Food, Drug, and Cosmetic Act in order to ensure their safety and efficacy, provided they comply with all the other conditions specified in the regulations.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

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

Dated: February 13, 1957.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner
of Foods and Drugs.

[F. R. Doc. 57-1320; Filed, Feb. 19, 1957; 8:47 a. m.]

Subchapter E—Regulations Under Specific Acts of Congress Other Than the Federal Food, Drug, and Cosmetic Act

PART 281—ENFORCEMENT OF THE TEA IMPORTATION ACT

TEA STANDARDS 1957-1958

Pursuant to the authority of the Tea Importation Act (secs. 2, 10, 29 Stat. 607, 41 Stat. 712, 57 Stat. 500; 21 U. S. C. 42, 50), the regulations for the enforcement of this act (21 CFR Part 281; 21 F. R. 1317) are amended by changing § 281.19 (a) to read as follows:

§ 281.19 *Tea standards.* (a) Samples for standards of the following teas, prepared, identified, and submitted by the Board of Tea Experts on February 6, 1957, are hereby fixed and established as

RULES AND REGULATIONS

the standards of purity, quality, and fitness for consumption under the Tea Importation Act for the year beginning May 1, 1957, and ending April 30, 1958:

- (1) Formosa Oolong.
- (2) Java Black (for all black tea except Formosa and Japan Black and Congou type).
- (3) Formosa Black (Formosa Black and Congou type).
- (4) Japan Black.
- (5) Japan Green.
- (6) Canton type (for all Canton types including scented Canton and Canton Oolong).

These standards apply to tea shipped from abroad on or after May 1, 1957. Tea shipped prior to May 1, 1957, will be governed by the standards which became effective May 1, 1956 (21 F. R. 1317).

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the amendment is based upon the recommendation of the Board of Tea Experts, which is comprised of experts in teas drawn from the Food and Drug Administration and the tea trade, so as to be representative of the tea trade as a whole.

(Sec. 10, 29 Stat. 607; 21 U. S. C. 50. Interpretations or applies sec. 2, 41 Stat. 712, 57 Stat. 500; 21 U. S. C. 42)

Dated: February 13, 1957.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of
Food and Drugs.

[F. R. Doc. 57-1319; Filed, Feb. 19, 1957; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M-11A, Revised Schedule A of February 15, 1957]

M-11A—COPPER AND COPPER-BASE ALLOYS

REVISION OF SCHEDULE A—SET-ASIDE PERCENTAGES

This amendment of Schedule A to BDSA Order M-11A is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, consultation with industry representatives has been rendered impracticable due to the need for immediate action.

This amendment revises Schedule A of BDSA Order M-11A as amended December 18, 1956. It applies to authorized controlled material orders calling for delivery after March 31, 1957 and provides for a new base period for the determination of average shipments against which set-aside percentages are to be applied. Set-aside percentages for copper controlled material products are also revised.

Schedule A to BDSA Order M-11A is hereby amended to read as follows:

SCHEDULE A TO BDSA ORDER M-11A

Set-aside Percentages

(See sec. 6 (f) of BDSA Order M-11A)

Base period—Calendar Year 1955

(See sec. 2 (o) of BDSA Order M-11A)

Product and Percentage for Orders Calling for Delivery After March 31, 1957¹

Brass mill products:	
Unalloyed:	
Plate, sheet, strip, and rolls.....	6
Rod, bar, shapes, and wire.....	11
Seamless tube and pipe.....	3
Alloyed:	
Plate, sheet, strip, and rolls.....	5
Rod, bar, shapes, and wire.....	4
Seamless tube and pipe.....	15
Military ammunition cups and discs.....	65
Copper wire mill products:	
Copper wire and cable:	
Bare and tinned.....	8
Weatherproof.....	8
Magnet wire.....	8
Insulated building wire.....	8
Paper and lead power cable.....	8
Paper and lead telephone cable.....	8
Asbestos cable.....	8
Portable and flexible cord and cable.....	8
Communications wire and cable.....	8

¹ Schedule A to BDSA Order M-11A, as amended December 18, 1956, applies to orders calling for delivery prior to April 1, 1957.

Copper wire mill products—Continued	
Copper wire and cable—Continued	
Shipboard cable.....	8
Automotive and aircraft wire and cable.....	8
Insulated power cable.....	8
Signal and control cable.....	8
Coaxial cable.....	8
Copper-clad steel wire containing over 20 percent copper by weight regardless of end use.....	8
Copper foundry products.....	7
Unalloyed copper powder mill products.....	2
Copper-base alloy powder mill products.....	2

²No reserve space provided. Producers of these products are nevertheless required to accept authorized controlled material orders for such products in accordance with the provisions of the DMS regulations and this order. However, section 6 (f) of this order does not apply to such authorized controlled material orders. (Sec. 704, 64 Stat. 816, as amended; sec. 1, Pub. Law 632, 84th Cong., 70 Stat. 408; 50 U. S. C. App. 2154)

This revised schedule shall take effect February 15, 1957.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
H. B. McCoy,
Administrator.

[F. R. Doc. 57-1307; Filed, Feb. 19, 1957; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

CANNED ONIONS¹

SUBPART—U. S. STANDARDS FOR GRADES

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Grades of Canned Onions pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended, 7 U. S. C. 1621 et seq.). This standard, if made effective, will be the first issue by the Department of grade standards for this product.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than 90 days after publication hereof in the FEDERAL REGISTER.

The proposed standards are as follows:

PRODUCT DESCRIPTION AND GRADES	
Sec. 52.3041	Product description.
52.3042	Grades of canned onions.
FILL OF CONTAINER AND DRAINED WEIGHTS	
52.3043	Recommended fill of container.

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

Sec. 52.3044 Recommended minimum drained weight.

SIZE AND COUNT OF CANNED WHOLE ONIONS
52.3045 Size and count of onions.

FACTORS OF QUALITY
52.3046 Ascertaining the grade.
52.3047 Ascertaining the rating for the factors which are scored.
52.3048 Color.
52.3049 Uniformity of size and shape.
52.3050 Defects.
52.3051 Character.

SCORE SHEET
52.3052 Score sheet for canned onions.

AUTHORITY: §§ 52.3041 to 52.3052 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, AND GRADES
§ 52.3041 *Product description.* "Canned onions" means the canned product from properly prepared, clean, sound, succulent bulbs of the onion plant as such product is defined in the Standard of Identity for Canned Onions (21 CFR 52.990) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.3042 *Grades of canned onions.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of canned onions that possess similar varietal characteristics; that possess a normal flavor; that possess a good color; that are practically uniform in size and shape; that are practically free from defects; that possess a good character; and that score not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U. S. Grade C" or "U. S. Standard" is the quality of canned onions that

possess similar varietal characteristics; that possess a normal flavor; that possess a fairly good color; that are fairly uniform in size and shape; that are fairly free from defects; that possess a fairly good character; and that score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of canned onions that fail to meet the requirements of U. S. Grade C or U. S. Standard.

FILL OF CONTAINER AND DRAINED WEIGHT

§ 52.3043 *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container be filled as full as practicable with onions

without impairment of quality and that the product and packing medium occupy not less than 90 percent of the total capacity of the container.

RECOMMENDED MINIMUM DRAINED WEIGHT

§ 52.3044 *Recommended minimum drained weight.* The drained weight recommendations in Table I of this section are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purpose of these grades. The drained weight of canned onions, as the case may be, is determined by emptying the contents of the container upon a No. 8 circular sieve of proper diameter and allowing to drain for two minutes. A sieve 8 inches in diameter is used for No. 2½ size cans (401 x 411) and smaller sizes, and a sieve 12 inches in diameter is used for containers larger than the No. 2½ size can.

TABLE I—RECOMMENDED MINIMUM DRAINED WEIGHTS, IN OUNCES, OF CANNED ONIONS

Container size or designation	Maximum headspace allowable (measured from top of double seam)	Sizes of canned onions		
		Tiny	Small	Medium
	16th of an inch	Ounces	Ounces	Ounces
8-ounce tall	7.6	5.0	5.0	5.0
No. 303	9.4	10	10	10
No. 303 glass	9.4	9	9	9
No. 10	13.6	66	65	63

SIZE AND COUNT OF CANNED WHOLE ONIONS

§ 52.3045 *Size and count of onions.* The size and count recommendations in Table II of this section are not incorporated in the grades of the finished product since size and count of onions, as such, are not a factor of quality for purpose of these grades. The size of any

onion is determined by measuring the largest diameter through the center transverse to the longitudinal axis of the onions. The word and size designations of the various sizes of whole onions are shown in the table as well as the count range per container for stated container sizes.

TABLE II—SIZE AND COUNT

Container size or designation (metal, unless otherwise stated)	Tiny (7/8" or less)	Small (over 7/8" to and including 1 1/16")	Medium (over 1 1/16" to and including 1 1/2")
8-ounce tall	15 to 20, inclusive	10 to 12, inclusive	12 to 16, inclusive
No. 303 and No. 303 glass	30 to 40, inclusive	16 to 25, inclusive	80 to 99, inclusive
No. 10	200 and over	100 and over	

FACTORS OF QUALITY

§ 52.3046 *Ascertaining the grade—(a) General.* In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors which are not scored.* (i) Varietal characteristics.

(ii) Flavor.

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

Factors:	Points
Color	20
Uniformity of size and shape	30
Defects	30
Character	20
Total score	100

(b) *Normal flavor.* "Normal flavor" means that the product is free from objectionable flavors and objectionable odors of any kind.

§ 52.3047 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive. (For example, "17 to 20 points" means 17, 18, 19, or 20 points.)

§ 52.3048 *Color—(a) General.* The color of canned onions has reference to the predominating and characteristic color of the exterior surface of the onion bulb.

(b) (A) *classification.* Canned onions that possess a good color may be given a score of 17 to 20 points. "Good color" means that the canned onions possess a reasonably bright, characteristic white color which may include typical greenish areas on the side or around the top end of the bulb; and that not more than 10 percent, by count, of the onions may possess typical greenish areas, which in

the aggregate, exceed one-half of the surface area of the bulb.

(c) (C) *classification.* If the canned onions possess a fairly good color a score of 14 to 16 points may be given. Canned onions that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the canned onions possess a characteristic white color which may include typical greenish areas on the side or around the top end of the bulb; that the product is not materially affected by oxidation, dull grayish white, watery white casts or other discoloration; and that not more than 20 percent, by count, of the onions may possess greenish areas, which in the aggregate, exceed one-half of the surface area of the bulb.

(d) (SStd.) *classification.* Canned onions that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points, and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3049 *Uniformity of size and shape—(a) General.* Uniformity of size and shape refers to the degree of variation and shape of canned onions.

(1) "Poorly shaped" means that the onions may be off type, elongated or misshapen but not to the extent that the appearance is seriously affected, and the length of the onion is more than 1.7 times the diameter of the onion.

TABLE III—EQUIVALENT DIMENSIONS FOR POORLY SHAPED ONIONS

Diameter of onion ¹	Maximum length of onion (inches) ²
1/2 inch	1 1/4
5/16 inch	1 1/2
3/8 inch	1 3/4
11/16 inch	1 7/8
3/4 inch	2
13/16 inch	2 1/8
7/8 inch	2 1/4
15/16 inch	2 1/2
1 inch	2 3/4

¹Diameter is determined by measuring the largest diameter through the center transverse to the longitudinal axis of the onion.

²Length is determined by measuring the greatest over-all length of the onion.

(b) (A) *classification.* Canned onions that are practically uniform in size and shape may be given a score of 26 to 30 points. "Practically uniform in size and shape" means that:

(1) In containers with less than 21 units, not more than 10 percent, by count, of the onions are poorly shaped, and the weight of the second largest onion is not more than three times the weight of the second smallest onion.

(2) In containers with 21 or more units, not more than 10 percent by count, of the onions are poorly shaped, and in 95 percent, by count, of the onions that are most uniform in size and shape, the weight of the largest onion is not more than three times the weight of the smallest onion.

(c) (C) *classification.* If the canned onions are fairly uniform in size and shape a score of 21 to 25 points may be

given. Canned onions that fall into this classification shall not be graded above "U. S. Grade C" or "U. S. Standard," regardless of the total score for the product (this is a limiting rule). "Fairly uniform in size and shape" means that:

(1) In containers with less than 21 units, not more than 25 percent, by count, of the onions are poorly shaped, and the weight of the second largest onion is not more than four times the weight of the second smallest onion.

(2) In containers with 21 or more units, not more than 25 percent, by count, of the onions are poorly shaped, and in 95 percent, by count, of the onions that are most uniform in size and shape the weight of the largest onion is not more than four times the weight of the smallest onion.

(d) (SStd.) classification. Canned onions that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3050 Defects—(a) General. The factor of defects refers to the degree of freedom from blemished units, mechanical damage, loose scales, loose centers, sprouting centers, partial units, and to the trimming of the onion bulb.

(1) "Blemished" means units affected by surface or internal discoloration or blemished by other means to the extent that the appearance or eating quality is materially affected.

(2) "Seriously blemished" means blemished to such an extent that the appearance or eating quality of the unit is seriously affected.

(3) "Mechanical damage" means that the appearance or edibility of the unit is not materially affected by broken scales, excessive gouging, or from broken or crushed units.

(4) "Loose scales" means scales, pieces of scales not attached to a unit.

(5) "Detached center" means the center portion of the onion bulb has become separated.

(6) "Sprouting center" means that the onion has a visible internal yellow sprout.

(7) "Partial unit" means an onion of which less than three-fourths of the apparent size of the bulb is present.

(8) "Well trimmed" means that the top and roots of the bulb have been neatly removed.

(b) (A) classification. Canned onions that are practically free from defects may be given a score of 25 to 30 points. "Practically free from defects" means:

(1) That for approximately each 20 onions there may be present not more than:

- (i) Two loose scales, or pieces of scales;
- (ii) One detached center;
- (iii) One sprouting center, and
- (iv) One seed stem.

(2) That at least 95 percent, by count, of the onions are well trimmed; that not more than 10 percent, by count, possess mechanical damage and/or partial units; and that not more than 3 percent, by count, may be blemished: *Provided*, That not more than 1 percent, by count,

of all the units may be seriously blemished; or one unit in a single container is permitted to be mechanically damaged, or possess a partial unit, or be blemished, or seriously blemished if such unit exceeds the respective allowances of 10 percent, by count, 3 percent, by count, and 1 percent, by count: *Provided*, That in all of the containers comprising the sample such mechanical damage and/or partial units do not exceed an average of 10 percent, by count, of the total number of units or that such blemished units do not exceed an average of 3 percent, by count, of the total number of units or that such seriously blemished units do not exceed an average of 1 percent, by count, of the total number of units.

(c) (C) classification. Canned onions that are fairly free from defects may be given a score of 21 to 24 points. Canned onions that fail into this classification shall not be graded above "U. S. Grade C" or "U. S. Standard," regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means:

(1) That for approximately each 10 onions there may be present not more than:

- (i) Two loose scales, or pieces of scale;
- (ii) One detached center;
- (iii) One sprouting center, and
- (iv) One seed stem.

(2) That at least 90 percent, by count, of the onions are well trimmed; that not more than 20 percent, by count, possess mechanical damage and/or partial units; and that not more than 5 percent, by count, may be blemished: *Provided*, That not more than 2 percent, by count, of all the units may be seriously blemished; or one unit in a single container is permitted to be mechanically damaged, or possess a partial unit, or be blemished, or seriously blemished if such unit exceeds the respective allowances of 20 percent, by count, 5 percent, by count, and 2 percent, by count: *Provided*, That in all of the containers comprising the sample such mechanical damage and/or partial units do not exceed an average of 20 percent, by count, of the total number of units or that such blemished units do not exceed an average of 5 percent, by count, of the total number of units or that such seriously blemished units do not exceed an average of 2 percent, by count, of the total number of units.

