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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF THE INTERIOR

Effective upon publication in the FEDERAL REGISTER, paragraph (1) (23) of § 6.310 is amended as set out below.

§ 6.310 *Department of the Interior.*

(1) *Office of Territories.* * * *

(23) One Confidential Assistant to the Governor of Guam.

(R. S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
WM. C. HULL,
Executive Assistant.

[F. R. Doc. 58-118; Filed, Jan. 6, 1958; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

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

SUBPART—UNITED STATES STANDARDS FOR GRADES OF FROZEN RAW BREADED SHRIMP¹

On May 18, 1957, a notice of proposed rule making was published in the FEDERAL REGISTER (22 F. R. 3484) regarding a proposed issuance of United States Standards for Grades of Frozen Raw Breaded Shrimp and interested persons were given until July 18, 1957 in which to submit views or comments concerning the proposal. Because of the nature of the comments and suggestions received provision was made in the FEDERAL

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

REGISTER publication of July 30, 1957 (22 F. R. 5980) for an additional period of time until October 16, 1957 for comment. This period was again extended by FEDERAL REGISTER publication of November 7, 1957 (22 F. R. 8961) to November 23, 1957.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Frozen Raw Breaded Shrimp are hereby promulgated 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.).

PRODUCT DESCRIPTION, TYPES, AND GRADES

Sec.
52.3601 Product description.
52.3602 Types of frozen raw breaded shrimp.
52.3603 Grades of frozen raw breaded shrimp.

FACTORS OF QUALITY

52.3604 Ascertaining the grade.
52.3605 Factors evaluated on product in frozen state.
52.3606 Factors evaluated on product in thawed debreaded state.

DEFINITIONS AND METHODS OF ANALYSIS

52.3607 Definitions and methods of analysis.

LOT INSPECTION AND CERTIFICATION

52.3608 Ascertaining the grade of a lot.

SCORE SHEET

52.3609 Score sheet for frozen raw breaded shrimp.

AUTHORITY: §§ 52.3601 to 52.3609 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, TYPES, AND GRADES

§ 52.3601 *Product description.* Frozen raw breaded shrimp are clean, wholesome, headed, peeled, and deveined shrimp, of the regular commercial species, coated with a wholesome, suitable batter and breading. They are prepared and frozen in accordance with good commercial practice and are maintained at temperatures necessary for the preservation of the product. Frozen raw breaded shrimp contain not less than 50 percent by weight of shrimp material.

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§ 52.3602 *Types of frozen raw breaded shrimp*—(a) *Type I, Fantail*—(1) *Subtype A. Split (butterfly) shrimp with the tail fin and the shell segment immediately adjacent to the tail fin.*

(2) *Subtype B. Split (butterfly) shrimp with the tail fin but free of all shell segments.*

(b) *Type II, Round fantail*—(1) *Subtype A. Round shrimp with the tail fin and the shell segment immediately adjacent to the tail fin.*

(2) *Subtype B. Round shrimp with the tail fin but free of all shell segments.*

(c) *Type III, Split. Split (butterfly) shrimp without attached tail fin or shell segments.*

(d) *Type IV, Round. Round shrimp without attached tail fin or shell segments.*

§ 52.3603 *Grades of frozen raw breaded shrimp.* (a) "U. S. Grade A" is the quality of frozen raw breaded shrimp that when cooked possess an acceptable flavor and odor, and that for those factors which are rated in accordance with the scoring system outlined in the following sections the total score is not less than 85 points.

(b) "U. S. Grade B" is the quality of frozen raw breaded shrimp that when

of rating the factors which are scored in the thawed debreaded state, the schedule of point deductions in Table II applies. This schedule of point deductions is based on the examination of 20 whole shrimp selected at random from one or more packages.

TABLE II—SCHEDULE FOR POINT DEDUCTIONS FOR EXAMINATION IN THAWED, DEBREADED (Subtotals brought forward)

Factor	Quality description	Deductions allowed
1. Degree of deterioration.....	None obvious.....	0
	Slight but obvious, on average.....	2
	Moderate, on average.....	4
	Any marked—each shrimp.....	5
2. Dehydration.....	None obvious.....	0
	Slight but obvious, on average.....	3
	Moderate, on average.....	6
3. (a) Sand veins ¹	Excessive—each shrimp.....	3
	For each dark vein present deduct according to following schedule: In first segment (adjacent to tail fin).....	0
	Equivalent in length to 2 segments.....	1
(b) Black spot.....	Equivalent in length to 3 segments.....	2
	Equivalent in length to 4 or more segments.....	3
	None obvious.....	0
4. (a) Extra shell ²	Slight but obvious, on average.....	3
	Moderate, on average.....	6
	Excessive—each shrimp.....	3
(b) Swimmerets.....	(Beyond first segment adjacent to tail fin): Less than one whole extra shell segment.....	1
	One extra segment or more.....	3
For last pair only adjacent to tail fins.....	For more than last pair.....	1
		3

¹ The deduction points assessed for sand veins and black spot occurring together on an individual shrimp shall not exceed the larger deduction for either factor.
² The deduction points assessed for extra shell and swimmerets occurring together on an individual shrimp shall not exceed the larger deduction for either factor.

DEFINITIONS AND METHODS OF ANALYSIS

§ 52.3607 *Definitions and methods of analysis*—(a) *Halo*. "Halo" means an easily recognized fringe of excess batter and breading extending beyond the shrimp flesh and adhering around the perimeter or flat edges of a split (butterfly) breaded shrimp.
(b) *Balling up*. "Balling up" means the adherence of lumps in the breading material to the surface of the breaded coating, causing the coating to appear rough, uneven, and lumpy.
(c) *Holidays*. "Holidays" means voids in the breaded coating as evidenced by bare or naked spots.
(d) *Damaged frozen raw breaded shrimp*. "Damaged frozen raw breaded shrimp" means a frozen raw breaded shrimp which has been separated into two or more parts or that has been

crushed or otherwise mutilated to the extent that its appearance is materially affected.
(e) *Fragmented shrimp*. "Fragmented shrimp" means a breaded unit containing less than one headed, peeled, deveined shrimp.
(f) *Black spot*. "Black spot" means any blackened area which is markedly apparent on the flesh of the shrimp.
(g) *Sand vein*. "Sand vein" means any black or dark sand vein that has not been removed, except for that portion under the shell segment adjacent to the tail fin when present.
(h) *Loose breading and frost*. "Loose breading and frost" is determined by use of a balance by following the steps given below:
(1) Remove the overwrap.
(2) Weigh carton and all contents.

(c) *Factors rated by score points*. The quality of the product with respect to factors scored is expressed numerically on the scale of 100. Weighted deductions from the maximum possible score of 100 are assessed for essential variations of quality within each factor. The score of frozen raw breaded shrimp is determined by observing the product in the frozen and thawed states.

FACTORS OF QUALITY

§ 52.3604 *Ascertaining the grade*—(a) *General*. In addition to considering other requirements outlined in the standards, the following quality factors are evaluated in ascertaining the grade of the product:
(b) *Factor not rated by score points: acceptability of flavor and odor*. A product with an acceptable flavor and odor is one that is free from any abnormal flavor and odor. The acceptability of flavor and odor is determined on the product after it has been cooked in a suitable manner.

TABLE I—SCHEDULE OF POINT DEDUCTIONS FOR RATING IN FROZEN BREADED STATE

Factor	Quality description	Deductions allowed	
1. Loose breading or frost.....	Less than 2 percent by weight of product.....	0	
	2 percent but less than 3 percent.....	3	
	3 percent but less than 6 percent.....	6	
	6 percent or more.....	10	
2. Ease of separation.....	Separate easily immediately after opening package.....	0	
	Separate easily after being removed from carton and exposed to room temperature for not more than 4 minutes.....	4	
	Separate easily after being removed from carton and exposed to room temperature for not more than 6 minutes.....	6	
	Does not separate easily after being removed from carton and exposed to room temperature for 6 minutes.....	10	
	3. Uniformity.....	Ratio of weight of 3 largest to 3 smallest breaded shrimp in sample unit: Up to 1.70.....	0
		1.71-1.80.....	1
1.81-1.90.....		2	
1.91-2.00.....		3	
2.01-2.10.....		4	
2.11-2.20.....		5	
4. Condition of coating.....	2.21-2.30.....	6	
	2.31-2.40.....	7	
	2.41-2.50.....	8	
	2.51-2.60.....	9	
	Over 2.60.....	10	
	Degree of halo or balling up or holidays (Identify type of defect by circling proper word): No obvious.....	0	
	Slight.....	1	
	Moderate.....	2	
	Marked.....	4	
	Excessive.....	8	
5. Damaged or fragmented breaded shrimp.....	None.....	0	
	For each unit.....	3	
	Tail fin broken or missing per unit (except in Types III and IV).....	1	

- (3) Remove breaded shrimp, and weigh shrimp alone.
- (4) Weigh carton less shrimp but including waxed separators (if used), crumbs and frost.

- (5) Remove crumbs and frost from carton and separators.
- (6) Weigh cleaned carton and separators.
- (7) Calculate loose breading and frost:

Percent loose breading and frost

$$\frac{\text{weight carton less breaded shrimp material (d)} - \text{weight cleaned carton (f)}}{\text{weight of carton and all contents (b)} - \text{weight cleaned carton (f)}} \times 100$$

(i) *Percent of shrimp material.* "Percent of shrimp material" means the percent by weight of shrimp material in a sample as determined by the method described below or other methods giving equivalent results. Results are commonly expressed as percent of breading which is calculated by difference.

- (1) *Equipment needed.* (i) Two-gallon container approximately nine inches in diameter;
- (ii) Two vaned wooden paddle, each vane measuring approximately one and three fourths inches by three and three fourths inches;
- (iii) Stirring device capable of rotating the wooden paddle at 120 rpm;
- (iv) Balance accurate to 0.01 ounce (or 0.1 gram);
- (v) U. S. standard sieve—ASTM—No. 20, twelve-inch diameter;
- (vi) U. S. standard sieve—one-half inch sieve opening, twelve-inch diameter;
- (vii) Forceps, blunt points;
- (viii) Shallow baking pan.

(2) *Procedure.* (i) Weigh sample to be debreaded. Fill container three-fourths full of water at 70-80 degrees Fahrenheit. Suspend the paddle in the container leaving a clearance of at least five inches below the paddle vanes, and adjust speed to 120 rpm. Add shrimp and stir for ten minutes. Stack the sieves, the one-half inch mesh over the No. 20, and pour contents of container onto them. Set the sieves under a faucet, preferably with spray attached, and rinse shrimp with no rubbing of flesh, being careful to keep all rinsings over the sieves and not having the stream of water hit the shrimp on the sieve directly. Lay the shrimp out singly on the sieve as rinsed, remove top sieve and drain on a slope for two minutes, then remove shrimp to weighing pan. Rinse contents of the No. 20 sieve onto a flat pan and collect any particles other than breading (flesh, tail fin or extraneous material) and add to shrimp on balance pan and weigh.

- (ii) Calculate percent shrimp material:

$$\text{Percent shrimp material} = \frac{\text{weight of debreaded sample}}{\text{weight of sample}} \times 100 + 15$$

(iii) Calculate percent breading:

$$\text{Percent breading} = 100 - \text{percent shrimp material.}$$

(j) *Cooked in a suitable manner.* "Cooked in a suitable manner" means cooked in accordance with the instructions accompanying the product. However, if specific instructions are lacking, the product for inspection is cooked as follows:

- (1) Place the sample to be cooked while still frozen in a wire mesh deep fry basket sufficiently large to hold the shrimp in a single layer without touching each other;
- (2) Lower the basket into suitable liquid oil or hydrogenated vegetable oil at 350-375 degrees Fahrenheit. Fry for three minutes, or until the shrimp attain a pleasing golden brown color; and
- (3) Remove basket from oil and allow to drain for fifteen seconds. Place the cooked shrimp on a paper napkin or towel to absorb excess oil.

LOT INSPECTION AND CERTIFICATION

§ 52.3608 *Ascertaining the grade of a lot.* The grade of a lot of Frozen Raw Breaded Shrimp covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.87; 22 F. R. 3535).

¹ A tentative correction factor of five percent is employed pending completion of definitive studies.

SCORE SHEET

§ 52.3609 *Score sheet for frozen raw breaded shrimp.*

Size and kind of container	-----
Container mark or identification	-----
Label	-----
Size of lot	-----
Number of samples	-----
Actual net weight (ounces)	-----
Number of shrimp per container	-----
Descriptive size name	-----
Product type	-----
Breeding percentage	-----
Loose breading percentage	-----
Ratio weights: 3-largest/3-smallest	-----
Ease of separation	-----
Condition of coating	-----
Damaged shrimp	-----
Degree of deterioration	-----
Dehydration	-----
Sand veins	-----
Black spot	-----
Extra shell	-----
Swimmerets	-----
Rating for scored factors	-----
Flavor and odor	-----
Final grade	-----

The United States Standards for Grades of Frozen Raw Breaded Shrimp (which is the first issue) contained in this subpart shall become effective on March 1, 1958.

Dated: December 30, 1957.

[SEAL] Roy W. Lennartson,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 58-88; Filed, Jan. 6, 1958; 8:45 a. m.]

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

SUBPART—UNITED STATES STANDARDS FOR GRADES OF FROZEN STRAWBERRIES

CHANGES IN ALLOWANCE FOR DEFECTS PERMITTED IN GRADE C CLASSIFICATION

Correction

In Federal Register Document 58-39, published at page 43 in the issue for Friday, January 3, 1958, the title of Frank E. Blood should read "Acting Deputy Administrator, Marketing Services".

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

PART 721—CORN

SUBPART—1958 COUNTY CORN ACREAGE ALLOTMENTS AND RESERVES

Correction

In Federal Register Document 57-10609, published at page 10484 in the issue dated December 24, 1957, the table under § 721.908 is corrected as follows: The entry under "Acreage apportioned to counties" for Boone County, Indiana, should read "49,198".

[Amdt. 1]

PART 722—COTTON

SUBPART—REGULATIONS PERTAINING TO ACREAGE ALLOTMENTS FOR THE 1958 CROP OF EXTRA LONG STAPLE COTTON

COUNTY ALLOTMENT, ALLOCATIONS FROM STATE RESERVE, AND RELATED DATA

Correction

In Federal Register Document 57-10004, published at page 10003 in the issue dated December 13, 1957, the following changes should be made in the tables under § 722.1516 (h):

- 1. Under Arizona, the entry in column (6) for "b" should read "0".
- 2. Under California, the entry in column (1) for "a" should read "573".

[Amdt. 2]

PART 722—COTTON

SUBPART—REGULATIONS PERTAINING TO ACREAGE ALLOTMENTS FOR THE 1958 CROP OF UPLAND COTTON

COUNTY ALLOTMENT, ALLOCATIONS FROM NATIONAL AND STATE RESERVES, AND RELATED DATA

Correction

In Federal Register Document 57-10005, published at page 10004 in the issue dated December 13, 1957, the following changes should be made in the tables under § 722.916 (h):

- 1. Under Arkansas: the column (1) entry for Crittenden County should read "97,466"; the column (6) entry for White County should read "23,935.4".

2. Under Georgia: the column (7) entry for Chattahoochee County should read "9"; the column (7) entry for Tallapoosa County should read "61".

3. Under Tennessee: the column (6) entry for Loudon County should read "8.5".

4. Under Texas: the column (8) entry for Mills County should read "413.5".

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

[Lemon Reg. 719, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF HANDLING

§ 953.826 *Lemon Regulation 719, as amended*—(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended*. The provisions in paragraph (b) (1) (ii) of § 953.826 (Lemon Regulation 719; 22 F. R. 10955) are hereby amended to read as follows:

(ii) District 2: 148,800 cartons.

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

Dated: January 2, 1958.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 58-120; Filed, Jan. 6, 1958; 8:51 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 12169]

[Rules Amdt. 2-8; FCC 57-1393]

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

PART 6—INTERNATIONAL FIXED PUBLIC RADIOTELECOMMUNICATION SERVICES

PART 7—STATIONS ON LAND IN THE MARITIME SERVICES

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

PART 9—AVIATION SERVICES

PART 10—PUBLIC SAFETY RADIO SERVICES

PART 11—INDUSTRIAL RADIO SERVICES

PART 16—LAND TRANSPORTATION RADIO SERVICES

CHANGES RELATING TO CERTAIN FREQUENCIES

In the matter of amendment of Parts 2, 6, 7, 8, 9, 10, 11 and 16 of the Commission's rules to reduce separation between assignable frequencies in the 42-50 Mc band, to effect changes in the 25-50 Mc and 150.8-152 Mc bands, and to effect other changes relating to the use of frequencies in the 25-50 Mc band.

First report and order—Background of proceeding. 1. On September 19, 1957, the Commission adopted an Order (FCC 57-1016) reallocating the frequency bands 46.6-47.0 and 49.6-50.0 Mc from non-Government to Government use, the said bands being required for the immediate use of Government radio stations utilizing the technique of forward propagation by ionospheric scatter (FPIS).¹ In the same Order, the Commission reallocated from Government to non-Government use the frequency band 150.8-152.0 Mc. Also adopted on September 19, 1957, was a Second Report and Order in Docket No. 11253 (FCC 57-1018). This Second Report and Order provides that all new land mobile radio systems authorized in the 25-50 Mc band after October 31, 1958, mandatorily adhere to the narrow band (20 kc) technical standards established for this band in the first Report and Order (FCC 56-901) in the said Docket No. 11253. Mandatory adherence by systems authorized on or before October 31, 1958, was ordered by October 31, 1963.

