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Washington, Friday, August 28, 1959

Title 7—AGRICULTURE

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

PART 728—WHEAT

Subpart—1960-61 Marketing Year

PROCLAMATION OF RESULTS OF MARKETING QUOTA REFERENDUM

Section 728.1009 is issued to announce the results of the wheat marketing quota referendum for the marketing year, July 1, 1960, through June 30, 1961, under the provisions of the Agricultural Adjustment Act of 1938, as amended. The Secretary proclaimed a national marketing quota for wheat for the 1960-61 marketing year (24 F.R. 4507). The Secretary announced (24 F.R. 4524) that a referendum would be held on July 23, 1959, to determine whether or not wheat producers were in favor of or opposed to marketing quotas for the marketing year July 1, 1960, through June 30, 1961. Since the only purpose of this proclamation is to announce results of the referendum, it is found and determined that with respect to this proclamation application of the notice and procedure provisions of the Administrative Procedure Act is unnecessary.

§ 728.1009 Proclamation of the results of the wheat marketing quota referendum for the marketing year 1960-61.

In a referendum of farmers who will be subject to quotas on the 1960 crop of wheat held on July 23, 1959, 210,187 eligible farmers voted. Of those voting 169,760 or 80.8 percent favored quotas for the marketing year beginning July 1, 1960. Therefore, wheat marketing quotas will be in effect for the 1960-61 marketing year.

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375)

Issued at Washington, D.C., this 24th day of August 1959.

CLARENCE D. PALMBY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-7172; Filed, Aug. 27, 1959; 8:50 a.m.]

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

PART 958—IRISH POTATOES GROWN IN COLORADO

Limitation of Shipments; Area No. 2

Findings. (a) Marketing Agreement No. 97, and Order No. 58 (7 CFR Part 958), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), provide methods for limiting the handling of potatoes grown in the areas defined therein through the issuance of regulations authorized in §§ 958.1 through 958.88, inclusive, of the order. The area committee for Area No. 2, pursuant to § 958.19 of the order, has recommended that regulations limiting the handling of 1959 crop potatoes should be issued. The recommendations of the committee and information submitted by it, with other available information, have been considered and it is hereby found that the limitation of shipments hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (3) compliance with this section will not require any special preparation on the part of handlers which cannot be completed by the effective date, (4) reasonable time is permitted, under the circumstances, for such preparation, and (5) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

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§ 958.331 Limitation of shipments.

During the period from August 31, 1959 through June 30, 1960, no person shall ship any lot of potatoes grown in Area No. 2 unless such potatoes meet the following requirements. The requirements of paragraph (b) shall terminate on October 10, 1959.

(a) *Minimum grade and size requirements*—(1) *Grade*. All varieties: U.S. No. 2, or better, grade.

(2) *Size*. (i) Red McClure variety: 2 inches minimum diameter, Size A.

(ii) Other round varieties: 2 inches minimum diameter.

(iii) Long varieties: 2 inches minimum diameter or 4 ounces minimum weight.

(b) *Minimum maturity requirements*. (1) Red McClure and Russet Burbank varieties: Not more than "slightly skinned."

(2) All other varieties: Not more than "moderately skinned".

(c) *Definitions*. The terms "U.S. No. 2 grade", "Size A", "slightly skinned", and "moderately skinned" shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540 to 51.1556 of this title), including the tolerances set forth therein. Other terms used in this section shall have the same meaning as when

used in said Marketing Agreement and Order.

(Secs. 1-9, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: Aug. 25, 1959, to become effective August 31, 1959.

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

[F.R. Doc. 59-7157; Filed, Aug. 27, 1959; 8:47 a.m.]

[Avocado Order 9, Amdt. 9]

PART 969—AVOCADOS GROWN IN SOUTH FLORIDA

Container Regulations

In Federal Register Document 59-6370 appearing at page 6155 of the issue of Friday, July 31, 1959, the inside dimensions of fiberboard cartons 13½ x 16½ x 4½ inches in § 989.309(a) (1) (vi) should read 13½ x 16½ x 4½ inches.

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

AUGUST 25, 1959.

[F.R. Doc. 59-7156; Filed, Aug. 27, 1959; 8:47 a.m.]

PART 989—RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

Subpart—Administrative Rules and Regulations

MISCELLANEOUS AMENDMENTS

The Raisin Administrative Committee has recommended an amendment of § 989.158 of the administrative rules and regulations as amended (Subpart—Administrative Rules and Regulations; 7 CFR 989.101-989.180; 24 F.R. 1981). The said committee and the rules and regulations are effective pursuant to, and for operations under, Marketing Agreement No. 109, as amended, and Order No. 89, as amended (7 CFR Part 989), regulating the handling of raisins produced from raisin variety grapes grown in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

To meet the inspection requirement of § 989.58(d), § 989.158(a) (3) requires that all natural condition raisins received by a packer be inspected at his inspection point where received; and such requirement cannot be satisfied by means of an inspection which is performed prior to receipt. Such natural condition raisins include raisins produced by dehydrators subjecting raisin variety grapes to artificial heat (such raisins being referred to herein as "dehydrated raisins"). Program operations under this inspection requirement indi-

cate that such requirement with respect to dehydrated raisins may be too restrictive. Under some circumstances and with adequate safeguards, the mandatory inspection of such dehydrated raisins could be performed on the premises where the dehydrated raisins were produced. Such inspection thus would be performed prior to a packer's receiving the dehydrated raisins at his inspection point. Inspection of dehydrated raisins on the premises of the dehydrator would facilitate the production of standard raisins and further the attainment of the raisin quality control objectives of this regulatory program. The amendment of § 989.158 as hereinafter set forth would permit such inspection, under proper safeguards, of dehydrated raisins to be performed on the premises of the dehydrators producing them to satisfy the inspection requirement prescribed in § 989.58(d). A packer receiving such inspected raisins direct from the dehydrator's premises would not need to have them inspected when they are unloaded at his inspection point, as currently required.

Upon the basis of the foregoing and consideration of all relevant information, including the committee's recommendation, it is concluded that to amend the administrative rules and regulations as hereinafter set forth to become effective at the time hereinafter provided will tend to effectuate the declared policy of the act.

Therefore, it is hereby ordered, That § 989.158 (7 CFR 989.158) of Subpart—Administrative Rules and Regulations (7 CFR 989.101-989.180; 24 F.R. 1981) be, and the same hereby is, amended in the following respects:

1. Amend § 989.158(a) (3) to read as follows:

(3) For each lot of natural condition raisins received by a handler for acquirement, reconditioning, storage, or inspection, the handler shall, immediately upon physical receipt and tentative acceptance thereof, issue a prenumbered (numbered serially in advance) door receipt or weight certificate showing the name and address of the tenderer, the weight of the lot, the number and type of containers in the lot, and any other information necessary to identify the lot. For the purpose of identifying incoming lots of raisins, other than dehydrated raisins covered by paragraph (e) of this section, a handler, if it is impracticable for him to issue immediately a door receipt or weight certificate, may issue for temporary use only a prenumbered "Request for USDA Inspection" on a form furnished by the committee. Any raisins so received by a handler, other than dehydrated raisins covered by paragraph (e) of this section, shall be inspected at an inspection point during the unloading process, and if certified as standard raisins shall, upon acceptance by the handler, either be acquired by him or received by him for storage on memorandum receipt, as the case may be: *Provided*, That in the absence of an inspector to perform inspection during unloading, the handler shall not permit unloading to occur unless such absence

is during normal business hours and the handler has a written statement from the inspection agency to the effect that inspection service cannot be furnished within a reasonable time: *And provided further*, That the raisins so unloaded shall be inspected promptly upon an inspector being available. It shall be the handler's responsibility in any case to arrange for the inspection, other than with respect to dehydrated raisins covered by paragraph (e) of this section, and to furnish weight certificates promptly for all raisins received. The inspection certificate covering any lot of off-grade raisins shall state whether or not such off-grade raisins are storable. One of the tenderer's or handler's options (as referred to in § 989.58(e)), with respect to any raisins which do not meet the applicable minimum grade standards, shall be exercised within five business days after inspection or three business days after issuance of the inspection certificate, whichever is later: *Provided*, That these time limits may be extended by the committee under such conditions as it may deem necessary in the circumstances. Any such lot of off-grade raisins shall, pending the exercise of one of the options, be identified by fixing to each pallet a prenumbered RAC control card (to be furnished by RAC), and kept separate and apart from any other raisins in the handler's possession. In the event the handler does not normally use pallets in his operation the RAC control card shall be affixed to one or more of the containers in each lot. The RAC control card shall remain fixed to each pallet or container as the case may be, until such raisins have been reconditioned, or have been delivered to the handler for the account of the committee, or have been returned to the person making the tender.

2. Add, at the end of § 989.158, a new paragraph (e) as follows:

(e) *Inspection of raisins on dehydrator's premises*—(1) *Application and agreement for dehydrator on-premise inspection.* (i) Any dehydrator may submit to the committee for approval, and the committee may approve, in accordance with the provisions of this paragraph an application and agreement, on a form furnished by the committee, for dehydrator on-premise inspection of natural condition raisins produced by the dehydrator by subjecting raisin variety grapes to artificial heat. Raisins so produced are referred to in paragraph (a) (3) of this section and in this paragraph as "dehydrated raisins."

(ii) The provisions of the application and agreement shall include at least the following:

(a) That the dehydrator shall request the inspection agency to inspect all dehydrated raisins which the dehydrator produces and to issue a related memorandum report of inspection at the time of loading any quantity of such raisins for delivery to a packer's inspection point;

(b) That the dehydrator has arranged with the inspection agency for the necessary inspection service to be per-

formed by the agency, and the dehydrator will submit to the committee a statement from the inspection agency that the dehydrator has adequate facilities for the inspection service and that such arrangements have been made;

(c) That all necessary reconditioning of dehydrated raisins, identification and segregation of raisins, and movement of inspected dehydrated raisins on or from dehydrator's premises shall be done in such manner and under such conditions as the inspection agency may require;

(d) That the dehydrator shall furnish to the packer to whose inspection point the inspected dehydrated raisins are delivered, at the time of the packer's receipt of such raisins, the original and one copy of the memorandum report of inspection covering such raisins;

(e) That the dehydrator shall maintain such records and furnish such reports and permit access to such records and dehydrator's premises as provided in the application and agreement; and

(f) That the application and agreement may be suspended or terminated as provided therein.

(iii) The committee will notify raisin packers of each dehydrator whose application and agreement has been approved by the committee (such dehydrator is referred to in this subpart as "authorized dehydrator"); similarly, the committee will notify packers of each suspension or termination of a previously approved application and agreement.

(2) *Delivery of inspected dehydrated raisins.* Any dehydrated raisins that (i) are inspected on an authorized dehydrator's premises where produced, (ii) are moved promptly and directly to a packer's inspection point from such premises of the authorized dehydrator, (iii) with respect to which the applicable memorandum report of inspection is furnished to the packer, and (iv) are otherwise in compliance with the provisions of such approved application and agreement and this paragraph, shall be considered as having met the requirement, pursuant to § 989.58(d), that such packer shall cause an inspection to be made of such natural condition raisins received by him. Further, with respect to such dehydrated raisins received by the packer, the packer shall comply with all applicable requirements and procedures of this part (including, but not limited to, inspection after any necessary reconditioning and the inspection prescribed in § 989.59).