(d) (SStd.) Classification. Canned onions that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3051 Character—(a) General. Character has reference to firmness and texture of the onion, and to the tendency to retain their conformation without becoming soft or spongy.

(b) (A) classification. Canned onions that possess a good character may be given a score of 17 to 20 points. "Good character" means that the onions are reasonably firm, reasonably tender, and not more than 5 percent, by count, are soft or spongy.

(c) (C) classification. Canned onions that possess a fairly good character may

be given a score of 14 to 16 points. Canned onions that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the onions are fairly firm, fairly tender and not more than 20 percent, by count, are soft or spongy.

(d) (SStd.) classification. Canned onions that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

SCORE SHEET

§ 52.3052 Score sheet for canned onions.

Size and kind of container.....	-----
Container mark or identification.....	-----
Label.....	-----
Net weight (ounces).....	-----
Vacuum (inches).....	-----
Drained weight (ounces).....	-----
Style.....	-----
Count (whole).....	-----
Size (whole).....	-----
Factors	Score points
Color.....	20 { (A) 17-20 (C) 14-16 (SStd.) 0-13
Uniformity of size and shape.....	30 { (A) 26-30 (C) 21-25 (SStd.) 0-20
Defects.....	30 { (A) 25-30 (C) 21-24 (SStd.) 0-20
Character.....	20 { (A) 17-20 (C) 14-16 (SStd.) 0-13
Total score.....	100
Grade.....	-----
Flavor.....	-----

¹ Limiting rule.

Dated: February 15, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 57-1339; Filed, Feb. 19, 1957;
8:50 a. m.]

DEPARTMENT OF COMMERCE
Federal Maritime Board and Maritime
Administration

[46 CFR Part 281]

[Gen. Order 80]

INFORMATION AND PROCEDURE REQUIRED
UNDER OPERATING-DIFFERENTIAL SUB-
SIDY AGREEMENTS

NON-SUBSIDIZED VOYAGES

In compliance with the provisions of section 4, Administrative Procedure Act, and pursuant to section 204, Merchant Marine Act, 1936, as amended, notice is hereby given that adoption of the regulations hereinafter set forth is contemplated.

All interested persons who desire to submit written comments and suggestions for consideration in connection with the proposed regulations should send them to the Secretary, Maritime Administration, Washington 25, D. C.,

within thirty (30) days after publication hereof in the FEDERAL REGISTER.

Dated: February 15, 1957.

CLARENCE G. MORSE,
Maritime Administrator.

Part 281—Information and Procedure Required under Operating-Differential Subsidy Agreements, is amended by adding the following new sections and center heading:

NON-SUBSIDIZED VOYAGES

- Sec.
281.11 Scope and general comments.
281.12 Application for non-subsidized voyages.
281.13 Hearings.
281.14 Prior authorization.
281.15 Criteria for approval of non-subsidized voyages.
281.16 Conditions to attach in event of approval of application.
281.17 Determinations and questions of interpretation.

AUTHORITY: §§ 281.11 to 281.17 issued under sec. 204, 49 Stat. 1987; 46 U. S. C. 1114. Interpret or apply sec. 606, 49 Stat. 2004; 46 U. S. C. 1176.

§ 281.11 *Scope and general comments.*

(a) Except as provided below, §§ 281.11 to 281.17 apply to non-subsidized voyages to be made by a subsidized operator or by a related company, as referred to in Article II-16 of the operating-differential subsidy agreements. Except as provided below it also applies to non-subsidized voyages of subsidized ships.

(b) Sections 281.11 to 281.17 do not apply to (1) non-subsidized voyages specifically authorized by the operating-differential subsidy contract of the operator and non-subsidized voyages by subsidized ships in the subsidized services of the operator, which voyages will be acted on under the provisions of the operator's operating-differential subsidy agreement; or (2) non-subsidized voyages in services that have not been determined to be essential as provided in section 211, Merchant Marine Act, 1936, as amended, by a non-subsidized ship owned by a non-subsidized company related to a subsidized operator.

(c) Sections 281.11 to 281.17 apply to the following categories only to the extent indicated:

(1) Charters to the Military Sea Transportation Service or to a non-subsidized operator—paragraphs (a) and (e) of this section; §§ 281.12 (a) (6) and (b); 281.15 (b); 281.16 (a), (b), (c), and (f); and 281.17.

(2) Non-subsidized voyages by non-subsidized ships (other than those excluded under paragraph (b) of this section) in a service where there are no U. S.-flag berth sailings by other operators—paragraphs (a), (e), and (f) of this section; §§ 281.12 (a); 281.15; 281.16 (a), (b), (c), (e), and (f); and 281.17.

(3) Ships chartered from the Maritime Administration—§ 281.16.

(d) Except as otherwise determined by the Maritime Administrator, application by a subsidized operator to make a non-subsidized voyage on a route, line or service on which U. S.-flag berth service is maintained but on which the applicant does not maintain a berth operation will not be approved unless the ap-

plicant has requested and furnished the written consent of such operator(s) of the U. S.-flag berth service(s). Failure of other operator(s) of U. S.-flag berth service(s) to protest or consent to a non-subsidized voyage within 2 working days, Saturdays, Sundays, and legal holidays excluded (one working day in the case of single voyage charters for the carriage of bulk cargoes) after notification may be interpreted by the Maritime Administrator as consent to such voyage. Such consent will not be required in the event a U. S.-flag berth operator is employing any U. S. Government-owned ship(s) competitively in such route, line, or service under charter pursuant to Public Law 591, 81st Congress.

(e) Responsibility for compliance with §§ 281.11 to 281.17 shall rest on the subsidized operator regardless of whether he is owner, operator, or charterer of the ship involved.

(f) "U. S.-flag berth operator" as used in §§ 281.11 to 281.17 means an operator rendering on the given route, line, or service an exclusively U. S.-flag service maintaining a definite advertised schedule, giving relatively frequent sailings at regular intervals between specific United States ports or range and designated foreign ports or range.

(g) For the purposes of §§ 281.11 to 281.17, competition shall be deemed to exist between the proposed non-subsidized voyage and voyages of other U. S.-flag berth operators in the event the non-subsidized voyage operates in the same route, line, or service as regularly scheduled voyages by such other operators, whether or not the respective itineraries cover identical ports or follow the same order of port calls. Generally, the test will be whether the proposed non-subsidized voyage will provide a service of the type which would be competitive under the considerations of section 605 (c) of the 1936 Act.

§ 281.12 *Application for non-subsidized voyages.* (a) Unless a shorter period is acceptable to the Maritime Administrator, application must be filed not less than five working days, excluding Saturdays, Sundays, and legal holidays, (two working days in the case of single voyage charters for the carriage of bulk cargoes) prior to the date by which the operator requires action thereon, accompanied by the following data:

(1) Name of vessel and date by which decision on application is required.

(2) Statement showing why the voyage is needed, why it will not prejudice other sailings of applicant, and what effect the results will have on the Government's recapture position.

(3) Nature and amounts of anticipated cargo (indicating the approximate amounts of MSTs, bulk commercial and other commercial cargo, separately) on the proposed non-subsidized voyage, outbound and inbound, by principal loading and destination ports. If no inbound cargo is indicated, the operator shall not, in the event of approval of its application, lift inbound cargo unless and until it secures the approval of the Maritime Administration pursuant to an applica-

tion filed in accordance with the procedure specified in §§ 281.11 to 281.17.

(4) Proposed sailing schedule for the voyage for which approval is requested, including estimated total voyage days.

(5) Pro forma financial results of said voyage including all charges for overhead (showing basis for allocation thereof), depreciation and interest, and all other applicable items.

(6) If the non-subsidized voyage is to be made with a chartered vessel, or if charters are made to MSTs or a non-subsidized operator—name and type of vessel, from whom or to whom chartered, type and period of charter, charter hire rate, range of ports, and other pertinent charter terms.

(b) In the case of charter of a subsidized ship between subsidized operators, the charterer shall furnish the required data, and the owner shall furnish to the Maritime Administration a certification that it will adequately service its subsidized route and meet its contractual sailing requirements without the utilization of the subsidized vessel for the period of proposed charter. Also, in the case of charter of a subsidized ship to MSTs or to a non-subsidized operator, the owner shall furnish the certification described above. The owner shall also file such application as may be required under other provisions of the law or contract, such as where section 805 (a) of the 1936 act is applicable.

§ 281.13 *Hearings.* (a) When in the judgment of the Maritime Administrator it appears that the individual non-subsidized voyages for which approval is requested are forming or tending to form a pattern leading to the establishment of a regular non-subsidized service, or, if in the case where such a non-subsidized service has already been established, it appears that the operator proposes to continue such service indefinitely, the Maritime Administrator may call an informal public hearing prior to making a final decision. Such hearing shall consider evidence respecting adequacy or inadequacy of service and such other evidence as the Maritime Administrator determines is pertinent to the proceedings consistent with his responsibilities under the Merchant Marine Act, 1936, as amended. Such hearing, for advisory purposes only, may be held by the Administrator, or in his discretion, by his designee.

(b) In the event favorable action is taken subsequent to a hearing under § 281.13 (a) authorizing a series of voyages, the findings and determinations of the Maritime Administrator shall be subject to annual review, except that upon presentation of new evidence, the Maritime Administrator may at any time reopen for review and after reasonable notice to the operator may cancel or modify any such authorization. In the event the operator requests permission to continue its non-subsidized operations beyond the period authorized by the Maritime Administrator, the Maritime Administrator shall determine whether or not further hearing on said matter is warranted prior to taking final action upon such request.

PROPOSED RULE MAKING

(c) In the event an operating-differential subsidy application or a request for an adjustment in the number of sailings under an existing contract is or has been filed by a subsidized operator and is under consideration by the Federal Maritime Board or scheduled for a section 605 (c) hearing, the hearing provisions of these rules and regulations may be waived or suspended by the Maritime Administrator and he may grant such authorizations as he deems appropriate under the circumstances.

§ 281.14 *Prior authorization.* A series of non-subsidized voyages previously authorized by the Maritime Administration may continue under the terms of such authorization but may be set for hearing in the discretion of the Maritime Administrator.

§ 281.15 *Criteria for approval of non-subsidized voyages—(a) Service.* Each non-subsidized voyage application must show definite need for the voyage whether or not in addition to the regular sailings maintained by the applicant and that approval of the voyage will not adversely affect applicant's regular sailings.

(b) *Financial results.* Each voyage should show expectation of profit after all proper charges, including overhead, charter hire, depreciation, and interest. However, the Maritime Administrator, in his discretion, may waive or modify this condition.

§ 281.16 *Conditions to attach in event of approval of application.* (a) No subsidy shall be payable with respect to said voyage.

(b) The voyage shall not count toward the operator's compliance with the minimum and maximum sailing requirements of its operating-differential subsidy contract.

(c) The financial results (including overhead, depreciation, interest, and all proper charges) of voyages made in other than the operator's subsidized service with subsidized or non-subsidized ships shall not be included in net earnings from subsidized operations; and the "capital necessarily employed" attributable to the ship(s) performing such operations shall also be excluded from subsidized operations.

(d) The financial results (including overhead, depreciation, interest, and all proper charges) of non-subsidized voyages made by non-subsidized ships in the operator's subsidized service shall be included in net earning from subsidized operations, and the "capital necessarily employed" attributable to the ship(s) performing such operations shall be taken into account as capital necessarily employed in subsidized operations for the period of such voyages; provided, however, the results:

(1) Shall be included in the subsidized operations for recapture and reserve fund purposes if the voyage is partially within the subsidized service and 50 percent or more of the total gross voyage revenue is derived from carrying cargo between ports within the subsidized service, and

(2) Shall be excluded from the subsidized operations for recapture and reserve fund purposes if the voyage is par-

tially within the subsidized service and less than 50 percent of the total gross voyage revenue is derived from carrying cargo between ports within the subsidized service.

(e) The operator shall not advertise non-subsidized voyages outside his subsidized service except (1) for passenger ships, (2) where no established U. S.-flag service exists, or (3) where the voyage is part of a non-subsidized service authorized by the Maritime Administrator. Compliance with the requirements of this section is waived in the event a U. S.-flag berth operator is employing any U. S. Government-owned ship(s) competitively in such route, line, or service under charter pursuant to Public Law 591, 81st Congress.

(f) Without prior written approval of the Maritime Administrator, there shall be no deviation from the terms and conditions of the authorization of the non-subsidized voyage(s). However, the Maritime Administrator may, in his discretion, where unusual circumstances in any particular case so require or where it may be in the mutual interest of the operator and the Government, authorize a departure from or modification of any of the conditions of paragraphs (b) through (e) of this section.

§ 281.17 *Determinations and questions of interpretation.* The decision of the Maritime Administrator shall be final with respect to all determinations and questions of interpretation arising under §§ 281.11 to 281.17.

[F. R. Doc. 57-1336; Filed, Feb. 19, 1957; 8:50 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[Amdt. 1]

WYOMING.

NOTICE OF ESTABLISHMENT OF AREAS OF VENUE FOR MARKETING QUOTA REVIEW COMMITTEES

Pursuant to section 3 (a) (1) of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1002) which requires that the field organization be published in the FEDERAL REGISTER, and § 711.11 of the Marketing Quota Review Regulations (21 F. R. 9365, 9716), which provides for establishment of areas of venue for marketing quota review committees, notice is hereby given of areas of venue for the State of Wyoming established by the ASC State Committee as follows:

WYOMING

Counties of:
Area I—Converse, Goshen, Laramie, Niobrara, Platte.
Area II—Campbell, Crook, Johnson, Sheridan, Weston.
Area III—Albany, Carbon, Lincoln, Natrona, Sublette, Sweetwater, Teton, Uinta.

Area IV—Big Horn, Fremont, Hot Springs, Park, Washakie.

(Sec. 3, 60 Stat. 238; 5 U. S. C. 1002. Interprets or applies secs. 361-368, 52 Stat. 38; 7 U. S. C. 1361-1368)

Done at Washington, this 14th day of February 1957.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLARENCE L. MILLER,
Associate Administrator,
Commodity Stabilization Service.

[F. R. Doc. 57-1341; Filed, Feb. 19, 1957; 8:51 a. m.]

Office of the Secretary

LOUISIANA

DESIGNATION OF AREA FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), as amended, it has been determined that in the follow-

ing parishes in the State of Louisiana, a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

LOUISIANA

Blenville	Natchitoches
Bossier	Red River
Caddo	Union
Clalborne	Webster
Desoto	Sabine
Lincoln	

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named parishes after December 31, 1957, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D. C., this 15th day of February 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-1343; Filed, Feb. 19, 1957; 8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification No. 16]

[B-26194]

COLORADO

SMALL TRACT OPENING

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F R. 2473), I hereby open the following described lands, which were classified by Classification Order No. 16, dated May 26, 1956 (21 F R. 3727) to small tract application by the filing of Veterans' Drawing Entry Cards, under the Small Tract Act of June 1, 1938 (52 Stat. 609-43 U. S. C. 628a) as amended, and the act of September 27, 1944 (58 Stat. 747-43 U. S. C. 279-284), as amended:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 5 S., R. 77 W.,
Sec. 7: NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 40 acres subdivided into 32 small tracts numbered 1 through 32, inclusive, for reference purposes only Tracts 10, 12, 13, 15, 18, 20 and 21 are covered by applications from persons entitled to preference under 43 CFR 257.5 (a) and if the applicants comply with the regulations these seven tracts will not be subject to the drawing.

