



# FEDERAL REGISTER

VOLUME 24

NUMBER 240

Washington, Thursday, December 10, 1959

## Title 7—AGRICULTURE

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

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

Subpart—United States Standards for Grades of Chilled Orange Juice<sup>1</sup>

### AMENDMENT

On November 11, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 9206) regarding a proposed amendment to the United States Standards for Grades of Chilled Orange Juice (24 F.R. 3984; 7 CFR §§ 52.2761–52.2773).

After consideration of all relevant matters presented including the proposal set forth in the aforesaid notice, the following amendment to the United States Standards for Grades of Chilled Orange Juice is hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627):

In § 52.2770, paragraph (b) (2), delete subdivision (i) in its entirety and substitute therefor a new subdivision (i) as set forth below.

(i) Brix—not less than 11.7 degrees, except that the chilled orange juice may be not less than 10.5 degrees when 75 percent or less of the soluble orange solids in the chilled juice are derived from concentrated orange juice(s) and in which the Brix of the reconstituted portion of such juice(s) is not less than 11.7 degrees;

It is hereby found that good cause exists for not postponing the effective date of this revision beyond the date of publication in the FEDERAL REGISTER (5

<sup>1</sup> Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

U.S.C. 1001–1011) in that: (1) The season for new crop oranges—many of which are used in the preparation of chilled orange juice—has begun in some areas and it is necessary for purposes of inspection and marketing that this amendment be made effective as soon as possible; and (2) the industry has been apprised of the changes and compliance therewith will not require any special preparation that cannot be completed by the effective time hereof.

(Secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627)

Dated: December 7, 1959, to become effective upon publication in the FEDERAL REGISTER.

ROY W. LENNARTSON,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 59–10450; Filed, Dec. 9, 1959; 8:49 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER A—MEAT INSPECTION REGULATIONS

PART 18—REINSPECTION AND PREPARATION OF PRODUCTS

Use in Preparation of Meat Food Products of Chemicals, Antioxidants, Coloring Matter, Flavoring, Water, Ice, Cereal, Vegetable Starch, Nonfat Dry Milk, Etc.

On November 24, 1959, there was published in the FEDERAL REGISTER (24 F.R. 9415, F.R. Doc. 59–9939) a document amending § 18.7 of the Meat Inspection Regulations pursuant to the authority conferred by the Meat Inspection Act, as amended and extended (21 U.S.C. 71–96), and section 306 of the Act of June 17, 1930, as amended (19 U.S.C. 1306). The document stated that it amended paragraph (a) (2) of § 18.7. It should have amended paragraph (m) (2) of said section. Therefore the reference to

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paragraph (a) (2) in said amendment is hereby changed to paragraph (m) (2) and paragraph (m) (2) is thereby amended to read as follows:

(2) Coal tar dyes upon certification by the manufacturer, and the furnishing of authoritative evidence to the inspector in charge, that the dyes are certified under the Federal Food, Drug, and Cosmetic Act for use in connection with foods.

The foregoing amendment to the Meat Inspection Regulations deletes a listing of coal tar dyes acceptable for use in certain products under the regulations

so as to make it unnecessary to amend the regulations each time the list of coal tar dyes eligible for certification under the Federal Food, Drug, and Cosmetic Act for use in connection with foods is changed by the removal or addition of a dye. It relieves restrictions by permitting the use of one coal tar dye which has been listed under the Federal Food, Drug, and Cosmetic Act but is not now listed in said regulations. In order to be of maximum benefit to affected processors, the amendment should be made effective as soon as possible. Therefore, 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 thereon are impracticable and unnecessary, and since the amendment relieves restrictions and otherwise is merely procedural in nature, it may be made effective less than 30 days after publication in the FEDERAL REGISTER.

The amendment shall be effective as of November 24, 1959.

Done at Washington, D.C., this 3d day of December 1959.

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

[F.R. Doc. 59-10451; Filed, Dec. 9, 1959;  
8:49 a.m.]

## Title 12—BANKS AND BANKING

### Chapter II—Federal Reserve System

#### SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. D]

#### PART 204—RESERVES OF MEMBER BANKS

Section 204.102 is amended to read as follows:

§ 204.102 Time deposits of trust and agency funds in member bank's own commercial department.

(a) The Board has recently considered whether, under this part, funds held by the trust department of a member bank in an agency capacity may be commingled and deposited in a single time deposit in the bank's commercial department.

(b) In considering this question the Board has reviewed § 204.102 published December 28, 1949 (14 F.R. 7727), regarding a somewhat similar question as to time deposits of uninvested trust funds made by the trust department in the commercial department of a member bank.

(c) It is the Board's understanding that it is the practice of certain member banks to place in a demand deposit in the commercial department a portion of the aggregate amount of trust funds held by the trust department awaiting investment or distribution and to place another portion of such funds in a time deposit subject to a written agreement between the two departments

with respect to notice of withdrawal in conformity with the requirements of this part. It is also understood that some member banks follow a similar practice as to agency funds received in the trust department.

(d) The Board's regulations do not preclude classification of a deposit as a time deposit merely because the deposit is made in the name of a trustee or an agent. Consequently, a deposit of funds made by the trust department of a member bank in its capacity as trustee or agent may be classified as a time deposit if it is subject to a written agreement between the trust and commercial departments under which no withdrawal may be made except after not less than 30 days' written notice or at a stated maturity not less than 30 days after the date of deposit, and if the deposit otherwise complies with the definition of a "time deposit" set forth in this part.

(e) However, the fact that such deposits are made by another department of the same institution makes it particularly important that the practice be followed only if consistent with sound trust department administration. Thus, the bank should, of course, be satisfied, by consultation with its counsel or otherwise, that the time deposit is within the authority of the trust department in its capacity as trustee or agent—in other words, that it is not inconsistent with any applicable State law or with the terms of any applicable trust instrument or court order, in the case of trust funds, or agency agreement in the case of agency funds.