(3) *Packer's obligations.* Immediately upon a packer's receiving any such dehydrated raisins (which were inspected on an authorized dehydrator's premises) together with the applicable memorandum report of inspection, the packer shall enter the net weight and scale ticket number on such memorandum report of inspection. The packer shall give to the inspector at the packer's inspection point where the dehydrated raisins were received a copy of such memorandum report. Whenever a packer receives off-grade raisins from an authorized dehydrator he shall so advise the inspector at the packer's inspection point at the time of such

receipt; and such raisins shall not be unloaded except in the presence of the inspector or in accordance with such prior arrangements as may have been made by the packer and the inspection agency.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule-making procedure, and that good cause exists for not postponing the effective time hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011), in that: (1) This amendatory action affords the opportunity to dehydrators to obtain prescribed on-premise inspection of dehydrated raisins they produce; (2) since the production of dehydrated raisins from 1959 crop raisin variety grapes is under way, it is necessary that this amendment become effective immediately so that dehydrators and packers may avail themselves of the benefits derivable from the on-premise inspection services for as much of this season's operation as possible; (3) packers and dehydrators are aware of the proposed amendatory action and that it was recommended by the committee; (4) such persons require no additional notice in order to prepare for or utilize the prescribed inspection; and (5) this amendatory action relieves packers of an otherwise mandatory inspection of raisins received. In these circumstances, this amendment should become effective upon execution.

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

Executed August 24, 1959, to become effective upon execution.

G. R. GRANGE,
Acting Director,
Fruit and Vegetable Division.

[F.R. Doc. 59-7158; Filed, Aug. 27, 1959;
8:47 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Defense

Effective upon publication in the FEDERAL REGISTER, subparagraph (27) is added to § 6.304(a) as set out below.

§ 6.304 Department of Defense.

(a) *Office of the Secretary.* * * *

(27) One Special Assistant to the Assistant to the Secretary of Defense (Legislative Affairs).

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

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

[F.R. Doc. 59-7167; Filed, Aug. 27, 1959;
8:49 a.m.]

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC TECHNICAL AND PROFESSIONAL POSITIONS

Student Trainee

Correction

In F.R. Doc. 59-7001, appearing at page 6829 of the issue for Saturday, August 22, 1959, the center heading reading "Department of the Interior; Student Trainee" should read "Student Trainee".

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER B—COOPERATIVE CONTROL AND ERADICATION OF ANIMAL DISEASES

PART 53—FOOT-AND-MOUTH DISEASE, PLEUROPNEUMONIA, RINDERPEST, AND OTHER CONTAGIOUS OR INFECTIOUS ANIMAL DISEASES WHICH CONSTITUTE AN EMERGENCY AND THREATEN THE LIVESTOCK INDUSTRY OF THE COUNTRY

Determination of Existence of Disease; Agreements With States

Pursuant to the provisions of sections 3 and 11 of the Act of May 29, 1884, as amended (23 Stat. 32, 58 Stat. 734) and section 2 of the Act of February 2, 1903 (32 Stat. 792; 21 U.S.C. 114, 111, 114a) §§ 53.1 and 53.9 of the regulations pertaining to payment of indemnities for animals destroyed because of foot-and-mouth disease, pleuropneumonia, rinderpest, and other contagious and infectious animal diseases (9 CFR, 1958 Supp. Part 53), are hereby amended in the following respects:

§ 53.1 [Amendment]

1. A new paragraph (j) is added to § 53.1 to read:

(j) "Mortgage" means any mortgage, lien or other security or beneficial interest held by any person other than the one claiming indemnity.

2. Section 53.9 is amended to read:

§ 53.9 Mortgage against animals or materials.

When animals or materials have been destroyed pursuant to the requirements contained in this part, any claim for indemnity shall be presented on forms furnished by the Division on which the owner of the animals or materials shall certify that the animals or materials covered thereby, are, or are not, subject to any mortgage as defined in this part. If the owner states there is a mortgage, forms furnished by the Division shall be signed by the owner and by each person holding a mortgage on the animals or

materials, consenting to the payment of any indemnity allowed to the person specified thereon.

(Sec. 11, 58 Stat. 734, *as amended*, 67 Stat. 493; 21 U.S.C. 114, 111, 114a)

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

The purposes of the revisions contained in this amendment are (1) to clarify the language in § 53.9 of this part by specifically designating the party to whom indemnity will be paid and (2) to bring § 53.9 into closer conformity with § 51.8 of this subchapter and (3) to facilitate preparation of forms for use in connection with the requirements of Part 53.

It is believed the amendment will facilitate the payment of indemnity claims involving mortgaged animals and will therefore be of benefit to affected persons. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 24th day of August 1959.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 59-7159; Filed, Aug. 27, 1959;
8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER B—ECONOMIC REGULATIONS

[Reg. ER-279]

PART 240—INSPECTION OF ACCOUNTS AND PROPERTY

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of August 1959.

The purpose of this amendment is to conform Part 240 to recent legislative changes whereby the Civil Aeronautics Act of 1938, as amended (52 Stat. 973), was repealed and superseded by the Federal Aviation Act of 1958 (see 72 Stat. 731, 806, 809) and to reflect the meaning of the terms "special agent" and "auditor" now appearing in section 407(e) of the latter statute (72 Stat. 766) as construed in the Board's Public Notice No. 12 published in the FEDERAL REGISTER on May 1, 1958 (23 F.R. 2946).

Since this amendment merely clarifies a regulation without effecting any substantive change, notice and public proceedings hereon are not required and the amendment may be made effective upon publication in the FEDERAL REGISTER.

Accordingly, the Civil Aeronautics Board hereby amends Part 240 of the

Economic Regulations, effective August 28, 1959, as follows:

1. Substitute the words "Federal Aviation Act of 1958" for the words "Civil Aeronautics Act" in the first sentence of § 240.1.

2. Revise § 240.1(b) to read:

(b) The terms "special agent" and "auditor" are respectively construed to mean (1) any employee of the Office of Compliance, any employee of the Bureau of Safety, and any other employee of the Board specifically designated by it or by the Chief, Office of Administration; and (2) any employee of the Field Audits Division, Office of Carrier Accounts and Statistics.

3. Add a new paragraph (d) to § 240.1 to read:

(d) Any identification card and credentials heretofore issued to any such employee of the Board referring to section 407(e) or section 702(c) of the Civil Aeronautics Act of 1938, as amended, shall be deemed amended to refer, respectively, to section 407(e) or section 701(c) of the Federal Aviation Act of 1958 and shall continue in effect according to their terms until modified, superseded, or recalled by the Board.

4. Revise the citations pertinent to the authority for the regulation to read:

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 407(e) and 701(c); 72 Stat. 766, 781; 49 U.S.C. 1377, 1441)

5. Substitute the words "Federal Aviation Act of 1958," for the words "Civil Aeronautics Act of 1938, as amended," in the form annexed to Part 240.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 407, 701, 72 Stat. 766, 781; 49 U.S.C. 1377, 1441)

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 59-7168; Filed, Aug. 27, 1959;
8:50 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 98; Amdt. 36]

PART 507—AIRWORTHINESS DIRECTIVES

Miscellaneous Amendments

In order to provide for inspection of metal tail rotor blades prior to each flight instead of daily on float equipped Bell 47 helicopters, a revision of airworthiness directive 59-5-1 is necessary.

Boeing 707 airworthiness directive 59-15-1 is amended to eliminate the requirement for removal of straps around main landing gear truck beams on subsequent inspections unless damage is apparent.

For the reasons stated above, the Administrator finds that corrective action is required in the interest of safety, that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, § 507.10(a) is amended as follows:

1. 59-5-1 Bell, as it appeared in 24 F.R. 3754, is revised by deleting the last word in the first paragraph "daily" and inserting "as indicated", and by adding the following items:

(4) Tail rotor blades, installed on float equipped helicopters or which have had any service time on float equipped helicopters, shall be inspected prior to each flight.

(5) Tail rotor blades installed on helicopters not operated on floats shall be inspected daily.

2. 59-15-1 Boeing, as it appeared in 24 F.R. 6156, is amended by adding, "Subsequent inspections do not require removal of straps unless damage in adjacent areas indicate need for strap removal."

This amendment shall become effective immediately.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423.)

Issued in Washington, D.C., on August 24, 1959.

E. R. QUESADA,
Administrator.

AUGUST 24, 1959.

[F.R. Doc. 59-7136; Filed, Aug. 27, 1959;
8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7456 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Arnold T. Smith and Smith's Fur Shop

Subpart—*Invoicing products falsely*: § 13.1108 *Invoicing products falsely*: Fur Products Labeling Act. Subpart—*Misbranding or mislabeling*: § 13.1190 *Composition*: Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: Fur Products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure*: § 13.1852 *Formal regulatory and statutory requirements*: Fur Products Labeling Act; § 13.1880 *Old, used, reclaimed, or reused as unused or new*: Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Arnold T. Smith trading as Smith's Fur Shop, Pittsburgh, Pa., Docket 7456, July 15, 1959]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a furrier in Pittsburgh, Pa., with violating the Fur Products Labeling Act by setting forth on labels and invoices the name of an animal other than that producing certain fur, by misuse of the term "blended" on labels, by failing to set forth information with regard to "new fur" or "used fur" added to fur products that had been repaired or restyled, and by falling in other

respects to comply with labeling and invoicing requirements.

Based on a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on July 15 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Arnold T. Smith, an individual trading as Smith's Fur Shop, or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising, or offering for sale, in commerce, or the transportation or distribution, in commerce, of fur products, or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur when such is the fact;

(5) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale, in commerce, or transported or distributed it in commerce;

(6) The name of the country of origin of any imported furs contained in a fur product;

(7) The item number or mark assigned to a fur product.

B. Setting forth on labels affixed to fur product:

(1) Information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form;

(2) The term "blended" as part of the information required under section 4(2) of the Fur Products Labeling Act, and the rules and regulations promulgated thereunder to describe the pointing, bleaching, dyeing or tip-dyeing of furs;

(3) Information required under section 4(2) of the Fur Products Labeling

Act and the rules and regulations promulgated thereunder, mingled with non-required information;

(4) Information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting.

C. Failing to set forth the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in letters of equal size and conspicuousness.

D. Failing to set forth the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in the required sequence.

E. Setting forth on labels attached to fur products the name or names of any animal or animals other than the name or names provided for in section 4(2) (A) of the Fur Products Labeling Act.

2. Falsely or deceptively invoicing fur products by:

A. Failing to furnish invoices to purchasers of fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) The name and address of the person issuing such invoice;

(6) The name of the country of origin of any imported furs contained in a fur product;

(7) The item number or mark assigned to a fur product.