2. Simultaneously adopted with the above-described documents was a Notice of Proposed Rule Making in the instant proceeding (FCC 57-1019). Inter alia,

¹The Order provides that existing non-Government licensees in these bands may continue to operate on their assigned frequencies until the expiration of their current authorizations or, optionally (with appropriate renewals), until December 31, 1959. The Order also provides for the continued availability of the above bands for assignment to persons eligible in the respective services, but specifies that any such authorizations bear expiration dates of not later than December 31, 1959.

the Notice proposed reduced channel spacing in the 42.0-46.51 and 47.0-49.51 Mc bands;² proposed specific allocation and reallocation of the frequency-channels to be derived from channel-splitting and of the spectrum space released by the Government in the 150.8-152 Mc range; and offered for comment certain other proposals, including frequency-availability changes, felt by the Commission to be equitable and appropriate. Original and reply comments having been received and considered, the Commission is now prepared to make partial disposition of the subject matter of the above Notice.³

Channel-splitting—42-50 Mc. 3. The comments overwhelmingly support the Commission's proposal to reduce channel separations in the 42.0-46.51 and 47.0-49.51 Mc bands (see footnote 2). The principal opposition to the proposal has been received from two state police departments⁴ and from the State Police Sub-Committee of Associated Police Communication Officers, Incorporated. This opposition is grounded in contentions that narrow band operation in the affected bands would further aggravate and degrade the police service due to the increase of ignition noise susceptibility of the narrow band receivers and decreased transmitter deviation. Upon consideration of all factors involved, however, the Commission concludes that narrow band systems designed in accordance with the technical standards prescribed by the Commission can give service range performance approximately equivalent to that of broad band systems.⁵ Equally persuasive to a decision to split the channels as proposed is the consideration that the advantages to be derived from the doubling of assignable frequencies in the bands involved significantly outweigh the possible disadvantages contended for by the police groups. In this connection, it is noted that the additional channels hereinafter made available for assignment in the Police Radio Service give promise of bringing significant appreciable relief to the overcrowding which presently exists in some areas in this Service—an overcrowding vigorously acknowledged by the above police groups.

Non-Government scatter. 4. The Commission's Notice herein observed that there is probably a small non-

² Within the 42.0-46.51 Mc band, the block 43.22-43.66 Mc is presently allocated for use in the Domestic Public Radio Services. Because the individual frequencies comprising this block are available only on a paired basis with corresponding frequencies in the 35.22-35.66 Mc range, they were not intended to be affected by the proposal.

³ By Memorandum Opinion and Order of October 30, 1957 (FCC 57-1199), the Commission extended until December 16 and December 30, 1957, respectively, the dates for the filing of comments and reply comments with respect to the proposals contained in paragraphs 11 (tone-actuated squelch systems), 12 (wide-area concepts), and 18 (frequency assignment plans) of the Notice.

⁴ Virginia Department of State Police and Washington State Patrol.

⁵ See Report and Order in Docket No. 11253, paragraph E-6 (FCC 56-901).

Government requirement for a scatter allocation for the International Fixed Public and Aeronautical Fixed Radio Services. Consistent therewith the Commission proposed that two 90-kc blocks of spectrum space be reallocated for this purpose. For technical reasons, it was proposed that these blocks be adjacent to the Government scatter space and that they consist of the 46.51-46.60 Mc and 49.51-49.60 Mc segments of the 42-50 Mc band. On the basis of the comments received, it is apparent that some representatives in the mobile service licensed by the Commission believe that they would be adversely affected by the Commission's proposal to provide two 90-kc bands for non-Government scatter. On the other hand, the Commission has responsibilities to the mobile service which it licenses, and may not evade these responsibilities in making the decisions that are necessary in this proceeding.

5. The Commission's experience indicates that major technical problems are generated when the FPIS fixed service attempts to share the frequency bands employed by the mobile service licensed by the Commission. Serious, widespread, harmful interference which formerly occurred as a result of the operation of just one FPIS fixed circuit amply demonstrates the validity of this conclusion. It is, therefore, apparent that, if FPIS is to be employed at all, it should be operated in bands not used by the mobile service licensed by the Commission. The Commission's policy determinations in this proceeding are therefore based on this premise.

6. Turning now to the potential size and nature of the FPIS requirements which it will be necessary to anticipate, it is apparent that, at this particular time, these are not entirely definitive. It is also apparent that the 1959 Radio Conference of the International Telecommunications Union (ITU) will be faced with a decision of what frequency space, if any, to provide for FPIS fixed circuits. An additional facet of this problem is the necessity to recognize that it will not be as feasible for the Commission to agree to bands for FPIS use once "channel-splitting" for the mobile service has taken place at a particular order of frequencies. In other words, the space for FPIS can most conveniently be made at the time of "channel-splitting" at any given order of frequency.

7. An additional factor which argues for the provision, at this time, of some space for non-Government scatter is the necessity to recognize that there may be non-Government scatter operations in the American hemisphere, either licensed by the Commission or authorized by Administrations of other countries, which may have to be satisfied prior to the 1959 Radio Conference.

8. Following a proposal made by the United States at the ICAO Special North Atlantic Fixed Services Meeting, Montreal, January, 1957, a civil requirement was established internationally for both voice and teletypewriter channels linking Canada, southern Greenland, and Iceland, using the forward scatter technique. The final link to the European coast may be either a scatter circuit or

a submarine cable. It is anticipated that actual construction for the scatter circuits may be commenced in the spring of 1959 and operation may begin in the summer of 1960.

9. It will be noted that the locations at which these facilities may be established are not on U. S. soil, and therefore, will not be licensed by the FCC; however, the Commission is directly concerned in the matter since (1) approximately 50 percent of the civil air traffic across the North Atlantic is composed of U. S. aircraft, and (2) frequencies for the operation must be selected, not only to provide the required communications, but also to minimize interference to other services. Further, the frequencies selected should not be subject to interference from mobile licensees of the Commission.

10. It is clear that the provision for such operations is highly desirable, provided only that the mobile service licensed in the bands selected for non-Government scatter are given suitable replacement frequencies and sufficient time to implement them. For these reasons and because there are international communications problems now pending in which the U. S. has a vital interest, provision is being made for the two 90-kc non-Government scatter bands as proposed in this proceeding.

11. Following are reasons for selection of the frequency bands 46.51-46.60 Mc and 49.51-49.60 Mc for civil VHF fixed service scatter operations.

(1) The frequencies selected, although representing a compromise, are high enough in the available frequency spectrum to assure operation of the scatter circuits above the maximum useable frequency (MUF) for F2 layer propagation during most of the time.

(2) The cost of operation of scatter circuits materially increases at higher frequencies due to the additional transmitter power that is required to ensure circuit reliability.

(3) With respect to the problem of objectionable interference which may be caused to the RF and IF circuits of existing television receivers, operation of scatter circuits within the blocks of frequencies selected will provide better protection than would be expected from this type operation at higher or lower frequencies.

(4) It appears that the requirement for separate transmit and receive frequencies at one location can best be met by providing two relatively small bands of frequencies in the same portion of the available frequency spectrum, appropriately separated for duplex operation.

(5) It is considered that some advantages may result from establishing the non-Government bands for scatter operation adjacent to the Government bands utilized for the same type operation.

12. A remaining aspect of the non-Government scatter allocation relates to the matter of establishing timetables for the clearance of the bands involved by existing licensees, and for the availability of such bands to International Fixed Public and Aeronautical Fixed users. The frequencies 46.54 and 46.58 Mc are presently available for assignment in the

Forestry Conservation Radio Service; the frequencies 49.54 and 49.58 Mc are presently available for assignment in the Forest Products and Special Industrial Radio Services. The Commission believes that existing licensees on the above four frequencies should have a period of five years from the effective date of this Report and Order to amortize their equipment investments. Accordingly, during such five-year period, existing licensees may continue to operate their facilities and to secure renewals and modifications therefor. All authorizations issued during the period will bear a termination date of no later than the expiration date of such period. To provide a measure of protection to the above licensees, no scatter assignments will be made until after December 31, 1959. Thereafter, and until the band is cleared, it will be the Commission's policy to make such assignments on what would otherwise be the "split-channels", if such procedure is feasible under the particular circumstances involved.

13. As established by the comments herein, the Special Industrial Radio Service (or its proposed successor, the Business Radio Service) is the service most adversely affected by the Commission's scatter allocation herein, and this is so from the standpoints of existing loading, rate of growth, and conversion costs. To ease the burden involved and to more equitably compensate this service for the space to be lost, the Commission has elsewhere herein provided for further channel-splitting in the range below 40 Mc, and has reserved a number of the resultant frequencies for the Business Radio Service.

Channelling and standards—150.8-152.0 Mc. 14. As heretofore noted, a Commission Order of September 19, 1957 (FCC 57-1016) reallocated the band 150.8-152.0 Mc from Government to non-Government use. The Commission proposed in the instant proceeding that this new non-Government band be channelled on a 30-kc basis—the same basis as was adopted for the 152-162 Mc band in the Commission's first Report and Order (FCC 56-901) in Docket No. 11253. It was also proposed that the narrow-band (30 kc) standards already adopted for the 152-162 Mc band be made mandatorily applicable in the 150.8-152 Mc band from the beginning. With respect to neither of the foregoing proposals was opposition received, and the Commission finds that their finalization would be in the public interest.

Business radio service. 15. Docket No. 11991 proposes a combining of the Low Power and Special Industrial Radio Services into a new service to be known as the Business Radio Service. The Commission's proposal contemplates the eligibility in the new service of "any lawful business activity", "educational or philanthropic institutions" and "clergymen or ecclesiastical institutions". Wherever hereinafter frequencies are described as being "transferred" or "reallocated" or otherwise made available to the new service, such designation should be interpreted as meaning that the frequencies are "reserved" for such new service. Pending disposition of the

above Docket No. 11991, any frequency so designated will be exclusively available in the Special Industrial Radio Service unless otherwise specifically indicated. Should the proposed Business Radio Service not be established the Commission will take whatever further action will then be necessary or appropriate with respect to the affected frequencies.

16. By virtue of the Commission's Order of September 19, 1957 (FCC 57-1016) reallocating non-Government frequencies to Government use the frequencies 49.62 and 49.66 (formerly shared by the Forest Products and Special Industrial Services), the frequencies 49.70, 49.74, 49.78 and 49.82 Mc (formerly shared by the Motion Picture and Special Industrial Services), and the frequencies 49.86, 49.90, 49.94 and 49.98 Mc (formerly exclusively available in the Special Industrial Service) were lost for possible use in the proposed Business Radio Service. By virtue of the Commission's allocation herein for non-Government scatter, the frequencies 49.54 and 49.58 Mc (presently shared by the Forest Products and Special Industrial Services) have also been lost for use in the above Business Service. For purposes of partially compensating the latter service, the Commission proposed that the Business Service be awarded the fifteen 30-kc frequencies commencing with 151.505 and ending with 151.925 Mc. This proposal finds support in the comments and no direct opposition. It appearing to be fair, equitable and in the public interest, this proposal is hereby adopted by the Commission.

17. The frequencies 43.02, 43.06, 43.10, 43.14, and 43.18 Mc are presently allocated by Part 2 of the Commission's Rules to both the Industrial and Maritime Mobile Services. Because these five frequencies were being assigned only in the Special Industrial Radio Service, the Notice proposed that they be reallocated to the Business Radio Service. The Notice also proposed that the frequency 42.98 Mc^o and the "split-channels" commencing with 42.96 Mc and ending with 43.16 Mc be given to Business. These proposals are finalized except that, in light of the matters set forth in paragraphs 21 and 29, 43.16 is reserved for communications carriers.

18. The frequencies 35.70 and 35.98 Mc are presently allocated for use in the Automobile Emergency Radio Service. The Notice herein proposed that these two frequencies be transferred to the Business Radio Service, and the comments generally support the proposal. The support of the American Automobile Association, Inc. (AAA) and the Keystone Automobile Club is conditioned upon a right of access by automobile clubs to the proposed replacement frequencies (150.315, 150.845 and 150.375 Mc). Keystone offers the further condi-

^oThis frequency (presently available only in the Low Power Industrial Radio Service) was proposed for Business in Docket No. 11991 (FCC 57-356). Pending disposition of that Docket, this frequency will not be available in the Special Industrial Radio Service, but will continue to be available only in the Low Power Service (see paragraph 15, supra).

tion that existing licensees utilizing 35.70 or 35.98 Mc be permitted to continue on these frequencies for five years. It is believed that the concern of these two commenting parties can be allayed with an assurance that no present occupant of either of the two frequencies in question will be required to vacate as a result of the Commission's action in either the instant proceeding or Docket No. 11991, nor within the next five years. The plea for access to the replacement frequencies is treated elsewhere in this Report and Order. Adoption of the proposal is hereby found to be desirable, and the two frequencies (35.70 and 35.98 Mc) are accordingly transferred to the Business Radio Service.

19. The frequencies 35.06, 35.10, 35.14 and 35.18 Mc are presently allocated by Part 2 of the Commission's Rules to both the Industrial and Maritime Mobile Services. Because it appeared to the Commission that all of the marine operations on the above frequencies could be accommodated in the 156.25-157.45 Mc and 161.85-162.00 Mc bands, the Commission proposed that they be allocated to the Business Radio Service. The opposition to the Commission's proposal is primarily grounded in the reluctance of existing licensees on these frequencies to vacate to a higher band. The Commission has given careful attention to the views of the parties opposing the proposal, but remains of the view that marine users must be encouraged to move to the bands which will, in all probability, be internationally standardized for maritime mobile use. In view thereof, the pleas for exclusive or preferred access to the four frequencies by marine users must be denied. Notwithstanding the foregoing, however, the Commission assures existing licensees on the four frequencies that none of them will be required to vacate to the higher bands as a result of the Commission's action in either the instant proceeding or Docket No. 11991. Consistent with the above, the frequencies 35.06, 35.10, 35.14 and 35.18 Mc are hereby transferred to the Business Radio Service.

20. One aspect of the Commission's Business Radio Service proposal remains: As part of the replacement space for this Service the Notice proposed that it be allocated the seven "split-channels" (commencing with 47.44 Mc and ending with 47.68 Mc) between the regular channels in the 47.42-47.70 block presently available for use in the Special Emergency Radio Service. Two alternative proposals have been submitted by commenting parties. The first—advocated by Special Industrial Radio Service Association (SIRSA), Communications Engineering Company (CECO), Petroleum Equipment Supplies Association (PESA) and others—is to the following effect: (a) Give the seven Special Emergency split-channels to Petroleum on an exclusive basis; (b) Give the eight "split" and "regular" channels commencing with 49.36 Mc and ending with 49.50 Mc to the Forest Products and Special Industrial Service⁷; (c) Recom-

⁷SIRSA and others oppose the Commission's proposal to establish a Business Radio Service.

mend (but not require) that licensees on specific "lost" frequencies move to specific "replacement" frequencies. Halliburton Oil Well Cementing Company offers a substantially similar alternative, except that its eight substitute frequencies would consist of the "split-channels" commencing with 49.20 Mc and ending with 49.50 Mc. The counter-proposals to substitute 49 Mc frequencies for 47 Mc frequencies are denied on the following bases: First, the Special Emergency split-channels will provide an exclusive allocation to the Business Service, whereas the first alternative proposal would require a sharing of space with the Forest Products Radio Service. Second, to grant either of the alternatives suggested above would be to make substantial and unnecessary deviation from the Commission's plans for continuous blocks of shared frequencies for the Forest Products and Petroleum Services—a plan which offers great promise of significantly reducing and preventing congestion in those services. While it appears that adoption of either of the alternative arrangements might result in a saving of a moderate amount per mobile unit for each such unit which has to be changed in frequency, the Commission is convinced that from the long-term standpoint the Special Emergency split-channels will be the most useful allocation to the Business Service since the shared block of Petroleum-Forest Products space is to be retained. Consistent with the foregoing, the proposal to reserve the frequencies 47.44, 47.48, 47.52, 47.56, 47.60, 47.64 and 47.68 Mc for the Business Radio Service is adopted, and all conflicting counter-proposals are denied. The suggestion that the Commission recommend that licensees on specific "lost" frequencies move to specific "replacement" frequencies is denied, since it is felt that the maximum possible latitude should be permitted to affected users in the matter of the selection of substitute frequencies. In this connection, the Commission urges licensees contemplating frequency changes to discuss their proposals with other licensees in the area to the end of obtaining a high degree of coordination in frequency selection for the displaced systems.