(f) Similarly, in the interests of sound trust department administration, it is the Board's view that the amount of trust or agency funds placed in any such time deposit should be determined on a reasonable and conservative basis in the light of over-all experience with respect to disbursement of trust and agency funds and, to the extent practicable, in the light of periodic reviews of anticipated requirements for the disbursement of such funds within the near future. This procedure should be such as to give a reasonable indication of the prospective needs for disbursements of trust or agency funds commingled in a time deposit. No funds should be placed in such a deposit if they might be needed for disbursement by the trust department within the ensuing 30 days or such other period as may be specified in the time deposit agreement; and in no event should the amount of the deposit be determined arbitrarily and without consideration of probable future requirements for their disbursement.

(Sec. 11, 38 Stat. 261, as amended; 12 U.S.C. 248. Interprets or applies sec. 19, 38 Stat. 270, as amended; 12 U.S.C. 461, 462, 462b, 464, 465; Pub. Law 86-114, July 28, 1959)

Dated at Washington, D.C., this 24th day of November 1959.

[SEAL] MERRITT SHERMAN,  
Secretary.

[F.R. Doc. 59-10438; Filed, Dec. 9, 1959;  
8:48 a.m.]

## Chapter V—Federal Home Loan Bank Board

### SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. FSLIC-757]

#### PART 563—OPERATIONS

#### Sales Commissions and Related Matters

##### Correction

In the correction appearing at page 9780 of the issue for Saturday, December 5, 1959, the chapter heading should read as set forth above.

## Title 14—AERONAUTICS AND SPACE

### Chapter II—Civil Aeronautics Board

#### SUBCHAPTER B—ECONOMIC REGULATIONS

[Reg. No. ER-289]

#### PART 249—PRESERVATION OF AIR CARRIER ACCOUNTS, RECORDS AND MEMORANDA

#### Preservation of Joint-Loading Records by International Air Freight Forwarders

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of December 1959.

In a Notice of Proposed Rule-making (23 F.R. 8816) circulated as Draft Release No. 100, dated November 6, 1958, a revised Part 297 was proposed which was designed to implement the policy determinations of the Board in the International Air Freight Forwarder Investigation, Docket No. 7132, Opinion and Order No. E-13141, decided November 6, 1958. Therein it was proposed, among other things, to require holders of Operating Authorizations issued pursuant to proposed Part 297 to comply with the joint-loading record requirements of § 249.10 of Part 249.

Accordingly, contemporaneously with the adoption of revised Part 297 of the Economic Regulations, an amendment to paragraph (c) of § 249.10 is being adopted to make the joint-loading record requirements therein expressly applicable to International Air Freight Forwarders.

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

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 249 of the Economic Regulations (14 CFR Part 249) effective January 8, 1960, by amending the title and paragraph (c) of § 249.10 as follows:

§ 249.10 Time for preservation of records by air freight forwarders and international air freight forwarders.

\* \* \* \* \*

(c) All air freight forwarders and international air freight forwarders engaged in any form of joint loading shall maintain and preserve. \* \* \*

(i) The identity of all other participating air freight forwarders or international air freight forwarders, as the case may be, contributing freight to the shipment. \* \* \*

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

By the Civil Aeronautics Board,

[SEAL] MABEL McCART,  
Acting Secretary.

[F.R. Doc. 59-10453; Filed, Dec. 9, 1959;  
8:49 a.m.]

[Reg. No. ER-283]

## PART 297—INTERNATIONAL AIR FREIGHT FORWARDERS

### Classification and Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of December 1959.

A Notice of Proposed Rule-making was published in the FEDERAL REGISTER (23 F.R. 8816) and circulated to the industry as Economic Regulations Draft Release No. 100, dated November 6, 1958, which proposed to revise Part 297 in order to implement the policy determinations made by the Board in the International Air Freight Forwarder Investigation, Docket No. 7132, Board Opinion and Order E-13141 of November 6, 1958.

As originally published, the draft release proposed to change the title of the present classification of indirect air carriers engaging in overseas and foreign air transportation under Part 297 from "International Air Freight Forwarders" to "Air Cargo Consolidators." However, in its supplemental opinion and order on reconsideration, E-14510, dated October 1, 1959, the Board concluded that the present title "International Air Freight Forwarder" should not be changed. Accordingly, the title "International Air Freight Forwarder" is retained in this revision of Part 297.

This regulation enlarges the present operating authority of International Air Freight Forwarders subject to Part 297. It expressly authorizes two or more forwarders to engage in joint loading as defined therein. Joint loading agreements, as in the case of other agreements coming within the scope of section 412 of the Act, are required to be filed with the Board. Such agreements will be subject to approval or disapproval by the Board.

The regulation also permits, as a "stop-loss" technique, any holder of an operating authorization as an international air freight forwarder to act as agent of the individual shipper on any shipment or shipments accepted by such holder in the capacity of an international air freight forwarder in the event that the volume of freight available for a consolidated single shipment is inadequate or, in the alternative, to act as agent of a direct air carrier which

has authorized an agency relationship under such circumstances.

Comment received in response to Draft Release No. 100 suggested deletion of the word "identified" from the first sentence of § 297.3(b), because it possibly could be construed as requiring a forwarder to give general notice of and to publish in advance, a list of the identities of all the direct air carriers for whom the forwarder could act as agent. Such a construction of the regulation would impose upon forwarders an unnecessary and burdensome requirement which was not intended. Accordingly, the word "identified" has been deleted. As modified, the regulation requires any freight forwarder seeking to avail itself of either the option to act as agent of the shipper or as agent of a direct air carrier to give prior notice of the fact that it reserves such option in a general statement published in accordance with the notice requirements of § 297.3(b) (1), (2) and (3). The identity of the direct air carrier need not be set forth in the general statement.

In order to avoid any overlapping of agency relationships, an international air freight forwarder who elects to act as agent of the shipper is prohibited from charging any commission for its agency services in obtaining the direct air transportation and is required to limit its charges for accessorial and surface services actually rendered to the amounts separately specified in such forwarder's filed tariffs. When the air freight forwarder consigns a shipment as agent of the direct air carrier rendering the transportation service, the forwarder may not charge the shipper other than the airport-to-airport rate for air transportation specified in the applicable tariffs of such direct air carrier and the applicable charges for accessorial and surface transportation services actually rendered, as specified in the tariffs filed with the Board by the air freight forwarder.