B. Setting forth on invoices pertaining to fur products the name or names of any animal or animals other than the name or names provided for in section 5(b) (1) of the Fur Products Labeling Act.

C. Setting forth information required under section 5(b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

D. Failing to set forth the information required under section 5(b) (1) of the Fur Products Labeling Act and the rules and regulations thereunder with respect to "new fur" or "used fur" added to fur products that have been repaired, restyled or remodeled.

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

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

Issued: July 15, 1959.

By the Commission.

[SEAL]

ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-7139; Filed, Aug. 27, 1959;
8:45 a.m.]

[Docket 7467 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Quality Furs, Inc., et al.

Subpart—*Advertising falsely or misleadingly*: § 13.155 *Prices*: Fictitious marking. Subpart—*Furnishing means and instrumentalities of misrepresentation or deception*: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*. Subpart—*Invoicing products falsely*: § 13.1108 *Invoicing products falsely*: Fur Products Labeling Act. Subpart—*Misrepresenting oneself and goods*—*Prices*: § 13.1810 *Fictitious marking*. Subpart—*Neglecting, unfairly or deceptively to make material disclosure*: § 13.1852 *Formal regulatory and statutory requirements*: Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Quality Furs, Inc., et al., New York, N.Y., Docket 7467, July 15, 1959]

In the Matter of Quality Furs, Inc., a Corporation, and Herman Suskind and Peter Manthus, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a furrier in New York City with violating the Fur Products Labeling Act by pricing fur products fictitiously on consignment invoices to customers, by failing to maintain adequate records as a basis for such pricing claims, and by failing in other respects to comply with invoicing and labeling requirements.

After acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became on July 15 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Quality Furs, Inc., a corporation, and its officers, and Herman Suskind and Peter Manthus, individually and as officers 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 introduction, into commerce, or the sale, advertising or offering for sale, transportation or distribution, in commerce, of fur products, or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation or distribution of fur products, which have been made in whole or in part of fur which has been shipped and received in commerce, as

"commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies or waste fur when such is the fact;

(5) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale, in commerce, or transported or distributed it in commerce;

(6) The name of the country of origin of any imported furs contained in a fur product.

B. Setting forth on labels affixed to fur products information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder mingled with non-required information.

2. Falsely or deceptively invoicing fur products by:

A. Failing to furnish invoice to purchasers of fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(2) That the fur product contains or is composed of used fur, when such is the fact;

(3) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) The name and address of the person issuing such invoice;

(6) The name of the country of origin of any imported furs contained in a fur product.

B. Setting forth information required under section 5(b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

C. Representing, directly or by implication, that the respondents' regular or usual price of any fur product is any amount in excess of the price at which the respondents have usually and customarily sold such product in the recent regular course of business.

D. Representing, directly, or by implication, that any person's regular or

usual price of any fur product is any amount in excess of the price at which such person has usually and customarily sold such product in the recent regular course of business.

3. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products, and which:

(a) Represents, directly or by implication, that the respondents' regular or usual price of any fur product is any amount in excess of the price at which the respondents have usually and customarily sold such product in the recent regular course of business;

(b) Represents, directly or by implication, that any person's regular or usual price of any fur product is any amount in excess of the price at which such person has usually and customarily sold such product in the recent regular course of business.

(c) Misrepresents in any manner the savings available to purchasers of respondents' fur products.

4. Making claims or representations in advertisements respecting prices or values of fur products unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

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: July 15, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-7140; Filed, Aug. 27, 1959;
8:45 a.m.]

determined that the following proposed amendment shall become effective upon publication in the FEDERAL REGISTER.

In § 20.10 *Zion and Bryce Canyon National Parks*, paragraphs (a) and (b) are amended to read as follows:

(a) *Limitations on load, weight, and size of vehicles*—(1) *Maximum size of vehicles.*

	Feet
Total width of vehicle, including load	8
Total height of vehicles with load	10½
Total length of single vehicle	35
Total length of combination of vehicles	55

(2) *Maximum weight of vehicles.* The load limits on single axles, wheels and tires, and the maximum gross weight of vehicles and loads, shall be the same as the limits prescribed by the laws of Utah.

(b) *Prohibited vehicles.* (1) The Zion-Mt. Carmel Road within the park shall be open to commercial truck traffic only during those times (approximately from October 1 to June 1) when the Zion-Bryce Canyon Approach Road, Utah State Route 14, is closed to such traffic.

(2) During the period October 1 to June 1, vehicles exceeding 30,000 pounds gross vehicle weight will be permitted over park roads throughout the 24-hour day. Before and after this period such vehicles will be permitted to operate over park roads only when Utah 14 is closed to such traffic, and then only during the hours of 10 p.m. and 6 a.m. local standard time.

Nothing in this section shall be construed to prohibit vehicles complying with Utah State weight and size limitations, owned by the Federal, State or county government, from passage over park roads when used in connection with official operations.

(Sec. 3, 39 Stat. 535, as amended; 16 U.S.C. 3)

Issued this 27th day of July 1959.

PAUL R. FRANKE,
Superintendent,
Zion National Park.

[F.R. Doc. 59-7165; Filed, Aug. 27, 1959;
8:48 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service,
Department of the Interior

PART 20—SPECIAL REGULATIONS

Zion and Bryce Canyon National Parks

By notice of proposed rule making published in the FEDERAL REGISTER on May 28, 1959 (24 F.R. 4305), interested persons were invited to submit written comments, suggestions or objections on the proposed amendment to the Superintendent, Zion National Park, Springdale, Utah, within thirty days from the date of publication of the notice in the FEDERAL REGISTER.

Consideration having been given to all relevant matters presented, it has been

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Manage-
ment, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1952]

[Juneau 011291]

[1902651]

ALASKA

Withdrawing Public Lands for Use of
the Forest Service as Cascade Creek
Public Service Site; Partially Revok-
ing Public Land Order No. 786 of
January 5, 1952

By virtue of the authority vested in
the President and pursuant to Execu-

tive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral-leasing laws nor the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604) as amended, and reserved for use of the Forest Service, Department of Agriculture, as the Cascade Creek Public Service Site:

Beginning at Corner #3, on North corner of lot 10, U.S. Survey #2418, thence S 30°00' E 396 feet, more or less, to corner 2 of lot 10 of said survey; thence S 60°00' W on the 2-1 line of lot 10 of said survey extending to the mean high tide level of Sitka Sound, a distance of 592 feet, more or less; thence meandering along the mean high tide level of Sitka Sound in a northwesterly direction approximately 400 feet to its intersection with an extension of the 3-4 line of lot 10 of said survey; thence N 60°00' E 545 feet, more or less, to the point of beginning.

The tract described contains 5.5 acres.

2. Public Land Order No. 786 of January 5, 1952, so far as it withdrew the above described lands for use of the Alaska Communications System, is hereby revoked.

ROGER ERNST,

Assistant Secretary of the Interior.

AUGUST 21, 1959.

[F.R. Doc. 59-7141; Filed, Aug. 27, 1959; 8:46 a.m.]

[Public Land Order 1953]
[119085]

CALIFORNIA

Revoking Executive Order No. 1326 of March 29, 1911, Which Withdrew Land for Use of the Forest Service as Hornbrook Administrative Site.

By virtue of the authority vested in the President by the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Order No. 1326 of March 29, 1911, withdrawing the following-described public lands for use of the Forest Service as the Hornbrook Administrative Site, is hereby revoked:

MT. DIABLO MERIDIAN

T. 47N., R. 6W.,
Sec. 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, and
W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 30 acres.

2. The State of California has waived the preference right of application granted to it by subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

3. The land is located about two miles north of the community of Hornbrook, Siskiyou County and about six miles south of the Oregon-California Boundary. The land slopes to the south and west, is rolling and cut by three well defined draws. Vegetation is mixed brush

and oak woodland with an understory of mixed grasses.

4. Subject to any valid existing rights and the requirements of applicable law, the lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws and the regulations in 43 CFR will be received at once by the Manager named below. Priorities in the consideration of such applications will be recognized as follows:

(1) Applications under the homestead, desert land and small tract laws by veterans of World War II and the Korean Conflict, and by others claiming preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284) as amended, filed at or before 10:00 a.m. on September 26, 1959, shall be considered as simultaneously filed at that time. Rights under such preference right applications after that hour and before 10:00 a.m. on December 26, 1959, will be governed by the time of filing.

(2) All valid applications under the nonmineral public land laws other than those coming under subparagraph (1) above, presented prior to 10:00 a.m. on December 26, 1959, will be considered as simultaneously filed at that hour. Any rights under such applications filed thereafter will be governed by the time of filing.

(3) All applications under subparagraphs (1) and (2) above, shall be subject to those from persons having prior existing valid settlements rights, preference rights conferred by existing law, and equitable claims subject to allowance and confirmation.

b. The lands have been open to applications and offers under the mineral-leasing laws, and to location for metalliferous minerals. They will open to location for non-metalliferous minerals under the United States mining laws beginning at 10:00 a.m. on December 26, 1959.

5. Persons claiming preferential consideration must submit evidence of their settlement.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

ROGER ERNST,

Assistant Secretary of the Interior.

AUGUST 21, 1959.

[F.R. Doc. 59-7142; Filed, Aug. 27, 1959; 8:46 a.m.]

[Public Land Order 1954]

[667971]

[894072]

OREGON

Partially Revoking Executive Order of March 8, 1920 (Public Water Reserve No. 70) and Departmental Orders of September 19, 1919 and January 15, 1925 (Stock Driveway Withdrawals No. 96 and No. 175)

By virtue of the authority vested in the President by section 1 of the act of

June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, and by virtue of the authority vested in the Secretary of the Interior by section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The Executive order of March 8, 1920, which established Public Water Reserve No. 70, and the departmental orders of September 19, 1919 and January 15, 1925, which established Stock Driveway Withdrawals No. 96 and 175, respectively, are hereby revoked so far as they affect the following-described lands:

WILLAMETTE MERIDIAN

[667971]

T. 2 S., R. 16 E.,
Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 30, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

[894072]

T. 9 S., R. 18 E.,
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 280 acres.

2. The NE $\frac{1}{4}$ SE $\frac{1}{4}$, section 20, T. 9 S., R. 18 E., has been patented.

3. The State of Oregon has waived the preference right of application granted to it by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

4. The lands in T. 9 S., R. 18 E., lie in the northeastern part of Jefferson County. Those in T. 2 S., R. 16 E., are on the breaks of the Deschutes River Canyon. The lands are located some two miles from any public road.

5. No application for the lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

6. Subject to any valid existing rights and the requirements of applicable law, the lands, excepting those described in paragraph 2 of this order, are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other

than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284 as amended), presented prior to 10:00 a.m. on September 26, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a.m. on December 26, 1959, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a.m. on December 26, 1959, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

7. The lands have been open to applications and offers under the mineral leasing laws. They have been open to locations under the United States mining laws excepting the SE $\frac{1}{4}$ NE $\frac{1}{4}$, section 20, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$, section 21, T. 9 S., R. 18 E., which have been open to such locations for metalliferous minerals. Those lands will be open to location for nonmetalliferous minerals beginning at 10:00 a.m. on December 26, 1959.