21. In connection with its disposition of the foregoing matters, the Commission has given careful consideration to the comments of interested parties. On the basis of these comments—including those directed against the Commission's proposals for non-Government scatter—the Commission concludes that the 42-50 Mc replacement space hereinabove provided is not of so high degree of utility as to adequately compensate the Business service for the channels it is losing, or to readily facilitate the many frequency-changeovers which will occur. Accordingly, the Commission has searched the spectrum with a view to providing for new and displaced licensees greater latitude in the matter of selecting operating frequencies. In connection therewith, the Commission has considered the possibility of further channel-splitting in the range below 40 Mc. Although the Commission does not abandon its pre-

viously-stated position on this point, it believes that the emergencies of the present situation adequately justify a moderate departure therefrom.³ In viewing the Industrial allocation as it will exist on the effective date of this Report and Order, the Commission notes that it will in part consist of the 35.02-35.18 Mc and 35.70-35.98 Mc blocks. By reducing the channel spacing in these two blocks, the Commission can provide a fair number of new channels for possible use by the displaced licensees in the 49 Mc block. Upon due consideration of all the factors involved, the Commission concludes that this action is justified, and ten of the resultant "split-channels" are reserved for the Business service.

Hawaii problem. 22. An extensive comment was jointly filed by Hawaiian Sugar Planters' Association and Pineapple Growers Association of Hawaii, associations some or all of whose members are presently eligible in the Special Industrial Radio Service. Although these associations do not oppose the splitting of channels as has been elsewhere provided for in this Report and Order, they do feel that certain exceptions or exemptions (from what might prevail on the mainland) should be made with respect to the Special Industrial use of 42-50 Mc frequencies in Hawaii, due to the relatively light loading which presently exists on these frequencies in that Territory. A point is made that Special Industrial licensees in Hawaii should have an amortization period of longer than the five years proposed by the Commission in paragraph 17 of its Notice herein. Thus, it states that "... thirteen licensees now operating in the 43 Mc band will be permitted to operate on their present assignments for a period not to exceed five years", and that such licensees should have "a period of at least seven years to amortize the costs of their present equipment." The foregoing and similar statements appear to have been occasioned by a misinterpretation of the Commission's proposal and the related documents of September 19, 1957 (see paragraph 1): As is evident from paragraph 17 hereof, the 43 Mc frequencies to which the associations refer are being reserved for the Business Radio Service and will continue to be available to persons presently eligible in the Special Industrial Radio Service. The five-year amortization period to which the associations refer was proposed to apply only to those li-

³It will be recalled that in Docket No. 11253 the Commission had before it, and decided in the negative, the general question of reducing channel separations in the 25-50 Mc band. Although the Commission could properly accomplish its present purposes by taking further action in Docket No. 11253, their application to the single acute problem outlined above makes it equally appropriate to incorporate them into the instant document. To the extent that the comments in Docket No. 11253 relate to the frequency blocks here involved, they have been considered in arriving at the determination herein.

⁴35.04, 35.08, 35.12, 35.72, 35.76, 35.80, 35.84, 35.88, 35.92, and 35.96 Mc. Disposition of the remaining frequency, 35.16, is made in paragraph 29, infra.

licensees (other than those on the new Government frequencies) who might be required herein to vacate to another frequency. From the nature of the associations' contentions, it is believed that they are appealing for relief from the requirement adopted in Docket No. 11253 that transmitters authorized prior to November 1, 1958, on 25-50 Mc frequencies must comply with the new narrow-band technical standards for that band by no later than October 31, 1963 (see paragraph 1). The over-all problems connected with this compliance date are discussed in a subsequent paragraph and reference should be made thereto. As is there indicated, changes with respect to that date are beyond the scope of this proceeding.

23. For economic reasons and reasons related to the relatively light loading on 42-50 Mc frequencies in Hawaii, the association requests that in lieu of the seven Special Emergency "split-channels" hereinafter designated as replacements for the 49 Mc frequencies lost to the Government, the Commission allocate for the secondary use of the Special Industrial Radio Service in Hawaii the "regular" frequencies in one of the bands 47.42-47.68 Mc (Special Emergency), 48.94-49.18 Mc (Petroleum) or 49.22-49.46 Mc (Forest Products). Under the associations' plan, operation on the substitute frequencies would be on a 40-kc basis and would be for the same period that other existing licensees in Hawaii might be permitted to operate on 42-50 Mc frequencies on a 40-kc basis. To a substantial degree that considerations advanced by the Commission in denying the SIRSA-CECO-PESA counterproposals (see paragraph 20) have applicability here and dictate a denial of the associations' counterproposals. To these considerations can be joined the additional point that adoption of the counterproposal would at best merely delay the date of narrow-band modification at the sacrifice of administrative convenience and processes.

Forest products and petroleum radio services. 24. The Commission's Notice pointed out that the Petroleum Radio Service presently has access to sixteen channels from 48.58 through 49.18 Mc, and that the eight existing channels from 49.22 through 49.50 Mc are presently exclusively available for assignment in the Forest Products Radio Service. In light of successful sharing of frequencies between these two services in the past, the Commission proposed that Petroleum and Forest Products share in the use not only of the twenty-four new channels from 48.56 through 49.48 Mc, but also of the sixteen and eight frequencies presently available to these respective services. It was the Commission's view that the present shortage of low-frequency channels in the above two services would be substantially lessened by the sharing proposals.

25. Specific comments on the sharing proposals have been received from Forest Industries Radio Communications and the Central Committee on Radio Facilities of the American Petroleum Institute. Although neither of these groups concedes that the Commission's proposal

will meet the long range needs of the respective industries, both endorse it as being in the interest of the most efficient utilization of the frequencies involved. The Commission concludes that an adoption of its original proposal would be fair, equitable and in the public interest and, accordingly, such proposal is hereby adopted.

Relay press and motion picture radio services. 26. Comments of the Subcommittee on Mobile Radio of the American Newspaper Publishers Association (ANPA) offer two counterproposals to the Commission's allocation plan. In the one, ANPA suggests that two frequencies in the band 151.505-151.925 Mc be made exclusively available in the Relay Press and Motion Picture Radio Services. In the other, after reciting interference problems arising from the fact that four of its frequencies (173.225, 173.275, 173.325 and 173.375 Mc) are adjacent to Television Channel 7, ANPA proposes that Relay Press be allowed to share a number of frequencies with the mining industry or with Forestry Conservation. In denying those counterproposals the Commission calls attention to the fact that all Motion Picture and Relay Press users will be fully eligible in the Business Radio Service should that service ultimately be created by the Commission. In any event, and without prejudging the comments which have been submitted in Docket No. 11991, additional frequencies within the band 150.8-152.0 Mc for the two services in question do not appear to be warranted at this time.

Power radio service. 27. In its Notice the Commission proposed that the Power Radio Service receive the new channels between its presently available frequencies commencing with 47.70 Mc and ending with 48.54 Mc. No direct opposition to this proposal has been advanced, and the Commission finds that its adoption as proposed is warranted and in the public interest.

28. As pointed out in the Notice, Docket No. 11991 (FCC 57-356) proposes to change the name of this service to "Utilities Radio Service." The new frequencies between 47.70 and 48.54 Mc will not be available for use by communications common carriers proposed by Docket No. 11991 to be eligible in the renamed Service. For this latter group, the Notice proposed exclusive access to two of the 150.8-152.0 Mc frequencies, namely, 151.955 and 151.985 Mc. The only direct opposition to the latter proposal is contained in the comments of the Forestry Conservation Communications Association (FCCA), and is based on an "understanding" that the 150.8-152.0 Mc space was released by the Government for the exclusive purpose of compensating those services which were losing channels to the Government. No such condition, of course, obtained with respect to the band in question. To compensate the services which were losing channels for scatter purposes, the Commission proposed as replacements some 25-50 Mc frequencies as well as some 150.8-152.0 Mc frequencies, and this procedure enabled the Commission to attempt to satisfy a number of other communication requirements of long

standing. Based upon the foregoing and upon the provision hereinafter made for the Forestry Conservation Radio Service, the FCCA position is disallowed.

29. American Telephone and Telegraph Company (AT&T) recommends that the frequency 151.955 Mc be "exchanged" for a "split-channel" four or five megacycles removed from 151.585 Mc. This proposal is denied as wholly beyond the scope of the instant proceeding, the denial being without prejudice to a consideration of the proposal in connection with the disposition of Docket No. 11991. AT&T also renews a request for "one or two exclusive frequency-pairs in the 30-50 Mc range particularly in the remote areas of the country." In view of the Commission's action in reducing channel separations in the 35.02-35.18 Mc and 35.70-35.98 Mc blocks (see paragraph 21 supra), the Commission believes it appropriate and equitable to partially satisfy this request at this time. Accordingly, the frequency 35.16 Mc and the frequency 43.16 Mc are being reserved for the communications common carriers.

30. Consistent with the foregoing, the following disposition is made of the "Power" and "Utilities" proposals in the Notice and of the counter-proposals with respect thereto:

(a) The new frequencies between 47.70 and 48.54 Mc are made available for assignment in the Power Radio Service. Should communication common carriers having a need for radio facilities in connection with construction and maintenance activities ultimately be made eligible in the Power Radio Service, and the service be thereafter renamed the "Utilities Radio Service", the frequencies in question will be transferred to such service but will not be available for such common carriers.

(b) The frequencies 151.955 and 151.985 and the frequencies 35.16 and 43.16 Mc are exclusively reserved for the above-described common carriers should their eligibility for land mobile radio facilities be provided for in Docket No. 11991. Should such eligibility be not so provided, such further disposition of the frequencies will be made as will then appear to the Commission to be in the public interest.

Land transportation radio services.

31. National Bus Communications, Inc., and The American Trucking Association, Inc., request that, in the frequency band 43.68-44.60 Mc, the frequencies from 43.70 to 43.84 Mc be made available for assignment to stations of interurban carriers of passengers; that frequencies beginning with 43.86 Mc be made available for assignment to stations of interurban carriers of property; and that the shared use of frequencies by the above two classes of users be discontinued, in lieu of the arrangement proposed by the Commission. Since both parties to this proposed interchange are in agreement, the Commission's proposals with respect to the frequencies in question are being modified accordingly.

32. The American Trucking Association, Inc., also requested that certain frequencies in the block above 43.85 Mc be paired for the purpose of providing

for duplex or two-frequency operation. The Commission is not convinced of the advantage of such two-frequency operation when using frequencies in the range considered here. In addition, the entire matter of interference between stations, of which this method of operation may be a factor, is under consideration and subject to additional comment in connection with paragraph 11 of the original Notice of Proposed Rule Making in this proceeding. Accordingly, the matter of designating pairs of frequencies in this range for duplex or two-frequency operation will be taken up at a later date and the request of The American Trucking Association, Inc. is denied at this time.

33. The American Transit Association objected, on behalf of the urban carriers of passengers eligible in the Motor Carrier Radio Service, to the deletion of the frequencies between 44.45 and 44.61 Mc now available for assignment to such carriers. In the opinion of the Commission, The American Transit Association has justified the retention of those frequencies and the additional availability of the "split channels" derived therefrom. Accordingly, the request of the American Transit Association in this regard is granted, and the rule amendments to be made herein will so reflect.

34. The American Automobile Association and the Keystone Automobile Club, in addition to calling attention to their comments in other current proceedings (Docket Nos. 11992, 11993 and 11959) which emphasize a need for additional frequencies for the Automobile Emergency Radio Service, request that the three frequencies proposed to be made available to that service in the 150.8-152.0 Mc range be made clearly available for use by stations operated by or on behalf of associations of owners of private automobiles. In view of that demonstrated need for more frequencies for use by automobile clubs, and in further view of the excessive long range interference being experienced on the frequencies 35.70 and 35.98 Mc by the private garages as well as the automobile clubs authorized to use those frequencies, the Commission is making the three frequencies in the 150-152 Mc band proposed for use by the urban carriers of passengers available to the Automobile Emergency Radio Service instead. Accordingly, the rule amendments to be adopted as a result of this action will provide six frequencies in the 150-152 Mc range for the Automobile Emergency Radio Service, and will make three of those six exclusively available to public garages and three exclusively available to automobile clubs. This revision of the proposed sub-allocation of the frequencies 150.905, 150.935, and 150.965 Mc appears to the Commission to be justified in view of the statement by the American Transit Association that the urban carriers of passengers do not desire to move from their present 40 Mc frequencies and in view of the showing of the automobile clubs that additional frequencies are needed. The suggestion of the American Transit Association that the three frequencies not desired by the urban passenger carriers be made available to the interurban property carriers instead, is not adopted

by the Commission since the needs of the interurban property carriers, beyond those already proposed to be provided for in this and other companion proceedings (Docket Nos. 11992 and 11993) do not appear to be as pressing as those of the persons eligible in the Automobile Emergency Radio Service.

Public Safety Radio Service. 35. The Notice of Proposed Rule Making issued in this proceeding proposed several frequency allocations¹⁰ and reallocations which affect the Public Safety Radio Services. These proposals would:

(a) Make available the 23 new 20 kc channels from 42.04 to 42.92 Mc inclusive, to the Police Radio Service.

(b) Make available the eleven new 20 kc channels from 46.08 to 46.48 Mc inclusive, to the Fire Radio Service.

(c) Make available the eleven new 20 kc channels from 44.64 to 45.04 Mc inclusive, and five 30-kc channels from 151.355 to 151.475 Mc inclusive, to the Forestry-Conservation Radio Service. Two existing 40 kc channels, 46.54 and 46.58 Mc, presently available to this service would be reallocated to the International Fixed Public and Aeronautical Fixed Radio Services.

(d) Make available ten additional 20 kc channels from 47.04 to 47.40 Mc inclusive, and five 30 kc channels from 151.205 to 151.325 Mc, inclusive, to the Highway Maintenance Radio Service.

(e) Make available four 20 kc channels from 45.92 to 46.04 Mc inclusive, to the Special Emergency Radio Service.

(f) Make available to the Local Government Radio Service fifteen 20 kc channels from 45.08 to 45.64 Mc inclusive, and seven 30 kc channels from 150.995 to 151.175 Mc inclusive.¹¹

(g) Make available six 20 kc channels from 45.68 to 45.88 Mc inclusive, to the Interstate Highway Radio Service.¹²

36. The only comments which related to the above detailed frequency allocation proposals affecting the various public safety radio services were filed by the Federal Civil Defense Administration, the Forestry-Conservation Communication Association, the State Police Subcommittee of the Associated Police Communications Officers, Inc., the Washington State Patrol, the Virginia Department of State Police, and the Eastern States Police Radio League, Inc.

37. The Federal Civil Defense Administration stated: "We support the proposal contained in paragraph 8 of the Proposed Rule Making that the Fire Radio Service, the Highway Maintenance Radio Service, the Power Radio Service,

¹⁰ All of the frequencies in the 40 Mc band proposed to be allocated to the various public safety services are those that would be created by the Commission's proposal to reduce the separation between assignable frequencies in this band from 40 kc to 20 kc. All frequencies in the 150 Mc band proposed to be allocated to these services are frequencies in the 150.8-152.0 Mc band which was reallocated from Government to non-Government use by the Commission's Order of September 19, 1957, previously referred to.

¹² The frequency availabilities proposed for the Local Government and Interstate Highway Radio Services were conditioned upon the eventual establishment of these services in Docket Number 11990.

the Forestry Conservation Radio Service, the Interstate Highway Radio Service, and the Special Emergency Radio Service would receive a number of new channels between those channels presently available to the Police Radio Service in the 44.62-46.06 Mc Region. We particularly support the proposal that the Local Government Radio Service receive fifteen (15) of the new channels in this band."

38. The comment of the Eastern States Police Radio League, Inc., relative to these frequency proposals was confined to a statement that "Police frequencies in the 44.62 to 46.02 Mc should be in the block system, not dispersed such as was done * * *."

39. The import of the comments filed by the Washington State Patrol, the Virginia Department of State Police, and the State Police Subcommittee of the Associated Police Communication Officers, Inc.,²³ is substantially identical; namely, that the eleven new 20 kc channels between 44.62 and 45.06 Mc, which the Notice would allocate to the Forestry Conservation Radio Service, should instead be made available to the Police Radio Service and limited so as to be assignable only to applicants charged with statewide responsibility for police functions; that the number of frequencies which the proposal would make available to the Local Government Radio Service is excessive; and that no proposal which would result in disruption of the "block system" of allocations should be adopted. The State Police group alleged in support of its position that "it will take 72-channels to provide adequately for the State Service", but that there are presently only 36 channels available exclusively to statewide policing agencies. Despite this allegation one comment avers that some states do not make use of frequencies in this band which are assignable to them pursuant to a geographical allocation plan which "has been in use for the past ten years" and which was originally proposed by the State Police users. It is also significant that the State Police Subcommittee of the Associated Police Communication Officers, Inc., states that "it is possible that some of the lower channels, in the years ahead, might be released by the State Service because experience of the past summer when the MUF was above 45 megacycles showed some paralyzing worldwide interference."

40. A large part of the comment filed by the Forestry-Conservation Communication Association is devoted to those portions of the proceeding encompassed in paragraphs 11, 12, and 18 of the Notice of Proposed Rule Making. As has been previously indicated, the time for filing original and reply comments with respect to these proposals has been extended until December 16 and December 30, 1957, respectively, and, accordingly, the Commission is not considering these proposals in this Report and Order. That portion of the comment which deals with the proposed allocations and reallocations of frequencies to and from the Pub-

lic Safety Services consists mainly of the following recommendations:

(a) "Review the possibilities of providing a block of channels to Forestry-Conservation in the 42-50 Mc band through engineering study of the following areas which do not indicate a need for wide area use.