In addition, the operating authority of international air freight forwarders is enlarged to permit the use of the services of supplemental, large irregular and irregular transport air carriers engaged in overseas or foreign air transportation on an individually waybilled shipment basis. Such authority will terminate, however, three years from the effective date of this part (§ 297.21 proviso).

Finally, although the regulation expressly prohibits international air freight forwarders from engaging in the direct operation of aircraft, it enlarges the present operating authority to permit such forwarders to charter aircraft from any direct air carrier authorized by the Board to operate cargo charter trips and special services in overseas or foreign air transportation.<sup>1</sup> However, certain conditions will have to be met when the cargo charter trip is to be conducted between points or areas between which other direct air carriers are authorized to engage in air transportation pursuant to certificates of public convenience and necessity. Under such circumstances,

<sup>1</sup> This does not, of course, enlarge the charter authority of any direct carrier.

an international air freight forwarder is prohibited by § 297.23 of the regulation from chartering aircraft from the direct air carrier involved without specific authority granted by the Board, unless the direct air carrier involved has a certificate and could be authorized by its terms to serve such points or areas on a non-stop basis, or written consent is obtained of the authorized certificate air carriers.

It will be noted that a provision has been added to § 297.23 to prescribe the contents of petitions for prior Board approval of a charter. A copy of the petition submitted to the Board must be served by the forwarder upon each air carrier possessing certificate authority to operate between the points or areas involved. In order that the Board may take expeditious action on such requests for approval of charters, no provision has been made for a right to file answers. In proper cases the Board will make timely inquiry of the certificated carriers concerned for any additional information deemed necessary to determine whether the required showing has been made by a forwarder.

Certain comment received requested extension of the protective provisions of § 297.23 to direct air carriers operating pursuant to foreign air carrier permits issued by the Board. The Board's Opinion of November 6, 1958, Docket No. 7132, made the protective provisions of this section applicable to certificated air carriers and the Board has adhered to this policy in its opinion on reconsideration. Accordingly, the protective provisions of § 297.23 remain applicable to the certificated air carriers.

With respect to specific exemptions, it will be noted that the regulation exempts international air freight forwarders from the applicability of sections 403 and 404 of the Act insofar as property inbound to the United States from any place outside thereof is concerned (§ 297.11, first proviso).

Except as specifically provided otherwise, the exemption authority provided in this regulation has been given an indefinite duration,<sup>2</sup> terminable upon a finding by the Board that the continued operation by indirect air carriers classified as international air freight forwarders is no longer in the public interest. However, the Board has reserved the power to issue exemption authorizations shorter than the life of this part and to establish appropriate conditions upon individual authorizations.

Each holder of a currently effective letter of registration as an international air freight forwarder on the effective date of this part will be issued an "Operating

<sup>2</sup> A note has been added to § 297.12 to advise that since Hawaii has ceased to be a Territory and has become a State, the exemption authority provided by Part 297 shall terminate, insofar as it authorizes overseas air transportation between a place in any State of the United States, or the District of Columbia, and any place in Hawaii, 90 days from the date of publication of this regulation. Such operations will constitute interstate air transportation, and will be authorized and regulated pursuant to Part 296 of the Board's Economic Regulations. See also the specific provisions of §§ 297.21 and 297.35 with respect to the termination of authority.

Authorization as an International Air Freight Forwarder" bearing the same effective date as this part. Other persons, however, must make application for such authorization pursuant to § 297.32.

Although the transfer of an operating authorization is prohibited, the regulation permits successors by operation of law to continue operations under the existing authorization for a maximum period of six months. Thereafter, a new operating authorization in the name of the successor is required.

Section 297.40 of this regulation prohibits an international air freight forwarder from tendering shipments at preferential tariff rates for forwarders filed by a direct air carrier unless the use of such rates by forwarders has been authorized by the Board. Preferential rates for forwarders are rates which apply to forwarders only and are lower than the rates for like services to other shippers. The Board finds that its prior authorization for the use of such rates by forwarders is required in the public interest in order to prevent forwarder traffic from disrupting the stability of foreign freight rates. Section 297.40 provides for application for authorization by forwarders and regulates the procedure to be followed thereon.

Holders of operating authorizations are prohibited by § 297.41 of the regulation from consigning any shipment in the capacity of international air freight forwarders through any cargo agent or sales agent of any direct air carrier or any other intermediary receiving commissions on such shipments from direct air carriers engaged in overseas or foreign air transportation. Such a prohibition is considered necessary to assure sound economic conditions (section 102(b) of the Act) in the air cargo business. The principal function of the cargo sales agent is to persuade potential shippers to use air transportation and to represent the interest of a particular airline by soliciting customers for its services. However, air freight forwarders have a basic obligation to promote the interest of the shipper in the expeditious routing and handling of the goods consigned to their care. Thus, it is equally inherent in the nature of the services performed by air freight forwarders that they select the most suitable direct air carrier. Consequently, there does not appear to be any demonstrable need for international air freight forwarders to utilize the services of such agents. Furthermore, it is considered very likely that the leverage afforded forwarders due to the intense competition for their business between agents of direct air carriers would tend to result in the use by the agents of part of their commissions for granting direct or indirect benefits to forwarders.

These considerations, in the opinion of the Board, are of paramount importance and justify application of the aforementioned prohibition to all shipments which the holder of an operating authorization consigns as an international air freight forwarder, whether they be consolidated or joint loaded shipments, or shipments inbound to the

United States from a point outside thereof.

Comment received pointed out, however, that there are instances when it will be operationally necessary for an international air freight forwarder to tender shipments to a direct air carrier which has been designated by another direct air carrier as exclusive agent for receiving shipments on its behalf. It is recognized that the considerations underlying the need to prohibit the tender of shipments to intermediaries of direct air carriers receiving commissions on such shipments do not justify extension of the prohibition to the tender of shipments to a direct air carrier which acts as agent of another direct air carrier for delivery purposes. Accordingly, an appropriate proviso has been added to the prohibition prescribed in § 297.41 to permit the forwarder to tender shipments to such an agent of a direct air carrier.