2. The lands are located approximately two miles north of Dillon, Colorado, on the north side of Straight Creek. The topography is gently south-sloping, with rather shallow soil supporting sagebrush, grasses, and some scattered clumps of aspen and coniferous trees. There is no evidence of metallic or non-metallic minerals. The area is accessible in summer on county and private roads leading from State Highway 9 at Dillon, Colorado. Culinary water is not available from any presently developed source. A post office and stores are located in the nearby town of Dillon.

3. Each of the tracts, numbered 1 through 32 for purposes of reference only contains 1.25 acres more or less and is rectangular in shape, approximately 165' x 330', the long axis running north and south. An unofficial plat showing the location of each tract can be obtained by writing to the Manager, Land Office, Bureau of Land Management, P O. Box 1018, 35 $\frac{1}{2}$ New Custom House, Denver 1, Colorado. Lease and sale of these tracts will be by aliquot parts of a legal subdivision. The tracts are appraised at \$550 each. Advance rental for the three-year lease period is \$82.50. The tracts will be subject to all existing rights-of-way of record, and rights-of-way for roads and public utilities in accordance with Title 43 CFR 257.17 (b) will be reserved as described below. Such rights-of-way may be utilized by the Federal Government, or the State or County in which the tracts are located, or by any agency thereof. All minerals will be reserved to the United States.

Reference No.	Legal description 6th P. M. Colorado, T. 5 S., R. 77 W	Location and width of rights of way
Section 7		
1	E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	25 feet along west, south and north sides, 50 feet along east side.
2	W $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	25 feet along all sides.
3	E $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
4	W $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
5	E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
6	W $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
7	E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
8	W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
9	W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
10	E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
11	W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
12	E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
13	W $\frac{1}{2}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
14	E $\frac{1}{2}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
15	W $\frac{1}{2}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
16	E $\frac{1}{2}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	25 feet along west, south and north sides, 50 feet along east side.
17	E $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
18	W $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	25 feet along all sides.
19	E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
20	W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
21	E $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
22	W $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
23	E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
24	W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
25	W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	25 feet along east, north and west sides, 50 feet along south side.
26	E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
27	W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
28	E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
29	W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
30	E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
31	W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	Do.
32	E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ -----	25 feet along north and west sides, 50 feet along south and east sides.

¹ Under application from an individual having statutory preference.

4. Leases will be issued for a term of three years and will contain an option to purchase in accordance with 43 CFR 257.13. Lessees who comply with the general terms and conditions of their leases will be permitted to purchase their tracts at the price indicated above providing that during the period of their leases they comply with the improvement requirements as set forth on this opening order under paragraph 6 and those shown on the reverse side of the offer to lease and lease form 4-776. Leases will be renewable at the discretion of the Bureau of Land Management and the renewal lease will be subject to such terms and conditions as are deemed necessary in the light of the circumstances and regulations existing at the time of renewal. However, a lease will not be renewable unless failure to construct the required improvements is justified under the circumstances and non-renewal would work an extreme hardship on the lessee.

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

6. The improvements referred to in paragraph 4 must conform with health, sanitation and construction requirements of local ordinances and must in addition meet the following standards:

(a) Buildings on these tracts shall be constructed of new and substantial materials set on adequate foundations of cement, rocks, cinderblocks or similar materials. Chimneys must be of cement, stone, brick masonry, or of an approved metal type and shall be lined with fire resistant brick or tile except where approved metal types are used.

(b) No shacks of temporary and unsightly nature will be allowed. The use of tar or composition papers for general exterior purposes will not be permitted. No trailers or other portable types of houses will be considered as being part or all of the development requirements.

(c) Each lessee will be required to keep the premises in a neat and orderly condition. Garbage and other refuse must be disposed of by burning in an incinerator or be removed at regular intervals in accordance with local standards and practices.

(d) Only one residence building will be permitted per lot. Buildings other than the residence shall be kept to a minimum.

(e) All residential buildings shall have not less than 500 square feet of floor space.

(f) All Bureau of Land Management regulations and State laws as to fire prevention must be observed. Premises and improvements must be maintained in a fire safe condition at all times. Each lessee will be required to take all reasonable precautions to prevent and suppress forest, brush and grass fires. Debris and inflammable material will be removed or burned in such a manner that adjoining properties as well as their own will not be endangered.

(g) Buildings or other improvements on the lots shall be set back a minimum distance of 20 feet from rights-of-way

(h) No buildings shall be constructed on areas reserved for rights-of-way as described in the order of classification and terms of the lease.

(i) All residence sites must have adequate sanitary facilities to conform with state, county and local laws and ordinances. Outdoor toilets must be located a minimum of 50 feet from the building or dwelling. The toilets must be fully enclosed and of substantial construction and contain a pit and cover for the seat.

The depth of the pit shall not be less than 6 feet below ground level. In the case of inside toilets, disposal of waste shall be by means of septic tanks or cesspools.

7. The lands are now open to filing of drawing-entry cards (Form 4-775) only by persons entitled to veterans' preference. In brief, persons entitled to such preference are (a) honorably discharged veterans who served in the armed forces of the United States for a period of at least 90 days after September 15, 1940, (b) surviving spouse or minor orphan children of such veterans, and (c) with the consent of the veteran, the spouse of living veterans. The 90-day requirement does not apply to veterans who were discharged on account of wounds or disability incurred in the line of duty or the surviving spouse or minor children of veterans killed in the line of duty. Drawing-entry cards (Form 4-775) are available upon request from the Land Office Manager, Bureau of Land Management, Box 1018, Room 357 New Custom House, Denver, Colorado. Drawing-entry cards will be accepted if filled out in compliance with the instructions on the form and filed with the above-named official prior to 10:00 a. m., June 4, 1957. A drawing will be held on that date or shortly thereafter. Any person who submits more than one card will be declared ineligible to participate in the drawing. Tracts will be assigned to entrants in the order that their names are drawn. All entrants will be notified of the results of the drawing. Successful entrants will be sent copies of the lease forms (Form 4-776), with instructions as to their execution and return and as to payment of fees and rentals.

8. Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 357 New Custom House, P. O. Box 1018, Denver 1, Colorado.

MAX CAPLAN,
State Supervisor.

FEBRUARY 11, 1957.

[F. R. Doc. 57-1322; Filed, Feb. 19, 1957;
8:48 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Civil Aeronautics Administration has filed an application, Serial No. Anchorage 024222, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including mining but excepting mineral leasing and the disposal of materials under the Materials Act.

The applicant desires the land for a Low Frequency radio transmitting station.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

EKLUTNA AREA

T. 16 N., R. 1 E., S. M.,
Sec. 19: E½ SE¼ NW¼.
Containing 20 acres.

ROGER R. ROBINSON,
Operations Supervisor.

[F. R. Doc. 57-1323; Filed, Feb. 19, 1957;
8:48 a. m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

HARRY F. BOWER

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of December 9, 1955, 20 F. R. 9164; March 20, 1956, 21 F. R. 1736-7; and August 22, 1956, 21 F. R. 6307.

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

This statement is made as of February 1, 1957.

Dated: February 1, 1957

HARRY F. BOWER.

[F. R. Doc. 57-1309; Filed, Feb. 19, 1957;
8:45 a. m.]

CLYDE B. JENNI

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of August 22, 1956, 21 F. R. 6307.

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

This statement is made as of February 9, 1957.

Dated: February 11, 1957.

CLYDE B. JENNI.

[F. R. Doc. 57-1311; Filed, Feb. 19, 1957;
8:46 a. m.]

VICTOR A. MISCIO

STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense

Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of August 31, 1956, 21 F. R. 6586.

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

This statement is made as of February 8, 1957.

Dated: February 8, 1957.

VICTOR A. MISCIO.

[F. R. Doc. 57-1313; Filed, Feb. 19, 1957;
8:46 a. m.]

WALLACE H. ADAMSON

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Report of appointment and statement of financial interests required by section 710 (b) (6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: Mr. Wallace H. Adamson.
2. Employing agency: Department of Commerce, Business and Defense Services Administration.
3. Date of appointment: January 30, 1957.
4. Title of position: Chief, Stainless, Hi-Temp Alloy and Tool Steel Branch.
5. Name of private employer: McLouth Steel Corporation, 300 S. Livernois, Detroit, Michigan.

CARLTON HAYWARD,
Director of Personnel.

FEBRUARY 12, 1957.

Statement of Financial Interests

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

McLouth Steel Corporation.
W. & T. Cartage Co.
Nickel Rim Co.
Bank Deposits.

Dated: February 12, 1957.

WALLACE H. ADAMSON.

[F. R. Doc. 57-1308; Filed, Feb. 19, 1957;
8:45 a. m.]

CARL O. FRIEND

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Report of appointment and statement of financial interests required by section 710 (b) (6) of the Defense Production Act of 1950, as amended.

Report of Appointment.

1. Name of appointee: Mr. Carl O. Friend.
2. Employing agency: Department of Commerce, Business and Defense Services Administration.
3. Date of appointment: February 1, 1957.
4. Title of position: Director, Power Equipment Division.
5. Name of private employer: Nordberg Mfg. Company, 3073 So. Chase Avenue, Milwaukee, Wisconsin.

CARLTON HAYWARD,
Director of Personnel.

FEBRUARY 12, 1957.

Statement of Financial Interests

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Milwaukee Forge & Machine Company.
Nordberg Manufacturing Company.
Bank Deposits.
Continental Motors, Inc.
Employee Credit Union (Nordberg Mfg. Co.).

Dated: February 12, 1957.

CARL O. FRIEND.

[F. R. Doc. 57-1310; Filed, Feb. 19, 1957;
8:45 a. m.]

HOWARD C. HOLMES

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Report of appointment and statement of financial interests required by section 710 (b) (6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: Mr. Howard C. Holmes.
2. Employing agency: Department of Commerce, Business and Defense Services Administration.
3. Date of appointment: January 29, 1957.
4. Title of position: Director, Aluminum & Magnesium Division.
5. Name of private employer: Kaiser Aluminum & Chemical Sales, Inc., 919 North Michigan Avenue, Chicago 11, Illinois.

CARLTON HAYWARD,
Director of Personnel.

DECEMBER 28, 1956.

Statement of Financial Interests

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appoint-

ment has been an officer or director, or in which the appointee owns, or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Kaiser Aluminum and Chemical Corporation.
Dixie Corporation.
Bank Deposits.

Dated: February 14, 1957.

HOWARD C. HOLMES.

[F. R. Doc. 57-1312; Filed, Feb. 19, 1957;
8:46 a. m.]

JOHN S. VANDER HEIDE

REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Report of appointment and statement of financial interests required by section 710 (b) (6) of the Defense Production Act of 1950, as amended.

Report of Appointment

1. Name of appointee: Mr. John S. Vander Heide.
2. Employing agency: Department of Commerce, Business and Defense Services Administration.
3. Date of appointment: January 23, 1957.
4. Title of position: Special Assistant to the Administrator.
5. Name of private employer: Holland-American Wafer Company, Grand Rapids, Michigan.

CARLTON HAYWARD,
Director of Personnel.

FEBRUARY 12, 1957.

Statement of Financial Interest

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Holland-American Wafer Company.
Heyboer Realty Corporation.
Old Kent Bank.
Michigan Trust Company.
Armour and Company.
Michigan National Bank.
Bank Deposits.

Dated: February 9, 1957.

JOHN S. VANDER HEIDE.

[F. R. Doc. 57-1314; Filed, Feb. 19, 1957;
8:46 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

STATEMENT OF ORGANIZATION AND DELEGATION OF AUTHORITY

The Statement of Organization and Delegations of Authority of the Department (20 F. R. 1996) is amended to read as follows:

PART 1—ORGANIZATION OF THE DEPARTMENT

SECTION 1.10 *Creation of the Department.* The Department of Health, Education, and Welfare was created by Reorganization Plan No. 1 of 1953. Under provisions of the act approved April 1, 1953, (Public Law 13, 83d Congress; 67 Stat. 18), the Plan became effective on April 11, 1953. The Plan abolished the Federal Security Agency, created by Reorganization Plan I, and transferred all functions of the Federal Security Administrator to the Secretary of Health, Education, and Welfare, and all components of the Agency to the Department.

SEC. 1.20 *Department organization.* (a) The Department consists of the Office of the Secretary and the following operating agencies:

Public Health Service.
Office of Education.
Social Security Administration.
Food and Drug Administration.
Office of Vocational Rehabilitation.
Saint Elizabeths Hospital.

(b) In addition to the above, there are three federally aided corporations which are partially supported by Federal funds and operate to a limited extent under the supervision of the Secretary. These are:

American Printing House for the Blind (Louisville, Ky.).
Gallaudet College (Washington, D. C.).
Howard University (Washington, D. C.).

SEC. 1.30 *Field organization.* (a) The Department's field organization includes the following principal field installations:

- 9 Department regional offices with OS, PHS, OE, SSA, OVR representatives.
- 16 Food and drug district offices.
- 6 SSA-BOASI area offices.
- 546 SSA-BOASI district offices.
- Major PHS field installations:
- 16 Hospitals. 4 Field centers and Laboratories at:
Atlanta, Georgia (Communicable Disease Center).
Cincinnati, Ohio (Robt. A. Taft Sanitary Eng. Center).
Anchorage, Alaska (Arctic Health Research Center).
Hamilton, Montana (Rocky Mountain Laboratory).
- 25 Foreign quarantine stations (in U. S. and Possessions).
- 5 Foreign quarantine stations (in foreign countries).
- 24 Outpatient clinics.
- 6 Indian health area and 4 Sub-area offices.
- 48 Indian and 8 Alaska native hospitals.
- 20 Indian health centers.

(b) The 546 BOASI District Offices operate under regional office supervision. The other field installations operate under general supervision of the appropriate headquarters offices.

SEC. 1.40 Regional organization. (a) The nine Department regions, their boundaries, and regional offices are as follows:

Region I, Boston, Mass.: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Region II, New York, N. Y.: Delaware, New Jersey, New York, and Pennsylvania.

Region III, Charlottesville, Va.: District of Columbia, Kentucky, Maryland, North Carolina, Virginia, West Virginia, Puerto Rico, and the Virgin Islands.

Region IV, Atlanta, Ga.: Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee.

Region V, Chicago, Ill.: Illinois, Indiana, Michigan, Ohio, and Wisconsin.

Region VI, Kansas City, Mo.: Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota.

Region VII, Dallas, Tex.: Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Region VIII, Denver, Colo.: Colorado, Idaho, Montana, Utah, and Wyoming.

Region IX, San Francisco, Calif.: Arizona, California, Nevada, Oregon, Washington, Alaska, Hawaii, and Guam.

(b) Each regional office is headed by a regional director who is the Secretary's representative within the region. The following have representation in the regional office:

Office of the Secretary.
Public Health Service.
Office of Education.
Social Security Administration.
Office of Vocational Rehabilitation.

The regional program representatives are under the general administrative supervision of the regional director but receive technical direction from the appropriate headquarters office or bureau.

PART 2—OFFICE OF THE SECRETARY

SEC. 2.10 Organization. The Office of the Secretary, in Washington, shall consist of the following: (See Part 1 of this statement for information regarding Office of the Secretary in the field.)