8. Persons claiming veterans' preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oregon.

ROGER ERNST,
Assistant Secretary of the Interior.

AUGUST 21, 1959.

[F.R. Doc. 59-7143; Filed, Aug. 27, 1959;
8:46 a.m.]

[Public Land Order 1955]

[Idaho 010165]

IDAHO

Partially Revoking Departmental Order of January 28, 1952 (Mountain Home Project)

By virtue of the authority vested in the Secretary of the Interior by section 3 of No. 169—2

the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The departmental order of January 28, 1952, which withdrew lands for reclamation purposes in the first form in connection with the Mountain Home Project, Idaho, is hereby revoked so far as it affects the following-described lands:

BOISE MERIDIAN

- T. 3 S., R. 7 E.,
Sec. 18, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 4 S., R. 7 E.,
Sec. 5, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, E $\frac{1}{2}$ NE $\frac{1}{4}$.

The areas described aggregate 399.58 acres.

2. Applications and selections under the nonmineral public land laws and the regulations in 43 CFR will be received at once by the Manager named below. Priorities in the consideration of such applications will be recognized as follows:

a. Until 10:00 a.m. on February 26, 1960, the State of Idaho shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR.

b. Applications under the Homestead, Desert Land and Small Tract Laws by veterans of World War II and the Korean Conflict, and by others claiming preference under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284) as amended, filed at or before 10:00 a.m. on February 26, 1960, shall be considered as simultaneously filed at that time. Rights under such preference right applications after that hour and before 10:00 a.m. on May 27, 1960, will be governed by the time of filing.

c. All valid applications under the nonmineral public land laws other than those coming under subparagraphs (a) and (b) above, presented prior to 10:00 a.m. on May 27, 1960, will be considered as simultaneously filed at that hour. Any rights under such applications filed thereafter will be governed by the time of filing.

d. All applications under subparagraphs (a), (b), and (c) above, shall be subject to those from persons having prior existing valid settlement rights, preference rights conferred by existing law, and equitable claims subject to allowance and confirmation.

3. Persons claiming preferential consideration must submit evidence of their entitlement.

4. The lands have been open to applications and offers under the mineral-leasing laws. They will be open to locations under the United States mining laws beginning at 10:00 a.m. on May 27, 1960. Locations made prior thereto shall be invalid.

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

Bureau of Land Management, Boise, Idaho.

ROGER ERNST,
Assistant Secretary of the Interior.

AUGUST 21, 1959.

[F.R. Doc. 59-7144; Filed, Aug. 27, 1959;
8:46 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[2d Supp. 4th Sec. Order 18900]

PART 143—LONG-AND-SHORT-HAUL AND AGGREGATE-OF-INTERMEDIATES RATES

Extension of Effective Date and Assignment for Hearing

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 11th day of August A.D. 1959

Upon further consideration of the matters and things involved in fourth-section order No. 18900, entered by Division 2 on April 11, 1958, as modified and amended by orders entered at later dates, and upon consideration of a petition dated June 5, 1959, filed by R. E. Boyle, Jr., Chairman, Southern Freight Association, T. H. Maguire, Chairman, Executive Committee-Western Traffic Association, and E. V. Hill, Chairman, Traffic Executive Association-Eastern Railroads, for further modification of fourth-section order No. 18900 (23 F.R. 2969) and for hearing therein, which order and petition are hereby referred to and made a part hereof, and for good cause shown:

It is ordered, That fourth-section order No. 18900 (23 F.R. 2969), entered by Division 2 on April 11, 1958, as modified and amended by orders entered July 15, 1958 (23 F.R. 5828), December 18, 1958 (24 F.R. 64), and May 4, 1959 (24 F.R. 4104), be, and it is hereby, further modified and amended so as to provide that the order, which by its present terms is to become effective on September 1, 1959, shall become effective on April 1, 1960, instead.

It is further ordered, That fourth-section order No. 18900 (23 F.R. 2969), entered, modified, and amended as aforesaid, be, and it is hereby, assigned for hearing at a time and place to be fixed hereafter by this Commission.

(Sec. 12, 24 Stat. 383, as amended; 49 U.S.C. 12. Interpret or apply secs. 3, 4, 24 Stat. 380, as amended; 49 U.S.C. 3, 4)

It is further ordered, That notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-7163; Filed, Aug. 27, 1959;
8:48 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

[7 CFR Part 814]

MAINLAND CANE SUGAR AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Allotment of 1959 Sugar Quota for Consumption Within Continental United States

Pursuant to the provisions of the Sugar Act of 1948, as amended (61 Stat. 922, as amended, hereinafter referred to as the "act"), and the applicable rules of practice and procedure (7 CFR 801.1 et seq.) notice is hereby given of the filing with the Hearing Clerk of the Recommended Decision of the Administrator, Commodity Stabilization Service, United States Department of Agriculture, with respect to a proposed order of the Secretary of Agriculture for the allotment of the 1959 sugar quota for the Mainland Cane Sugar Area. Interested persons may file written exceptions to this recommended decision and proposed order, together with supporting reasons therefor, with the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 10 days after the date of filing of the recommended decision with the Hearing Clerk, which date shall be the date of publication of this notice in the FEDERAL REGISTER. The date of filing of written exceptions with the Hearing Clerk by mail shall be the postmark date of submission of such exception.

Preliminary statement. Section 205 (a) of the act requires the Secretary to allot a quota whenever he finds that the allotment is necessary, among other things to (1) prevent disorderly marketing of sugar or liquid sugar and (2) afford all interested persons an equitable opportunity to market sugar or liquid sugar. Section 205 (a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may prescribe.

Pursuant to the applicable rules of practice and procedure a preliminary finding was made that allotment of the quota is necessary, and a notice was published on February 11, 1959 (24 F.R. 1027) of a public hearing to be held at New Orleans, Louisiana, in the Auditorium of the International House on March 10, 1959, at 10:00 a.m., c.s.t., for the purpose of receiving evidence to enable the Secretary (1) to affirm, modify or revoke the preliminary finding of necessity for allotments, (2) to establish a fair, efficient and equitable allotment of the 1959 quota for the Mainland Cane Sugar Area for the calendar year 1959, and (3) to revise or amend the allotment of the quota for the purpose of (a) allotting any increase or decrease in the quota, (b) prorating any deficit in the

allotment for any allottee and (c) substituting final data for estimates of such data.

The hearing was held at the place and time specified in the notice and testimony was given with respect to all of the issues referred to in the hearing notice. In arriving at the findings, conclusions and regulatory provisions of this order, all proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto.

The following portions of the Administrator's recommended decision consisting of the basis for his proposed findings and conclusions, proposed findings and conclusions, and proposed determination are set forth in form and language appropriate for issuance, if approved by the Secretary as his findings and conclusions and final determination.

Basis for findings and conclusions. Section 205 (a) of the act reads in pertinent part as follows:

* * * Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person and the ability of such person to market or import that portion of such quota or proration thereof allotted to him * * *

The record of the hearing indicates that the prospective supply of mainland cane sugar available for marketing in 1959 exceeds the quota for that area to an extent that allotment of the quota is necessary (R. 6).

The Government witness introduced for the record annual data on processings, past marketings and inventories for the period 1954 through 1958 (R. 6-9; Ex. 4-10).

All three factors specified in the provision of law quoted above have been considered and each is given a percentile weighting by the formula on which this allotment of the 1959 Mainland Cane Sugar Area quota is based. That formula follows the proposal made in the record in regard to the measures and weightings of factors to be used for determining allotments (R. 20-22; Ex. 14) and all processors of the area joined in recommending its adoption (R. 15, 19, 26) and no separate Government proposal was made. Such procedure for determining 1959 allotments is basically the same as that used in allotting the 1957 and 1958 quotas.

The Director of the Sugar Division was notified on May 15, 1959, that the name of Southdown Sugars, Inc., has been changed to Southdown, Inc. Accordingly, historical data and allotments are herein shown in the name of Southdown, Inc. This is consistent with the provi-

sions of § 816.3 of Part 816 (23 F.R. 1943) (R. 13).

The record of the hearing contains only a single proposal or recommendation on each of the matters with respect to which a finding or conclusion is made in this order, and each such proposal or recommendation either was concurred in by all interested persons or no alternative or dissenting view was expressed.

Findings and conclusions. On the basis of the record of the hearing, I hereby find and conclude that:

(1) January 1, 1959 effective inventories of mainland cane sugar approximate 140,000 short tons, raw value. With favorable crop conditions in 1959 the total supply of sugar available for marketing in 1959 is expected to exceed the quota established for the area.

(2) The supply situation makes necessary the allotment of the 1959 sugar quota for the Mainland Cane Sugar Area to assure an orderly flow of such sugar in the channels of interstate commerce, to prevent disorderly marketing of sugar, and to afford all interested persons equitable opportunities to market sugar within the quota.

(3) Processings of all sugar from 1958-crop sugarcane by each processor, exclusive of known quantities of sugar produced from sugarcane to which proportionate shares did not pertain, is a fair, efficient and equitable measure of processings of sugar from the 1958-crop of sugarcane to which proportionate shares pertained.

(4) An allotment of 100 short tons, raw value, should be established for the Louisiana State University and the balance of any quota, established for the area should be allotted in accordance with the method set forth in (5) and (6), below.

(5) For processors other than the Louisiana State University each of the three factors specified in section 205 (a) of the act shall be measured and weighted, and allotments determined as follows, based on data as provided for in the hearing record.

(a) The factor processings from proportionate shares shall be measured by each processor's production of sugar from 1958-crop sugarcane, in short tons, raw value, exclusive of known quantities of sugar produced from sugarcane to which proportionate shares did not pertain, expressed as a percentage of the total of the measure of all processors, and weighted by 60 percent.

(b) The factor past marketings shall be measured by each processor's average annual marketings within his allotment for the years 1954 through 1958, in short tons, raw value, expressed as a percentage of the total for all processors of the measure, and weighted by 20 percent.

(c) The factor ability to market shall be measured by the sum of (1) each processor's January 1, 1959 effective inventory and (2) his share of the difference

between 614,924 short tons, raw value, and total January 1, 1959 effective inventories of all processors. Each processor's share of such difference shall be determined by applying to the area total difference the percentage that his average 1954-58 new-crop marketings within the processor's allotments were of the area average. The sum of (1)

and (2), above, in short tons, raw value, expressed as a percentage of the total of the measure of all processors should be weighted by 20 percent.

(d) The total of the percentages resulting from (a), (b) and (c), above, for each processor shall be multiplied by the quantity in short tons, raw value, by which the quota exceeds 100 tons

allotted in (4) above, to determine his allotments in short tons, raw value.