Certain of the provisions governing the suspension of operating authorizations for alleged violations have been clarified in this regulation. Thus, specific provision is made for giving notice to international air freight forwarders regarding alleged violations which are not knowing and willful and affording such forwarders a reasonable opportunity to demonstrate or achieve compliance within a specified period of time (§ 297.43(a)). Also, failure to operate for a two-year period has been made a basis for revocation (§ 297.44(b)).

This regulation establishes \$10,000 as the minimum insurance requirement covering damage to the property of the shipper and \$5,000 as the minimum requirement on public liability for property damage. For the protection of the public, an international air freight forwarder is required to maintain insurance as required by this regulation at all times and as long as it is the holder of an operating authorization under this part (§ 297.45).

Each holder of an authorization as an international air freight forwarder must comply with the applicable reporting requirements of Part 244 of the Economic Regulations and comply with the applicable record-keeping provisions of Part 249 of the Economic Regulations. In this regard, attention is called to the fact that international air freight forwarders must comply with the provisions of § 249.10 of Part 249 pertaining to joint-loading records.

In the absence of specific regulatory requirements, there has been no uniformity among the indirect air carriers in the preparation of their airwaybills and manifests. The lack of uniformity in this regard tends to confuse and mislead the shipping public and unduly hampers the Board in effectively carrying out its investigative functions. While all forwarders use some form of airwaybill, some fail to set forth therein an adequate itemization of charges imposed or a description of the commodities being shipped, making it impossible to determine whether the correct commodity rate has been applied without actually opening the package and examining the contents. In order to rectify this situation, provisions are included in

this regulation which specify when an airwaybill and manifest must be prepared and the information required to be set forth in such documentation.

If an international air freight forwarder, also holding operating authority under Part 296 of the Economic Regulations, prepares a consolidation which includes both foreign and domestic shipments, the forwarder is required under § 297.51(c)(5) to clearly indicate in its manifest that shipments destined for a foreign point are included in the consolidation. This requirement has been added in the light of comment received in response to Draft Release No. 100. Since a direct air carrier engaged in interstate air transportation could possibly be subject to the rules of liability of the Warsaw Convention under such circumstances, it is considered reasonable to require the existence of foreign destined shipments to be made known to the direct air carrier concerned.

Based upon the findings set forth in the Board's opinions in the International Air Freight Forwarder Investigation, cited supra, which opinions are incorporated herein as though set forth in full, the Board finds that it is in the public interest to relieve and exempt indirect air carriers within the classification "International Air Freight Forwarder" from the provisions of the Act to the extent, upon the terms and conditions, and for the periods hereinafter set forth.

The Board further finds that the classification of indirect air carriers hereby established is just and reasonable in view of the nature of the services performed by such carriers, and that the regulations and limitations hereby promulgated to be applicable to and observed by such classification of indirect air carrier are necessary and desirable in the public interest.

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

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 297 of the Economic Regulations (14 CFR Part 297) effective January 8, 1960, to read as follows:

Subpart A—General	
Sec.	
297.1	Definitions.
297.2	Classification.
297.3	International air freight forwarder acting as agent of shipper or carrier.
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297.45	Insurance.

**Subpart E—Reporting Requirements and Requirements for the Maintenance and Retention of Records**

297.50	Reporting requirements.
297.51	Records requirements.

**AUTHORITY:** §§ 297.1 to 297.51 issued under sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply Sections 101(3), 102, 403, 404, 407, 416, 72 Stat. 737, 740, 758, 760, 766, 771; 49 U.S.C. 1301, 1302, 1373, 1374, 1377, 1386.

**Subpart A—General**

**§ 297.1 Definitions.**

For the purposes of this part:

(a) "Indirect Air Carrier" means any citizen of the United States<sup>1</sup> which engages indirectly in overseas or foreign air transportation<sup>2</sup> of property only, and which: (1) Does not engage directly in the operation of aircraft in air transportation, and (2) does not engage in air transportation pursuant to any Board order which has been issued for the purpose of authorizing air express services under a contract with a direct air carrier.

(b) "Direct Air Carrier" means any air carrier (other than an air taxi operator) or foreign air carrier directly engaged in the operation of aircraft pursuant to a certificate of public convenience and necessity or foreign air carrier permit issued by the Board, or under other authority conferred by any applicable regulation or order issued by the Board.

(c) "International Air Freight Forwarder" means an indirect air carrier coming within the classification established by § 297.2.

(d) "Joint Loading" means an agreement between two or more international air freight forwarders, which provides for the pooling of shipments and their delivery to a direct air carrier for transportation as one shipment in accordance with the filed tariff rules of such direct air carrier.

**§ 297.2 Classification.**

There is hereby established a classification of indirect air carriers designated

<sup>1</sup> As defined in section 101(13) of the Act.

<sup>2</sup> As defined in section 101(21) of the Act.

"International Air Freight Forwarders". An "International Air Freight Forwarder" in the ordinary and usual course of its undertaking, assembles and consolidates or provides for assembling and consolidating of property or performs or provides for the performance of break-bulk and distributing operations with respect to consolidated shipments, or both, is responsible for the transportation of such property from the point of receipt to point of destination, and utilizes for the whole or any part of such transportation the services of a direct air carrier.

**§ 297.3 International air freight forwarder acting as agent of shipper or carrier.**

(a) Any international air freight forwarder may, by complying with the requirements of this section, accept a particular shipment for transport by it as an international air freight forwarder on condition that it may exercise an expressly reserved option to deal therewith as the agent of the shipper thereof or as the agent of a direct air carrier which has authorized such agency, in the event that a volume of freight adequate to permit a consolidated shipment cannot be assembled.

(b) Any international air freight forwarder seeking to avail itself of this option must give notice that it reserves such right, in the case of every shipment accepted subject thereto, to handle the shipment as agent of the shipper or as agent of a direct air carrier, as the case may be. Such notice shall be given to the shipping public and to any person from whom any shipment is so accepted, and such notice shall be furnished such person in writing at the time the shipment is accepted. Such notice shall be given by means of:

(1) Notices with the heading "Notice to Shippers" conspicuously displayed at all premises operated by or under the control of the forwarder in connection with its air transportation activities so as to be clearly visible to the shipping public;

(2) A legible statement set forth on all letterhead stationery used by the forwarder in connection with its air transportation activities; and

(3) Reasonably prominent statements on all the airway bills of such forwarder and on such receipts or other documentation as may be furnished to the shippers at the time of acceptance of the shipment.