The Secretary and Under Secretary:
Special Assistant for Health and Medical Affairs.
Assistants to the Secretary.
Director of Publications and Reports.
Director of Security.
Assistant Secretary (For Legislation):
Congressional Liaison Office.
Assistant Secretary:
Director of Field Administration.
Defense Coordinator.
Assistant for International Activities.
Advisor on Special Institutions.
Assistant to the Secretary (For Program Analysis):
Program Analysis Officer.
Special Assistant on Federal-State Problems.
Special Staff on Aging.
General Counsel.
Director of Administration.

SEC. 2.20. Secretary of Health, Education, and Welfare. (a) The Department of Health, Education, and Welfare shall be administered under the supervision and direction of the Secretary.

(b) The Under Secretary shall perform such duties as the Secretary may prescribe and act as Secretary during the absence or disability of the Secretary or in the event of a vacancy in that office.

SEC. 2.30 Order of succession. (a) During the absence or disability of the Secretary and Under Secretary or in the event of a simultaneous vacancy in the offices of Secretary and Under Secretary, the Assistant Secretary who is senior according to date of his commission shall act as Secretary.

(b) During the absence, disability, or vacancy in the Offices of the Secretary, the Under Secretary and both Assistant Secretaries, the General Counsel shall perform all functions and exercise all authority of the Secretary.

SEC. 2.40 Departmental Council. The Departmental Council, composed of the following members, assists in providing an improved exchange of information and closer coordination of the activities of the Department.

Secretary.
Under Secretary.
Assistant Secretary.
Assistant Secretary (For Legislation).
Special Assistant for Health and Medical Affairs.
Assistant to the Secretary (For Program Analysis).
Assistants to the Secretary.
Congressional Liaison Officer.
General Counsel.
Director of Administration.
Director of Field Administration.
Surgeon General, Public Health Service.
Commissioner of Education.
Commissioner of Social Security.
Commissioner of Food and Drugs.
Director of Vocational Rehabilitation.
Superintendent of Saint Elizabeths Hospital.

SEC. 2.50 Reservation of authority. (a) In addition to the authority expressly reserved in subsequent parts of this statement, the following authority is reserved to the Secretary:

(1) No new division or comparable organizational unit shall be established, abolished, or transferred, and no divisions or comparable organizational units shall be consolidated without the prior approval of the Secretary.

(2) Annual or other reports required to be submitted to the President and the Congress shall be submitted by the Secretary unless otherwise required by law, in which case they shall be submitted through the Secretary.

(3) Regulations shall be approved by the Secretary.

(4) Appointments of officers, employees, and other personnel shall be made by the Secretary in all cases in which such authority has not been specifically delegated.

(5) Authority delegated by the President to the Secretary shall, except as specifically redelegated, be exercised only by the Secretary.

(6) Agreements with Federal, State, and local agencies for the performance of responsibilities delegated to the Department by the Federal Civil Defense Administration Delegation No. 1 (19 F. R. 4546) shall be approved only by the Secretary.

SURPLUS PROPERTY UTILIZATION PROGRAM

SEC. 2-248.10 Organization. There shall be in the Office of Field Administration, under the direction and super-

vision of the Director, Office of Field Administration, a Division of Surplus Property Utilization.

SEC. 2-248.20 Assignment of responsibilities. (a) The Chief of the Division of Surplus Property Utilization, under the direction and supervision of the Director, Office of Field Administration, shall be responsible for:

(1) Carrying out the functions, duties, and responsibilities vested in the Secretary of Health, Education, and Welfare by sections 203 (j), 203 (k), and 203 (n) of the Federal Property and Administrative Services Act of 1949, as amended, and by Federal Civil Defense Administration Delegation 5 (21 F. R. 6721) as the same may be amended from time to time, in conformance with the rules, regulations, and circulars issued by the Administrator of General Services and the rules, regulations, and circulars issued, and criteria established, by the Federal Civil Defense Administrator to the extent that they affect such functions, duties, and responsibilities (hereinafter called the Program) of the Secretary of Health, Education, and Welfare; and

(2) The organization, integration, coordination, evaluation, and direction of the Program.

(b) The Division, in carrying out the functions, duties and responsibilities of the Secretary as set forth in (a) (1) above, shall:

(1) Develop, with the approval of the Director of the Office of Field Administration, the policy and planning of all aspects of the Program;

(2) Maintain liaison with the General Services Administration, the Federal Civil Defense Administration, and other interested Federal and State agencies, instrumentalities, organizations, and representatives, in connection with all aspects of the Program;

(3) Develop and promulgate, with the approval of the Director of the Office of Field Administration, instructions and procedures relative to the operation of the Program;

(4) Make determinations and allocations for educational, public health, and civil defense purposes as authorized by section 203 (j) of the act and Federal Civil Defense Administration Delegation 5, and take such action as may be necessary in connection with the assignment, disposal, and utilization of surplus property for educational and public health purposes pursuant to section 203 (k) of the act, except that any action which is required to be taken by the Secretary shall be prepared and submitted for the Secretary's approval; and

(5) Prepare for submission by the Secretary to the Senate and to the House of Representatives the reports required to be made by section 203 (o) of the act.

SEC. 2-249.10 Delegation of authority; Regional Directors—Real property.

(a) This delegation relates to the disposal and utilization of surplus real property and related personal property for education and public health purposes, pursuant to section 203 (k) of the Federal Property and Administrative Services Act of 1949, as amended. Each

Regional Director, except the Regional Director in Region VIII, with respect to such property located within his jurisdiction, is authorized:

(1) To execute deeds, contracts of sale, and all instruments incident or corollary to the transfer of land and improvements thereon where the acquisition and improvement cost of the property was \$150,000 or less;

(2) To execute instruments in modification of previous transfers where the acquisition and improvement cost of the land and improvements thereon involved in the modification action was \$150,000 or less;

(3) To execute all instruments with respect to land and improvements thereon where the acquisition and improvement cost exceeded \$150,000, where the Division of Surplus Property Utilization specifically authorizes closing of the transaction by the Regional Office;

(4) To execute all instruments relating to the transfer of improvements for removal and use away from the site; and

(5) to execute all modifying or retransfer instruments affecting improvements originally disposed of for removal and use away from the site.

(b) The Regional Director of Region IX, with respect to property located within the states comprising Region VIII, shall exercise the authority as above delegated.

SEC. 2-249.20 *Delegation of authority; Regional Property Coordinators—Real property.* (a) In each region, except for Regions I and VIII, the representative of the program of disposal and utilization of surplus real and related personal property for educational and public health purposes contemplated by section 203 (k) of the Federal Property and Administrative Services Act of 1949, as amended, is the Regional Property Coordinator. The Regional Property Coordinators in Region II and Region IX shall serve as program representatives in Region I and Region VIII, respectively.

(b) Each Regional Property Coordinator, with respect to the disposal for educational and public health purposes of surplus real property and related personal property within his jurisdiction, is authorized:

(1) To request and accept assignments from Federal agencies of

(i) Improvements for removal and use away from the site; and

(ii) Land and improvements thereon where the acquisition and improvement cost of the property was \$150,000 or less;

(2) Consistent with the policies and procedures set forth in applicable regulations of the Department, to make determinations incident to the disposal of assigned property described in (b) (1) (i) and (b) (1) (ii) above;

(3) To issue and execute licenses and interim permits affecting assigned property described in (b) (1) (i) and (b) (1) (ii) above;

(4) To execute instruments of transfer relating to property described in (b) (1) (i) above;

(5) To execute instruments necessary to carry out actions incident or corollary

to the health or educational transfer of property described in (b) (1) (ii) above;

(6) Except for execution of instruments of conveyance to the educational or health transferee, to take all action with respect to land and improvements thereon where the acquisition and improvement cost exceeded \$150,000, where the Division of Surplus Property Utilization specifically authorizes closing of the transaction by the Regional Office; and

(7) Incident to the exercise of the authority hereinbefore provided, to receive remittances and performance guarantee deposits and bonds, to request refunds or payments, and to request forfeiture or release of performance bonds.

(c) From the foregoing delegation there is reserved to the Division of Surplus Property Utilization authority to request and accept assignments of property from Federal agencies whose disposal authority is exempted from the provisions of the Federal Property and Administrative Services Act of 1949, as amended, by section 602 (d) thereof.

(d) Each Regional Property Coordinator, with respect to property within his jurisdiction previously disposed of for educational and public health purposes, is authorized:

(1) Consistent with the policies and procedures set forth in applicable regulations of the Department, to make determinations concerning the utilization and the enforcement of compliance with the terms and conditions of disposal of:

(i) Improvements for removal and use away from the site; and

(ii) Land and improvements thereon where the acquisition and improvement cost of the property involved in the current action was \$150,000 or less;

(2) To accept voluntary reconveyances and to effect reverter of title to land and improvements located thereon, without regard to acquisition cost;

(3) To report to General Services Administration revested properties excess to program requirements in accordance with applicable regulations;

(4) To take all action with respect to land and improvements thereon where the acquisition and improvement cost of the property involved in the current action exceeded \$150,000, where the Division of Surplus Property Utilization specifically authorizes closing of the transaction by the Regional Office;

(5) To execute instruments necessary to carry out, or incident to the exercise of, the authority delegated in this paragraph; and

(6) Incident to the exercise of the authority delegated in this paragraph, to receive remittances and performance guarantee deposits and bonds, to request refunds or payments, and to request forfeiture or release of performance bonds.

SEC. 2-249.30 *Delegation of authority; Regional Property Coordinators—Personal property.* (a) In each region, except for Regions I and VIII, the representative of the program of donation of surplus personal property for educational, public health, and civil defense purposes contemplated by section 203 (j) of the Federal Property and Administrative Services Act of 1949, as amended,

and Federal Civil Defense Administration Delegation 5, is the Regional Property Coordinator. The Regional Property Coordinators in Region II and Region IX shall serve as program representatives in Region I and Region VIII, respectively.

(b) Each Regional Property Coordinator, with respect to the allocation for donation for educational, public health, and civil defense purposes of surplus personal property located within his jurisdiction, is authorized:

(1) To make determinations, consistent with the policies and procedures set forth in applicable regulations of the Department, concerning the usability of and need for surplus personal property by educational or health institutions and civil defense organizations;

(2) To allocate surplus personal property and to take all actions necessary to accomplish donation or transfer of property so allocated, consistent with the policies and procedures set forth in applicable regulations of the Department;

(3) To certify and assign individuals designated by State agencies as State representatives for the purpose of screening surplus personal property; and

(4) To execute all instruments, documents, and forms necessary to carry out, or incident to the exercise of, the foregoing authority.

(c) Each Regional Property Coordinator, with respect to personal property located within his jurisdiction and in the possession of State agencies for subsequent donation for educational, public health, and civil defense purposes, is authorized:

(1) To approve sales by State agencies (1) where the acquisition cost of the items listed for sale does not exceed \$25,000 and (2) as the Division of Surplus Property Utilization specifically directs; and

(2) To approve destruction or abandonment of property in the custody of State agencies after a determination in writing that the property has no commercial value or that the cost of care and handling would exceed the estimated proceeds from its sale, except that where the acquisition cost of the property was more than \$1,000 (estimated if not known), the determination must be approved by the Division of Surplus Property Utilization.

(d) Each Regional Property Coordinator, with respect to personal property located within his jurisdiction previously donated for educational and public health purposes, is authorized:

(1) To make determinations and take actions appropriate thereto, consistent with the policies and procedures set forth in applicable regulations of the Department, concerning the utilization of such property, including retransfer and the enforcement of compliance with terms and conditions which may have been imposed on and which are currently applicable to such property;

(2) To execute instruments necessary to carry out, or incident to the exercise of, the authority delegated in this paragraph;

(3) Incident to the exercise of the authority delegated in this paragraph, to

receive remittances and to request refunds or payments; and

(4) To approve sales, destruction, or abandonment of such property by donees, subject to the same limitations as are set forth in (c) (1) and (2) above.

(e) The authority herein delegated, or any part hereof, may, with the concurrence of the Regional Director, be re-delegated in writing by the Regional Property Coordinator to Assistant Regional Property Coordinators or to his other operating or administrative assistants.

OFFICE OF THE GENERAL COUNSEL

SEC. 2-300.10 Organization. The Office of the General Counsel, under the supervision of a General Counsel, shall consist of:

Immediate Office of the General Counsel:

Regional Attorneys.
Division of Food and Drugs.
Division of Legislation.
Division of Old-Age and Survivors Insurance.
Division of Public Health.
Division of Welfare and Education.

SEC. 2-300.20 General Counsel. (a) The General Counsel is directly responsible to the Secretary. He serves as special adviser to the Secretary on legal matters in connection with the administration of the Department.

(b) In the absence of disability of the General Counsel the Associate General Counsel shall act for him.

SEC. 2-300.30 Office of the General Counsel. (a) The Office of the General Counsel is responsible for:

(1) Furnishing all legal services and advice to the Secretary, Under Secretary, and all offices, branches, or units of the Department in connection with the operations and administration of the Department.

(2) Furnishing legal services and advice on such other matters as may be submitted by the Secretary, the Under Secretary, and any other person authorized by the Secretary to request such service or advice.

(3) Representing the Department in all litigation when such direct representation is authorized by law, and in other cases making and supervising contacts with attorneys responsible for the conduct of such litigation.

(4) Performing all liaison functions in connection with legal matters involving the Department, and formulating or reviewing requests for formal opinions or rulings by the Attorney General and the Comptroller General.

(5) Drafting all proposals for legislation originating in the Department and reviewing all proposed legislation submitted to the Department or to any operating agency of the Department for comment; preparing reports and letters to congressional committees, the Bureau of the Budget, and others on proposed legislation; prescribing procedures to govern the routing and review, within the Department, of material relating to proposed Federal legislation.

(6) Performing all liaison functions with the Division of the Federal Register, National Archives.

(7) Generally supervising all legal activities of the Department and its operat-

ing agencies and directing the activities of the legal staff in the field.

(b) The General Counsel is authorized to promulgate such directives, in accordance with established procedures, as are necessary to carry out the responsibilities assigned.

SEC. 2-300.40 Department Claims Officer. (a) The Associate General Counsel is hereby designated Department Claims Officer and is authorized to:

(1) As the designee of the Secretary for the purpose, perform the duties and exercise the authority vested in him by the Tort Claims Procedure (Chapter 171, Title 28, USC) (hereinafter referred to as the Statute).

(2) Formulate and prescribe rules, regulations, procedures or instructions for investigating, collecting evidence, reporting, processing, and otherwise handling throughout the Department, claims and situations out of which claims or suits may arise under the Statute, and situations of the character contemplated by the Statute out of which claims or suits by the Government for damage to Government property may arise.

(3) Arrange for the maintenance and control of the necessary files and records of such claims and situations.

(4) Generally direct and coordinate the activities of the operating agencies and offices of the Department in carrying out the provisions of this section.

(5) Designate a person to act for him during periods of temporary absence from his office. Effective December 20, 1955, during a vacancy in the position of Associate General Counsel, the Litigation Specialist and Consultant in the Office of the General Counsel shall exercise the functions of Department Claims Officer.

(b) Any notice or writing, required by sections 2672 and 2675 (b) of the Statute to be served on the Department or on an operating agency or office, may be served on the Associate General Counsel.

(c) The Associate General Counsel shall, as often as he deems proper but not less than once a year, submit to the Secretary a report of his activities pursuant to this section. Such report or reports shall include all of the data required by the Statute to be reported by the Secretary to the Congress and may also include any accident trends, practices, procedures, or other circumstances, including the operation of safety programs, as evidenced by situations and claims which come to his attention in the performance of his duties and which may indicate the need for administrative action.