"(1) 44.46 through 44.60 Mc.

"(2) 46.06 through 46.50 Mc.

(b) "Review the possibilities of reducing the overall spectrum space of commercial services in the area 47.7 Mc to 49.50 Mc to provide a clear block to Forestry-Conservation.

(c) "Reconsider the proposal of interspersing Forestry-Conservation between Police channels. Implementation of such interspersing destroys the recognized advantages of the block system and puts Public Safety agencies against each other in competition for channels required to protect life, property and vital resources.

(d) "Provide additional Forestry-Conservation channels in a block beginning at 151.055 Mc to 151.475 Mc inclusive. Since practically all of our systems are wide area coverage and require not less than two spaced channels to operate, the five proposed channels do not allow adequate combinations to provide needed relief from the combined results of 30 Mc "skip" interference, 46 Mc loss, 159 Mc band edge and shared channel loss, and 170-174 Mc losses."

41. One of the prime factors which motivated the Commission to issue the Notice of Proposed Rule Making in this proceeding was the necessity for providing substitute frequencies in the 40 Mc band for use by those Forestry-Conservation Radio Service users presently utilizing frequencies reallocated to governmental use by the Order of September 19, 1957. While the reallocation Order allows such licensees to continue utilization of the reallocated frequencies until December 31, 1959, the Commission recognized that such continued use may be made impractical at a much earlier date due to extensive utilization of such frequencies by governmental operations. Accordingly, it is imperative that the frequencies allocated to the Forestry-Conservation Radio Service be frequencies which can be utilized immediately. The selection of such frequencies is complicated by the fact that existing systems licensed in the 42-50 Mc band are not required to utilize narrow band (20 kc) equipment until October 31, 1963,²⁴ and the fact that there are now only two channels in this band which remain available to the Forestry-Conservation Radio Service pursuant to the Commission's reallocation Order of September 19, 1957.

42. The necessity for use of the "split channels" by Forestry-Conservation Radio Service users before adjacent channel licensees are required to utilize narrow band (20 kc) equipment virtually requires that such "split channels" be adjacent to channels that are assignable

²³ The second Report and Order in Docket No. 11258 provides that existing systems and additional systems licensed prior to November 1, 1958, may utilize wide band (40 kc) equipment until October 31, 1963.

²⁴ These parties are hereinafter referred to collectively as the "State Police Group."

pursuant to a geographical plan in order to permit the design of a usable frequency plan that will minimize adjacent channel interference problems. The "split channels" between those channels presently available for use by state policing agencies are the only such channels, in that part of the 40 Mc band allocated to the Public Safety Radio Services, which meet this requirement. The Commission concludes that the foregoing facts justify the partial abandonment of the "block system" of frequency allocation as proposed. Thus, the request of the state policy group that the "split channels" between 44.64 and 45.04 Mc be made available for assignment to them must be denied. Likewise, the request of the Forestry Conservation Communication Association that the Commission allocate in this proceeding, "a block of channels to Forestry-Conservation in the 42-50 Mc band" is also denied.

43. No opposition to the proposed allocation of 23 additional channels in the 40 Mc band to the Police Radio Service was advanced, and the Commission finds this proposal to be in the public interest. However, the Commission is persuaded by the comment filed by the State Police Group that there is a need by State police agencies for additional exclusive channels in the 40 Mc band. Accordingly, it is limiting the availability of these "split channels" so as to make them assignable only to applicants charged with statewide policing responsibility.

44. As pointed out in paragraph 39 supra, the State Police Group challenged the proposed allocation of 15 "split channels" in the 40 Mc band and seven 30 kc channels in the 150.8 to 152.0 Mc band to the Local Government Radio Service. Upon consideration of this contention, and upon consideration of the Forestry-Conservation Communication Association's allegation that the five proposed channels²⁴ "do not allow adequate combinations to provide needed relief," the Commission is not adopting the proposed allocation of seven channels in the 150.8 to 152.9 Mc band to the Local Government Radio Service. In addition, the Commission concludes that twelve channels in this band should be allocated to the Forestry-Conservation Radio Service rather than the five originally proposed. Since it appears desirable that these twelve channels be in one block, the Commission is allocating the channels from 151.145 to 151.475 Mc inclusive, to this service.

45. No comment expressed objection to the proposed allocations to the Highway Maintenance Radio Service. The Commission finds that the proposed allocation to this service of the "split channels" between its presently available frequencies in the 40 Mc band is warranted and in the public interest. Allocation of five channels in the 150.8-152.0 Mc band is also warranted. In order to allow all channels in this band allocated to the Forestry-Conservation Radio Service to be in one block, it is necessary that the five channels allocated to the Highway Maintenance Radio Service be

²⁴ In the 150.8 to 152.0 Mc band.

those between 150.995 and 151.115 Mc inclusive, rather than those proposed.

46. No direct opposition was advanced in the comments to the proposed allocation of the eleven "split channels" between 46.06 and 46.50 Mc to the Fire Radio Service and the proposal is hereby adopted.

47. No party expressed opposition to the proposed allocation of four additional "split channels" in the 40 Mc band to the Special Emergency Radio Service, and this proposal is hereby adopted.

48. No opposition to the proposal to allocate six 20 kc channels between 45.68 and 45.88 Mc to the Interstate Highway Radio Service was advanced by the comments filed in this proceeding.

49. The only opposition to the proposed allocation of fifteen 20 kc channels in the 40 Mc band, and seven 30 kc channels in the 150.8-152.0 Mc band to the Local Government Radio Service was that expressed by the State Police Group. This opposition was confined to questioning the number of channels which would be allocated to this service. As was stated in paragraph 44 supra, the Commission has concluded not to allocate any channels in the 150.8-152.0 Mc band to the Local Government Radio Service.

50. Neither the Interstate Highway nor the Local Government Radio Service is a presently existing service but establishment of these services is presently before the Commission in Docket 11990. Pending disposition of Docket 11990, the channels proposed for allocation to each of these services, with the exception of those in the 150.8-152.0 Mc band proposed for allocation to the Local Government Radio Service, will be "reserved" for them. In the event that either of these services is not established by the decision in Docket 11990, the Commission will take whatever further action is deemed appropriate.

Compliance with narrow-band standards. 51. As heretofore stated, the Commission's Second Report and Order in Docket No. 11253 (FCC 57-1018) provides that all new land mobile radio systems authorized in the 25-50 Mc band after October 31, 1958, mandatorily adhere to the narrow band (20 kc) technical standards established for this band in the First Report and Order in the said Docket No. 11253 (FCC 56-901). Mandatory adherence by systems authorized on or before October 31, 1958 was ordered by the above Second Report and Order by October 31, 1963. Many of the comments filed raise questions with respect to the foregoing dates, and, although they cannot appropriately be disposed of in the instant proceeding, the Commission believes that they should be mentioned here. Representative of the positions taken in the comments are the following: (1) Require users of frequencies immediately adjacent to the split-channels proposed in this Docket to convert to the new standards by no later than December 31, 1959; accelerate the conversion if Governmental use of the scatter bands requires present users to vacate before that date. (2) Require all new users in the Industrial Services to use narrow-band equipment immediately after the proposed rules are final-

ized; eliminate any requirement that new split-channel users protect broad-band assignments on their adjacencies; require operators of broad-band equipment in the 42-50 Mc band to operate their system within a plus or minus 9-kc deviation pattern. (One party would allow a 10-kc deviation pattern.) (3) Consider the need for preventing new 20-kc systems operating on split-channels from creating interference to existing 40-kc users of other services. (4) Place no limit on the time during which Industrial licensees may occupy the 42-50 Mc frequencies. (5) Remove any requirement for 20 kc operation from 32-42 Mc until such time as it can be proven to alleviate specific interference. Allow 20 kc operation on these frequencies on an optional basis. (6) Except Hawaii from the requirements pertaining to conversion to narrow-band equipment. Variations of the foregoing positions have also been received. In view of the wide divergence of views in the matters of the October 31, 1958 and October 31, 1963 dates, as illustrated above, the Commission believes that there is good cause for reopening the question as to the dates by which compliance with the new 25-50 Mc standards must be effectuated. Accordingly, the Commission may, in the early future, institute a new proceeding looking toward changes in the dates originally specified. The Commission recognizes that interference problems of varying degrees will arise pending complete utilization of narrow-band equipment and urges the utmost cooperation among licensees in the selection and use of frequencies during this period.

52. All channels in the 150.8-152.0 Mc band as well as the 25-50 Mc frequencies allocated to the various services herein will be available for assignment on the effective date of this Report and Order.¹⁵ Because there are presently no non-Government assignments in the former band, and because the channelling therein has been determined on a 30-kc basis, there appears to be no reasons why narrow-band equipment in this band should not be required from the start. Accordingly, authorizations will not be issued in this band for the use of equipments not capable of meeting the Commission's technical standards for narrow band equipment in this general portion of the frequency spectrum.

Offset plan. 53. Forest Industries Radio Communications has suggested the possibility of permitting a license, under conditions of adverse interference, to offset from its center frequency a distance of plus or minus 10 kc. Interested parties will recall that this point has also been advanced in previous rule-making proceedings as a feasible method of combatting destructive skip interference, as well as providing for maximum spectrum utilization through combinations of frequency offset and geographical separation. Upon consideration of the factors involved, the Commission concludes that this matter should be further studied, but it is hoped that a final disposition thereof can be made in

¹⁵ Except as may be otherwise specifically provided.

a subsequent Report and Order in this proceeding.

Use of non-conforming frequencies. 54. The Commission's Notice indicates that, after the effective date of any Order finalizing its proposals, no new radio systems would be authorized on frequencies not conforming to the new allocations. It was further proposed that existing licensees on non-conforming frequencies be permitted to continue operation on such frequencies for a period not to exceed five years. In the foregoing connection it was proposed that no renewal or modification applications be granted to a date beyond such five-year period. The Commission's plan appears to be fair and equitable and finds general support in the comments. Accordingly, and except as specific exemption is otherwise provided herein, the above authorization schedule is adopted.

Restrictions on use of frequencies. 55. Unless otherwise provided herein the use of the frequencies involved in this proceeding is subject to such detailed conditions and restrictions as may be contained in the rules governing the respective service to which they have been allocated herein.

Request for oral argument. 56. One party, Halliburton Oil Well Cementing Company, has requested the right to appear before the Commission to present oral argument in support of its comments. Good cause for such oral argument not having been established, the request therefor is accordingly denied.

Other matters. 57. A Petition for Immediate Assignment was filed by Electronics Industries Association on October 18, 1957. Petitions for Immediate Report and Order were filed on October 24, 1957, and November 4, 1957 by Florida Game and Fresh Water Fish Commission and Forestry Conservation Communication Association, respectively. These petitions have been considered in connection with our determinations herein.

Conclusion and order. 58. Upon consideration of all of the comments filed herein and of all other matters relevant in this proceeding, the Commission concludes that the amendments outlined above will materially serve the public interest, convenience and necessity. The authority for such amendments is set forth in sections 4 (i) and 303 of the Communications Act of 1934, as amended.

59. In view of the foregoing: *It is ordered*, This 18th day of December 1957, that, effective April 1, 1958, Part 2 of the Commission's rules is amended in the manner set forth below in Appendix A, and Parts 6, 7, 8, 9, 10, 11 and 16 of such rules are amended to conform to the frequency-availability changes hereinabove described, and tabularly indicated below in Appendix B, the formal codification of such changes to be accomplished by subsequent order of the Commission. *It is further ordered*, That the request herein for oral argument by Halliburton Oil Well Cementing Company is denied; and that the petitions identified in paragraph 57 hereof are granted to the extent that such action is consistent with the other actions herein taken, and in all other respects are denied.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 393)

APPENDIX A

Amendments to Part 2—Frequency allocations and radio treaty matters: general rules and regulations:

Amend the table of frequency allocations contained in § 2.104 (a) (5) in the following particulars:

1. Change the entries in columns 7, 8, 9, 10 and 11 concerning the frequency band 35–36 Mc to read as follows:

Released: December 20, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
MARY JANE MORRIS,
Secretary.

7	8	9	10	11
35.00–36.00 (NG1, 22).	Land mobile....	a. Base. b. Land mobile.	35.02–35.18 (NG45).... 35.22–35.66 (NG46).... 35.70–35.98 (NG45)....	Industrial. Domestic public. Industrial.

2. Change the entries in columns 7, 8, 9, 10 and 11 concerning the frequency band 42–44 Mc to read as follows:

7	8	9	10	11
42.00–44.00 (NG1, 22).	Land mobile....	a. Base. b. Land mobile.	42.02–42.94 (NG45).... 42.96–43.18 (NG45).... 43.22–43.66 (NG46).... 43.70–44.00 (NG45)....	Public safety. Industrial. Domestic public. Land transportation.

3. Change the entries in columns 7, 8, 9, 10 and 11 concerning the frequency band 44.0–46.6 Mc so that columns 7 through 11 read as follows:

7	8	9	10	11
44.00–46.51 (NG1, 22). 46.51–46.60 (NG1, 51).	Land mobile.... Fixed.....	a. Base. b. Land mobile. Fixed.....	44.02–44.60 (NG45).... 44.62–46.50 (NG45)....	Land transportation. Public safety. Aeronautical fixed. International fixed public.

4. Change the entries in columns 7, 8, 9, 10 and 11 concerning the frequency band 47.0–49.6 Mc so that columns 7 through 11 read as follows:

7	8	9	10	11
47.00–49.51 (NG1, 22). 49.51–49.60 (NG1, 51).	Land mobile.... Fixed.....	a. Base. b. Land mobile. Fixed.....	47.02–47.42 (NG45).... 47.44–47.68 (NG45).... 47.70–49.50 (NG45)....	Public safety. a. Public safety. b. Industrial. Industrial. Aeronautical fixed. International fixed public.

5. Change the entries in columns 7, 8, 9, 10 and 11 concerning the frequency band 150.8–152.0 Mc to read as follows:

7	8	9	10	11
150.8–152.0 (NG1, 22).	Land mobile....	a. Base. b. Land mobile.	150.815–150.965 (NG43). 150.995–151.475 (NG43). 151.505–151.985 (NG43).	Land transportation. Public safety. Industrial.

6. Add a new footnote, NG43, to read as follows:

NG43 The spacing between frequency assignments in this band shall be 30 kc. The first and last assignable frequencies are those indicated in column 10.

7. Add a new footnote, NG51, to read as follows:

NG51 Frequencies in this band are not available for use between two points both of which are in the continental United States.

APPENDIX B

TABLE I

Frequency in Mc and former service or subdivision	New service or subdivision
35.04, (1).....	Business.
35.06, Power, maritime mobile.	Do.
35.08, (1).....	Do.
35.10, Power, maritime mobile.	Do.
35.12, (1).....	Do.
1 Split channels.	

APPENDIX B—Continued

TABLE I—continued

Frequency in Mc and former service or subdivision	New service or subdivision
35.14, Power, maritime mobile.	Business.
35.16, (1).....	Utilities (communications common carriers only).
35.18, Power, maritime mobile.	Business.
35.70, Automobile emergency.	Do.
35.72, (1).....	Do.
35.74, Special industrial.....	Do.
35.76, (1).....	Do.
35.78, Special industrial.....	Do.
35.80, (1).....	Do.
35.82, Special industrial.....	Do.
35.84, (1).....	Do.
35.86, Special industrial.....	Do.
35.88, (1).....	Do.
35.90, Special industrial.....	Do.
35.92, (1).....	Do.
35.94, Special industrial.....	Do.

APPENDIX B—Continued

TABLE I—continued

Frequency in Mc and former service or subdivision	New service or subdivision
35.96, (1).....	Business.
35.98, Automobile emergency.	Do.
42.02, Police.....	Police.
42.04, (1).....	Do.
42.06, Police.....	Do.
42.08, (1).....	Do.
42.10, Police.....	Do.
42.12, (1).....	Do.
42.14, Police.....	Do.
42.16, (1).....	Do.
42.18, Police.....	Do.
42.20, (1).....	Do.
42.22, Police.....	Do.
42.24, (1).....	Do.
42.26, Police.....	Do.
42.28, (1).....	Do.
42.30, Police.....	Do.
42.32, (1).....	Do.
42.34, Police.....	Do.
42.36, (1).....	Do.
42.38, Police.....	Do.
42.40, (1).....	Do.
42.42, Police.....	Do.
42.44, (1).....	Do.
42.46, Police.....	Do.
42.48, (1).....	Do.
42.50, Police.....	Do.
42.52, (1).....	Do.
42.54, Police.....	Do.
42.56, (1).....	Do.
42.58, Police.....	Do.
42.60, (1).....	Do.
42.62, Police.....	Do.
42.64, (1).....	Do.
42.66, Police.....	Do.
42.68, (1).....	Do.
42.70, Police.....	Do.
42.72, (1).....	Do.
42.74, Police.....	Do.
42.76, (1).....	Do.
42.78, Police.....	Do.
42.80, (1).....	Do.
42.82, Police.....	Do.
42.84, (1).....	Do.
42.86, Police.....	Do.
42.88, (1).....	Do.
42.90, Police.....	Do.
42.92, (1).....	Do.
42.94, Police.....	Do.
42.96, (1).....	Business.
42.98, Low power industrial.	Do.
43.00, (1).....	Do.
43.02, Special industrial, maritime mobile.	Do.
43.04, (1).....	Do.
43.06, Special industrial, maritime mobile.	Do.
43.08, (1).....	Do.
43.10, Special industrial, maritime mobile.	Do.
43.12, (1).....	Do.
43.14, Special industrial, maritime mobile.	Do.
43.16, (1).....	Utilities (communications common carriers only).
43.18, Special industrial, maritime mobile.	Business.
43.70, Interurban passenger.	Interurban passenger.
43.72, (1).....	Do.
43.74, Interurban passenger.	Do.
43.76, (1).....	Do.
43.78, Interurban passenger.	Do.
43.80, (1).....	Do.
43.82, Interurban passenger.	Do.
43.84, (1).....	Do.
43.86, Interurban passenger.	Interurban property.
43.88, (1).....	Do.
43.90, Interurban passenger.	Do.
43.92, (1).....	Do.
43.94, Interurban passenger.	Do.