(c) Any international air freight forwarder exercising its option to act as agent of either the shipper or the direct air carrier shall transmit to the shipper a copy of its charges for the accessorial and transportation services actually rendered with respect to all shipments billed to the consignee.

(d) In the event that it acts as agent of the direct air carrier, the international air freight forwarder shall not charge other than the airport-to-airport rate for air transportation specified in the applicable tariffs of the direct air carrier rendering the service and the applicable charges for accessorial and surface transportation services actually rendered, as specified in the tariffs filed with the Board by the international air

freight forwarder pursuant to Part 221 of this chapter.

(e) In the event that it acts as agent of the shipper, the international air freight forwarder shall not charge any commission for its agency services and shall not charge other than the applicable charges for accessorial and surface transportation services actually rendered, as specified in the international air freight forwarder's own tariffs filed pursuant to Part 221 of this chapter.

**§ 297.4 Payment of transportation charges.**

Freight bills from direct air carriers for all transportation charges shall be paid by every international air freight forwarder within 30 days after being billed therefor.

**§ 297.5 Separability.**

If any provision of this part or the application thereof to any air transportation, person, class of persons, or circumstances is held invalid, the remainder of the part and the application of such provisions to other air transportation, persons, classes of persons, or circumstances shall not be affected thereby.

**Subpart B—Exemptions**

**§ 297.11 Exemption of international air freight forwarders.**

Subject to the other provisions of this part, international air freight forwarders are hereby relieved from all of the provisions of Title IV of the Act, other than the following:

(a) Subsection 401(k) (3) (Compliance with Labor Legislation);

(b) Section 403 (Tariffs);

(c) Subsection 404(a) (Carrier's Duty to provide Service, etc.) insofar as said subsection requires air carriers to provide safe service, equipment and facilities in connection with air transportation, and to establish, observe, and enforce just and reasonable individual rates and charges, and just and reasonable classifications, rules, regulations, and practices relating to air transportation;

(d) Subsection 404(b) (Discrimination);

(e) Subsection 407(a) (Filing of Reports): *Provided*, That no provision of any rule, regulation, term, condition, or limitations prescribed pursuant to said subsection 407(a) shall be applicable to international air freight forwarders unless such rule, regulation, term, condition, or limitation expressly so provides;

(f) Subsection 407(b) (Disclosure of Stock Ownership);

(g) Subsection 407(c) (Disclosure of Stock Ownership by Officers or Directors);

(h) Subsection 407(d) (Form of accounts): *Provided*, That no provision of any rule, regulation, term, condition, or limitation prescribed pursuant to said subsection 407(d) shall be applicable to international air freight forwarders unless such rule, regulation, term, condition, or limitation expressly so provides;

(i) Subsection 407(e) (Inspection of Accounts and Property);

(j) Section 408 (Consolidation, Merger and Acquisition of Control);

(k) Section 409 (Prohibited Interests);

- (l) Section 410 (Loans and Financial Aid);
- (m) Section 411 (Methods of Competition);
- (n) Section 412 (Pooling and Other Agreements);
- (o) Section 413 (Form of Control);
- (p) Section 414 (Legal Restraints);
- (q) Section 415 (Inquiry into Air Carrier Management); and
- (r) Section 416 (Classification and Exemption of Carriers).

*Provided, however,* That the provisions of sections 403 and 404 shall not be applicable insofar as they would prohibit any international air freight forwarder from engaging in joint loading and shall not be applicable with respect to property inbound to any place within the United States<sup>3</sup> from any place outside thereof. *Provided, further,* That the provisions of subsection 404(b) shall not be applicable insofar as they would otherwise prohibit the exercise, by any international air freight forwarder of its option to act as either an air freight forwarder or as agent of the direct air carrier or the shipper, in accordance with provisions of § 297.3.

#### § 297.12 Duration of exemptions.

Except as otherwise provided herein and in §§ 297.21 and 297.35, the exemption authority provided by this part shall continue in effect until the Board shall find that the continuation of such authority in respect of international air freight forwarders is no longer in the public interest, and thereafter the authority with respect to such classification shall terminate.

**NOTE:** Since Hawaii has ceased to be a Territory of the United States and has become a State, the exemption authority provided by Part 297 shall terminate insofar as it authorizes overseas air transportation between a place in any State of the United States, or the District of Columbia, and any place in Hawaii, 90 days from the date of publication of this regulation. Such operations are subject to and governed by Part 296 of the Economic Regulations.

### Subpart C—Limitations on Exemptions

#### § 297.21 Limitations on use of aircraft.

The exemption authority provided to international air freight forwarders by this part shall be effective only with respect to shipments of property in aircraft operated in overseas or foreign air transportation by direct air carriers, as defined in this part, which have effective tariffs for the services thus utilized on file with the Board: *Provided, however,* That the authority to use the services of supplemental, large irregular, and irregular transport air carriers on an individually waybilled shipment basis shall terminate three years from the effective date of this part. No international air freight forwarder shall ship property by air, except in aircraft operated in overseas or foreign air transportation by a direct air carrier as specified in this section.

#### § 297.22 Prohibition on use of aircraft.

No international air freight forwarder may directly engage in the operation of

aircraft in air transportation: *Provided, however,* That this prohibition shall not be construed to prohibit charters of aircraft by an international air freight forwarder from a direct air carrier authorized by the Board to operate cargo charter trips and special services in overseas or foreign air transportation.

#### § 297.23 Cargo charter trips and other special services in overseas and foreign air transportation over routes of a certificated air carrier.

(a) An international air freight forwarder shall not charter aircraft from a direct air carrier for cargo charter trips or special services in overseas or foreign air transportation between points or areas between which other direct air carriers are authorized to engage in unlimited scheduled air transportation through one or more certificates of public convenience and necessity naming such points or areas, (1) unless such direct air carrier has been issued a certificate authorizing unlimited scheduled air transportation between such named points or areas and could be authorized by the terms thereof to serve such points or areas on a nonstop basis, or (2) unless the provisions of either subparagraphs (i) or (ii) of this subparagraph are complied with.