SEC. 2-300.50 Certification of documents. Pursuant to the provisions of section 1601, Title 42, U. S. Code, the Associate General Counsel and the Assistant to the General Counsel are authorized to certify copies of documents on file in the Department and to cause the seal of the Department to be affixed.

OFFICE OF ADMINISTRATION

SEC. 2-500.10 Organization. The Office of Administration, under the supervision of a Director of Administration, shall consist of the following:

Office of Financial Management:

Division of Budget.
Division of Fiscal Policy and Procedure.
Division of Internal Audit.
Accounting Operations Branch.

Office of Management Policy:

Division of Management Standards.
Special Projects Staff.

Division of General Services:

Department Library.

Division of Personnel Management.

SEC. 2-500.20 Director of Administration. (a) The Director of Administration shall be directly responsible to the Secretary and Under Secretary. He shall serve as the staff adviser to the Secretary on Department matters involving administrative and financial management.

(b) During the absence or disability of the Director of Administration or in the event of a vacancy in that Office, the Director of Financial Management or the Director of Management Policy as designated by the Director of Administration shall act for him.

SEC. 2-500.30 Assignment of responsibilities. (a) The Office of Administration shall be responsible for:

(1) Providing coordination, leadership and guidance to the operating agency heads and their staffs in the development and operation of their administrative and financial management programs.

(2) Analyzing proposed legislation, program plans, and program operations in collaboration with other staff advisers in order to bring to bear, in such planning, responsible administrative and financial management planning and to disclose the fiscal and managerial implications.

(3) Coordinating the formulation of budgetary requirements and evaluating program operations with respect to budgetary requirements and control.

(4) Developing and assisting in the installation of Department-wide programs, policies, standards, services, and procedures in the areas of administrative and financial management.

(5) Providing assistance to constituents and staff organizations throughout the Department—headquarters and field—in the solution of major problems in organization, management, staffing and control.

(6) Providing general direction for a program of internal audit for the purpose of assuring compliance with laws, regulations, policies, procedures, and sound practices as they relate to financial management.

(7) Evaluating internal audits conducted by the constituents, with the approval of the Secretary, and other audit programs including the Grant-in-Aid program, audits of research grants and training grants, and other reviews relating to financial relationship of the Department to others to assure adequacy of coverage, independence of the audit, effectiveness of procedures, and efficiency of results.

(8) Providing administrative and fiscal services to the Office of the Secretary and related organizations and providing selected, centralized common services, including services provided on a fee-for-service basis as authorized by law.

(9) Representing or designating representation for the Department in its relationships with the Bureau of the Budget, Civil Service Commission, Treasury Department, General Accounting Office, General Services Administration, and other Federal agencies which are concerned with Federal policies and practices affecting the administrative and financial management areas, including the interdepartmental committees and boards, intra-agency advisory committees or groups, etc.

Sec. 2-500.40 Delegations of authority. Except as specifically delegated or referred to other officials of the Department (not under the supervision of the Director of Administration) or as reserved elsewhere in this Statement, the Director of Administration is hereby authorized to perform all functions of the Secretary in the field of administrative and financial management.

Sec. 2-500.50 Reservations of authority. Annual, deficiency, and supplemental appropriation requests shall be approved by the Secretary prior to submission to the Bureau of the Budget and the Congress.

Sec. 2-500.60 Redelegation of authority. (a) In exercising the authority vested by section 2-500.40 the Director of Administration, as he deems appropriate, may:

(1) Redelegate any portion thereof; (such redelegations shall be filed in the Office of Administration in the file maintained for similar redelegations of other offices);

(2) Authorize further redelegations;

(3) Supersede or modify, in whole or in part, in accordance with established procedures, any directives (orders, instructions, delegations, etc.) issued prior to this date by the Secretary or the Federal Security Administrator relating to such subject matter.

PART 4—PUBLIC HEALTH SERVICE

Sec. 4.10 Organization. The Public Health Service, which is administered by the Surgeon General under the supervision and direction of the Secretary, shall consist of:

- Office of the Surgeon General:
 - Immediate Office.
 - Division of Finance.
 - Division of Administrative Services.
 - Division of Personnel.
 - Division of Public Health Methods.
- Bureau of Medical Services:
 - Office of the Chief.
 - Division of Administrative Management.
 - Division of Dental Resources.
 - Division of Foreign Quarantine.
 - Division of Hospital and Medical Facilities.
 - Division of Indian Health.
- Area Office:
 - Aberdeen, South Dakota.
 - Portland, Oregon.
 - Oklahoma City, Oklahoma.
 - Albuquerque, New Mexico.
 - Phoenix, Arizona.
 - Juneau, Alaska.
- Division of Hospitals.
- Division of Nursing Resources.
- Bureau of State Services:
 - Office of the Chief.
 - Division of General Health Services.
 - Division of Special Health Services.
 - Division of Sanitary Engineering Services.
 - Communicable Disease Center.

- Division of International Health.
- Division of Dental Public Health.
- Public Health Service Regional Organization.
- National Institutes of Health:
 - Office of the Director.
 - National Institute of Allergy and Infectious Diseases.
 - National Institute of Arthritis and Metabolic Diseases.
 - National Cancer Institute.
 - National Institute of Dental Research.
 - National Heart Institute.
 - National Institute of Mental Health.
 - National Institute of Neurological Diseases and Blindness.
 - Clinical Center.
 - Division of Biologics Standards.
 - Division of Business Operations.
 - Division of Research Grants.
 - Division of Research Services.
- National Library of Medicine:
 - Acquisition Division.
 - Administrative Division.
 - Catalog Division.
 - History of Medicine Division (Cleveland, Ohio).
 - Index Division.
 - Reference Division.

Sec. 4.20 Statement of functions. Except as provided in sections 2.50 and 4.30 of this statement:

(a) The Surgeon General shall exercise the functions vested in him or the Secretary by:

(1) The Public Health Service Act, as amended.

(2) The Water Pollution Control Act, as amended, including functions vested in the Secretary by the Reorganization Plan No. 16 of 1950, pursuant to Reorganization Plan No. 1 of 1953.

(3) The Defense Housing and Community Facilities and Services Act of 1951, as amended, and Executive Order 10296.

(4) The Act of August 5, 1954 (68 Stat. 674) (Indian Health Program).

(5) The Poliomyelitis Vaccination Assistance Act of 1955, as amended.

(6) The Act of July 14, 1955 (69 Stat. 322) (Air Pollution Program).

(7) FCDA Delegation No. 1 (19 F. R. 4546) regarding civil defense public health responsibilities, subject to the coordination for the Department as a whole by the Assistant Secretary for Federal-State Relations, to:

(i) Plan a national program; develop technical guidance for States; and direct Federal civil-defense activities concerned with research with respect to, and detection, identification, and control of:

(a) Communicable diseases in humans, (b) biological warfare against humans, (c) chemical warfare against humans, and (d) other public health hazards.

(ii) Plan, develop, and direct Federal activities concerned with a national program designed to provide Public Health Service reserve professional personnel from support areas to those damaged by enemy attack.

(iii) Plan, develop, and distribute through channels, technical guidance concerning the provision of shelter and other protective measures, designed to minimize injury to personnel and reduce damage to vital functional components of hospitals and of water, sewer, and other public-health facilities.

(iv) Plan a national program, develop technical guidance for States and direct

Federal activities concerned with the emergency restoration of community facilities essential to health or functional components thereof for which the Public Health Service normally has regular operating programs.

(v) During a civil defense emergency, employ temporarily additional personnel without regard to the civil service laws as may be required to meet the civil defense requirements of an attack or of an anticipated attack, subject to such departmental administrative policies and procedures as may be issued to govern emergency operations.

(vi) During a civil defense emergency, incur such obligations on behalf of the United States as may be required to meet the civil defense requirements of an attack or of an anticipated attack, subject to such departmental fiscal policies and procedures as may be issued to govern emergency operations.

(vii) Disseminate such civil defense information as may be approved from time to time by the FCDA.

(8) The Dependents' Medical Care Act (70 Stat. 250) and the regulations issued pursuant to this Act, except where consultation by the Secretary of Health, Education, and Welfare with the Secretary of Defense is required by the Act. (Effective November 5, 1956.)

(b) The Surgeon General shall also exercise:

(1) The functions relating to vital statistics which were transferred to the Secretary by section 2 of Reorganization Plan No. 2 of 1946 pursuant to Reorganization Plan No. 1 of 1953.

(2) The functions relating to Freedmen's Hospital which were transferred to the Secretary by section 11 (b) of Reorganization Plan No. IV pursuant to Reorganization Plan No. 1 of 1953.

(3) The functions vested in him by law not expressly referred to by this chapter.

(c) The Surgeon General is authorized to:

(1) Exercise within the numerical requirements prescribed by the Secretary under section 210 (1) of the Public Health Service Act (42 U. S. C. 211 (1)) for each of the several grades, the further authority vested in the Secretary by said section to determine the numerical requirements for commissioned officers for each grade of each category.

(2) Approve amendments to the Joint Travel Regulations recommended by the Advisory Panel of the Per Diem Travel and Transportation Allowance Committee of the Uniformed Services.

SEC. 4.30. Limitations on authority.

(a) Except for commissioned officers and fellows designated as provided in section 207 (f) of the Public Health Service Act, appointments of officers and employees shall be made by the Secretary in all cases in which authority to appoint has not been specifically delegated.

(b) No State plan submitted pursuant to section 314 or Title VI of the Public Health Service Act, as amended, shall be finally disapproved without prior consultation and discussion with the Secretary.

(c) No hearing shall be held pursuant to section 314 (i), section 625 (a) or section 632 (a) of the Public Health

Service Act, as amended, without prior consultation and discussion with the Secretary.

(d) Agreements with Howard University affecting the operation and staffing of Freedmen's Hospital shall be signed by the Surgeon General and the President of Howard University and transmitted to the Secretary for approval. Any matters pertaining to such agreements which require the attention of the Secretary shall be presented to the Secretary through the Surgeon General of the Public Health Service or the President of Howard University.

SEC. 4.40, Delegations of authority. Authority set forth in section 4.20 may be delegated or redelegated by the Surgeon General to such officials of the Public Health Service as he may deem appropriate. Such delegations and redelegations shall not be promulgated until ten work days after filing in the Office of the Director of Administration, except that during a national emergency, no such waiting period shall be required with regard to functions contained in Item (7) of section 4.20 (a).

PART 6—OFFICE OF EDUCATION

SEC. 6.10 Organization. (a) The Office of Education, under the supervision and direction of the Commissioner of Education, shall consist of:

Office of the Commissioner:
 Administrative Management Branch.
 Assistant Commissioner for Educational Services (to coordinate educational services):
 Division of Higher Education.
 Division of International Education.
 Division of State and Local School Systems.
 Division of Vocational Education.
 Laws and Legislation Branch.
 Publications Services Branch.
 Assistant Commissioner for Educational Research (to coordinate):
 Cooperative Research.
 Research and Statistical Services.
 Assistant Commissioner for School Assistance in Federally Affected Areas:
 Division of School Assistance in Federally Affected Areas.

(b) The above Divisions and Branches in the Educational Services area shall be administratively responsible directly to the Commissioner and Deputy Commissioner. The Assistant Commissioner for Educational Services shall be responsible for coordination of the program activities and functions within the Educational Services area.

SEC. 6.20 Statement of functions. (a) Except as provided in section 2.50 and 6.30 of this Statement the Commissioner of Education is responsible for:

(1) In accordance with the provisions of section 204 (a) of Reorganization Plan No. 1, functions of the Office of Education transferred by section 201 of that Plan (except those functions transferred to the Secretary by section 6 of Reorganization Plan No. 2 of 1946, pursuant to Reorganization Plan No. 1 of 1953).

(2) Functions vested in the Commissioner of Education by the Act of September 23, 1950 (Public Law 815, 81st Cong., as amended), the Act of September 30, 1950 (Public Law 874, 81st Cong., as amended); the Act of July 26, 1954 (Public Law 530, 83d Cong.); the

Act of July 26, 1954 (Public Law 531, 83d Cong.).

(3) Functions as ex officio member of the National Advisory committee on Education, established under the Act of July 26, 1954 (Public Law 532, 83d Cong.).

(4) The following civil defense responsibilities delegated to the Secretary by FCDA Delegation No. 1 (19 F. R. 4546), subject to the coordination for the Department as a whole by the Assistant Secretary for Federal-State Relations to:

(i) Plan, develop, and distribute through appropriate channels, training materials for incorporation in the curricula of schools and colleges throughout the United States in order to integrate the teaching, in all possible courses, of civil defense skills, and knowledge and fundamentals of behavior during emergencies.

(ii) Plan, develop, and distribute through appropriate channels, technical guidance concerning the provision of shelter and other protective measures, designed to minimize injury to personnel and reduce damage to vital functional components of educational institutions.

(iii) Disseminate such civil defense information related to paragraphs (i) and (ii) above as may be approved from time to time by the FCDA.

SEC. 6.30 Reservation of authority.

(a) No State grant-in-aid funds shall be withheld nor shall any State plan or amendment thereto submitted pursuant to any statute administered by the Office of Education be finally disapproved without prior consultation and discussion with the Secretary.

(b) Notwithstanding the provisions of section 2.50 (a) (6), the Commissioner of Education is authorized to give final approval to agreements with Federal, State, and local agencies for the performance of education responsibilities delegated to the Secretary by the Federal Civil Defense Administration.

SEC. 6.40 Redelegation of authority.

Authority contained in section 6.20 may be delegated or redelegated by the Commissioner of Education as such officials of the Office of Education as he may deem appropriate. Such delegations or redelegations shall not be promulgated until the expiration of 10 workdays after filing in the office of the Director of Administration.

PART 8—SOCIAL SECURITY ADMINISTRATION

SEC. 8.10 Organization. The Social Security Administration which is under the supervision and direction of the Commissioner of Social Security shall consist of:

Office of the Commissioner:
 Division of Program Research.
 Office of Appeals Council.
 Office of the Actuary.
 Bureau of Old-Age and Survivors Insurance:
 Division of Program Analysis.
 Division of Claims Policy.
 Division of Management Planning and Services.
 Division of Personnel.
 Division of Training.
 Division of Field Operations.
 Division of Accounting Operations.
 Division of Claims Control.

Division of Disability Operations.
 Bureau of Public Assistance:
 Division of Administration.
 Division of Technical Training.
 Division of Program Operations.
 Division of Program Statistics and Analysis.
 Division of Program Standards and Development.
 Division of State Administrative and Fiscal Standards.
 Children's Bureau:
 Division of Health Services.
 Division of Social Services.
 Division of Juvenile Delinquency Service.
 Division of Research.
 Division of Reports.
 Division of International Cooperation.
 Division of Administrative Services.
 Bureau of Federal Credit Unions:
 Division of Program and Reports.
 Division of Field Operations.
 Division of Administrative Services.

SEC. 8.20 Assignment of responsibilities. (a) Except as provided in subsection (b) hereof and sections 2.50 and 8.30, the Commissioner of Social Security shall exercise the:

(1) Functions transferred by Reorganization Plan No. 2 of 1946, and Reorganization Plan No. 1 of 1953, to the Secretary from the Social Security Board, the Chairman of the Social Security Board, and the Secretary of Labor, the Chief of the Children's Bureau and the Children's Bureau (except for the functions transferred away by Reorganization Plan No. 2 of 1949, effective August 19, 1949).