(6) The quantity of sugar and the percentages referred to in paragraph (5), above, based on final data to be used in determining allotments and reflecting the findings made in (7), (8), (9) and (10), below, are set forth in the following table:

Processor	Processings of sugar from 1958-crop cane		Past marketings average within allotments, 1954-58		Ability to market					Processor's percentage share of the quota ²
	Short tons, raw value	Percent of total	Short tons, raw value	Percent of total	Effective inventory 1-1-59	New-crop marketings		Measures used		
						Average within allotments 1954-58	"Shares" of difference ¹	Col. (5) plus Col. (7)	Percent of total	
	(1)	(2)	(3)	(4)	(5)	Short tons, raw value				
					(6)	(7)	(8)		(10)	
Albania Sugar Co.	7,981	1.3803	6,628	1.1440	0	4,484	8,091	8,091	1.3158	1.3201
Alma Plantation, Ltd.	-7,456	1.2859	7,558	1.3045	0	4,849	8,749	8,749	1.4223	1.3192
J. Aron & Co., Inc.	13,504	2.3356	13,650	2.3590	0	8,090	14,597	14,597	2.3738	2.3473
Billeaud Sugar Factory	6,373	1.1022	7,571	1.3068	0	5,840	10,538	10,538	1.7137	1.2654
Breaux Bridge	4,940	.8544	6,015	1.0382	0	4,470	8,066	8,066	1.3117	.9826
J. M. Burguières Co., Ltd.	7,654	1.3238	6,948	1.1922	0	4,268	7,701	7,701	1.2523	1.2840
Wm. T. Burton Industries	6,402	1.1072	8,021	1.3844	0	2,202	3,973	3,973	.6461	1.0704
Caire & Graugnard	3,950	.6313	3,246	.5603	130	2,528	4,561	4,561	.7629	.6434
Caldwell Sugar Coop., Inc.	12,011	2.0773	11,655	2.0117	0	6,266	11,306	11,306	1.8356	2.0164
Catherine Sugar Co., Inc.	7,185	1.2427	8,322	1.4304	0	5,435	9,807	9,807	1.5948	1.3519
Columbia Sugar Co., Inc.	5,578	.9247	5,846	1.0040	0	2,308	4,164	4,164	.6772	.9191
Cora-Texas Mfg. Co., Inc.	2,487	.4301	2,475	.4272	781	1,073	1,936	2,717	.4418	.4319
Dugas & LeBlanc, Ltd.	11,317	1.9573	11,619	2.0055	0	7,312	13,193	13,193	2.1455	2.0046
Duhs & Bourgeois Sugar Co.	9,052	1.5657	8,830	1.5241	531	5,231	9,439	9,670	1.6213	1.5685
Erath Sugar Co., Ltd.	5,542	.9585	6,293	1.0862	0	5,315	9,590	9,590	1.5595	1.1042
Evan Hall Sugar Coop., Inc.	20,908	3.6161	20,369	3.5157	0	13,149	23,726	23,726	3.8584	3.6445
Evangeline Pepper & Food Prod.	4,667	.8072	4,581	.7907	0	3,789	6,837	6,837	1.1118	.8648
Fellsme Sugar Prod. Assoc.	7,327	1.2672	8,367	1.4442	4,499	827	1,492	5,991	.9743	1.2440
Frisco Cane Co., Inc.	2,926	.5051	4,261	.7355	210	2,043	3,686	3,686	.6336	.5775
Glenwood Coop., Inc.	14,910	2.5787	15,162	2.6170	0	8,048	14,522	14,522	2.3616	2.5429
Helvetia Sugar Coop., Inc.	7,600	1.3144	7,891	1.3620	0	4,683	8,450	8,450	1.3742	1.3359
Iberia Sugar Coop., Inc.	14,486	2.5054	13,305	2.2965	0	10,012	18,065	18,065	2.9378	2.5501
LaFourche Sugar Co.	16,845	2.9134	15,256	2.6332	0	9,148	16,506	16,506	2.6842	2.8115
Harry L. Laws & Co., Inc.	7,456	1.2895	9,125	1.5750	0	5,482	9,892	9,892	1.6067	1.4104
Lever-St. John, Inc.	9,632	1.6659	8,614	1.4863	0	7,285	13,145	13,145	2.1377	1.7244
Louisiana State Penitentiary	3,131	.5415	3,050	.5204	598	1,874	3,381	3,979	.6471	.5896
Lula Factory, Inc.	11,342	1.9616	11,245	1.9409	0	7,662	13,825	13,825	2.2482	2.0148
Meecker Sugar Coop., Inc.	4,913	.8497	3,578	.6176	2,906	2,284	4,121	7,027	1.1427	.8619
Milliken & Farwell, Inc.	12,431	2.1500	12,973	2.2392	0	6,454	11,645	11,645	1.8937	2.1166
Okeelanta Sugar Rfy., Inc.	17,482	3.0236	16,033	2.7673	9,670	1,764	3,183	12,853	2.0002	2.7857
M. A. Patout & Son, Ltd.	12,034	2.0813	9,341	1.6123	0	6,811	12,290	12,290	1.9986	.9710
Poplar Grove Pltg. & Ref. Co.	6,221	1.0759	6,643	1.1466	0	4,368	7,881	7,881	1.2816	1.1312
St. James Sugar Coop., Inc.	11,889	2.1783	12,301	2.1232	0	7,327	13,221	13,221	2.1500	2.1616
St. Mary Sugar Coop., Inc.	12,595	2.0562	11,261	1.9437	0	9,270	16,726	16,726	2.7200	2.1685
South Coast Corp.	59,554	10.3000	58,267	10.0570	21,120	25,917	46,764	67,884	11.0394	10.3983
Southdown Sugars, Inc.	39,481	6.8284	42,092	7.2652	12,446	14,066	25,380	37,826	6.1513	6.7803
Sterling Sugars, Inc.	20,928	3.6196	18,946	3.2701	0	11,542	20,826	20,826	3.3868	3.5031
J. Suple's Sons Pltg. Co.	5,282	.9135	4,182	.7218	2,688	1,960	3,537	6,225	1.0123	.9049
U.S. Sugar Corp.	110,643	19.1360	112,507	19.4190	78,565	8,997	16,235	94,739	15.4066	18.4467
Valentine Sugars, Inc.	15,122	2.6154	16,941	2.8241	6,001	6,090	10,989	16,990	2.7629	2.7096
Vida Sugars, Inc.	4,800	.8302	4,118	.7108	0	3,491	6,239	6,239	1.0214	.8452
A. Wilbert's Sons Lbr. & Sh.	7,517	1.3001	8,675	1.4973	0	4,980	8,986	8,986	1.4613	1.3718
Young's Industries, Inc.	4,939	.8542	5,605	.9674	0	4,167	7,519	7,519	1.2223	.9506
Total	578,193	100.0000	579,366	100.0000	140,085	263,161	474,839	614,924	100.0000	100.0000

¹ The difference between 614,924 tons (initial 1959 quota established by S. R. 811 amounting to 615,024 less 100 tons allotted to Louisiana State Univ.) and 140,085 tons (1-1-56 effective inventory) amounting to 474,839 tons prorated on the basis of each processor's 1954-58 average new-crop marketings within allotments; (Col. 6).
² Determined by weighting "processings" Col. (2) by 60 percent; "marketings" Col. (4) by 20 percent; and "ability" Col. (9) by 20 percent.

(7) South Coast Corporation shall succeed to all interest in the historical data pertinent to determining allotments of the former allottee, Gulf States Land and Industries, Inc.

(8) Southdown, Inc., shall succeed to all interests in the historical data, pertinent to determining allotments of the former allottee, Southdown Sugars, Inc.

(9) The following processors shall succeed to the interest in the historical data pertinent to determining allotment of the former allottee, National Sugar Refining Company, to the extent shown: Valentine Sugars, Inc., 58.15 percent; Frisco Cane Co., Inc., 28.93 percent; Southdown, Inc., 8.30 percent; and Helvetia Sugar Coop., Inc., 4.62 percent.

(10) Historical data of Loisel Sugar Co., Inc., a former allottee having discontinued its operation in 1958, shall not

be included in the data pertinent to the establishment of 1959 allotments.

(11) Without further notice or hearing the order shall reflect the substitution of final data or be revised for the purpose of (a) substituting final data for estimated data on 1958-crop processings, 1958 marketings and January 1, 1959, inventories used in measuring the factors, when such data become part of the official records of the Department; (b) allotting any area deficit which increases the 1959 Mainland Cane Sugar Area quota for consumption within the continental United States; (c) making allotments to give effect to any change in quota due to action pursuant to sections 201 and 202 (a) of the act and (d) allotting any quantity of an allotment to other allottees, when written notification of release of such allotment becomes part

of the official records of the Department. In making revisions to give effect to quota changes indicated under (b) and (c), above, allotments shall be computed in the same manner as is provided for in this order. Revisions of allotments referred to in (d), above, shall be made by increasing proportionately the allotments otherwise established by this proceeding except that the quantity prorated to any allottee shall be limited in accordance with statements in writing from allottees releasing allotments in excess of specific quantities.

(12) Official notice will be taken of written notification to the Sugar Division by an allottee that he is unable to fill part of his allotment when the notification becomes a part of the official records of the Department, any regulation issued by the Secretary which

changes the 1959 Mainland Cane Sugar Area quota and final data for 1958-crop processings, 1958 marketings and January 1, 1959, inventories that become a part of the official records of the Department.

(13) To aid in the efficient movement and storage of sugar, provision shall be made to enable a processor to market a quantity of sugar of his own production in excess of his allotment equivalent to the quantity of sugar which he holds in storage and which was acquired by him within the allotment of another allottee of the 1959 Mainland Cane Sugar Area quota.

(14) Allotments established in the foregoing manner and in the amounts set forth in the order provide a fair, efficient and equitable distribution of any 1959 Mainland Cane Sugar Area quota that may be established for consumption within the continental United States and meet the requirements of section 205(a) of the act.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the act it is hereby ordered:

§ 814.1 Allotment of the 1959 sugar quota for the Mainland Cane Sugar Area.

(a) *Allotments.* The 1959 Mainland Cane Sugar Area quota for consumption within the continental United States of 667,494 short tons, raw value, is hereby allotted to the following processors in amounts which appear opposite their respective names:

Processors	Allotments (short tons, raw value)
Albania Sugar Co.	8,810
Alma Plantation, Ltd.	8,804
J. Aron & Co., Inc.	15,666
Billeaud Sugar Factory	8,445
Breaux Bridge Sugar Ccop.	6,558
J. M. Burguières Co., Ltd., The	8,573
Wm. T. Burton Industries, Inc.	7,144
Caïre & Graugnard	4,294
Caldwell Sugar Coop., Inc.	13,457
Catherine Sugar Co., Inc.	9,023
Columbia Sugar Company	6,114
Cora-Texas Mfg. Co., Inc.	2,882
Dugas & LeBlanc, Ltd.	13,379
Duhe & Bourgeois Sugar Co., Inc.	10,468
Erath Sugar Co., Ltd.	7,369
Evan Hall Sugar Coop., Inc.	24,323
Evangeline Pepper & Food Products, Inc.	5,772
Fellsmere Sugar Producers Assoc.	8,302
Frisco Cane Co., Inc.	3,854
Glenwood Coop., Inc.	16,971
Helvetia Sugar Coop., Inc.	8,916
Iberia Sugar Coop., Inc.	17,019
LaFourche Sugar Company	18,764
Harry L. Laws & Co., Inc.	9,413
Ievert-St. John, Inc.	11,509
Louisiana State Penitentiary	3,735
Lula Factory, Inc.	13,447
Meeker Sugar Coop., Inc.	5,752
Miliken & Farwell, Inc.	14,126
Okeelanta Sugar Refinery, Inc.	18,592
M. A. Patout & Son, Ltd.	13,154
Poplar Grove Pltg. & Ref. Co., Inc.	7,550
St. James Sugar Coop., Inc.	14,426
St. Mary Sugar Coop., Inc.	14,459
South Coast Corp.	69,404
Southdown, Inc.	45,251
Sterling Sugars, Inc.	23,380
J. Supple's Sons Pltg. Co., Inc.	5,973

Processors	Allotments (short tons, raw value)
United States Sugar Corp.	123,112
Valentine Sugars, Inc.	18,064
Vida Sugars, Inc.	5,641
A. Wilbert's Sons Lbr. & Sh. Co.	9,155
Young's Industries, Inc.	6,344
Louisiana State University	100
All other persons	0
Total	667,494

(b) *Marketing Limitations.* Marketings shall be limited to allotments as established herein subject to the prohibitions and provisions of Part 816 of this chapter (Sugar Regulation 816, Rev. 1) (23 F.R. 1943).