APPENDIX B—Continued

TABLE I—continued

Frequency in Mc and former service or subdivision	New service or subdivision
43.96, (1)	Interurban property.
43.98, Interurban passenger and property.	Do.
44.00, (1)	Do.
44.02, Interurban passenger and property.	Do.
44.04, (1)	Do.
44.06, Interurban passenger and property.	Do.
44.08, (1)	Do.
44.10, Interurban property	Do.
44.12, (1)	Do.
44.14, Interurban property	Do.
44.16, (1)	Do.
44.18, Interurban property	Do.
44.20, (1)	Do.
44.22, Interurban property	Do.
44.24, (1)	Do.
44.26, Interurban property	Do.
44.28, (1)	Do.
44.30, Interurban property	Do.
44.32, (1)	Do.
44.34, Interurban property	Do.
44.36, (1)	Do.
44.38, Interurban property	Do.
44.40, (1)	Do.
44.42, Interurban property	Do.
44.44, (1)	Do.
44.46, Urban passenger	Urban passenger.
44.48, (1)	Do.
44.50, Urban passenger	Do.
44.52, (1)	Do.
44.54, Urban passenger	Do.
44.56, (1)	Do.
44.58, Urban passenger	Do.
44.60, (1)	Do.
44.62, Police	Police.
44.64, (1)	Forestry - conservation.
44.66, Police	Police.
44.68, (1)	Forestry - conservation.
44.70, Police	Police.
44.72, (1)	Forestry - conservation.
44.74, Police	Police.
44.76, (1)	Forestry - conservation.
44.78, Police	Police.
44.80, (1)	Forestry - conservation.
44.82, Police	Police.
44.84, (1)	Forestry - conservation.
44.86, Police	Police.
44.88, (1)	Forestry - conservation.
44.90, Police	Police.
44.92, (1)	Forestry - conservation.
44.94, Police	Police.
44.96, (1)	Forestry - conservation.
44.98, Police	Police.
45.00, (1)	Forestry - conservation.
45.02, Police	Police.
45.04, (1)	Forestry - conservation.
45.06, Police	Police.
45.08, (1)	Local government.
45.10, Police	Police.
45.12, (1)	Local government.
45.14, Police	Police.
45.16, (1)	Local government.
45.18, Police	Police.

¹ Split channels.

APPENDIX B—Continued

TABLE I—continued

Frequency in Mc and former service or subdivision	New service or subdivision
45.20, (1)	Local government.
45.22, Police	Police.
45.24, (1)	Local government.
45.26, Police	Police.
45.28, (1)	Local government.
45.30, Police	Police.
45.32, (1)	Local government.
45.34, Police	Police.
45.36, (1)	Local government.
45.38, Police	Police.
45.40, (1)	Local government.
45.42, Police	Police.
45.44, (1)	Local government.
45.46, Police	Police.
45.48, (1)	Local government.
45.50, Police	Police.
45.52, (1)	Local government.
45.54, Police	Police.
45.56, (1)	Local government.
45.58, Police	Police.
45.60, (1)	Local government.
45.62, Police	Police.
45.64, (1)	Local government.
45.66, Police	Police.
45.68, (1)	Interstate highway.
45.70, Police	Police.
45.72, (1)	Interstate highway.
45.74, Police	Police.
45.76, (1)	Interstate highway.
45.78, Police	Police.
45.80, (1)	Interstate highway.
45.82, Police	Police.
45.84, (1)	Interstate highway.
45.86, Police	Police.
45.88, (1)	Interstate highway.
45.90, Police	Police.
45.92, (1)	Special emergency.
45.94, Police	Police.
45.96, (1)	Special emergency.
45.98, Police	Police.
46.00, (1)	Special emergency.
46.02, Police	Police.
46.04, (1)	Special emergency.
46.06, Fire	Fire.
46.08, (1)	Do.
46.10, Fire	Do.
46.12, (1)	Do.
46.14, Fire	Do.
46.16, (1)	Do.
46.18, Fire	Do.
46.20, (1)	Do.
46.22, Fire	Do.
46.24, (1)	Do.
46.26, Fire	Do.
46.28, (1)	Do.
46.30, Fire	Do.
46.32, (1)	Do.
46.34, Fire	Do.
46.36, (1)	Do.
46.38, Fire	Do.

APPENDIX B—Continued

TABLE I—continued

Frequency in Mc and former service or subdivision	New service or subdivision
46.40, (1)	Fire.
46.42, Fire	Do.
46.44, (1)	Do.
46.46, Fire	Do.
46.48, (1)	Do.
46.50, Fire	Do.
46.54, Forestry-conservation.	Aero. Fixed, Int. Fixed Public (band limits 46.51-46.60 Mc) ²
46.58, Forestry-conservation.	Do.
47.02, Highway maintenance.	Highway maintenance.
47.04, (1)	Do.
47.06, Highway maintenance.	Do.
47.08, (1)	Do.
47.10, Highway maintenance.	Do.
47.12, (1)	Do.
47.14, Highway maintenance.	Do.
47.16, (1)	Do.
47.18, Highway maintenance.	Do.
47.20, (1)	Do.
47.22, Highway maintenance.	Do.
47.24, (1)	Do.
47.26, Highway maintenance.	Do.
47.28, (1)	Do.
47.30, Highway maintenance.	Do.
47.32, (1)	Do.
47.34, Highway maintenance.	Do.
47.36, (1)	Do.
47.38, Highway maintenance.	Do.
47.40, (1)	Do.
47.42, Special emergency (disaster relief special emergency).	Disaster relief.
47.44, (1)	Business.
47.46, Special emergency	Special emergency.
47.48, (1)	Business.
47.50, Special emergency	Special emergency.
47.52, (1)	Business.
47.54, Special emergency	Special emergency.
47.56, (1)	Business.
47.58, Special emergency	Special emergency.
47.60, (1)	Business.
47.62, Special emergency	Special emergency.
47.64, (1)	Business.
47.66, Special emergency	Special emergency.
47.68, (1)	Business.
47.70, Power	Utilities (except communications common carriers).
47.72, (1)	Do.
47.74, Power	Do.
47.76, (1)	Do.
47.78, Power	Do.
47.80, (1)	Do.
47.82, Power	Do.
47.84, (1)	Do.
47.86, Power	Do.
47.88, (1)	Do.
47.90, Power	Do.
47.92, (1)	Do.

² These frequencies not to be available for use between two points both of which are in the continental United States.

APPENDIX B—Continued
TABLE I—continued

Frequency in Mc and former service or subdivision	New service or subdivision Utilities (except communications common carriers).
47.94, Power.....	Do.
47.96, (1).....	Do.
47.98, Power.....	Do.
48.00, (1).....	Do.
48.02, Power.....	Do.
48.04, (1).....	Do.
48.06, Power.....	Do.
48.08, (1).....	Do.
48.10, Power.....	Do.
48.12, (1).....	Do.
48.14, Power.....	Do.
48.16, (1).....	Do.
48.18, Power.....	Do.
48.20, (1).....	Do.
48.22, Power.....	Do.
48.24, (1).....	Do.
48.26, Power.....	Do.
48.28, (1).....	Do.
48.30, Power.....	Do.
48.32, (1).....	Do.
48.34, Power.....	Do.
48.36, (1).....	Do.
48.38, Power.....	Do.
48.40, (1).....	Do.
48.42, Power.....	Do.
48.44, (1).....	Do.
48.46, Power.....	Do.
48.48, (1).....	Do.
48.50, Power.....	Do.
48.52, (1).....	Do.
48.54, Power.....	Do.
48.56, (1).....	Do.
48.58, Petroleum.....	Petroleum, forest products.
48.60, (1).....	Do.
48.62, Petroleum.....	Do.
48.64, (1).....	Do.
48.66, Petroleum.....	Do.
48.68, (1).....	Do.
48.70, Petroleum.....	Do.
48.72, (1).....	Do.
48.74, Petroleum.....	Do.
48.76, (1).....	Do.
48.78, Petroleum.....	Do.
48.80, (1).....	Do.
48.82, Petroleum.....	Do.
48.84, (1).....	Do.
48.86, Petroleum.....	Do.
48.88, (1).....	Do.
48.90, Petroleum.....	Do.
48.92, (1).....	Do.
48.94, Petroleum.....	Do.
48.96, (1).....	Do.
48.98, Petroleum.....	Do.
49.00, (1).....	Do.
49.02, Petroleum.....	Do.
49.04, (1).....	Do.
49.06, Petroleum.....	Do.
49.08, (1).....	Do.
49.10, Petroleum.....	Do.
49.12, (1).....	Do.
49.14, Petroleum.....	Do.
49.16, (1).....	Do.
49.18, Petroleum.....	Do.
49.20, (1).....	Do.
49.22, Forest products.....	Do.
49.24, (1).....	Do.
49.26, Forest products.....	Do.
49.28, (1).....	Do.
49.30, Forest products.....	Do.
49.32, (1).....	Do.
49.34, Forest products.....	Do.
49.36, (1).....	Do.
49.38, Forest products.....	Do.
49.40, (1).....	Do.
49.42, Forest products.....	Do.
49.44, (1).....	Do.
49.46, Forest products.....	Do.

¹ Split channels.

APPENDIX B—Continued
TABLE I—continued

Frequency in Mc and former service or subdivision	New service or subdivision
49.48, (1).....	Petroleum, forest products.
49.50, Forest products.....	Do.
49.54, Forest products, special industrial.	Aero. Fixed, Int. Fixed Public (band limits 49.51-49.60 Mc). ²
49.58, Forest products, special industrial.	Do.

TABLE II
Frequency in Mc and Service

150.800—Band edge.
150.815—Automobile emergency (public garages).
150.845— Do.
150.875— Do.
150.905—Automobile emergency (automobile clubs).
150.935— Do.
150.965— Do.
150.995—Highway maintenance.
151.025— Do.
151.055— Do.
151.085— Do.
151.115— Do.
151.145—Forestry-conservation.
151.175— Do.
151.205— Do.
151.235— Do.
151.265— Do.
151.295— Do.
151.325— Do.
151.355— Do.
151.385— Do.
151.415— Do.
151.445— Do.
151.475— Do.
151.505—Business.
151.535— Do.
151.565— Do.
151.595— Do.
151.625— Do.
151.655— Do.
151.685— Do.
151.715— Do.
151.745— Do.
151.775— Do.
151.805— Do.
151.835— Do.
151.865— Do.
151.895— Do.
151.925— Do.
151.955—Utilities (communications common carriers only).
151.985— Do.
152.000—Band edge.

² These frequencies not to be available for use between two points both of which are in the continental United States.

[F. R. Doc. 58-73; Filed, Jan. 6, 1958; 8:45 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

APPENDIX—EXTENSION OF THE TRUST OR RESTRICTED STATUS OF CERTAIN INDIAN LANDS

TRUST PERIODS EXPIRING DURING CALENDAR YEAR 1958

By virtue of and pursuant to the authority delegated by Executive Order No. 10250 of June 5, 1951, and pursuant to section 5 of the act of February 8, 1887

(24 Stat. 388, 389), the act of June 21, 1906 (34 Stat. 325, 326), and the act of March 2, 1917 (39 Stat. 969, 976), and other applicable provisions of law, it is hereby ordered that the periods of trust or other restrictions against alienation contained in any patent applying to Indian lands, whether of a tribal or individual status, which, unless extended will expire during the calendar year 1958, be, and the same are hereby, extended for a further period of one year from the date on which any such trust would otherwise expire.

This order is not intended to apply to any case in which Congress has specifically reserved to itself authority to extend the period of trust on tribal or individual Indian lands.

(R. S. 161, 5 U. S. C. 22)

FRED A. SEATON,
Secretary of the Interior.

DECEMBER 30, 1957.

[F. R. Doc. 58-102; Filed, Jan. 6, 1958; 8:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 40-9]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

HIGH-ALTITUDE OPERATIONS

Correction

In Federal Register Document 57-10748, published on page 10728 in the issue dated December 27, 1957, the effective date should read "January 24, 1958."

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 51]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedures 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 (L/MFR, ADF, VOR, TerVOR, VOR/DME, ILS, or RADAR), 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 low or medium frequency range procedures prescribed in § 609.100 (a) 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.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Montgomery VOR.....	MXF-LFR.....	Direct.....	1700	T-dn..... C-dn..... S-d-15..... S-n*..... A-dn.....	300-1 400-1 400-1 NA 800-2	300-1 500-1 400-1 NA 800-2	200-1 1/2 500-1 1/2 400-1 NA 800-2

*Night operation Runway 15-33 NA due lack of obstruction and runway lights.

Procedure turn W side N crs, 300 Outbd, 180 Inbd, 1700' within 10 miles.

Minimum altitude over facility on final approach crs, 1200'.

Crs and distance, facility to airport, 169-4.7.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles, climb to 1500' on SW crs within 20 miles.

City, Montgomery; State, Ala.; Airport Name, Dannelly Field; Elev., 219'; Fac. Class, SBRAZ; Ident., MXF; Procedure No. 1, Amdt. 9; Eff. Date, 25 Jan. 53; Sup. Amdt. No. 8; Dated, 13 Jan. 54

ACT-VOR.....	ACT-LFR.....	Direct.....	2000	T-dn..... C-dn..... S-dn-35*..... A-dn.....	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1 1/2 500-1 1/2 400-1 800-2
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Radar Terminal Maneuvering Altitude all directions within 20 mi of Radar site—2000'.

*710 FPM descent required at 110K.

Procedure turn E side S crs, 189 Outbd, 009 Inbd, 2000' within 10 mi. Beyond 10 mi NA.

Minimum altitude over facility on final approach crs, 1400'.

Crs and distance, facility to airport, 010-2.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 mi, climb to 2000' on N crs within 20 mi or, when directed by ATC, turn left, climb to 2000' on NW crs within 20 mi.

City, Waco; State, Tex.; Airport Name, Municipal; Elev., 515'; Fac. Class, SBRAZ; Ident., ACT; Procedure No. 1, Amdt. 10; Eff. Date, 25 Jan. 53; Sup. Amdt. No. 9; Dated, 5 Oct. 57

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

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of 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.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Elkins LFR.....	CKB-RBn.....	Direct.....	5000	T-dn*.....	500-1	500-1	
Elkins VOR.....	CKB-RBn.....	Direct.....	4000	C-d.....	1000-1		
Int 325° crs from Elkins VOR and 040° crs...	CKB-RBn (Final) ADF.....	Direct.....	2200	A-d.....	1500-2		

*Night take-offs not authorized on NW-SE Runways.

Procedure turn W side of crs, 220 Outbd, 040 Inbd, 3000' within 10 miles.

Minimum altitude over facility on final approach crs, 2200'.

Facility at airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 miles, turn left, climb to 3000' on crs of 220° within 10 miles.

CAUTION: Standard clearance not provided over 2045' msl tower 3.5 mi NW of final approach course.

City, Clarksburg; State, W. Va.; Airport Name, Benedum; Elev. 1209'; Fac. Class, HW; Ident., CKB; Procedure No. 1, Amdt. 4; Eff. Date, 25 Jan. 53; Sup. Amdt. No. 3; Dated, 29 May 54

RULES AND REGULATIONS

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

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of 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.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Columbus LFR	CSG-VOR	Direct	2000	T-dn	300-1	300-1	200-1/2
Columbus LOM	CSG-VOR	Direct	2000	C-d	600-1	600-1	600-1 1/2
				C-n	600-2	600-2	600-2
				S-d-12	600-1	600-1	600-1
				S-n-12	600-2	600-2	600-2
				A-dn	800-2	800-2	800-2

Procedure turn W side of course, 328 Outbnd, 148 Inbnd, 1700' within 10 miles.

Minimum altitude over facility on final approach course, 1200'.

Crs and distance, facility to airport, 148-6.7.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.7 miles, turn left, climb to 2000' on 052° brng from CSG LOM to Geneva Int, or within 6.7 mi, turn left, climb to 2000' and proceed to CSG VOR via R-148.

City, Columbus; State, Ga.; Airport Name, Muscogee Co.; Elev. 397'; Fac. Class, BVOR; Ident. CSG; Procedure No. 1, Amdt. 1; Eff. Date, 25 Jan. 58; Sup. Amdt. No. Orig.; Dated, 9 Feb. 57.