(2) Functions vested in the Secretary by Amendments to and relating to the Social Security Act subsequent to July 16, 1946, and Reorganization Plan No. 1 of 1953.

(3) Following civil defense welfare responsibilities delegated to the Secretary by FCDA Delegation No. 1 (19 F. R. 4546), subject to the coordination for the Department as a whole by the Assistant Secretary for Federal-State Relations:

(i) Plan a national program, develop technical guidance for States, and direct Federal activities concerned with financial assistance for the temporary relief or aid of civilians injured or in want as the result of attack.

(ii) Plan, program, and develop technical guidance for the States and direct Federal activities concerned with the acquisition, transportation, and payment for clothing of civilians in want as a result of attack.

(iii) During a civil defense emergency, employ temporarily additional personnel without regard to the civil service laws as may be required to meet the civil defense requirements of an attack or of an anticipated attack, subject to such departmental administrative policies and procedures as may be issued to govern emergency operations.

(iv) During a civil defense emergency, incur such obligations on behalf of the United States as may be required to meet the civil defense requirements of an attack or of an anticipated attack, subject to such departmental fiscal policies and procedures as may be issued to govern emergency operations.

(v) Disseminate such civil defense information as may be approved from time to time by the Federal Civil Defense Administration.

(b) All duties, powers, and functions relating to the holding of hearings, the rendition of decisions, and the review of decisions in connection with administrative appeals from determinations made under Title II of the Social Security Act, as amended, and affecting benefits, lump sums, wage records or disability determinations, including the administration of oaths and affirmations, the issuance of subpoenas, the examination of witnesses, and the receipt of evidence, and all duties, powers, and functions relating to judicial review of decisions made upon appeal are assigned to the Office of Appeals Council in the Social Security Administration and shall be exercised by the Appeals Council, its members and referees in accordance with applicable rules and regulations.

(c) The functions currently performed by the Children's Bureau under the Act of April 9, 1912 and under Title V of the Social Security Act, as amended, shall continue to be performed by the Children's Bureau.

(d) The functions, powers, and duties of the Farm Credit Administration under the Federal Credit Union Act, as amended (in U. S. C. title 12, secs. 1751-1772) which were transferred to the Federal Security Agency by the Act of June 29, 1948 (Public Law 813) shall be exercised by the Bureau of Federal Credit Unions under the immediate supervision of a Director and the functions, powers, and duties of the Governor of the Farm Credit Administration under the Federal Credit Union Act, as amended, shall be exercised, as hereinabove provided by the Director.

Sec. 8.30 Reservation of authority.

(a) The Secretary shall serve as a member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund. During the absence of the Secretary, the Under Secretary shall serve. During the absence or disability of the Secretary or Under Secretary the Commissioner of Social Security shall represent the Secretary.

(b) Authority conferred by section 4, 218 (g) (2), 404, 505, 515, 1004, or 1404 of the Social Security Act, as amended, shall be exercised only by the Commissioner and Deputy Commissioner of Social Security. The Director, Deputy Director and Assistant Director, Division of Claims Policy of the Bureau of Old-Age and Survivors Insurance, however, may terminate agreements with respect to one or more coverage groups in any case where a State waives the required notice and hearing provided by section 213 (g) (2) of the Social Security Act, as amended, and consents to the removal of the dissolved coverage group or groups from the agreement.

(c) Authority conferred by section 5 (k) (2) of the Railroad Retirement Act of 1937, as amended, shall be exercised only by the Secretary.

(d) Notwithstanding the provisions of section 2.50 (a) (6), the Commissioner of Social Security is authorized to give final approval to agreements with Federal, State, and local agencies for the performance of welfare responsibilities

delegated to the Secretary by the Federal Civil Defense Administration.

Sec. 8.40 Redelegation of authority.

(a) Authority contained in 8.20 (a) above may be redelegated by the Commissioner to such officials, bureaus, or offices of the Social Security Administration as he may deem appropriate except that only the Commissioner or Deputy Commissioner shall execute an agreement under section 218 or 221 (b) of the Social Security Act, as amended. Notwithstanding the foregoing exception, the following officials of the Bureau of Old-Age and Survivors Insurance are authorized, to the extent indicated, to approve modifications of agreements previously entered into pursuant to such sections:

The Director and Deputy Director—sections 218 and 221 (b);

The Assistant Director, Division of Claims Policy—section 218 only; and

The Assistant Director, Division of Disability Operations—section 221 (b) only;

provided that the Office of the General Counsel has found that there is no legal objection to the form or substance of such modifications.

(b) Such redelegations shall not be promulgated until the expiration of 10 work days after filing in the Office of the Director of Administration.

(c) Each Regional Director, and each Regional Representative of the Bureau of Old-Age and Survivors Insurance, is authorized during the period of December 16 through 31st each year to enter into modifications with States within their respective regions which amend previous agreements between the State and the Department of Health, Education, and Welfare pursuant to section 218 of the Social Security Act as amended. Each such modification shall contain the following clause:

It is further agreed that this modification is executed subject to ratification by the Director, Deputy Director, or Assistant Director, Division of Claims Policy, Bureau of Old-Age and Survivors Insurance of the Social Security Administration.

PART 10—FOOD AND DRUG ADMINISTRATION

Sec. 10.10 Organization.

(a) The Food and Drug Administration, under the supervision and direction of the Commissioner of Food and Drugs, shall consist of:

- Office of the Commissioner:
- Division of Administrative Management.
- Division of Federal-State Relations.
- Bureau of Enforcement.
- Bureau of Medicine.
- Bureau of Biological and Physical Sciences.
- Bureau of Field Administration.
- Bureau of Program Planning and Appraisal.

(b) There shall be 16 Food and Drug District Offices which report to the Bureau of Field Administration at headquarters in Washington. These District Offices are located in the following cities:

- | | |
|------------------|-----------------------|
| Atlanta, Ga. | Los Angeles, Calif. |
| Baltimore, Md. | Minneapolis, Minn. |
| Boston, Mass. | New Orleans, La. |
| Buffalo, N. Y. | New York, N. Y. |
| Chicago, Ill. | Philadelphia, Pa. |
| Cincinnati, Ohio | St. Louis, Mo. |
| Denver, Colo. | San Francisco, Calif. |
| Kansas City, Mo. | Seattle, Wash. |

Sec. 10.20 Assignment of responsibilities. (a) Except as provided in sections 2.50 and 10.30 the Commissioner of Food and Drugs shall exercise the:

(1) Functions vested in the Secretary and the Department under the Federal Food, Drug, and Cosmetic Act, the Federal Caustic Poison Act, the Import Milk Act, the Filled Milk Act, the Tea Importation Act, pursuant to section 12 of Reorganization Plan No. IV and Reorganization Plan No. 1 of 1953.

(2) Functions vested in the Secretary by amendments to the foregoing statutes subsequent to Reorganization Plan No. 1 of 1953.

(3) Following civil defense food and drug responsibilities delegated to the Secretary by FCDA Delegation No. 1 (19 F. R. 4546), subject to the coordination for the Department as a whole by the Assistant Secretary for Federal-State Relations:

(i) Plan a national program, conduct research, develop technical guidance for States, and direct Federal activities designed to meet the extraordinary needs for food and drug inspection and control in attacked areas.

(ii) During a civil defense emergency, employ temporarily additional personnel without regard to the civil service laws as may be required to meet the civil defense requirements of an attack or of an anticipated attack, subject to such Department administrative policies and procedures as may be issued to govern emergency operations.

(iii) During a civil defense emergency, incur such obligations on behalf of the United States as may be required to meet the civil defense requirements of an attack or of an anticipated attack, subject to such Department fiscal policies and procedures as may be issued to govern emergency operations.

(iv) Disseminate such civil defense information as may be approved from time to time by the Federal Civil Defense Administration.

(4) Authority to certify true copies of documents in the files of the Food and Drug Administration and, pursuant to section 1601, Title 42, U. S. C., to cause the seal of the Department to be affixed.

Sec. 10.30 Reservation of authority. Notwithstanding the provisions of section 2.50 (a) (4), the Commissioner of Food and Drugs is authorized to promulgate necessary rules and regulations except that final rules and regulations pursuant to sections 507 (f), and 701 (e) (3) of the Federal Food, Drug, and Cosmetic Act, as amended, shall be approved by the Secretary.

Sec. 10.40 Redelegation of authority. Authority contained in 10.20 above may be redelegated by the Commissioner to such officials of the Food and Drug Administration and, with the concurrence of the General Counsel, to such officials of the Office of the General Counsel as he may deem appropriate. Such redelegations shall not be promulgated until the expiration of 10 work days after filing in the Office of the Director of Administration.

PART 12—OFFICE OF VOCATIONAL REHABILITATION

Sec. 12.10 Organization. The Office of Vocational Rehabilitation which is under the supervision and direction of the Director of Vocational Rehabilitation consists of:

Office of the Director.

Assistant Director for Management Services:
Division of Budget and Management.
Division of Administration.

Assistant Director for Program Planning and Evaluation:

Division of Planning and Evaluation.
Division of Publications and Reports.
Division of Research and Special Studies.
Assistant Director for State Administration Development:
Division of State Administration Development.
Division of State Plans, Grants, and Surveys.

Regional Representatives.

Assistant Director for Rehabilitation Services:

Division of Medical Services and Facilities.
Division of Services to the Blind.
Division of General Rehabilitation and Placement Services.
Division of Training.

Sec. 12.20 Assignment of responsibilities. (a) Except as provided in Part 2 and section 12.30 the Director of Vocational Rehabilitation shall exercise the:

(1) Functions under the Vocational Rehabilitation Act, as amended, (29 U. S. C. ch. 4); hereinafter referred to as the act.

(2) Functions under section 9 of the Federal Employees Compensation Act, as amended, (5 U. S. C. 759), transferred to the Secretary by Reorganization Plan No. 1 of 1953.

(3) Functions transferred by Reorganization Plan No. 2 of 1946 and Reorganization Plan No. 1 of 1953, to the Secretary from the Office of Education and Commissioner of Education under the act of June 20, 1936, 49 Stat. 1559 (Randolph-Sheppard Act, 20 U. S. C. ch. 6A).

(4) Authority vested in the Secretary under section 654 (a) and (c) of the Public Health Service Act, as amended, to approve applications and requests relating to rehabilitation facilities. (This paragraph is effective November 1, 1955.)

(5) Function as Chairman of the National Advisory Council on Vocational Rehabilitation established under the act.

(6) Functions vested in the Secretary by amendments to the foregoing statutes enacted subsequent to Reorganization Plan No. 1 of 1953.

Sec. 12.30 Reservation of authority.

(a) The authority to appoint members to the National Advisory Council on Vocational Rehabilitation shall be exercised only by the Secretary.

(b) Authority to disapprove a State plan or an amendment to a State plan submitted pursuant to the act shall be exercised only by the Secretary.

(c) Authority to disapprove an application for designation as a State licensing agency under the act of June 20, 1936, as amended (Randolph-Sheppard Act, 20 U. S. C. ch. 6A), or to revoke a designation made pursuant to that Act, shall be exercised only by the Secretary.

(d) Except as hereafter specifically authorized, only the Secretary shall exercise the authority conferred by section 5 (c) of the act.

Sec. 12.40 Redlegation of authority. Authority contained in 12.20 above may be redelegated by the Director to such officials of the Office of Vocational Rehabilitation as he may deem appropriate. Such redelegations shall not be promulgated until the expiration of 10 work days after filing in the Office of the Director of Administration.

PART 14—SAINT ELIZABETHS HOSPITAL

Sec. 14.10 Organization. Saint Elizabeths Hospital shall consist of:

Office of the Superintendent:
Division of Administration.
Division of Medical Services.

Sec. 14.20 Assignment of responsibilities. (a) Except as provided in section 2.50 the Superintendent of Saint Elizabeths Hospital shall exercise:

(1) All of the function transferred to the Department by section 11 (a), Reorganization Plan No. IV, and Reorganization Plan No. 1 of 1953.

(2) The authority vested in the Secretary to order persons certified by the courts as provided in sections 927 and 928 of the Act of March 3, 1901, as amended (24 D. C. Code, sections 301 and 302), to be confined in Saint Elizabeths Hospital.

Sec. 14.30 Delegation of authority. Authority contained in section 14.20 may be redelegated by the Superintendent to such officials of Saint Elizabeths Hospital as he may deem appropriate. Such redelegations shall not be promulgated until 10 days after filing in the Office of the Director of Administration.

Dated: February 1, 1957.

[SEAL] M. B. FOLSON,
Secretary.

[F. R. Doc. 57-1321; Filed, Feb. 19, 1957; 8:48 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. F-8]

NORTH CAROLINA STATE COLLEGE

NOTICE OF PROPOSED ISSUANCE OF CONSTRUCTION PERMIT

Please take notice that the Atomic Energy Commission proposes to issue a construction permit to North Carolina State College, substantially in the form set forth below unless within fifteen (15) days after filing of this notice in the FEDERAL REGISTER a request for a formal hearing is filed with the Commission in the manner prescribed by § 2.102 (b) of the Commission's rules of practice (10 CFR Part 2). There is set forth below a Memorandum submitted by the Division of Civilian Application which summarizes the principal features of the proposed reactor modification and the principal factors considered in reviewing the application for a license. For further details see the application for license at the Commission's Public Document Room, 1717 H Street NW., Washington, D. C.

Construction permit. The North Carolina State College of Agriculture and Engineering of the University of North Carolina (hereinafter "the College") pursuant to Section 50.90 of Part 50, "Licensing of Production and Utilization Facilities", 10 CFR, Chapter I, on December 13, 1956, filed its application for an amendment of its Class 104 License No. R-1 issued on October 1, 1955. The application filed on December 13, 1956, and three amendments filed on January 25, 1957 (hereinafter "the application"), request licenses to modify and operate its nuclear reactor (hereinafter "the reactor").

The Atomic Energy Commission (hereinafter the "Commission") has found that:

A. The College is financially qualified to modify and operate the reactor as modified in accordance with the regulations contained in Title 10, Chapter 1, CFR.

B. The College and Atomic International, a division of North American Aviation, Inc., the contractor selected by the College to design and construct the modified portions of the reactor, are technically qualified to design and construct the modified portions of the reactor.

C. The College has submitted sufficient information to provide reasonable assurance that the reactor can be modified and operated at the proposed location without undue risk to the health and safety of the public; and that any additional information required to complete its application will be supplied.

Pursuant to the Atomic Energy Act of 1954 (hereinafter "the Act") and 10 CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," the Commission hereby issues a construction permit to the College authorizing modification of the reactor as described in the application. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to any additional conditions specified or incorporated below.

1. The earliest date for the completion of the modification of the reactor is March 7, 1957. The latest date for completion is June 30, 1957. The term "completion date" as used herein means the date on which modification of the reactor is completed except for the introduction of the fuel material.

2. The utilization facility authorized for modification is the reactor covered by license No. R-1 issued October 1, 1955.

Upon completion (as defined in Paragraph "1" above) of the modification to the reactor in accordance with the terms and conditions of this permit, upon the filing of any additional information needed to bring the original application up to date, and upon finding that the modification authorized has been completed in conformity with the application and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being

shown to the Commission why the granting of a license would not be in accordance with the provisions of the act, the Commission will issue an amendment to license No. R-1 pursuant to section 104c of the act authorizing the College to operate the reactor as modified.

Dated at Washington, D. C. this 15th day of February 1957.

For the Atomic Energy Commission.