(c) *Exchanges of sugar between allottees.* When approved in writing by the Director of the Sugar Division, or the Chief of the Quota and Allotment Branch thereof, Commodity Stabilization Service of the Department, any allottee holding sugar or liquid sugar acquired by him within the allotment of another person established in paragraph (a) of this section, may ship, transport or market up to an equivalent quantity of sugar processed by him in excess of his allotment established in paragraph (a) of this section. The sugar or liquid sugar held under this paragraph shall be subject to all other provisions of this section as if it had been processed by the allottee who acquired it for the purpose authorized by this paragraph.

(d) *Delegation.* The Director of the Sugar Division, Commodity Stabilization Service, U.S. Department of Agriculture, is hereby authorized to revise the allotments established under this order without further notice or hearing in accordance with findings and conclusions heretofore made, to give effect to (1) the substitution of final data for estimates, (2) the reallocation of any quantity of an allotment released by an allottee and (3) any change in the Mainland Cane Sugar Area quota.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies secs. 205, 209; 61 Stat. 926, as amended, 928; 7 U.S.C. 1115, 1119)

Done at Washington, D.C., this 24th day of August 1959.

CLARENCE D. PALMBY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 59-7171; Filed, Aug. 27, 1959; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 3, 4b, 6, 7, 40, 41, 42, 43, 46]

[Regulatory Docket 99; Reference Draft Release No. 58-19]

USE OF HIGH-VISIBILITY PAINT ON AIRCRAFT

Notice of Withdrawal of Proposed Rule

Civil Air Regulations Draft Release No. 58-19 issued by the Civil Aeronautics Board on November 12, 1958 (23 F.R.

9038), proposed to amend the appropriate parts of the Civil Air Regulations to require the use of high-visibility paints on certain surfaces of all civil aircraft. Detailed comment on the particular surface areas to be covered was requested as well as information on paint specifications in order to frame technical standards.

The proposal was based on preliminary experiments which gave promise that aircraft would be more conspicuous if painted with certain high-visibility paint and accordingly would reduce the midair collision potential in VFR conditions. It was recognized in this proposal, however, that the durability, expense, and complexity of application of the paint posed major problems in deciding whether the application of this paint should be made a requirement.

Many comments were received on the draft release, most in opposition to the proposal. While some operators and units of the Armed Forces are using the paint on an experimental basis, there was wide variance of opinion as to its effectiveness and there was little consistency in the suggestions on proper ways for painting in order to permit an adequate standard to be prepared.

In addition, the following significant factors induce the Federal Aviation Agency not to proceed with the adoption of the proposal at this time:

1. While there is general agreement that the conspicuity of the aircraft is increased by fresh high-visibility paint, there are conflicting views as to whether such paint increases the attention-attracting quality of an aircraft. A precise evaluation of the effectiveness of the paint is not now available, although research work is continuing on the problem so that a standard may later become available.

2. It appears that the high-visibility characteristics of paint now available deteriorate non-uniformly with time and atmospheric conditions so that reasonable control to a desired visibility standard cannot practicably be maintained.

3. There is some evidence that the paint has an adverse effect on the life and condition of fabric surfaces. This aspect of the problem is not yet completely understood and is the subject of continuing investigation.

4. It appears that the technique and cost of applying the paint would impose an undue and repetitive burden on a high proportion of owners and operators which would not be commensurate with a gain in safety which, for the time being, is not clearly defined.

Accordingly, the Federal Aviation Agency believes that amendments to the regulations as proposed in Draft Release 58-19 would impose burdens on the public not warranted by the probable gain in safety and that such amendments should not be promulgated at this time.

Issued in Washington, D.C., on August 24, 1959.

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-7135; Filed, Aug. 27, 1959; 8:45 a.m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF WESTERN HEMISPHERE PASSENGER CONFERENCE ET AL.

Notice of Agreements Filed for Approval

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

(1) Agreement No. 8030-6, between the member lines of the Western Hemisphere Passenger Conference, modifies the basic agreement of that conference (No. 8030, as amended), relating to passenger traffic between ports on the Atlantic and Gulf Coasts of the United States and Eastern Canada and ports on the St. Lawrence River and tributaries including, but not west of Montreal, designated zone A, and ports in Bermuda; the Bahamas; Mexico; Central and South America and the Caribbean, designated as zone B. The purpose of the modification is to (1) include ports of the Great Lakes of United States and Canada within the group of ports designated as zone A under the conference agreement, and (2) include within the scope of the conference passenger vessels of full members, which vessels are certified to carry twelve (12) passengers or less. The scope of the conference, at present, is limited to vessels certified to carry more than twelve (12) passengers.

(2) Agreement No. 8030-6-1, supplements Agreement No. 8030-6, described above, to provide that the conference rule with respect to appointment of port or vessel agents of member lines be amended to permit the appointment of such agents at Great Lakes ports of the United States and Canada, the new area to which the scope of the conference will be extended by Agreement No. 8030-6.

(3) Agreement No. 8100-3, between the member lines of the Siam/New York Conference, modifies the basic agreement of that conference (No. 8100) by adding a new article providing (1) that the member lines shall cease to employ individual agents in South Siam and instead will appoint New York Lines Agency, Haadyai Branch, as the common agent of all the member lines for South Siam as to all cargo except rubber, which will be dealt with under the terms of the South Siam Rubber Agreement No. 8061; and (2) that cargo other than rubber shall be booked on the vessels of the member lines on a first come, first served, basis.

(4) Agreement No. 8161-2, between Railway Express Agency, Incorporated, and Nippon Express Company, Limited, modifies approved Agreement No. 8161, as amended, which covers an arrangement for the transportation of property

from points in the United States to points in Japan under through bills of lading of Railway Express, and from points in Japan to points in the United States under through bills of lading of Nippon Express, and for the fixing of rates and pooling of earnings under such operations. The purpose of the modification is to include the trade between points in the Hawaiian Islands and points in Japan within the scope of the agreement.

Interested parties may inspect these agreements 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 any of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: August 25, 1959.

[SEAL] JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-7166; Filed, Aug. 27, 1959; 8:48 a.m.]

Office of the Secretary

JOHN J. STAHL

Statement of Changes in Financial Interests

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

- A. Deletions: No change.
- B. Additions: Adams Millis Company.

This statement is made as of August 1, 1959.

Dated: August 17, 1959.

JOHN J. STAHL,

[F.R. Doc. 59-7164; Filed, Aug. 27, 1959; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 9177]

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

Notice of Oral Argument

In the matter of the investigation of the adequacy of service by Capital Airlines, Inc. to Flint and Grand Rapids, Michigan.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that oral argument in the above-

entitled proceeding is assigned to be held on September 30, 1959, at 10:00 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., August 25, 1959.

[SEAL] THOMAS L. WRENN,
Associate Chief Examiner.

[F.R. Doc. 59-7169; Filed, Aug. 27, 1959; 8:50 a.m.]

[Docket No. 8851]

CAPITAL AIRLINES AND UNITED AIR LINES; TOLEDO ADEQUACY OF SERVICE INVESTIGATION

Notice of Oral Argument

In the matter of the investigation into the adequacy of air service rendered by Capital Airlines, and aircoach service rendered by United Air Lines, between Toledo-Chicago, Toledo-Cleveland, Toledo-Philadelphia, and Toledo-New York, pursuant to section 404(a) of the Federal Aviation Act of 1958.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that oral argument in the above-entitled investigation is assigned to be held on September 23, 1959, at 10:00 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., August 25, 1959.

[SEAL] THOMAS L. WRENN,
Associate Chief Examiner.

[F.R. Doc. 59-7170; Filed, Aug. 27, 1959; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-19250, G-19251]

MANUFACTURERS LIGHT AND HEAT CO. AND HOME GAS CO.

Order Suspending Proposed Revised Tariff Sheets and Providing for Hearings

AUGUST 21, 1959.

In the matters of Manufacturers Light and Heat Company, Docket No. G-19250; Home Gas Company, Docket No. G-19251.

On June 24, 1959,¹ The Manufacturers Light and Heat Company (Manufacturers

¹ Although the filings were initially tendered on June 24, 1959, to become effective July 27, 1959, data furnished in support of the increases were inconsistent with the requirements of the Regulations. Manufacturers and Home subsequently requested that said effective date be changed and extended to August 24, 1959, and, on August 10, 1959, the companies filed requisite supporting data in compliance with the Commission's regulations.

turers) and Home Gas Company (Home)² tendered for filing Third Revised Sheets Nos. 7, 12, and 27 and Fourth Revised Sheet No. 22 to Manufacturers' FPC Gas Tariff, Fourth Revised Volume No. 1 and Third Revised Sheets Nos. 7 and 12 and Fourth Revised Sheet No. 22 to Home's FPC Gas Tariff, Third Revised Volume No. 1 respectively, proposing annual increases in rates over those subject to refund since May 15, 1959, in Docket Nos. G-18425 and G-18424.³

Manufacturers' proposal, predicated on the test year ending March 31, 1959, is based primarily on (a) increases in purchased gas costs resulting from rate increase applications filed by Transcontinental Gas Pipeline Corporation and Texas Eastern Transmission Corporation whose increased rates were suspended to November 18, 1959, and December 1, 1959, respectively and (b) increased payroll expenses. Additionally, the supporting data reflect increases in cost of purchased gas which are contingently effective (and which Manufacturers, in turn, is collecting subject to refund) and increases in rate of return, income taxes and depreciation expenses, which issues were previously raised in prior rate increase applications, Docket Nos. G-16820 and G-18425.

Home's cost support, based on the same test period, primarily reflects (a) the increase concurrently applied for by Manufacturers and (b) increased payroll expenses. Similarly, Home's supporting data also reflect increases in cost of purchased gas which are contingently effective (and which Home, in turn, is collecting subject to refund), increases in rate of return, income taxes and depreciation expenses, which issues were previously raised in prior rate increase applications in Docket Nos. G-16819 and G-18424.