Fort Myers Rbn	FMY-VOR	Direct	1200	T-dn	300-1	300-1	200-1/2
				C-dn	400-1	500-1	500-1 1/2
				S-d-4	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 222 Outbnd, 042 Inbnd, 1200' within 10 mi.

Minimum altitude over facility on final approach crs, 700'.

Crs and distance, facility to airport, 042-3.0.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.0 mi, climb to 1300' on R-042 within 15 mi.

CAUTION: 15 mi limitation due to traffic.

City, Fort Myers; State, Fla.; Airport Name, Page Field; Elev., 17'; Fac. Class, BVOR; Ident., FMY; Procedure No. 1, Amdt. 7; Eff. Date, 25 Jan. 58; Sup. Amdt. No. 6; Dated, 29 May 54

Los Angeles Rbn	LAX-VOR	Direct	1500	T-dn	300-1	300-1	200-1/2
Hollywood Hills FM	LAX-VOR	Direct	3000	C-dn	500-1	600-1	600-1 1/2
6 Nautical mi from LAX VOR on R 250 as reported by LAX Radar or by DME fix.	LAX-VOR (Final)	Direct	600	S-dn-7R-L	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar vectoring to final approach crs authorized.

Procedure turn S side of crs, 250 Outbnd, 070 Inbnd, 1500 within 10 miles.

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

Crs and distance, facility to airport, 070-1.2.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.2 miles, climb to 2000' on LAX R-074, no further East than Downey FM-RBn.

City, Los Angeles; State, Calif.; Airport Name, International; Elev., 126'; Fac. Class, BVOR; Ident., LAX; Procedure No. 1, Amdt. 3; Eff. Date, 25 Jan. 58; Sup. Amdt. No. 2; Dated, 29 Aug. 57

Bay Minette HW	MOB-VOR	Direct	1500	T-dn	300-1	300-1	200-1/2
Brookley HWZ	MOB-VOR	Direct	1600	C-dn	400-1	500-1	500-1 1/2
				S-dn-9	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 287 Outbnd, 107 Inbnd, 1400 within 10 miles. Beyond 10 mi NA.

Minimum altitude over facility on final approach crs, 900'.

Crs and distance, facility to airport, 107-6.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.3 miles, turn left, climb to 1600 on R-065 within 20 mi.

CAUTION: 647' TV tower located 4.1 miles ESE of airport.

City, Mobile; State, Ala.; Airport Name, Bates Field; Elev., 217'; Fac. Class, BVOR; Ident., MOB; Procedure No. 1; Amdt. 6; Eff. Date, 25 Jan. 58; Sup. Amdt. No. 5; Dated, 26 Jan. 57

Waco LFR	ACT-VOR	Direct	1900	T-dn	300-1	300-1	200-1/2
10 mi fix* on R-321	ACT-VOR (Final)	Direct	1400	C-dn	400-1	500-1	500-1 1/2
10 mi orbit from R-027 W	R-321	Direct	1900	S-dn-14	400-1	400-1	400-1
Brazos Int.	ACT-VOR (Final)	Direct	1400	A-dn	800-2	800-2	800-2

*DME fix.

Radar terminal maneuvering altitude all directions within 20 miles of Radar site—2000'.

Procedure turn W side of crs, 321 Outbnd, 141 Inbnd, 1900' within 10 miles. Beyond 10 mi NA.

Minimum altitude over facility on final approach crs, 1400'.

Crs and distance, facility to airport, 141-3.0.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.0 miles, climb to 2000' on R-136 within 20 miles or, when directed by ATO, turn right, climb to 2000' on R-187 within 20 miles, or turn right, climb to 2000' and return to ACT-VOR, or turn right, climb to 2000' on R-321 and proceed to Brazos Int.

City, Waco; State, Tex.; Airport Name, Municipal; Elev., 515'; Fac. Class, BVOR-DME; Ident., ACT; Procedure No. 1, Amdt. 5; Eff. Date, 25 Jan. 58; Sup. Amdt. No. 4; Dated, 5 Oct. 57

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
12 mi orbit from R-187 E.....	R-141.....	2000	T-dn.....	300-1	300-1	200-1/2
12 mi fix* R-141.....	7 mi fix* R-141 (Final).....	Direct.....	1500	C-dn#.....	400-1	500-1	500-1 1/2
7 mi fix* R-141.....	4 mi fix* R-141 (Final to rny 32).....	Direct.....	#900	S-dn-32#@.....	400-1	400-1	400-1
				A-dn#.....	800-2	800-2	800-2

Radar terminal maneuvering altitude all directions within 20 miles of radar site—2000'.
 #Landing ceiling minimums without DME are 1000' (1500 m. s. l.).
 @570 F. P. M. descent required at 105 K.
 Procedure turn E side of crs, 141 Outbd, 321 Inbd, 2000 within 10 miles. Beyond 10 miles NA.
 Minimum altitude over facility on final approach crs, 1500 over 7 mi fix* R-141, if no DME, 1500 over VOR#.
 Crs and distance, facility to airport, 141—4 VOR to SE end rny 32 (4 mi fix*), 321—3 mi from 7 mi fix* to rny 32 (4 mi fix*).
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 4 mi fix*, climb to 2300' on R-306 within 20 mi. No DME: within 0 mi, (over VOR)# climb to 2300' on R-306 within 20 mi, or when directed by ATC, climb to 2000' on R-321, turn left and return to ACT VOR.
 *DME fix.

City, Waco; State, Tex.; Airport Name, Municipal; Elev., 515'; Fac. Class, BVOR-DME; Ident., ACT; Procedure No. 2, Amdt. 3; Eff. Date, 25 Jan. 58; Sup. Amdt. No. 2; Dated, 5 Oct. 57

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

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of 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.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
LAX RBN.....	LOM.....	Direct.....	2000	T-dn.....	300-1	300-1	200-1/2
Downy FM-RBN.....	LOM (Final).....	Direct.....	*1700	C-dn.....	500-1	600-1	600-1 1/2
LGB LFR.....	Downy FM-RBN.....	Direct.....	3000	S-dn-25L, ILS.....	200-1/2	200-1/2	200-1/2
LGB VOR.....	Downy FM-RBN.....	Direct.....	3000	S-dn-25L, R, ADF.....	400-1	400-1	400-1
LGB LFR.....	LOM.....	Direct.....	1700	A-dn.....			
LGB VOR.....	LOM.....	Direct.....	1700	ILS.....	600-2	600-2	600-2
Hollywood Hills FM.....	LOM.....	Direct.....	3000	ADF.....	800-2	800-2	800-2
LAX VOR.....	LOM.....	Direct.....	2000				

Radar vectoring to final approach crs authorized.
 *Aircraft must descend from 3000' immediately after passing Downy, inbd.
 Procedure turn S side E crs, 068 Outbd, 248 Inbd, 2000' within 7.8 mi of OM (E of Downy Rbn NA).
 Minimum altitude at glide slope int inbd—1700' ILS; Min. alt. over LOM inbd final 1700' ADF.
 Altitude of glide slope and distance to approach end of runway at OM 1700'—5.2; at MM—310—0.5.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 5.2 mi. after passing LOM, climb to 2000' on W crs LAX ILS within 20 mi.

City, Los Angeles; State, Calif.; Airport Name, International; Elev. 126'; Fac. Class, ILS-LAX; Ident., LOM-LA; Procedure No. ILS-25L, Comb. ILS-ADF, Amdt 16; Eff. Date, 25 Jan. 58; Sup. Amdt. No. 15; Dated 29 Aug. 57.

Scotland MHW.....	LOM (Final).....	Direct.....	1000	T-dn*.....	300-1	300-1	200-1/2
Colts Neck VOR via R-663.....	ILS SW crs.....	Direct.....	1400	C-dn.....	500-1	500-1	500-1 1/2
Radar terminal area transitions:				S-dn-4*.....			
All directions.....		Within 25 mi.....	2500	ILS.....	200-1/2	200-1/2	200-1/2
E of NE-SW crs of LGA-LFR.....		Within 15 mi.....	1500	ADF.....	400-1	400-1	400-1
				A-dn.....			
				ILS.....	600-2	600-2	600-2
				ADF.....	800-2	800-2	800-2

*Ceiling 200' and runway visual range 2000' also authorized, for takeoff and landing on Rwy 4 provided all components of the ILS (PAR) and related airborne equipment are in satisfactory operating condition.
 Procedure turn S side SW crs ILS, 223 Outbd, 043 Inbd, 1200' within 10 mi of LOM.
 Minimum altitude at glide slope int inbd, 1000'. Minimum altitude over LOM inbd final, 700' ADF.
 Altitude of glide slope and distance to approach end of rny at LOM—770—2.5; at MM—230—0.6.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.5 miles (ADF), climb to 500' on NE crs ILS or bearing 043° from the LOM, make a climbing right turn to 1500' and proceed to the Lido MHW and hold SW. Contact Idlewild approach control for further instructions.
 CAPTION: Circling landing minimums do not provide std crse over arpt cont twr and stack 278' 1.7 mi SSE rny 1R.

City, New York; State, N. Y.; Airport Name, International; Elev., 12'; Fac. Class, ILS-OM-H; Ident., IDL; Procedure No. ILS-4, Comb. ILS-ADF, Amdt. 16; Eff. Date, 25 Jan. 58; Sup. Amdt. No. 15; Dated, 7 Dec. 57

5. The radar procedures prescribed in § 609.500 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 altitude(s) shall correspond with those established for en 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 established on final approach at 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				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions— E of NE-SW crs of LGA-LFR—	Radar site— Radar site—	Within 25 mi.— Within 15 mi.—	2500 1500		Precision approach		
				T-dn*—	300-1	200-1	200-1½
				C-dn-all—	500-1	500-1	500-1½
				S-dn-4*—	200-2½	200-1½	200-1½
				A-dn-4—	600-2	600-2	600-2
				A-dn-all—	800-2	800-2	800-2

*Ceiling 200' and runway visual range 2600' also authorized for takeoff and landing on Rnwy 4 provided all components of the ILS (PAR) and related airborne equipment are in satisfactory operating condition.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 500' on heading of 043, make a climbing right turn to 1500' and proceed to Lido MHW and hold SW.

Contact Idlewild approach control for further instructions.

CAUTION: Ceiling minimums do not provide standard clearance over 278' stack 1.7 mi SSE of Runway 4R and 165' airport control tower.

City, New York; State, N. Y.; Airport Name, International; Elev., 12'; Fac. Class, Idlewild; Ident., Radar; Procedure No. 1, Amdt. 10; Eff. Date, 25 Jan. 58; Sup. Amdt. No. 9; Dated, 7 Dec. 57

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]

DECEMBER 18, 1957.

WILLIAM B. DAVIS,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 58-153; Filed, Jan. 6, 1958; 8:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6484]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

HENRY BROCH & CO. ET AL.

Subpart—Discriminating in price under section 2, Clayton Act, as amended—payment or acceptance of commission, brokerage, or other compensation under 2 (c) : § 13.822 Lowered price to buyers.¹

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, Henry Broch and Oscar Adler trading as Henry Broch & Co., Chicago, Ill., Docket 6484, December 10, 1957]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging Chicago brokers with violating section 2 (c) of the Clayton Act by granting a percentage of their commission to a buyer of apple concentrate; specifically accepting a three percent commission instead of the customary brokerage fee of five percent whereupon the seller lowered its established price to the buyer, recouping part of the reduction out of what respondent brokers would have earned at the normal brokerage fee of five percent.

Following proceedings in due course, the hearing examiner made his initial decision, including findings of fact, con-

clusion of law and order to cease and desist, from which respondents appealed. The Commission, having heard the matter upon briefs and oral argument, denied the appeal and on December 10 adopted the initial decision as the decision of the Commission.

In the Matter of Henry Broch and Oscar Adler, Copartners Trading as Henry Broch & Co.

This proceeding was heard by a hearing examiner on the complaint of the Commission charging Chicago brokers with violating section 2 (c) of the Clayton Act by granting a percentage of their commission to a buyer of apple concentrate; specifically accepting a three percent commission instead of the customary brokerage fee of five percent whereupon the seller lowered its established price to the buyer, recouping part of the reduction out of what respondent brokers would have earned at the normal brokerage fee of five percent.

Following proceedings in due course, the hearing examiner made his initial decision, including findings of fact, conclusion of law and order to cease and desist, from which respondents appealed. The Commission, having heard the matter upon briefs and oral argument, denied the appeal and on December 10 adopted the initial decision as the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Henry Broch and Oscar Adler, copartners trading as Henry Broch & Co., their repre-

sentatives, agents, or employees, directly or through any corporate or other device, in connection with the sale of food or food products for Canada Foods Ltd., or any other seller principal, in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from:

(1) Paying, granting or allowing, directly or indirectly, to The J. M. Smucker Company, or to any other buyer, or to anyone acting for or in behalf of or who is subject to the direct or indirect control of such buyer, any allowance or discount in lieu of brokerage, or any part or percentage thereof, by selling any food or food products to such buyer at prices reflecting a reduction from the prices at which sales of such foods are currently being effected by respondents for Canada Foods Ltd. or any other seller principal, as the case may be, where such reduction in price is accompanied by a reduction in the regular rate of commission, brokerage or other compensation currently being paid to respondents by such seller principal for brokerage services; or

(2) In any other manner, paying, granting or allowing, directly or indirectly, to The J. M. Smucker Company, or to any other buyer, or to anyone acting for or in behalf of or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage or other compensation or any allowance or discount in lieu thereof upon, or in connection with, any sale of food or food products to such buyer for its own account.

¹New.

By "Final Order", report of compliance was required as follows:

It is ordered, That respondents Henry Broch and Oscar Adler shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained in the initial decision.

Issued: December 10, 1957.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 58-111; Filed, Jan 6, 1958;
8:48 a. m.]

[Docket 6763]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

B. SCHOOLSKY & SON, INC., ET AL.

Subpart—*Invoicing products falsely*: § 13.1108 *Invoicing products falsely*: Wool Products Labeling Act. Subpart—*Misbranding or mislabeling*: § 13.1212 *Formal regulatory and statutory requirements*: Wool Products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure*: § 13.1852 *Formal regulatory and statutory requirements*: Wool Products Labeling Act.

(Secs. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U. S. C. 45, 68-68 (c)) [Cease and desist order, B. Schoolsky & Son, Inc., et al., Manville, R. I., Docket 6763, December 10, 1957]

In the Matter of B. Schoolsky & Son, Inc., a Corporation, Benjamin Schoolsky, and Robert Schoolsky, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging manufacturers in Manville, R. I., with violating the Wool Products Labeling Act by failing to label wool products as required and by representing in sales invoices and other shipping memoranda that certain products contained various amounts of wool when in fact the fiber content of the stock was "reprocessed wool" and "reused wool".

Following approval of an agreement between the parties for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 10 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That the respondent, B. Schoolsky & Son, Inc., a corporation, and its officers; respondent Benjamin Schoolsky, individually and as an officer of said corporation, and respondent Robert Schoolsky, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly, or through any corporate or other device, in connection with the introduction or manufacture for introduc-

tion into commerce, or the offering for sale, sale, transportation, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of reprocessed wool or reused wool or other "wool products," as "wool products" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding or mislabeling such products by:

Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of the wool product, of any non-fibrous loading, filling, or adulterating matter;

(c) The name or registered identification number of the manufacturers of such wool product, or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution, or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

It is further ordered, That B. Schoolsky & Son, Inc., a corporation, and its officers; respondent Benjamin Schoolsky, individually and as an officer of said corporation and respondent Robert Schoolsky, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly, or through any corporate or other device, in connection with the offering for sale, sale, or distribution of wool, reprocessed wool or reused wool stock or any other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Misrepresenting the constituent fibers of which their products are composed or the percentages or amounts thereof, in sales invoices, shipping memoranda or in any other manner.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 10, 1957.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 58-110; Filed, Jan. 6, 1958;
8:48 a. m.]

[Docket 6840]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

CENTURY PRODUCTS WORKS, INC., ET AL.

Subpart—*Advertising falsely or misleadingly*: § 13.70 *Fictitious or misleading guarantees*; § 13.110 *Indorsements, approval, or awards*; § 13.155 *Prices*: Exaggerated as regular and customary; fictitious marking. Subpart—*Furnishing means and instrumentalities of misrepresentation or deception*: § 13.1056 *Preticketing merchandise misleadingly*. Subpart—*Misbranding or mislabeling*: § 13.1280 *Price*.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Century Products Works, Inc., et al., Bronx, N. Y., Docket 6840, December 10, 1957]

In the Matter of Century Products Works, Inc., a Corporation, Century Enterprises, Inc., a Corporation, and Ned M. Grossberg, Morris Brandler, and Sam Klein, Individually and as Officers of Said Corporations

This proceeding was heard by a hearing examiner on the complaint of the Commission charging two associated corporations in Bronx, N. Y., the manufacturer and sole distributor, respectively, of irons, cooker-fryers, and skillet-casseroles, with representing fictitious and exaggerated prices as the usual retail prices and representing falsely that certain of their products had been approved by Good Housekeeping Magazine and advertised therein, in advertising material prepared by them for their purchasers for use in the resale of their products, in newspapers, on attached tags and labels, and on the cartons in which the products were displayed and sold.