(i) The consent in writing of the air carriers authorized to engage in unlimited scheduled air transportation between the points or areas involved by certificates naming such points or areas has been obtained and such consent has been filed with or mailed to the Board in a properly addressed envelope with postage thereon prepaid, or

(ii) Specific authority for such cargo charter trip or special services has been granted by the Board upon a showing by the air freight forwarder that it would be a hardship upon it to use the scheduled services of an air carrier authorized to engage in unlimited scheduled air transportation between the points or areas involved by a certificate or certificates naming such points or areas, and that the public interest so requires.

(b) Petitions for Board authority hereunder need not comply with the provisions of Part 302 of the Procedural Regulations, and may be submitted in the form of telegraphic requests, but each petition shall set forth a complete statement of the factors relied upon in support of the request. In addition, a copy of each petition submitted shall be served upon each air carrier certificated to serve the points or areas involved, and a statement listing the air carriers so served shall be included in the petition submitted to the Board.

### Subpart D—Conditions on Exemption

#### § 297.31 Necessity for operating authorization.

No person shall operate as an international air freight forwarder, within the meaning of this part, unless there is in force with respect to such person a document entitled "Operating Authorization" authorizing him to engage in overseas or foreign air transportation pursuant to the general exemption granted by this part.

#### § 297.32 Application for issuance.

Any person, other than those specified in § 297.33, desiring to operate as an international air freight forwarder may apply to the Board for an appropriate Operating Authorization. Such application shall be submitted in duplicate in letter form, shall be certified to by a responsible official of such carrier as being correct, and shall contain the following information: (a) Date; (b) name of international air freight forwarder; (c) mailing address; (d) location of principal office; (e) if a corporation, the state of incorporation, the name and citizenship of officers and directors, and a statement that at least 75 percent of the voting interest is owned or controlled by persons who are citizens of the United States or one of its possessions; (f) the names of the largest stockholders, not exceeding 20, who hold, individually, directly or indirectly, 1 percent or more of the voting capital stock of the applicant; (g) if an individual or partnership, the name and citizenship of the owner or partners, and a statement of the respective interests of each; (h) financial statements showing: Profit and loss for the year ended as of a date not exceeding 6 months prior to the filing of the application with a separation of revenue items relating to the transportation of cargo by aircraft, to distinguish between agency and forwarding activities and a separation of expense items to indicate payments to direct air carriers for the transportation of goods in relation to agency and forwarding activities; a balance sheet showing assets and liabilities as of a date not exceeding 6 months prior to the date of filing the application; and a statement showing the types and amounts of insurance, which is in force for the protection of the forwarder's customers and the public and the name or names of the insurers; (i) a statement of specific points in foreign countries and in United States territories and possessions to be served; a list and location of foreign branch offices, agents, affiliates, or other representatives presently under contract; a list and location of branch offices and agents in the United States, its territories and possessions; a statement whether the applicant is or has been a customs house broker and, if so, the districts in which such authority is or has been held; a statement whether the applicant is or has been an International Air Transport Association agent and, if so, the carriers with whom affiliated and the amount of commissions received from each during the year ended as of a date not exceeding six (6) months prior to the filing of the application; a statement whether the applicant is or has been a surface forwarder; and a statement showing the aggregate tonnage delivered to each type of carrier (rail, water, and air) during the year ended as of a date not exceeding six (6) months prior to the filing of the application; (j) whether or not any of the persons required to be listed under paragraphs (e), (f), and (g) of this section, has at any time been issued, either in his own name or some other name, any letter of registration or other license or operating authority

<sup>3</sup> As defined in section 101(33) of the Act.

by the Board, either as an irregular air carrier or air freight forwarder or otherwise, or is, or has been, affiliated as owner, partner, officer, director, or stockholder holding a controlling interest, with any other air carrier or carriers, either certificated or noncertificated, direct or indirect, together with the names of such other air carrier or carriers; (k) the information required in a "Report of Ownership of Stock" (CAB Form 2786; available from the Board's Publications Section) with respect to each officer and director, if a corporation or association; with respect to each partner or member, if a partnership; or with respect to the owner where the business is conducted by an individual; and (1) such other additional information pertinent to applicant's activities as may be voluntarily submitted to or requested by the Board with respect to any individual application.

**§ 297.33 Issuance of operating authorization to international air freight forwarders holding letters of registration.**

Each holder of a currently effective letter of registration as an international air freight forwarder on the effective date of this part shall be issued an "Operating Authorization as an International Air Freight Forwarder" bearing the same effective date as this part. Such authorization shall be deemed to constitute a letter of registration for the purpose of any pending enforcement proceeding and shall in no way affect such proceeding.

**§ 297.34 Issuance of operating authorization to all other applicants.**

(a) If, after the filing of an application for an Operating Authorization, it appears that the applicant is capable of performing the air transportation authorized by this part as an international air freight forwarder and of conforming to the provisions of the Act and all rules and requirements thereunder, and that the conduct of such operations by the applicant will not be inconsistent with the public interest, the applicant will be notified by letter. Such notification will advise the applicant that upon the filing of a valid tariff within a specified period, an operating authorization will be issued to the applicant, unless the Board finds that it has engaged in unauthorized air transportation or other activities prohibited by the Act or the rules and regulations of the Board between the date of such notification and such filing. In the latter event, an operating authorization will not be issued, unless and until a due showing is made by the applicant that it has terminated such unauthorized or prohibited activities, and that the issuance of such authorization would be consistent with the public interest.

(b) No operating authorization will be issued to an applicant who will not have sufficient branch offices, associated companies, affiliated companies, or agents located outside the continental United States to perform pick-up or delivery, consolidation or break-bulk, and to render customs and other necessary services to be performed in conjunction with

handling shipments, with reasonable effectiveness for the benefit of the shipping public.