The increased rates and charges provided for in the revised tariff sheets tendered by Manufacturers and Home on June 24, 1959, 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 hearings concerning the lawfulness of the rates, charges, classifications, and services contained in Manufacturers' FPC Gas Tariff Fourth Revised Volume No. 1 as proposed to be amended by Third Revised Sheets Nos. 7, 12 and 27 and Fourth Revised Sheet No. 22 and Home's FPC Gas Tariff Third Revised Volume No. 1 as proposed to be amended by Third Revised Sheets Nos. 7 and 12 and Fourth Revised Sheet No. 22 as tendered for filing on June 24, 1959, and that said proposed revised tariff sheets and the rates contained therein be suspended and

the use thereof deferred as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4 and 15 of the Natural Gas Act, and the Commission's regulations under the Natural Gas Act, including rules of practice and procedure (18 CFR-Chapter I), public hearings be held at a time and date to be fixed by notice from the Secretary of this Commission, concerning the lawfulness of the rates, charges, classifications, and services, subject to the jurisdiction of the Commission, contained in Manufacturers' FPC Gas Tariff Fourth Revised Volume No. 1 as proposed to be amended by Third Revised Sheets Nos. 7, 12, and 27 and Fourth Revised Sheet No. 22 and Home's FPC Gas Tariff Third Revised Volume No. 1 as proposed to be amended by Third Revised Sheets Nos. 7 and 12 and Fourth Revised Sheet No. 22 as tendered for filing on June 24, 1959.

(B) Pending such hearings and decisions thereon Third Revised Sheets Nos. 7, 12 and 27 and Fourth Revised Sheet No. 22 to Manufacturers' FPC Gas Tariff Fourth Revised Volume No. 1 and Third Revised Sheets Nos. 7 and 12 and Fourth Revised Sheet No. 22 to Home's FPC Gas Tariff Third Revised Volume No. 1 as tendered for filing on June 24, 1959, are each hereby suspended, and their use deferred until December 1, 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

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

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7137; Filed, Aug. 27, 1959;
8:45 a.m.]

[Docket No. G 18867]

OHIO FUEL GAS CO.

Notice of Application and Date of Hearing

AUGUST 20, 1959.

Take notice that The Ohio Fuel Gas Company (Applicant), an Ohio corporation and a subsidiary of The Columbia Gas System, Inc., having its principal place of business at 99 North Front Street, Columbus, Ohio, filed on June 29, 1959 an application, pursuant to section 7 of the Natural Gas Act, authorizing it to construct and operate certain proposed natural gas transmission facilities, to abandon certain existing facilities, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application, which is on file with the Commission and open for public inspection.

Applicant proposes to construct and operate the following natural gas facilities in the State of Ohio:

(1) Approximately 2.0 miles of 20" O.D. natural gas transmission line in Montgomery County, Ohio; extending Line A-97, looping part of Line A-77 near Dayton.

(2) Approximately 2.3 miles of 6 5/8" O.D. natural gas transmission line in Auglaize County, Ohio, replacing Line Z-28 between Minster and New Bremen.

(3) Approximately 3.0 miles of 8 3/4" O.D. natural gas transmission line in Logan County, Ohio, extending Line Z-207, looping part of Line Z-165 near Bellefontaine.

(4) Approximately 5.0 miles of 20" O.D. natural gas transmission line in Marion County, Ohio, extending Line D-357, looping part of Line D-322 near Marion.

Together with valves, fittings and incidental facilities necessary for practical operation.

Applicant also requests authorization to abandon the following:

(a) Approximately 2.3 miles of 4 1/2" O.D. pipe to be replaced under Project No. 2 above.

(b) One 1150 Bhp gas engine-compressor unit, auxiliary equipment and piping from Treat Compressor Station in Licking County, Ohio, as described under Project No. 5.

Applicant alleges that customer service will not be affected by the proposed abandonment of facilities.

Applicant states that the facilities proposed are a part of a program to provide increased capacity needed to serve increasing requirements of existing markets and to assure adequate market service during the winter of 1959-60.

Project (1), (2) and (a). One of Applicant's wholesale customers, The Dayton Power and Light Company, serves at retail the area involved in projects (1), (2) and (a). This area includes a number of towns along Applicant's A and Z transmission system between Dayton and New Bremen, including Vandalia, Troy, Piqua, Sidney and others.

The market estimate submitted by Dayton to Applicant indicates that lines A-80 and A-77 will be required to deliver peak day service in the volume of 135,300 Mcf for this portion of the Dayton markets during the 1959-60 winter. This is 6,900 Mcf per day more than the existing peak day capacity of the system which is 128,400 Mcf.

Project (3). Direct service to the Bellefontaine and West Liberty area is provided through Line Z-165 and its partial loop Line Z-207 with gas transported from Lines A, A-79, Z-215, Z and Z-8. This existing system is capable of delivering a peak day service of only 6,200 Mcf.

Estimates submitted by wholesale customers of Applicant which provide retail service in Bellefontaine and West Liberty area indicate the estimated peak day requirement for the winter of 1959-60 will be 7,100 Mcf.

Project (4). Direct service to the Marion-Lima area is provided through Line D-322 and its partial loop Line D-357 with gas transported from Lines D-96 and D. The existing peak day capacity of the system is 111,800 Mcf.

²This order does not provide for the consolidation for hearing or disposition of the matters covered herein, nor should it be so construed.

³Manufacturers' proposed annual increase is \$604,570 or 1.5 percent and Home's proposed increase amounts to \$142,623 or 1.2 percent annually.

The peak day requirement for the Marion-Lima market area is estimated to be 122,100 Mcf.

Project (b). Treat Compressor Station now operates solely as a field station, compressing gas from a rather extensive field system into Line 0-400 for delivery to the Coshocton County Market area. Five 170 horsepower compressor units are currently used for this service, which Applicant alleges are adequate.

Applicant estimates the total cost of the proposed projects will be \$612,000, excluding the cost of retirement of \$5,100. Salvage value is estimated at \$7,000 and credit to fixed capital is estimated at \$258,531. The Columbia Gas System, Inc., will finance the proposed projects.

This matter is one that should be heard 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 September 24, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.100) on or before September 14, 1959. 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 therefore is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7138; Filed, Aug. 27, 1959;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary
HAWAII

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the Island of Kauai, Hawaii, a production disaster has caused a need for agricultural credit not readily available from commercial

banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named Island after June 30, 1960, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 24th day of August 1959.

MARVIN L. McLAIN,
Acting Secretary.

[F.R. Doc. 59-7160; Filed, Aug. 27, 1959;
8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 2-1
(Revision 3), Amdt. 2]

CHIEF, ADMINISTRATIVE SERVICES DIVISION

Amendment to Delegation of Authority

Delegation of Authority No. 2-1 (Revision 3), as amended (23 F.R. 556, 10574) is hereby further amended by deleting subsection I.B.4. in its entirety, and substituting the following in lieu thereof:

I.B.4. To enter into contracts for supplies and services pursuant to Delegation of Authority No. 363 dated March 10, 1959 (24 F.R. 1921, 2096) from the Administrator of the General Services Administration to the Small Business Administration.

Effective date: March 17, 1959.

WILLIAM C. FISHER,
*Director, Office of
Organization and Management.*

[F.R. Doc. 59-7145; Filed, Aug. 27, 1959;
8:46 a.m.]

[Delegation of Authority No. 2-1A
(Revision 1), Amdt. 3]

ASSISTANT CHIEF, ADMINISTRATIVE SERVICES DIVISION

Delegation of Authority Relating to Administrative Services Division

Delegation of Authority No. 2-1A (Revision 1), as amended (23 F.R. 556, 5530, 10574) is hereby further amended by deleting subsection I.B.4. in its entirety and substituting the following in lieu thereof:

I.B.4. To enter into contracts for supplies and services pursuant to Delegation of Authority No. 363, dated March 10, 1959 (24 F.R. 1921, 2096) from the Administrator of the General Services Administration to the Small Business Administration.

Effective date: March 17, 1959.

N. J. BILLINGSLEY,
*Chief,
Administrative Services Division.*

[F.R. Doc. 59-7146; Filed, Aug. 27, 1959;
8:46 a.m.]

[Delegation of Authority No. 30-VIII-12,
(Revision 1)]

BRANCH MANAGER, FARGO, NORTH DAKOTA

Delegation of Authority Relating to Administrative Functions

i. Pursuant to the authority vested in the Regional Director by Delegation No. 30 (Revision 4), as amended (22 F.R. 5811, 8197, 23 F.R. 557, 1768, 8435), there is hereby delegated to the Branch Manager, Fargo, North Dakota, Branch Office, Small Business Administration, the following authority:

A. *Specific.* 1. To develop with government procurement agencies required local procedures for implementing established interagency policy agreements, including but not limited to steps such as determining joint set-asides and representation at procurement centers.

2. To administer oaths of office.

3. To approve annual and sick leave for employees under his supervision.

4. To administratively approve all types of vouchers, invoices and bills submitted by public creditors of the Agency for articles or services rendered.

5. To (a) authorize or approve official travel and (b) administratively approve travel reimbursement claims.

6. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

B. *Correspondence.* To sign all correspondence, including Congressional correspondence, relating to the functions of the Branch Office.

II. The specific authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

Effective date: August 5, 1959.

ROBERT C. ALM,
Regional Director.

[F.R. Doc. 59-7147; Filed, Aug. 27, 1959;
8:46 a.m.]

[Delegation of Authority No. 70]

REGIONAL DIRECTOR, KANSAS CITY, KANSAS

Delegation of Authority Relating to Personnel Functions

I. Pursuant to the authority vested in the Administrator by the Small Business Act, Pub. Law 85-536, as amended; Pub. Law 85-699; Reorganization Plan No. 2 of 1954, dated April 29, 1954 (83d Cong., 2d Sess.); and Reorganization Plan No. 1 of 1957 dated April 29, 1957 (85th Cong., 1st Sess.) there is hereby delegated to the Regional Director, Kansas City, Kansas, the authority:

A. To approve personnel actions, including but not limited to, appointments, promotions, reassignments, transfers, and separations, for all non-technical employees of his region in grades GS-7 and below.

B. To establish and classify all non-technical positions subject to the Classification Act of 1949, as amended, in grades GS-1 through GS-7.

C. To give security clearance to applicants for non-sensitive, non-technical positions in grades GS-7 and below when the security investigation discloses no derogatory information.

II. The authority delegated in paragraph I.B. above may be redelegated to the Administrative Officer. The other authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Regional Director.

Effective date: August 14, 1959.

WENDELL B. BARNES,
Administrator.

[F.R. Doc. 59-7148; Filed, Aug. 27, 1959;
8:46 a.m.]

[Declaration of Disaster Area 236]

VIRGINIA

Declaration of Disaster Area

Whereas, it has been reported that during the month of August 1959, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the State of Virginia;

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.