H. L. PRICE,
Director,
Division of Civilian Application.

MEMORANDUM

PART I—INTRODUCTION

On October 1, 1955, facility license No. R-1 was issued to North Carolina State College authorizing the operation of a homogeneous solution type reactor at power levels up to 10 kilowatts. Previously the reactor was operated under a contract with the Commission. The reactor commenced operation during September 1953, and after approximately two years of operation leaks developed in the reactor core tank which necessitated shutdown of the reactor and removal of the core tank.

On December 13, 1956, the College filed an amendment to its license application requesting that its facility license be amended to permit operation of a modified version of the original reactor. The applicant included in the amendment to the license application a technical report which describes the proposed reactor modification and discusses the hazards associated with its operation. There is set forth below our consideration on this information and our analysis of the safety considerations associated with operation of the facility.

PART II—DESCRIPTION OF THE FACILITY

The proposed water-boiler type reactor is a modification of a similar reactor that was operated at the campus site in Raleigh, North Carolina, for approximately two years. Facilities existing from the former reactor will be used almost entirely, except for the core which will be replaced.

The reactor will be used for training students in nuclear science and will operate at thermal powers up to 500 watts. The thermal neutron flux at 500 watts will be 1.5×10^{10} neutrons per square centimeter per second. The fuel will be in the form of an aqueous solution of uranyl sulfate, the same as was used in the original research reactor. The first reactor core developed leaks which were thought to be caused by the abnormally high concentration of chloride ion in the fuel solution. Several precautions for preventing corrosion especially that due to high chloride ion concentration will be taken in the design and operation of the new core. Excess reactivity will be limited to 0.36 percent k.

The core tank is fabricated from type 347 stainless steel and has a $\frac{1}{16}$ -inch wall thickness. It consists of a hemispherical bottom of 5.25 inch radius, a cylindrical shell 10.5 inches in diameter by 9 inches high, and a flat circular cover 1 inch thick. There are seven penetrations in the cover for the control rods, sampling tube, exposure tube, gas inlet and outlet tubes, and thermowell.

During operation the volume above the fuel solution is purged with air to remove accumulated hydrogen, oxygen, and fission product gases. These gases are stored in 55-gallon drums until favorable meteorological conditions prevail for their safe release. The release is made through a 110-foot stack located behind the reactor building.

The proposed reactor as modified will differ from the original research reactor in that it will have no cooling coils, recombiner, pump, or gamma cell.

An aluminum envelope, $\frac{1}{16}$ inch thick, surrounds the core tank and serves as a secondary containment vessel. Valves and connections are housed in a gas-tight aluminum box having bulkhead seals at the tube entrances.

The two control rods are composed of hot-pressed boron carbide and are in the shape of 0.907 inch outside diameter hollow cylinders. They are clad inside and out with stainless steel. The control rods enter the reactor core from the top and are attached to the control rod drive mechanism by electromagnets.

Graphite is used as a neutron reflector, and lead and concrete serve as biological shields. The heat generated in the reactor during operation will be dissipated to the surroundings by conduction through the graphite and shielding materials.

The reactor structure is octagonally shaped and is located in the center of an octagonally shaped room. There is 25 feet of clear space between any side of the reactor and the nearest wall of the building. Three wings extend from the central reactor room; a research wing, a student wing, and a control-observation-administrative wing. The control console is separated from the reactor room by a 16-inch-thick water-filled observation window.

The reactor is located in the southern half of the Court of Ceres which is an open quadrangle near the center of the campus. The Court of Ceres is on one of the highest hills in Raleigh.

Four radioactivity monitoring stations are being established at various places on the campus to record any radioactivity that might be released from the stack. The records from these stations will be used to determine safe fission product gas release rates.

PART III—HAZARDS EVALUATION

General considerations. The original research reactor was successfully operated at the existing site for twenty months at power levels up to 10 kilowatts. The proposed modification to the reactor core will be the only major change in the facility, all other details will remain substantially unchanged. The lower power level (500 watts) of the reactor ensures that many of the existing features of the facility such as shielding exclusion provisions, and control systems will be more than adequate for the revised reactor.

Experience gained by the reactor staff during operation of the original reactor will minimize the training and familiarization needed during initial operation with the new core. Although the reactor will be used for training students it will always be operated under the direct supervision of a licensed operator.

Safety considerations. The inherent stability characteristics of a reactor determine the ease of manual operation and the dependence on and requirements of the servomechanism during automatically controlled operation. Delayed neutrons and negative temperature and negative void coefficients of reactivity exert stabilizing influences on reactor operation, whereas positive temperature and void coefficients exert unstabilizing influences.

The overall temperature coefficient of reactivity of the proposed reactor is negative. This tends to make the reactor stable against temperature and reactivity changes. If for any reason there is a slight increase in temperature within the reactor core the effective neutron multiplication factor (a measure of the ability of the reactor to sustain a chain reaction) will decrease, causing the rate of heat production to decrease and thereby tending to offset the original rise in temperature.

An important component of the negative temperature coefficient in most reactors is the heating and consequent expansion of

the moderator. In heterogeneous reactors a certain time is required for heat to be transferred from the solid fuel to the moderator. Increased heat generation in the fuel is therefore not immediately effective in changing the temperature and density of the moderator. For this reason this component of the negative temperature coefficient is normally known in heterogeneous reactors as a "delayed" temperature coefficient. In a homogeneous reactor such as the proposed reactor the fuel is dissolved in the water moderator. Increased heat generation in the fuel is thus able to produce a temperature change in the moderator almost immediately. This component of the temperature coefficient is thus "prompt" in a homogeneous reactor, tending to offset any temperature rise more quickly and thereby further increasing stability.

The void coefficient of the proposed reactor is negative. A negative coefficient helps make a reactor stable against the production of voids in the moderator or reflector. Thus if for any reason a void is formed in the reactor core, the effective neutron multiplication factor of the core will decrease in proportion to the size of the void formed, tending to decrease the power and temperature and hence decrease the rate of void formation. The void coefficient in the proposed reactor is expected to yield a 0.33% negative change in reactivity per 1% void volume.

There are no experimental holes or other penetrations in the body of the core tank, thus eliminating the possibility of leakage of the fuel solution at such points. The seven tubes which pass through the core cover plate are welded to it.

Valves and tube unions are often the chief source of leaks in a fluid system. In the proposed reactor valves and unions are housed in a gas-tight aluminum box. Seals are used at points at which tubes penetrate the box.

A principal difference between the proposed reactor modification and the original reactor is the elimination of the recombiner. In a homogeneous reactor such a device is used to recombine the hydrogen and oxygen formed during operation and prevent any possible burning or explosion of these gases. In the proposed reactor, however, the space above the fuel solution will be continuously purged with air to remove these and any accumulated fission product gases.

Enough purge air is used so that everywhere in the system the hydrogen concentration will at all times be below that necessary for combustion. The purged gases will then be stored in tanks until meteorological conditions are favorable for their safe release. A further decrease in the concentration of fission product gases being released to the atmosphere will be effected by stack dilution which will be maintained by the use of blowers. Such a system is adequate for this reactor because of the low power level and consequent low gas generation rate. The inventory of fission products in the core will remain low due to the low power level (500 watts maximum).

The applicant has stated that releases of fission products from the stack will be made only in amounts which will not produce a hazard to the public under the meteorological conditions prevailing at the time of release. However, prior to operation more specific information concerning the standards for meeting this condition and the criteria for determining what rate of gas release is allowable under any given set of conditions of meteorology and gas concentration is needed for assurance that fission product releases will not be hazardous.

Maximum credible accident. For practically every reactor it is possible to postulate a combination of inadvertent and deliberate actions which could cause mechanical, chemical, or nuclear events to take place with an

energy release sufficiently great to release the radioactive fission products contained in the reactor. The probability that the majority of such potential catastrophic combinations will in fact take place is so small as to make it reasonable to assume that, for all practical purposes, they are not possible. However, for every reactor, there is a condition or combination of conditions which might possibly occur and result in the maximum accident against which the public must be protected by positive means such as isolation or containment. This accident, and the conditions which might be assumed to initiate it, will be dependent upon the specified design and operating conditions of each reactor and must be evaluated on the basis of the best technical judgment for each reactor.

The applicant has investigated the possibility of adding all the excess reactivity available (0.36%k) in the reactor at one time (as a so-called step function) and has concluded that the reactor will shut itself down due to the negative temperature coefficient of reactivity. The total energy released would be less than 1 kilowatt-hour. In this excursion the applicant states, and we agree, there is no release of fission products into the reactor building.

The applicant has calculated the effect of the release of 0.1% of the long-lived isotopes from the reactor and shield by an act of sabotage. Such a release would constitute a lethal hazard to persons in the reactor room but no hazard to those outside. We do not believe that such an act of sabotage is realistic in this case.

Although it is evident that the effects of the accidents analyzed are not hazardous, there is some uncertainty that the stated value of excess reactivity available (0.36%k) is in fact the maximum available under any conditions, and that operational occurrences (for example, the addition of fuel and water to replace burnup and evaporation losses) could not create a condition of greater available reactivity. It is also not clear how the concentration of the fuel in the core will be known and properly maintained under conditions of evaporation and fuel addition. The applicant will have to establish that the operating procedures are adequate to prevent excess reactivity being introduced into the reactor above the limits that will provide assurance that fission products will not be released into the reactor building.

Summary. The primary features relating to the safety of this reactor are:

1. Low power level (less than 500 watts) and hence low fission product inventory.
2. Low hydrogen concentration thus minimizing possible instabilities due to hydrogen-oxygen explosions.
3. Low excess reactivity (0.36%k) above cold clean critical.
4. Tolerable maximum credible accident, i. e., the magnitude of the maximum credible accident appears sufficiently low so as not to endanger the health and safety of the public.
5. Extensive use of existing facilities. Except for the core (which because of the very low power level will have no cooling coils, recombiner, pump or gamma cell) and some minor details, the existing facility will be used.
6. The successful experience in operating the original reactor for over eighteen months at power levels greatly in excess (up to 10 kilowatts) of those contemplated in the proposed reactor.

Although the applicant has presented an analysis of the problem of the formation of combustible mixtures of hydrogen, oxygen, and water vapor, there remains some uncertainty concerning the limits of concentrations which may form combustible mixtures. Prior to operation of the reactor further clarification of these limits and a consideration of them in regard to the proposed re-

actor system will be necessary. There is reasonable assurance that the applicant can supply the necessary information on these matters. If the information discloses that the system as now designed is inadequate to prevent the formation of combustible mixtures of hydrogen, oxygen, and water vapor, modifications in the system can be made which will assure against their formation. In addition, details of the procedures and standards for setting and maintaining safe fission product release rates and further consideration of the possibility of having excess reactivity available in the reactor beyond the value stated will be necessary before a final evaluation of the safety of operating the reactor can be made.

The application has been reviewed only for the purpose of determining whether there is reasonable assurance, based on information contained in the application and considering the experience which has been gained from previous reactor operation, that the reactor can be modified and operated at the proposed location without undue risk to the health and safety of the public. However, prior to operation it will be necessary to give detailed consideration to the adequacy of those reactor design features and specifications which have been modified, the proposed operating procedures and the use of the reactor in specific types of research and training programs.

PART IV—TECHNICAL QUALIFICATIONS

North Carolina State College initially designed, constructed, and operated its research reactor under contract with the Atomic Energy Commission. Eight of the members on the staff of the College's Physics Department had experience in the design, construction and operation of the reactor. The reactor as initially constructed was operated safely for a period of about twenty months. Atomics International, the contractor, has had experience in the design, construction, and operation of several homogeneous solution type reactors.

PART V—FINANCIAL QUALIFICATIONS

The cost of modification of the North Carolina State College research reactor is estimated to be \$15,000 and funds in this amount are available in the College's Physics Department operating budget. Funds for operating the reactor are available through June 1957 and amount to approximately \$15,000, and will come from the normal operating budget of the Physics Department plus contractual assistance from the Office of Ordnance Research, the National Science Foundation, and sponsored research. Funds totaling \$55,200 for support of the reactor commencing July 1, 1957, have been included in the budget presented to the Advisory Budget Commission of North Carolina. This budget has not yet been approved by the General Assembly of the State of North Carolina, however, the applicant does not anticipate any difficulties in obtaining the funds.

PART VI—CONCLUSIONS

Based upon the above considerations, it is concluded that:

- a. There is reasonable assurance that the reactor can be modified as proposed and operated without undue risk to the health and safety of the public.
- b. The applicant is technically and financially qualified to engage in the proposed activities.

Dated at Washington, D. C., this 15th day of February 1957.

For the Division of Civilian Application.

H. L. PRICE,
Director.

[F. R. Doc. 57-1344; Filed, Feb. 18, 1957; 1:01 p. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-322]

ACCIDENT OCCURRING NEAR TULSA, OKLA.
NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N 94247, which occurred near Tulsa, Oklahoma, January 6, 1957.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Wednesday, February 27, 1957, at 9:30 a. m., local time, in the ballroom of the Mayo Hotel, 115 West Fifth Avenue, Tulsa, Oklahoma.

Dated at Washington, D. C., February 13, 1957.

[SEAL] VAN R. O'BRIEN,
Presiding Officer.

[F. R. Doc. 57-1346; Filed, Feb. 19, 1957; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-11991]

PHILLIPS PETROLEUM CO.

ORDER SUSPENDING PROPOSED CHANGE
IN RATES

The Phillips Petroleum Company (Phillips), on January 14, 1957, tendered for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change dated January 9, 1957.

Purchaser: Texas Gas Transmission Corporation.

Rate Schedule Designation: Supplement No. 10 to Phillips' FPC Gas Rate Schedule No. 202.

Effective Date: February 15, 1957.

Phillips' proposed rate change is based on favored-nations clauses in its contract with Texas Gas Transmission Corporation which, by its terms, has purportedly become operative by the rate for a new sale to Texas Gas Transmission Corporation by Union Oil and Gas Corporation of Louisiana.

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

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

¹ The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Phillips, if later.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations thereunder (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed increased rate and charge; and, pending such hearing and decision thereon, the above-designated supplement be and it is hereby suspended and the use thereof deferred until July 15, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

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

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

Issued: February 14, 1957.

By the Commission.

[SEAL] J. H. GUTRIDE,
Secretary.

[F. R. Doc. 57-1328; Filed, Feb. 19, 1957;
8:49 a. m.]

[Docket No. G-10626]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF APPLICATION AND DATE OF
HEARING

FEBRUARY 14, 1957.

Take notice that on June 21, 1956, Transcontinental Gas Pipe Line Corporation (Transco) filed at Docket No. G-10626 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 facilities in Texas and Louisiana.

The following facilities are proposed:

(1) One 2,200-horsepower compressor station with appurtenances to be known as Compressor Station No. 21 to be located at Milepost 119.64 on Transco's existing 24-inch main transmission line in Nueces County, Texas.

(2) Installation of 3,550 horsepower of additional compressor facilities at its existing 3,000-horsepower Compressor Station No. 23 located at Milepost 327.26 on Transco's existing 30-inch O. D. main transmission line in Harris County, Texas.

(3) Installation of 5,000 horsepower of additional compressor facilities at the existing 7,500-horsepower Compressor Station No. 24 located at Milepost 467.93 on Transco's existing 30-inch O. D. main transmission line in Beauregard Parish, Louisiana.

(4) Additional facilities to receive additional gas from the Greta Field, Refugio County, Texas, consisting of:

(a) An 880-horsepower booster station to be known as Booster Station No. 45 together with a dehydration unit.

(b) A purchase-meter station to be known as Purchase Meter Station No. 2.