(c) No operating authorization will be issued to an applicant which has, or proposes to have, as owner, partner, manager, officer, director, or stockholder holding a controlling interest, any person who is or has been connected in any such capacity with any other international air freight forwarder, air freight forwarder, cooperative shippers association, irregular air carrier, supplemental air carrier, or noncertificated cargo carrier, if the letter of registration, operating authorization, or other exemption authority of such carrier was suspended or revoked by the Board on account of acts or omissions which occurred during the time of such connection: *Provided, however, That an operating authorization may be issued to such an applicant where the Board finds, upon a showing by an applicant, that the public interest and applicant's intention and ability to conform to the provisions of the Act and requirements thereunder are not adversely affected by such relationship.*

(d) If, after the filing of an application for an operating authorization, it appears that the applicant has not made a due showing of capability or that the conduct of operations by the applicant might otherwise be inconsistent with the public interest, the Board may on its own motion assign the application for hearing, or may notify the applicant by letter of its intention to dismiss such application. Within 30 days of the date of the mailing of such letter the applicant may make written request for reconsideration and submit such additional information as it believes will make the necessary showing, or request that the application be assigned for hearing, in which case the applicant shall outline the evidence to be presented at such hearing and shall show the need for hearing in order to properly present its case.

(e) In the event that reconsideration or hearing is requested, the Board may, without notice or hearing, approve or disapprove the application in accordance with its determination of the public interest upon the showing made, or on its own initiative may assign the application for hearing.

**§ 297.35 Effective period.**

Each operating authorization shall be effective upon the date specified therein, and shall continue in effect, unless sooner suspended, revoked or terminated, during such period as the authority provided by this part shall remain in effect, or if issued for a limited period of time, shall continue in effect until the expiration thereof unless sooner suspended or revoked.

**§ 297.36 Conditions on operating authorization.**

(a) *Attachment of conditions to operating authorizations.* At the time of issuance, and from time to time thereafter, there may be attached to the exercise of the privileges granted by any operating authorization issued under this part such reasonable terms, conditions, and limitations applicable to

the person named therein as are necessary to carry out the requirements of the Act and the regulations prescribed thereunder.

(b) *Prohibition against holders of operating authorizations having tainted officers or owners.* No holder of an operating authorization shall have and retain as an owner, partner, manager, officer, director, or stockholder holding a controlling interest, any person who was, or is, affiliated in any of said capacities with any other international air freight forwarder, air freight forwarder, cooperative shippers association, irregular air carrier, supplemental air carrier, or noncertificated cargo carrier, under the circumstances set forth in paragraph (c) of § 297.34: *Provided, however, That such holder may have and retain persons presently or previously affiliated, in the manner described above, where the Board finds that the public interest and the carrier's intention and ability to conform to the provisions of the Act and requirements thereunder are not adversely affected by such relationship.*

**§ 297.37 Nontransferability of operating authorizations.**

(a) An operating authorization shall be nontransferable and shall be effective only with respect to the person named therein or his successor by operation of law, subject to the provisions of this section. The following persons may temporarily continue operations under an operating authorization issued in the name of another person, for a maximum period of six months from the effective date of succession, by giving written notice of such succession to the Board within 60 days after the succession:

(1) Administrators or executors of deceased persons;

(2) Guardians of incapacitated persons;

(3) Surviving partner or partners collectively of dissolved partnerships; and

(4) Trustees, receivers, conservators, assignees or other such persons who are authorized by law to collect and preserve the property of financially disabled persons.

(b) All operations by successors, as above authorized, shall be performed in the name or names of the prior holder of the operating authorization and the name of the successor, whose capacity shall also be designated. Any successor desiring to continue operations after the expiration of the six-month period above authorized must file an application for a new operating authorization within 120 days after such succession. If a timely application is filed, such successor may continue operations until final disposition of the application by the Board.

**§ 297.38 Filing of agreements with foreign agents required.**

It shall be an express condition upon the exercise of the privileges herein granted and the operating authorization issued hereunder that any contract or agreement between the holder of such operating authorization and a foreign agent encompassing matters set forth in section 412 of the Act and entered into prior to, on, or after the effective date of this part shall be filed with the Board

in accordance with the requirements of Part 261 of the Board's Economic Regulations; *Provided*, That agreements entered into prior to the effective date of this part shall be filed within 30 days after said effective date. Agreements so filed shall be subject to approval or disapproval by the Board in accordance with the provisions of section 412 of the Act.

**NOTE:** Agreements between international air freight forwarders and foreign freight forwarders are, of course, subject to the provisions of section 412 relating to agreements between an air carrier and any other carrier.

**§ 297.39 Prohibition on operations unless tariffs are observed.**

No holder of an operating authorization issued pursuant to this part shall ship property in the capacity of an international air freight forwarder in overseas or foreign air transportation unless it pays the direct air carrier transporting such property the rates and charges specified in the currently effective tariffs of such direct air carrier for such transportation; and no such consolidator shall demand, collect, accept, or receive, in any manner or by any device, directly or indirectly, or through any agent or broker, or otherwise, any portion of the rates or charges so specified in the tariffs of such direct air carrier, and shall not demand, accept, or receive, either directly or indirectly, any privilege, service or facility except those specified in the currently effective tariff of such direct air carrier.

**§ 297.40 Prohibition against shipping property at preferential rates without Board authorization.**

No holder of an operating authorization shall in his capacity as an international air freight forwarder tender property for transportation at preferential rates for freight forwarders filed by a direct air carrier unless the use of such rates by freight forwarders has been authorized by the Board. When a tariff containing such preferential rates has been filed, any international air freight forwarder may apply for such authorization with the Board, serving copies of the application on all direct air carriers authorized by certificate, permit or exemption to engage in air transportation of property between the respective points. In other respects, such applications and the proceeding thereon shall be governed, as far as practicable, by the provisions of Subpart D—Rules Applicable to Exemption Proceedings—of Part 302 of this chapter unless such proceeding is consolidated with a proceeding under section 1002 (d), (f) or (g) of the Act.