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

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Office below indicated from persons or firms whose property situated in the following county (including any areas adjacent to said county) suffered damage or destruction as a result of the catastrophe hereinafter referred to:

County: Henrico (Rain and flood occurring on or about August 7, 1959).

Office: Small Business Administration Regional Office, 900 N. Lombardy Street, Richmond 20, Virginia.

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 February 29, 1960.

Dated: August 11, 1959.

ROBERT F. BUCK,
Deputy Administrator.

[F.R. Doc. 59-7149; Filed, Aug. 27, 1959;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 178]

MOTOR CARRIER TRANSFER PROCEEDINGS

August 25, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 62307. By order of August 21, 1959, the Transfer Board approved the transfer to O'Neill Bros. Transfer & Storage Co., a Corporation, Peoria, Ill., of Certificate No. MC 60506, issued February 28, 1957, to Joseph F. O'Neill, Anna L. O'Neill, Walter A. O'Neill, Robert B. O'Neill, and William J. O'Neill, a partnership, doing business as O'Neill Bros. Transfer & Storage Co., Peoria, Ill., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between points within 25 miles of Peoria, Ill., including Peoria. William B. Wombacher, Suite 1105 Lehmann Building, Peoria 2, Ill., for applicants.

No. MC-FC 62314. By order of August 21, 1959, the Transfer Board approved the transfer to The Berrodin Transport, Inc., Akron, Ohio, of Certificate in No. MC 104651 Sub 12, issued May 27, 1958, to Max Hoover, doing business as Plastic Transport Co., Tiffin, Ohio, authorizing the transportation of: Plastic vinyl film, from Fremont, Ohio, to New York, N.Y., Newark, N.J., Philadelphia, Pa., and Chicago, Ill.; and materials used to brace and support shipments, from the above-specified destination points to Fremont, Ohio; materials used in the mixing of rubber stocks and empty skids, from Wabash, Ind., to Fremont, Ohio; and compounded rubber, on skids, from Fremont, Ohio, to Wabash, Ind.; and plastic, rubber, plastic and rubber products and supplies and machinery used in the manufacture and shipping of such commodities, between Fremont, Ohio, on the one hand, and, on the other, Milwaukee, Wis., and points in Massachusetts, New Jersey, New York, and Pennsylvania, and substitution in MC 104651 Sub 18. John R. Meeks, 607 Copley Road, Akron 20, Ohio, for applicants.

No. MC-FC 62333. By order of August 24, 1959, the Transfer Board approved the transfer to C. W. Ward, Inc., Shelbourne Falls, Mass., of Certificate No. MC 21284, issued October 3, 1950 to

Henry O. Rivest, doing business as Henry O. Rivest Trucking Co., Chicopee Falls, Mass., authorizing the transportation of: Liquid petroleum products, from Glastonbury, Rocky Hill, Hartford and East Hartford, Conn., Providence, R.I., and Fall River, Mass. to points in Hampden, Hampshire, and Franklin Counties, Mass. Arthur A. Wentzell, 539 Hartford Pike, Shrewsbury, Mass., for applicants.

No. MC-FC 62350. By order of August 21, 1959, the Transfer Board approved the transfer to Martin Brothers Trucking Co., Sarver, Pa., of Certificate No. MC 116696, issued August 12, 1958, to Charles H. Martin and Donald P. Martin, doing business at Martin Brothers, Sarver, Pa., authorizing the transportation of: Lime, from Branchton, Pa., to points in Mahoning, Trumbull, and Jefferson Counties, Ohio; and Wooden pallets and shipper-owned metal hoppers, from points in Mahoning, Trumbull, and Jefferson Counties, Ohio, to Branchton, Pa. Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa., for applicants.

No. MC-FC 62355. By order of August 21, 1959, the Transfer Board approved the transfer to John Szasz, Jr., doing business as Star Transfer Company, of Cedar Grove, W. Va., of Certificate No. MC 102595 Sub 2, issued October 28, 1957, in the name of Harold P. Tucker and John Szasz, Jr., a partnership, doing business as Star Transfer of Cedar Grove, W. Va., authorizing the transportation of household goods, as defined by the Commission, over irregular routes, between points within 10 miles of Glasgow, W. Va., except points located on U.S. Highway 60 and West Virginia Highway 61, on the one hand, and, on the other, points in Ohio, Pennsylvania, Maryland, Virginia, and Kentucky. John Szasz, Jr., Box 104, Cedar Grove, W. Va., for applicants.

No. MC-FC 62356. By order of August 24, 1959, the Transfer Board approved the transfer to Best Trucking, Inc., Ridgefield, N.J., of Certificate No. MC 70404, issued July 13, 1956, to Bi-State Carriers, South Hackensack, N.J., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between points in Bergen, Essex, Hudson, Morris, Passaic, and Union Counties, N.J., and that part of Middlesex County, N.J., east of the Raritan River, on the one hand, and, on the other, New York, N.Y. Robert B. Pepper, 880 Bergen Avenue, Jersey City 6, N.J., for applicants.

No. MC-FC 62378. By order of August 21, 1959, the Transfer Board approved the transfer to A. Giordano Trucking Corporation, doing business as Emmett Trucking Co., Union, New Jersey, of the operating rights in Certificates Nos. MC 111574, MC 111574 Sub 1, MC 111574 Sub 2, MC 111574 Sub 3, and MC 111574 Sub 4, issued September 8, 1950, December 19, 1951, March 26, 1952, September 13, 1951, and October 23, 1956, respectively, to John Giordano, doing business as Emmett Trucking Co., Union, New Jersey, authorizing the transportation over irregular routes, of general commod-

ities, except commodities in bulk, between Newark N.J., on the one hand, and, on the other points in Essex, Union, Middlesex, Monmouth, Morris, Hudson, Bergen, and Passaic Counties, N.J., and between Newark, N.J., and New York, N.Y., general commodities, except those of unusual value, Class A and B explosives, and commodities in bulk, between Elizabethport, N.J., on the one hand, and, on the other, points in Essex, Union, Middlesex, Monmouth, Morris, Somerset, Hudson, Bergen, and Passaic Counties, N.J., general commodities, except Class A and B explosives, and commodities in bulk, between Elizabethport, N.J., on the one hand, and, on the other, Newark, Kearny, Roselle, Roselle Park, Cranford, Garwood, Westfield, Bayway, Grasselli, Warners, Tremley, and Carteret, N.J., and general commodities, except those of unusual value, Class A and B explosives, and commodities in bulk, between Elizabeth, N.J., on the one hand, and, on the other, Jersey City, Bayonne, Barber, Sewaren, Perth Amboy, Fanwood, Plainfield, Middlesex, Bound Brook, Finderne, Manville, Somerville, and Raritan, N.J., with specified restrictions. Bert Collins, 140 Cedar Street, New York 6, N.Y., for applicants.

No. MC-FC 62389. By order of August 21, 1959, the transfer Board approved the transfer to Darrel Longstreet and Ella Longstreet, a partnership, doing business as D & E Cartage, Michigan City, Indiana, of a portion of the operating rights in Certificate No. MC 2043, issued November 27, 1956, and the entire operating rights in Certificates Nos. MC 2043 Sub 5 and MC 2043 Sub 7, issued October 14, 1957, and January 5, 1959, respectively, to George A. Cortier, doing business as Ace Van Lines, South Bend, Indiana, authorizing the transportation, over irregular routes, of meat, meat products, and meat by-products, dairy products, and articles distributed by meat-packing houses, from and to specified points in Indiana and Michigan. Harold E. Marks, 208 South La Salle Street, Chicago, Ill., for applicants.

No. MC-FC 62428. By order of August 21, 1959, the transfer Board approved the transfer to Murray Transfer and Storage Company, 1400 South Fifth Street,

Wilmington, N.C., of Certificate in No. MC 65579 issued March 25, 1958, to Charlotte G. Walton and Katherine G. Rogers a partnership, doing business as Murray Transfer & Storage Company, 1400 South Fifth Street, Wilmington, N.C., authorizing the transportation of: Household goods between points in North Carolina on and east of U.S. Highway 301, on the one hand, and, on the other, Washington, D.C., and points in Alabama, Delaware, Florida, Georgia, Maryland, Massachusetts, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, and Virginia.

No. MC-FC 62466. By order of August 21, 1959, the Transfer Board approved the transfer to R. K. Davis Moving and Storage, Inc., Huntington, N.Y., of the operating rights in Certificate No. MC 47853, issued September 20, 1951, to Roy F. Davis and Edward F. Davis, a partnership, doing business as R. K. Davis and Son, Huntington, N.Y., authorizing the transportation, over irregular routes, of household goods, between Oyster Bay, N.Y., and points in Suffolk County, N.Y., on the one hand, and, on the other points in Massachusetts, Rhode Island, New Hampshire, Vermont, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, and the District of Columbia, and between Oyster Bay, N.Y., and points in Suffolk County, N.Y., on the one hand, and on the other points in North Carolina, South Carolina, Georgia, and Florida. Louis B. Bruman, 117 Liberty Street, New York, N.Y., for applicants.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-7162; Filed, Aug. 27, 1959;
8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 25, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35637: *Lime—Sallisaw, Okla., Sequiota and Springfield, Mo., to Pryor, Okla.* Filed by Southwestern Freight Bureau, Agent (No. B-7619), for interested rail carriers. Rates on lime (calcium), in carloads from Sallisaw, Okla., Sequiota and Springfield, Mo., to Pryor, Okla.

Grounds for relief: Market and truck competition.

Tariff: Supplement 71 to Southwestern Freight Bureau tariff I.C.C. 4021.

FSA No. 35638: *Pebble lime—Arkansas and Missouri to Pryor, Okla.* Filed by Southwestern Freight Bureau, Agent (No. B-7620), for interested rail carriers. Rates on pebble lime, in carloads from Linedale Spur, Ark., Mosher and Ste. Genevieve, Mo., to Pryor, Okla.

Grounds for relief: Market competition.

Tariff: Supplement 71 to Southwestern Freight Bureau tariff I.C.C. 4021.

FSA No. 35639: *Nitrate of soda to Rockwood, Tenn.* Filed by Southwestern Freight Bureau, Agent (No. B-7624), for interested rail carriers. Rates on sodium (soda), nitrate of, in carloads from Lake Charles and West Lake Charles, La., to Rockwood, Tenn.

Grounds for relief: Barge-truck competition.

Tariff: Supplement 66 to Southwestern Freight Bureau tariff I.C.C. 4290.

FSA No. 35640: *Substituted service—Chesapeake and Ohio Railway Company.* Filed by Middle Atlantic Conference, Agent (No. 18), for interested carriers. Rates on property of various kinds loaded in highway trailers and transported on railroad flat cars between Staunton, Va., on the one hand, and Charleston, W. Va., on the other, on traffic originating at or destined to points on motor carriers beyond the named substitution points.

Grounds for relief: Motor truck competition.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-7161; Filed, Aug. 27, 1959;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—AUGUST

A numerical list of the parts of the Code of Federal Regulations affected by documents published to date during August. Proposed rules, as opposed to final actions, are identified as such.

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