(c) Approximately 3.45 miles of 10 $\frac{3}{4}$ -inch O. D. lateral supply pipeline looping an existing line, to extend from a point at Milepost 173.69 on Transco's existing 24-inch O. D. main transmission line in Refugio County, Texas, to a point of connection with the proposed meter station at (b) above.

(5) An 880-horsepower booster station to be located in Mission Valley Field, Victoria County, Texas, and to be known as Booster Station No. 47.

(6) An 880-horsepower booster station to be located in Luby Field, Nueces County, Texas, to be known as Booster Station No. 46, together with a dehydration unit.

Transco states that the estimated total cost of all the proposed facilities is \$4,750,000, which cost is to be temporarily financed by short-term bank loans. Transco plans subsequently to issue bonds to the extent of 60 percent of the cost of the proposed facilities, with the balance to be financed by corporate funds.

Transco also states that the above proposed facilities will enable Transco to protect its dedicated reserves in the Greta Field from drainage by other producers in the field and to utilize fully its contracted gas reserves in the Luby and Petronilla Fields, Nueces County, Texas, and in various fields in De Witt and Victoria Counties, Texas.

Transco will transport the gas to be received through the proposed facilities commingled with its other gas supplies for sale in other states.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 18, 1957, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street, N. W., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised it will not be necessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 5, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

J. H. GUTRIDE,
Secretary.

[F. R. Doc. 57-1329; Filed, Feb. 19, 1957;
8:49 a. m.]

[Docket No. G-11167]

MANUFACTURERS LIGHT AND HEAT CO.
NOTICE OF APPLICATION AND DATE OF
HEARING

FEBRUARY 14, 1957.

Take notice that The Manufacturers Light and Heat Company, (Applicant), a Pennsylvania corporation and a subsidiary of The Columbia Gas System, Inc., having its principal place of business at 800 Union Trust Building, Pittsburgh 19, Pennsylvania, filed on October 1, 1956, an application and on December 10, 1956, an amendment thereto, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing it to install and operate certain natural gas facilities and for authority to abandon certain other natural gas facilities, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for inspection.

Applicant proposes to install and operate a 5,280 horsepower compressor station to be known as Majorsville Compressor Station in Sandhill District, Marshall County, West Virginia, in order to expand its underground storage operations in the contiguous Majorsville and Heard Storage Fields in Marshall County, West Virginia, and Washington and Green Counties, Pennsylvania, and in connection therewith to abandon and retire the existing 2,500 horsepower, Majorsville Compressor Station in West Finley Township, Washington County, Pennsylvania, located approximately one-half mile from the proposed station.

Applicant alleges that increased volumes of gas for storage to be received from Texas Eastern Transmission Corporation at a pressure of approximately 550 psig will require it to increase its maximum monthly storage input by 875,900 Mcf in July 1957, 736,000 Mcf in July, 1958 and 588,000 Mcf in July 1959. The resulting maximum daily injection rates expected for 1957 and 1958 are 112,500 and 107,500 Mcf respectively. Applicant alleges that 5,428 horsepower is required to pump said gas to storage at 1,000 psig discharge pressure on a maximum day of 1957 and 5,079 horsepower on a maximum day of 1958. Applicant estimates that the peak day withdrawal will be 47,000 Mcf in 1957 and 82,400 Mcf in 1958 and 1959.

The estimated cost of the proposed project is \$3,588,000, less \$724,700 retirements and salvage, which will be financed by The Columbia Gas System, Inc.

No new markets are proposed.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 18, 1957, 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power

Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 6, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

[SEAL] J. H. GUTRIDE,
Secretary.

[F. R. Doc. 57-1330; Filed, Feb. 19, 1957;
8:49 a. m.]

[Docket No. G-10098]

PENNSYLVANIA GAS CO.
NOTICE OF HEARING

FEBRUARY 14, 1957.

The hearing in the above matter to commence on August 1, 1956, was postponed by notice of the Secretary dated July 18, 1956 to a date to be hereafter fixed by further notice and to that end:

Take notice that the hearing in this proceeding be held to commence on March 7, 1957, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

[SEAL] J. H. GUTRIDE,
Secretary.

[F. R. Doc. 57-1331; Filed, Feb. 19, 1957;
8:49 a. m.]

[Docket No. G-11193]

G. N. McDANIEL, JR.

NOTICE OF APPLICATION AND DATE OF HEARING

FEBRUARY 14, 1957.

Take notice that G. N. Daniel, Jr., doing business as, Power Petroleum Company of 315 West 3d Street, Borger, Texas, filed an application on October 4, 1956, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act (Act), authorizing him to construct and operate certain facilities and to sell natural gas in interstate commerce for resale to Shamrock Oil and Gas Corporation, which gas is produced by Applicant from the Luginbyhl "A" Lease, Hutchinson County, Texas.

The facilities proposed to be constructed and operated consist of 1800 feet of three-inch pipe line extending from the well to Shamrock's facilities. Ap-

plicant proposes to deliver 200 Mcf per day at 14.65 psia. through the said facilities to Shamrock in accordance with a contract dated September 27, 1956, on file with the Commission.

Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on the 11th day of March, 1957, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 28, 1957. Failure of any party to appear at and participate in the hearing shall be deemed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Secretary.

[F. R. Doc. 57-1332; Filed, Feb. 19, 1957;
8:50 a. m.]

HOUSING AND HOME FINANCE
AGENCY

Office of the Administrator

DEPUTY URBAN RENEWAL COMMISSIONER
ET AL.

DESIGNATION AND ORDER OF PRECEDENCE TO
ACT AS URBAN RENEWAL COMMISSIONER.

The officers appointed to the following listed positions in the Urban Renewal Administration of the Housing and Home Finance Agency (excluding persons designated to serve in an acting capacity) are hereby designated to act in the place and stead of the Urban Renewal Commissioner, with the title of "Acting Urban-Renewal Commissioner" and with all the powers, rights, and duties assigned to the Commissioner, in the event the Commissioner is unable to act by reason of his absence, illness, or other cause, provided that no officer shall serve in such acting capacity unless all other officers whose titles precede his in this designation are unable to act by reason of absence, illness, or other cause:

1. Deputy Urban Renewal Commissioner;
2. Assistant Commissioner for Operations;
3. Assistant Commissioner for Technical Standards and Services;
4. Chief Counsel;

5. Director, Administrative Management Branch;

6. Director, Planning and Engineering Branch.

This order supersedes the order effective November 20, 1956 (21 F. R. 8999) respecting this same subject.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954; 62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U. S. C. 1952 ed. 1701c)

Effective as of the 20th day of February 1957.

ALBERT M. COLE,
*Housing and Home Finance
Administrator.*

[F. R. Doc. 57-1335; Filed, Feb. 19, 1957;
8:50 a. m.]

INTERNATIONAL COOPERATION
ADMINISTRATION

FIRST AID FOR HUNGARY, INC.; COORDINATED HUNGARIAN RELIEF OF THE AMERICAN HUNGARIAN FEDERATION

REGISTER OF VOLUNTARY FOREIGN AID AGENCIES

In accordance with the regulations of the International Cooperation Administration concerning Registration of Agencies for Voluntary Foreign Aid (ICA Regulation 3), 22 CFR Part 203, promulgated pursuant to section 521 of the Mutual Security Act of 1954, as amended, notice is hereby given that a certificate of registration as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the International Cooperation Administration to each of the following agencies:

First Aid for Hungary, Inc., 6 East 65th Street, New York 21, New York.

Coordinated Hungarian Relief of the American Hungarian Federation, 527 Mills Bldg., Washington 6, D. C.

D. A. FITZGERALD,
Acting Director.

FEBRUARY 12, 1957.

[F. R. Doc. 57-1337; Filed, Feb. 19, 1957;
8:50 a. m.]

INTERSTATE COMMERCE
COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 15, 1957.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 33280: *Plaster and products—Colorado to Utah and Wyoming.* Filed by A. G. Winter, Agent, for interested rail carriers. Rates on plaster, plasterboard, gypsum lath and sheathing, carloads from Adobe and Portland, Colo., to specified points in Utah and Wyoming.

Grounds for relief: Circuitous routes. Tariff: Supplement 52 to Union Pacific Railroad Company's tariff I. C. C. 5331. Supplement 58 to Agent Winter's tariff I. C. C. 26.

GENERAL SERVICES ADMINISTRATION

REPORT OF PURCHASES UNDER DOMESTIC PURCHASE REGULATION

DECEMBER 31, 1956.

Report of purchases under Domestic Purchase Regulation (operating on delegation of authority by Department of Interior under Public Law 733)

Material	Termination date of program	Unit of measure	Total limitation	Interim limitation	Quantity purchases	
					During December	Inception to Dec. 31, 1956
Asbestos.....	Dec. 31, 1958	Short tons, crude Nos. 1 and 2.....	2,000	456	134	365
	.....do.....	Short tons, crude No. 3.....	2,000	456	81	225
Columbium-tantalum.	.....do.....	Pounds, contained combined pentoxide.	250,000	57,176	184	1,0184
Fluorspar.....	.....do.....	Short tons, acid grade.....	250,000	57,173	0	0
Tungsten.....	.....do.....	Short ton units, tungsten trioxide.....	1,250,000	285,872	85,991	271,315

¹ Short dry ton.

Dated, February 13, 1957.

FRANKLIN G. FLOETE,
Administrator

[F R. Doc. 57-1327; Filed, Feb. 19, 1957; 8:49 a. m.]

FSA No. 33281. *Aluminum pigs, ingots, etc.—Louisiana to West Virginia.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on aluminum pigs, ingots, billets, blooms, and slabs, carloads from Chalmette and New Orleans, La., to Parkersburg and Ravenswood Works, W Va.

Grounds for relief: Barge competition and circuitous routes.

Tariff: Supplement 35 to Agent Spaninger's tariff I. C. C. 1509.

FSA No. 33283: *Fertilizer solutions—Illinois points to Florida and Georgia points.* Filed by R. G. Raasch, Agent, for interested rail carriers. Rates on fertilizer ammoniating solution, and nitrogen fertilizer solution (crude and other than crude), tank-car loads from Chicago and Tuscola, Ill., to Albany, Ga., and Pompano Beach, Fla.

Grounds for relief: Short-line distance formula and circuitry.

Tariff: Supplement 26 to Agent Raasch's tariff I. C. C. 855.

FSA No. 33284. *Newsprint—Alabama and Tennessee points to interstate points.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on newsprint paper, carloads, also newsprint paper winding, old or new in reverse direction, from Childersburg, Coosa Pines, Mobile, Ala., and Calhoun, Tenn.

Grounds for relief: Short-line distance formula and circuitry.

Tariff: Supplement 67 to Agent Spaninger's tariff I. C. C. 1406.

FSA No. 33285. *Potash—Carlsbad and Loving, N. M., to Kansas and Missouri points.* Filed by The Atchison, Topeka, & Santa Fe Railway Company for itself and other interested rail carriers. Rates on potash, carloads from Carlsbad and Loving, N. M., to specified points in Kansas and Missouri.

Grounds for relief: Circuitous routes.

Tariff: Supplement 117 to Atchison, Topeka and Santa Fe Railway Company's tariff I. C. C. 14478.

FSA No. 33286: *Logs—Points in South Carolina to Granite Falls, N. C.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on logs, native wood, carloads from specified points in South Carolina to Granite Falls, N. C.

Grounds for relief: Destination relationship with Saw Mills, N. C., and circuitous routes.

Tariff: Supplement 149 to Agent Spaninger's tariff I. C. C. 1297.

AGGREGATE-OF-INTERMEDIATES

FSA No. 33282: *Aluminum pigs, ingots, etc.—Louisiana to West Virginia.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on aluminum pigs, ingots, billets, blooms and slabs, carloads from Chalmette and New Orleans, La., to Parkersburg and Ravenswood, W Va.

Grounds for relief: Maintenance of depressed rates without observing same as factors in constructing combination rates.

Tariff: Supplement 35 to Agent Spaninger's tariff I. C. C. 1509.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F R. Doc. 57-1325; Filed, Feb. 19, 1957; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 17734, Amdt.]

UNION INVESTMENT CORP., INC.

In re: Securities Owned by and Debts Owing to Union Investment Corporation, Inc., F-28-31199.

Vesting Order 17734, executed April 25, 1951, is hereby amended as follows and not otherwise:

By deleting subparagraph 4 (a) of said Vesting Order 17734, and substituting therefor the following:

4 (a) Those certain debts or other obligations, matured or unmatured, evidenced by ten (10) New York Central Railroad 4½ percent Ref. & Imp. Mtge. "A" bonds, due 2013, each of \$1,000.00 face value and numbered as follows:

34862	92294	80201
35164	92295	90395
52480	92296	98240
67647		

and evidenced by coupons attached to or detached from said bonds and due on or after October 1, 1951, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid bonds and coupons.

All other provisions of said Vesting Order 17734 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on February 14, 1957.

For the Attorney General.

[SEAL]

PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F R. Doc. 57-1306; Filed, Feb. 19, 1957; 8:45 a. m.]

N. V. OCTROOIEEN MAATSCHAPPIJ; ACTIVIT (OMA) ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

N. V. Octrooien Maatschappij Activit (OMA), Amsterdam, Holland, Claim No. 42090,

Permutit (Luxembourg) S. A. Luxembourg (Grand Duchy) Claim No. 42779,

Industrieel Maatschappij Activit (IMA) Amsterdam, Holland, Claim No. 31140,

To N. V. Octrooien Maatschappij Activit (OMA)

Property described in Vesting Order No. 671 (8 F R. 5004, April 17, 1943), relating to United States Letters Patent Nos. 2,171,408; 2,177,910; 2,191,063; 2,198,393; 2,205,635 and 2,221,683.

To Permutit (Luxembourg) S. A. \$189,808.62 in the Treasury of the United States.

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Permutit (Luxembourg) S. A., by virtue of an agreement dated April 30, 1936 (including all modifications thereof and supplements thereto, including, but without limitation, a supplement dated September 30, 1940) by and between said Permutit (Luxembourg) S. A. and The Permutit Company, which agreement relates among other things to United States Letters Patent Nos. 2,191,063 and 2,205,635, to the extent owned by Permutit (Luxembourg) S. A. immediately prior to the vesting thereof by Vesting Order No. 1454 (8 F R. 10522, July 28, 1943) specifically reserving to the United States the sum of \$47,825.35 representing royalties arising out of war production within the meaning of Paragraph (B) (1) (b) of the Memorandum of Understanding between the Governments of Belgium and Luxembourg

and the Government of the United States dated September 24, 1946.

To Permutit (Luxembourg) S. A., N. V. Octrooien Maatschappij Activit (OMA) and Industriele Maatschappij Activit (IMA):

All interests and rights created in Permutit (Luxembourg) S. A., Industriele Maatschappij Activit and Octrooien Maatschappij Activit by virtue of an agreement dated April 30, 1936 (including all modifications thereof and supplements thereto, if any) by and be-

tween Permutit (Luxembourg) S. A., Industriele Maatschappij Activit and Octrooien Maatschappij Activit, which agreement relates among other things to United States Letters Patent Nos. 2,191,063 and 2,205,635, to the extent owned by Permutit (Luxembourg) S. A., Industriele Maatschappij Activit and Octrooien Maatschappij Activit immediately prior to the vesting thereof by Vesting Order No. 1454, paragraph 5 (b).

Executed at Washington, D. C.; on February 13, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-1290; Filed, Feb. 18, 1957;
8:48 a.m.]