Following approval of an agreement between the parties containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 10 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Century Products Works, Inc., and Century Enterprises, Inc., corporations, and their officers, and Ned M. Grossberg, Morris Brandler and Sam Klein, individually and as officers of each of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of electrical appliances, including irons, cooker-fryers, and skillet-casseroles, or other articles of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or indirectly:

a. That any stated price, which is in excess of the price at which such products are regularly and usually sold at retail, is the retail price of such products.

b. That respondents' said products have been advertised in Good Housekeeping magazine or any other publication or approved or guaranteed by Good Housekeeping magazine or any other person, firm, or corporation, when such is not the fact.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents Century Products Works, Inc., and Century Enterprises, Inc., corporations, and their officers, and Ned M. Grossberg, Morris Brandler and Sam Klein, individually

and as officers of each of said corporations, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 10, 1957.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 58-109; Filed, Jan. 6, 1958;
8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

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

NOTICE OF FILING OF PETITION FOR ESTABLISHMENT OF TOLERANCES FOR RESIDUES OF 1,1-BIS (p-CHLOROPHENYL)-2,2,2-TRICHLOROETHANOL

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U. S. C. 346a (d) (1)), the following notice is issued:

A petition has been filed by Rohm and Haas Company, 222 West Washington Square, Philadelphia 5, Pennsylvania, proposing the establishment of tolerances for residues of 1,1-bis (p-chlorophenyl)-2,2,2-trichloroethanol in or on raw agricultural commodities as follows:

30 parts per million in or on hops.

10 parts per million in or on almond hulls, apricots, beet tops, Chinese cabbage, collards, dandelion, endive, grapefruit, kale, kumquats, lemons, lettuce, limes, mustard greens, nectarines, oranges, parsley, peaches, salsify tops, spinach, Swiss chard, tangelos, tangerines, turnip tops, watercress.

5 parts per million in or on almonds, apples, beans, blackberries, boysenberries, bushnuts, butternuts, cantaloup, cherries, chestnuts, crabapples, cucumbers, dewberries, eggplant, fat of beef, swine, sheep, figs, filberts, grapes, hazelnuts, hickory nuts, loganberries, melons, muskmelons, pears, peas, pecans, peppers, pimentos, plums (fresh prunes), pumpkin, quinces, raspberries, soybeans, summer squash, strawberries, tomatoes, walnuts, watermelons, winter squash.

0.1 part per million in or on cottonseed.

The analytical method proposed in the petition for determining residues of 1,1-bis (p-chlorophenyl)-2,2,2-trichloroethanol is that published in Agricultural and Food Chemistry, Volume 5, number 7, page 514, July 1957.

Dated: December 27, 1957.

[SEAL] ROBERT S. ROE,
Director,
Bureau of Biological
and Physical Sciences.

[F. R. Doc. 58-116; Filed, Jan. 6, 1958;
8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[7 CFR Part 728]

1959 FEED WHEAT MARKETING QUOTA EXEMPTION REGULATIONS

NOTICE OF PROPOSED RULE MAKING

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1335, 1373, 1375), the Secretary of Agriculture is preparing to formulate regulations exempting producers from marketing penalties on the 1959 crop of wheat, if all the wheat crop is fed or used on the farm where grown. Section 335 (f) of the act provides that the Secretary, upon application made pursuant to regulations prescribed by him, shall exempt producers from any obligation under the act to pay the penalty on, deliver to the Secretary, or store the farm marketing excess with respect to any farm for any crop of wheat harvested in 1958 or any subsequent year on the following conditions:

(1) That the total wheat acreage on the farm does not exceed 30 acres: *Provided, however*, That this condition shall not apply to farms operated by and as part of State or county institutions or religious or eleemosynary institutions;

(2) That none of such crop of wheat is removed from such farm except to be processed for use as human food or livestock feed on such farm and none of such crop is sold or exchanged for goods or services;

(3) That such entire crop of wheat is used on such farm for seed, human food, or feed for livestock, including poultry, owned by any such producer, or a subsequent owner or operator of the farm; and

(4) That such producers and their successors comply with all regulations prescribed by the Secretary for the purpose of determining compliance with the foregoing conditions.

Section 335 (f) of the act also provides that: "Failure to comply with any of the foregoing conditions shall cause the exemption to become immediately null and void unless such failure is due to circumstances beyond the control of such producers as determined by the Secretary. In the event an exemption becomes null and void the provisions of this act shall become applicable to the same extent as if such exemption had not been granted. No acreage planted to wheat in excess of the farm acreage allotment for a crop covered by an exemption hereunder shall be considered in determining any subsequent wheat acreage allotment or marketing quota for such farm and the estimated production from such excess acreage shall not be included in total supply and normal supply in the determination of future marketing quotas and level of price support. No producer exempted under this section shall be eligible to vote in the referendum under section 336 with respect to the next subsequent crop of wheat."

It is proposed that the regulations governing the exemption provisions for the 1959 crop of wheat will be substantially the same as those for the 1958 crop of wheat (22 F. R. 8213), except that the final date for filing an application for the exemption in the office of the ASC county committee by at least one wheat producer on the farm will be August 1, 1958, in any area where winter wheat is produced, and February 15, 1959, where only spring wheat is produced.

Prior to issuing the regulations, consideration will be given to data, views, and recommendations pertaining thereto which are submitted to the Director, Grain Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than thirty days after the date of publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 30th day of December 1957.

[SEAL] CLARENCE I. MILLER,
Associate Administrator.

[F. R. Doc. 58-121; Filed, Jan. 6, 1958;
8:51 a. m.]

NOTICES

ATOMIC ENERGY COMMISSION

[Docket No. 50-13]

BABCOCK & WILCOX CO.

NOTICE OF PROPOSED ISSUANCE OF FACILITY LICENSE

Please take notice that the Atomic Energy Commission proposes to issue a facility license to The Babcock & Wilcox Company, substantially in the form set forth in Annex "A" below unless on or before 15 days after the filing of this notice with the Federal Register Division a request for a formal hearing is filed with the Commission as provided by the Commission's rules of practice (10 CFR Part 2). There is also set forth below as Annex "B" a memorandum submitted by the Division of Licensing and Regulation which summarizes the principal factors considered in reviewing the application for license. A construction permit authorizing The Babcock & Wilcox Company to construct the facility was issued by the Commission on October 2, 1957. For further details see the application for license at the Commission's Public Document Room, 1717 H Street NW., Washington, D. C.

Representatives of the AEC have inspected the facility and determined that construction is complete and in substantial accord with specifications contained in the application for license.

The proposed license incorporates as one of its conditions a requirement that no critical experiment other than the experiments described in the application may be conducted in the facility until a description of the experiment and a Hazards Summary Report shall have been submitted to the Commission and the Commission shall have specifically authorized the experimental activity.

Dated at Washington, D. C., this 27th day of December 1957.

For the Atomic Energy Commission.

E. R. PRICE,
Acting Director,
Division of Licensing and Regulation.

APPENDIX "A"

BABCOCK & WILCOX CO.

[Docket No. 50-13]

1. The Atomic Energy Commission (hereinafter "the Commission") finds that:

a. The critical experiments facility (hereinafter "the facility") authorized for construction by Construction Permit No. CFCX-9 issued to The Babcock & Wilcox Company has been constructed and will operate in conformity with the application as amended, and in conformity with the Atomic Energy Act of 1954, as amended (hereinafter "the act"), and the rules and regulations of the Commission;

b. There is reasonable assurance that the facility can be operated without endangering the health and safety of the public;

c. The Babcock & Wilcox Company is technically and financially qualified to operate the facility;

d. Issuance of a license to possess and operate the facility will not be inimical to the common defense and security or to the health and safety of the public;

e. The Babcock & Wilcox Company has filed with the Commission, as proof of financial protection, pursuant to 10 CFR 140, a showing that it has adequate resources in the form specified to provide the financial protection required.

2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses The Babcock & Wilcox Company:

a. Pursuant to section 104 (c) of the act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", to possess and operate as a utilization facility the facility designated below.

b. Pursuant to the act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material", to possess, but not to separate such byproduct material as may be produced in the operation of the facility.

3. This license applies to the facility which is owned by The Babcock & Wilcox Company and located near Lynchburg, Virginia, and described in The Babcock & Wilcox Company's application filed on February 1, 1957, and amendments thereto filed on April 5, 1957, June 3, 1957, October 8, 1957, October 18, 1957 and December 3, 1957 (all hereinafter "the application").

4. This license shall be deemed to contain and be subject to the conditions specified in § 50.54 of Part 50; 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 the additional conditions specified or incorporated below:

a. No critical experiment other than the experiments described in BAW-1023, dated October 1957, may be conducted in the facility until a description of the experiment and a Hazards Summary Report shall have been submitted to the Commission and the Commission shall have specifically authorized the experimental activity.

b. The Babcock & Wilcox Company shall not operate the facility at a power level in excess of 1000 watts (thermal).

c. In addition to those otherwise required under this license and applicable regulations, The Babcock & Wilcox Company shall keep the following records:

(1) Facility operating records, including power levels.

(2) Records showing radioactivity released or discharged into the air or water beyond the effective control of The Babcock & Wilcox Company as measured at the point of such release or discharge.

(3) Records of emergency scrams, including reasons for emergency shutdowns.

d. The Babcock & Wilcox Company shall immediately report to the Commission any indication or occurrence of a possible unsafe condition relating to the operation of the facility.

5. This license is effective as of the date of issuance and shall expire at midnight October 2, 1957, unless sooner terminated.

Date of Issuance:

For the Atomic Energy Commission.

Director,
Division of Civilian Application.

ANNEX "B"

MEMORANDUM

Introduction. On February 1, April 5, and June 3, 1957, The Babcock & Wilcox Company filed amendments to its critical experiment facility license application requesting a facility license authorizing construction and operation of an addition to its existing critical experiments facility. Previously, on

March 20, 1957, the Commission issued License No. CX-1 to The Babcock & Wilcox Company authorizing operation of its critical experiment facility, and the performance therein of critical experiments related to the design of the Consolidated Edison power reactor. Notice of the issuance of this license was published in the FEDERAL REGISTER on March 27, 1957, 22 F. R. 2018.

On October 2, 1957, Construction Permit No. CPCX-9 was issued to The Babcock & Wilcox Company authorizing construction of the second critical experiment facility. Notice of the proposed issuance of this permit was published in the FEDERAL REGISTER on September 17, 1957, 22 F. R. 7411. Additional amendments to its application were filed by The Babcock & Wilcox Company on October 8, 1957, October 18, 1957, and December 3, 1957. Representatives of the AEC have inspected the facility and determined that construction of the second critical facility is complete and in substantial accord with specifications contained in the application for license.

Description of Facility and Site. The site is described in the Notice of Proposed Issuance of Facility License to The Babcock & Wilcox Company previously published in the FEDERAL REGISTER on March 6, 1957, 22 F. R. 1419.

The critical facility structure is described in the Notice of Proposed Issuance of Construction Permit to The Babcock & Wilcox Company previously published in the FEDERAL REGISTER on September 17, 1957, 22 F. R. 7411.

Description of Experiments. The experiments to be performed in this addition to the existing critical facility comprise an investigation of the proposed fuel assembly and core for the Nuclear Merchant Ship Reactor. A total of approximately 10,000 kilograms of uranium, enriched to between 2 percent and 4 percent in U-235, will be used in the experiments. The uranium will be in the form of UO₂ which will be contained in stainless steel tubes (each filled tube is called a "pin") positioned in stainless steel cans. The assembly will normally be operated at a power of 10 watts or less, and may operate occasionally at levels up to 1000 watts maximum for short periods of time.

Each fuel bundle or element will contain 192 fuel pins and four stainless steel stiffening rods. There will be 32 such bundles in the fully loaded core.

Five movable control rods will be provided, with the central rod worth about 3.3 percent reactivity. These will be operated through a drum and cable hoist arrangement which is driven through a magnetic clutch to permit dropping all the rods from any position in case of a scram condition. The maximum excess which may be held in the movable rods is expected to be less than 2 percent for all of the experiments.

In addition, there may be as many as 16 fixed rods which will be bolted into position and are expected to hold a maximum of 20 percent in excess reactivity. The average total reactivity worth in the 21 control rod positions is expected to be about 10 percent.

Automatic control of the reactor will be obtained by use of a single speed regulating rod. The servo system is characterized by proportional reset action and can be switched on only when the power level is very near the demand set point.

The five control rods will be actuated by separate DC motors and gear systems, which will deliver torque to the cable drum through a magnetic clutch, which can be rapidly disengaged to allow the rods to fall by gravity for scram action. A common direct current source will supply power to all the motors, and will be so designed that simultaneous

operation of more than one motor will represent so great a load that the speed of the motors will be reduced. The rate of reactivity insertion can then be restricted so that at maximum rod travel in the most sensitive position, insertion will be less than \$0.05 per second.

The initial phase of the experimental program is to include a determination of the critical mass, control rod worth, flux calibration and distribution pattern, resonance absorption and thermal utilization factor. Other experiments will be based on the fully loaded and poisoned core, and will include the effect of rods on each other, temperature effects, effect of dissolved poisons, rod channel water worth, gamma and fast neutron leakage, reactivity worth measurements and change in average enrichment.

Safety Evaluation. For the experiments to be performed in this facility, no unusual precautions appear necessary with regard to earthquake, storm or flood.

If the electrical system fails, operations will be shut down automatically. No hazards are expected to result from normal operations.

The maximum credible accident described by the applicant is assumed to result from an instantaneous addition of 2 percent reactivity, leading to the liberation of 3,720 megawatt-seconds of energy. Upon insertion of this amount of excess reactivity, the power would rise until the reactivity is self-compensated by the formation of radiolytic gas in the water and a rise in temperature of the fuel pins. We concur in this analysis of the maximum credible accident and agree that gas formation and the subsequent expulsion of water from the reactor would cause the excursion to terminate.

The applicant's calculations, with which we agree, show that such an excursion would not rupture the fuel pins. However, since it is not inconceivable that a pin could rupture during the excursion from an unforeseeable cause, the applicant has assumed that 1 percent of the fission products escapes during the maximum credible accident.

Further calculations of the applicant, with which we agree, indicate that if this 1 percent of the fission products were continuously released to the atmosphere at the rate of 2 percent in 24 hours, under unfavorable weather conditions, a person located at the nearest site boundary (440 feet from the reactor) directly under the center line of the radioactive cloud would receive a dose of 40 mr integrated over a 24 hour period, which is within the maximum permissible limits set out in the Commission's regulation (10 CFR Part 20). We do not believe that the reinforced concrete building housing the critical assembly would be damaged as a result of the postulated accident, and therefore, we believe that the release rate of fission products will not exceed the 2 percent in 24 hours assumed by the applicant.

Technical and Financial Qualifications. At the time consideration was given to the issuance of a construction permit covering this facility the AEC reviewed The Babcock & Wilcox Company's technical and financial qualifications and determined that the applicant was qualified to construct and operate the facility in accordance with the regulations contained in Title 10, Chapter 1, CFR. There is no additional information to suggest any change in that determination.

Financial Protection. The Babcock & Wilcox Company has filed with the AEC, as proof of financial protection, pursuant to 10 CFR 140, showing that it has adequate resources in the form specified to provide the financial protection required.

Conclusion. Based on the above considerations, it is concluded that:

a. There is reasonable assurance that the health and safety of the public will not be endangered by operation of the facility at the proposed site near Lynchburg, Virginia.

b. The Babcock & Wilcox Company is technically and financially qualified to engage in the proposed activities.

Date of issuance: December 27, 1957.

For the Division of Licensing and Regulation.

E. R. PRICE,
Acting Director.

[F. R. Doc. 58-97; Filed, Jan. 6, 1958;
8:45 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. S-75]

AMERICAN EXPORT LINES, INC.

AMENDED NOTICE OF HEARING

The notice published in the FEDERAL REGISTER on July 6, 1957, concerning a public hearing to be held under section 605 (c) of the Merchant Marine Act, 1936, as amended, upon an application of American Export Lines, Inc., for a modification of the description of its subsidized service on Trade Route 18 and for an increase in its subsidized sailings on said service, from 22-26 to 34-50 per year, under its operating-differential subsidy agreement, is hereby amended to provide for a further modification of the description of the service operated by the Applicant on Trade Route No. 18 so as to include the privilege of calling at United States Gulf ports, but only for the purpose of carrying cargo to and from ports in the Persian Gulf. The amended service description would read as follows (with requested changes italicized):

Between United States Atlantic ports and (via the Suez Canal) ports in the Gulf of Suez, Red Sea, Gulf of Aden, Persian Gulf, Pakistan, India, Ceylon and Burma; with the privilege of calling at ports in Egypt, Palestine, Israel, Syria, Lebanon and North Atlantic Canadian ports (but not for cargo to or from the United States) and with the further privilege, when traffic offers, on and after November 1, 1949, of calling at any other ports within the limits of Lines D and F, as herein described, and with the further privilege of calling at United States Gulf ports, but only for the purpose of carrying cargo to or from ports in the Persian Gulf.

In all other respects the notice of July 6, 1957 remains unchanged.

The hearing will be before an Examiner, at a time and place to be announced, in accordance with the Federal Maritime Board's rules of practice and procedure and a recommended decision will be issued.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to intervene in the proceeding are requested to notify the Secretary of the Federal Maritime Board within fifteen (15) days from publication hereof, and should promptly file petitions for leave to intervene in accordance with said rules of practice and procedure.

Dated: December 31, 1957.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F. R. Doc. 58-99; Filed, Jan. 6, 1958;
8:45 a. m.]

FARRELL LINES, INC., ET AL.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 8238, between Farrell Lines Incorporated, Moore-McCormack Lines, Inc., and Koninklijke Java-China-Paketaart Lijnen N. V. (Royal Inter-ocean Lines), covers an arrangement for the interchange of tickets and exchange orders for the transportation of passengers making triangular tours in either direction using the service of Farrell Lines between United States and Africa, the service of Royal Inter-ocean Lines between Africa and South America, and the service of Moore-McCormack between South America and the United States.

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

Dated: December 31, 1957.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F. R. Doc. 58-100; Filed, Jan. 6, 1958;
8:46 a. m.]

AMERICAN PRESIDENT LINES, LTD., AND AMERICAN EXPORT LINES, INC.

NOTICE OF CANCELLATION OF AGREEMENT BY THE BOARD

Notice is hereby given that by order dated November 12, 1957, the Federal Maritime Board approved the cancellation of the following described agreement pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 2277, between American President Lines, Ltd. and American Export Lines, Inc., covering the transportation of cargo under through bills of lading from Honolulu, T. H., to Naples and Malta, with transshipment at New York, N. Y. This agreement was cancelled inasmuch as no cargo was being carried under said agreement and the parties thereto have no intention of carrying cargo under said agreement.

Dated: December 31, 1957.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F. R. Doc. 58-101; Filed, J
8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 9177]

CAPITAL AIRLINES, INC.; FLINT-GRAND RAPIDS ADEQUACY OF SERVICE INVESTIGATION

NOTICE OF PREHEARING CONFERENCE

In the matter of an investigation instituted to determine (a) whether Capital Airlines, Inc., is providing the cities of Flint and Grand Rapids, Michigan with adequate service as required by the terms of its certificate of public convenience and necessity; and (b) if not, whether the Board should issue an appropriate order to compel such air carrier to comply with the provisions of section 404 (a) of the act.

Notice is hereby given that a prehearing conference in the above-entitled investigation is assigned to be held on January 16, 1958, at 10:00 a. m., e. s. t., in Room 1510, Temporary Building No. 4, 17th Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., December 31, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 58-122; Filed, Jan. 6, 1958; 8:51 a. m.]

[Docket No. 9185]

KANAB-PAGE-GLEN CANYON AREA INVESTIGATION

NOTICE OF PREHEARING CONFERENCE

In the matter of the investigation of the need for air service in the Kanab-Page-Glen Canyon Area.

Notice is hereby given that a prehearing conference in the above-entitled investigation is assigned to be held on January 15, 1958 at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner William J. Madden.

Dated at Washington, D. C., December 31, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 58-123; Filed, Jan. 6, 1958; 8:51 a. m.]

[Docket No. 9175]

FLYING TIGER LINE, INC.

NOTICE OF PREHEARING CONFERENCE

In the matter of the application of The Flying Tiger Line, Inc., proposing service at Philadelphia by truck through Newark; service at Buffalo and Rochester by truck through Cleveland and/or Binghamton; and service at Milwaukee by truck exclusively, through Chicago Midway Airport.

Notice is hereby given that a prehearing conference in the above-entitled application is assigned to be held on

January 14, 1958, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner Edward T. Stodola.

Dated at Washington, D. C., December 31, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 58-124; Filed, Jan. 6, 1958; 8:51 a. m.]

[Docket No. 8680]

WORLD WIDE AIRLINES, INC., ENFORCEMENT CASE

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding now assigned to be held on January 8, 1958, is indefinitely postponed.

Dated at Washington, D. C., January 2, 1958.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 58-125; Filed, Jan. 6, 1958; 8:52 a. m.]

CIVIL SERVICE COMMISSION

CERTAIN OFFICE MACHINE OPERATOR POSITIONS IN THE SAN FRANCISCO, CALIF., AREA

NOTICE OF INCREASE IN MINIMUM RATES OF PAY

Under the provisions of section 803 of the Classification Act of 1949, as amended (68 Stat. 1106; 5 U. S. C. 1133), pursuant to 5 CFR 25.103, 25.105, the Commission has increased the minimum rates of pay as follows:

CARD PUNCH MACHINE OPERATION SERIES, GS-356

GS-3 to be increased to \$3,345 (3d step).
GS-4 to be increased to \$3,840 (6th step).
GS-5 to be increased to \$3,940 (3d step).

TABULATION MACHINE OPERATION SERIES, GS-358

GS-3 to be increased to \$3,685 (7th step).
GS-4 to be increased to \$3,925 (7th step).
GS-5 to be increased to \$4,480 (7th step).
GS-6 to be increased to \$4,890 (7th step).

TABULATION EQUIPMENT OPERATION SERIES, GS-359

GS-3 to be increased to \$3,685 (7th step).
GS-4 to be increased to \$3,925 (7th step).
GS-5 to be increased to \$4,480 (7th step).
GS-6 to be increased to \$4,890 (7th step).
GS-7 to be increased to \$5,335 (7th step).
GS-8 to be increased to \$5,780 (7th step).
GS-9 to be increased to \$6,250 (7th step).
GS-10 to be increased to \$6,320 (4th step).

These increases will be effective on the first day of the second pay period which begins after January 6, 1958 and will be applicable to all such positions in the San Francisco Bay area which is defined as follows: All of San Francisco and Alameda Counties; those portions of Marin, Sonoma, Napa, Solano, Contra Costa, and San Mateo Counties within a thirty mile radius of the city of San

Francisco; and that portion of Santa Clara County within a 35 mile radius of the city of San Francisco.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F. R. Doc. 58-117; Filed, Jan. 6, 1958; 8:50 a. m.]

FEDERAL CIVIL DEFENSE ADMINISTRATION

EXECUTIVE ASSISTANT ADMINISTRATOR ET AL.

DELEGATION OF AUTHORITY WITH RESPECT TO DETERMINATIONS CONCERNING FEDERAL SURPLUS PROPERTY

Caption 2 of the "Delegation of Authority With Respect To Determinations Concerning Federal Surplus Property," published in the FEDERAL REGISTER March 6, 1957 (22 F. R. 1424), which reads "Assistant Administrator, Operations Control Services," is amended to read:

2. Assistant Administrator, Resources and Requirements:

This amendment shall be effective November 1, 1957.

[SEAL] LEO A. HOEGH,
Administrator,
Federal Civil Defense Administration.

[F. R. Doc. 58-103; Filed, Jan. 6, 1958; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6794]

GULF STATES UTILITIES Co.

NOTICE OF APPLICATION

DECEMBER 30, 1957.

Take notice that on December 23, 1957, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Gulf States Utilities Company (Applicant), a corporation organized under the laws of the State of Texas and doing business in the States of Louisiana and Texas with its principal business office at Beaumont, Texas, seeking an order authorizing the issuance of 75,000 shares of \$— Dividend Preferred Stock, par value \$100 per share, to be issued February 1958. Applicant proposes to issue and sell said shares of Preferred Stock at competitive bidding. The proceeds from the issuance of the said Preferred Stock will initially reimburse the treasury of Applicant in part for construction expenditures heretofore made and will enable Applicant to pay off \$7,500,000 principal amount of its short-term notes to be outstanding as of the date of issuance of said Preferred Stock.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 20, 1958, file with the Federal Power Commission, Washington 25, D. C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8

or 1.10). The application is on file and available for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-104; Filed, Jan. 6, 1958;
8:47 a. m.]

[Docket No. G-4610]

TEXAS EASTERN TRANSMISSION CORP. AND
TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF APPLICATION

DECEMBER 30, 1957.

Take notice that on December 4, 1957, Texas Eastern Transmission Corporation (Texas Eastern) and Transcontinental Gas Pipe Line Corporation (Transco), filed in Docket No. G-4610 a joint petition to amend the Commission's order of July 5, 1955, issuing a certificate of public convenience and necessity in said docket.

The purpose of the amendment sought herein is to add a new point of interconnection between the systems of the two Applicants to the four existing points of interconnection previously authorized in Docket No. G-4610, pursuant to a new agreement between said Applicants dated September 23, 1957, which agreement adds the proposed new delivery point, but retains unchanged the provision for the four delivery points established in the agreement of April 28, 1954, which is hereby superseded. The provision for gas-for-gas exchange between Texas Eastern and Transco to be made within 60 days from the date the initial deliveries are made continues in force.

The instant petition seeks authority to construct and operate a tap on Texas Eastern's 30-inch South Louisiana line near its St. Francisville Compressor Station in West Feliciana Parish, Louisiana, and approximately 1.88 miles of 14-inch pipeline from that point to Transco's Compressor Station No. 6 in East Feliciana Parish, Louisiana. Transco proposes to construct the necessary metering facilities.

Further details are set forth in the joint petition to amend which is on file with the Commission and open to public inspection.

This matter should be disposed of as promptly as possible under the applicable rules and regulations of the Commission, and to that end:

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 24, 1958.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-105; Filed, Jan. 6, 1958;
8:47 a. m.]

[Docket No. G-13230]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 30, 1957.

Take notice that on September 6, 1957, Consolidated Gas Utilities Corporation

(Applicant), filed an application, pursuant to section 7 of the Natural Gas Act, for authority to abandon in part the natural gas service it is presently rendering to Cities Service Gas Company (Cities Service) from the Chickasha and Cement gas fields, Grady County, Oklahoma, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

It appears that, pursuant to a contract dated September 6, 1949, Applicant sells and delivers to Cities Service up to 90,000 Mcf per day of natural gas from the Cement and Chickasha gas fields, and a minimum quantity of five million Mcf during each of two half-yearly periods in each year. Cities Service returns a portion of the volumes to Applicant at a point near Blackwell, Oklahoma. Cities Service purchases the remainder of the aforesaid volumes from Applicant.

Consolidated is required to deliver the gas at pressures sufficient to enter Cities Service's pipeline but not exceeding 750 pounds psig, and is not obligated to construct more than 1200 horsepower of compression facilities to maintain these delivery pressures. On November 25, 1949 Applicant was authorized in Docket No. G-1278 to construct and operate a 1200 horsepower compressor station to effect the delivery to Cities Service.

Consolidated now states that pressures in the Cement and Chickasha fields have declined to the point that it cannot deliver the contract volumes to Cities Service without additional compression. Since it is not obligated to install more than the 1200 horsepower of compression facilities authorized in Docket No. G-1278, it desires to reduce the contract volumes to 45,000 Mcf per day and 2.5 million Mcf during each half-yearly period. Applicant and Cities Service have amended their contract of September 6, 1949 to reflect these reduced deliveries.

No abandonment of facilities is involved, nor will there be any change in rate or terms of service for redelivery of gas by Cities Service to Applicant at Blackwell, Oklahoma.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 30, 1958 at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 24, 1958. 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] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-106; Filed, Jan. 6, 1958;
8:47 a. m.]

[Docket No. G-13252 etc.]

EL PASO NATURAL GAS CO. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 30, 1957.

In the matters of El Paso Natural Gas Company, Docket No. G-13252; Phillips Petroleum Company, Docket No. G-13655; Cabot Carbon Company, Docket No. G-13383.

Take notice that on September 10, 1957, El Paso Natural Gas Company (El Paso) filed in Docket No. G-13252 an application pursuant to section 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities by which an additional 16,500 Mcf per day of natural gas (14.9 psia) will be made available to its system by Phillips Petroleum Company (Phillips) at its McElroy-Crane Plant, Crane County, Texas, and a new supply of 4,000 Mcf per day of natural gas (14.65 psia) will be made available by Cabot Carbon Company (Cabot) at its King Plant, Lea County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The proposed facilities and their estimated costs are:

McELROY-CRANE PLANT (PHILLIPS)

(1) Additional 4,050 horsepower at compressor station.....	\$1,041,000
(2) Purification and Dehydration Plant.....	1,153,000
(3) General Overhead and Contingencies.....	220,000
Total.....	2,414,000

KING PLANT (CABOT)

(1) 4,350 feet of 4½-inch O. D. pipeline extending from the plant to El Paso's 30-inch transmission line.....	\$7,800
(2) Meter Station.....	4,000
(3) General Overhead and Contingencies.....	1,200
Total.....	13,000

On November 5, 1957, Phillips filed an application for amendment of the certificate issued to it in Docket No. G-2611 so as to increase the maximum delivery of gas to El Paso from the McElroy-Crane Plant by 16,500 Mcf per day. The present filing was assigned Docket No. G-13655 and treated as a new application. This application therefore, is in the nature of an application for

amendment of the certificate heretofore issued in Docket No. G-2611.

On October 18, 1957, Cabot filed in Docket No. G-13383 an application for a certificate of public convenience and necessity authorizing the sale to El Paso of 4,000 Mcf of natural gas per day at its King Plant.

El Paso states that the additional volume to be obtained from Phillips and the new supply to be obtained from Cabot are presently being flared. The cost of the proposed facilities will be financed by El Paso from current working funds.

These related matters should be heard on a consolidated record and 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 February 4, 1958, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceeding 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 Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 21, 1958. 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] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-107; Filed, Jan. 6, 1958;
8:48 a. m.]

[Docket No. G-14057]

SKELLY OIL CO.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGES IN RATES

DECEMBER 30, 1957.

Skelly Oil Company (Respondent), on December 3, 1957, tendered for filing proposed changes in certain of its rate schedules presently in effect for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of changes, dated November 29, 1957.

Purchaser: Lone Star Gas Company.

Rate schedule designation: (1) Supplement No. 1 to Respondent's FPC Gas Rate

No. 4—4

Schedule No. 53: (2) Supplement No. 1 to Respondent's FPC Gas Rate Schedule No. 52.

Effective date: January 3, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed periodic rate increases, Respondent states that the provisions of the contract were arrived at through arm's-length bargaining. Respondent also states that costs are increasing and contends that the proposed increase gives effect to the necessity for recognizing the integrity of the contract.

The increased rates and charges so proposed have 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 changes, and that the said supplements to Respondent's rate schedules, described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in said supplements to Respondent's rate schedules.

(B) Pending such hearing and decision thereon, said supplements be and they hereby are suspended and the use thereof deferred for a period of five months from and after the "effective date" set forth in the first paragraph hereof, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules 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.

(D) 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)).

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-108; Filed, Jan. 6, 1958;
8:48 a. m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 174]

ILLINOIS

DECLARATION OF DISASTER AREA

Whereas, it has been reported that during the month of December 1957,

because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Illinois;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the Offices below indicated from persons or firms whose property situated in the following Counties (including any areas adjacent to said Counties) suffered damage or other destruction as a result of the catastrophe hereinafter referred to:

Counties: Jackson, Jefferson, Madison, Randolph and Perry (tornadoes occurring on or about December 18).

Offices: Small Business Administration Regional Office, Dierks Building, 1006 Grand Avenue, Kansas City 2, Mo. Small Business Administration Branch Office, New Federal Building, Room 630, 1114 Market Street, St. Louis 1, Mo.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to June 30, 1958.

Dated: December 19, 1957.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 58-112; Filed, Jan. 6, 1958;
8:49 a. m.]

[Declaration of Disaster Area 175]

MISSOURI

DECLARATION OF DISASTER AREA

Whereas, it has been reported that during the month of December, 1957, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Missouri;

Whereas the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953,

as amended, may be received and considered by the Offices below indicated from persons or firms whose property situated in the following Counties (including any areas adjacent to said Counties) suffered damage or other destruction as a result of the catastrophe hereinafter referred to:

Counties: Lincoln, Perry, Cape Girardeau, Scott, St. Francois, and St. Louis (Tornadoes occurring on or about December 18).

Offices: Small Business Administration Regional Office, Dierks Building, 1006 Grand Avenue, Kansas City 2, Mo. Small Business Administration Branch Office, New Federal Building, Room 630, 1114 Market Street, St. Louis 1, Mo.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to June 30, 1958.

Dated: December 19, 1957.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 58-113; Filed, Jan. 6, 1958;
8:49 a. m.]

[Declaration of Disaster Area 176]

FLORIDA

DECLARATION OF DISASTER AREA

Whereas, it has been reported that during the month of December 1957, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Florida;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the Offices below indicated from persons or firms whose property situated in the following Counties (in-

cluding any areas adjacent to said Counties) suffered damage or other destruction as a result of the catastrophe hereinafter referred to:

Counties: Collier, Broward, Palm Beach, Hendry, Lee, Charlotte, Glades, Martin, St. Lucie, Highlands, De Soto, Sarasota, Hardee, Manatee, Okeechobee, Indian River, Hillsborough, Pasco, Osceola, Brevard, Orange, Hernando, Citrus, Seminole, Volusia, Marion, Sumter, Flagler, Dixie, Polk, Putnam, Pinellas, Baker, Duval, Clay, St. Johns and Alachua (Freeze).

Offices: Small Business Administration Regional Office, 90 Fairlie Street NW., Atlanta 3, Ga. Small Business Administration Branch Office, Pacific Building, Room 310, 327 Northeast First Avenue, Miami 32, Fla.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to June 30, 1958.

Dated: December 20, 1957.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 58-114; Filed, Jan. 6, 1958;
8:50 a. m.]