**§ 297.41 Prohibition on use of agents of direct air carriers.**

No holder of an operating authorization issued pursuant to this part shall tender any shipments (for transportation, wholly or partially by air) in the capacity of an international air freight forwarder to any cargo agent or sales agent of any direct air carrier or to any other intermediary receiving a commission on such shipments from the direct

air carrier. Nor shall any holder of such authorization tender any shipment to the direct air carrier for the account of, or on behalf of, any cargo agent, sales agent, or any other intermediary while acting in the capacity of an international air freight forwarder. The payment of a commission by the direct air carrier to such agent or intermediary shall be prima facie evidence of a violation of this prohibition by the international air freight forwarder concerned in all proceedings before the Board conducted under the authority of section 1002 (a), (b) and (c) of the Act.

*Provided, however*, That the provisions of this section shall not be construed to prohibit an international air freight forwarder from tendering shipments to a direct air carrier which acts as exclusive agent for another direct air carrier for the purpose of accepting forwarder shipments on its behalf.

**§ 297.42 Business name of international air freight forwarder.**

It shall be an express condition upon the exercise of the privileges herein granted and the operating authorization issued hereunder, that any international air freight forwarder, in holding out to the public and in performing air transportation services, shall do so only in a name the use of which is authorized under the provisions of this section or under § 297.37.

(a) Except as otherwise provided under paragraph (b) of this section, an international air freight forwarder may do business in the name or names in which its operating authorization is then issued and outstanding, including abbreviations, contractions, initial letter, or other minor variations of such name or names which are readily identifiable therewith.

(b) An international air freight forwarder may do business in such other and different name or names as the Board may permit in said operating authorization or by order, upon a finding that the use of such other name or names is not contrary to the public interest. Any such permission may be made conditional upon the abandonment of the use of the name in which its operating authorization is issued and outstanding, in air transportation services by the carrier concerned, or otherwise be made subject to such reasonable terms and conditions as the Board may find necessary to protect the public interest.

(c) Slogans shall not be considered names for the purposes of this section, and their use is not restricted thereby.

(d) Neither the provisions of this section or the grant of a permission hereunder shall be deemed to constitute a finding for purposes other than for this section or to effect a waiver of, or exemption from, any provisions of the Federal Aviation Act, or any orders, or regulations issued thereunder.

**§ 297.43 Suspension of operating authorizations.**

An operating authorization may be suspended by the institution of suspension proceedings in accordance with either the procedure specified in Subpart

B of Part 302 of this chapter, or the procedure prescribed in paragraphs (a), (b), and (c) of this section.

(a) Whenever the Board decides to institute a suspension proceeding pursuant to this section, which involves alleged knowing and willful violations it shall issue an order instituting a suspension proceeding. However, whenever it appears that the alleged violations are not knowing and willful, the Board shall, by letter, give the carrier the notice and warning specified in section 9(b) of the Administrative Procedure Act. Such notice shall specifically recite the holder's failure to comply with any provisions of the Act or any order, rule, or regulation issued under any such provision, or any term, condition or limitation of any authority issued under such act or regulation. Such notice shall also afford the holder a reasonable opportunity to demonstrate or achieve compliance with such legal requirements within a specified period of time. At the expiration of such period, the Board may issue an order instituting a suspension proceeding.

(b) Each order instituting a suspension proceeding will specify a period of time within which the holder must file a written response with the Board. In such response, the holder may deny non-compliance or adduce such considerations as it desires to rely upon in order to justify or excuse noncompliance.

(c) In the event such a written response is filed, the Board may assign the proceeding for hearing or oral argument or, in appropriate cases, enter an order of suspension or an order dismissing the suspension proceeding.

(d) Such suspension may continue until the Board finds that such suspended air freight forwarder has complied with the provisions of the Act, or with such rules, regulations, orders, terms, conditions, or limitations or until the expiration of such a minimum suspension period, of fixed duration, as the Board may prescribe. The Board may also order a suspension, of indefinite duration, during the pendency of a docketed revocation proceeding brought under § 297.44.

**§ 297.44 Revocation of operating authorizations.**

(a) Operating authorizations shall be subject to revocation, after notice and hearing, for knowing and willful violation of any provision of the Act or of any order, rule, or regulation issued under any such provision, or of any term, condition, or limitation of any authority issued under said Act or regulation.

(b) An operating authorization shall be revoked without prejudice to subsequent application for a new authorization upon the filing by an international air freight forwarder of a written notice with the Board indicating the discontinuance of air freight forwarder activities: *Provided*, That the Board may refuse to accept such notice if any proceedings or actions are pending in which an international air freight forwarder's authority may be subject to suspension or revocation action. The failure of any holder of an operating authorization to perform air transportation services as

an international air freight forwarder for a period of two years, or the failure of any such holder for two successive periods to file the periodic reports required by this chapter may be deemed by the Board to constitute the filing of written notice indicating the discontinuance of air freight forwarder activities.

#### § 297.45 Insurance.

(a) *Cargo.* No international air freight forwarder shall engage in air transportation pursuant to this part unless it shall have on file with the Board any one of the following:

(1) A satisfactory certificate or certificates of insurance evidencing a properly endorsed policy of insurance (CAB Form 350);<sup>4</sup>

(2) Evidence of qualifications as a self-insurer (a self-insurance fund or other qualifications approved by the Board); or

(3) A surety bond.

Any such guaranty shall not be less than the amount prescribed in paragraph (c) (1) of this section, and shall cover risks of loss of or damage to the property it handles as an international freight forwarder pursuant to the provisions of this Part.

(b) *Public liability, property damage and personal injury.* No international air freight forwarder shall engage in the performance of transfer, collection or delivery services pursuant to this part unless it shall have on file with the Board a satisfactory certificate or certificates of insurance evidencing a properly endorsed policy of insurance (CAB Form 350),<sup>4</sup> qualifications as a self-insurer (a self-insurer fund or other qualifications approved by the Board) or surety bond in not less than the amounts prescribed in paragraph (c) (2) and (3) of this section, conditioned to pay within the amount of such insurance coverage any final judgment recovered against it on account of bodily injuries to or death of any person, or loss of or damage to property (other than property covered by paragraph (a) of this section) resulting from the negligent operation, maintenance or use of motor vehicles operated by or under its direction and control.

(c) *Minimum liability limits.—(1) Cargo insurance.* For loss of or damage to property while carried on or resting in any conveyance or premises; minimum \$10,000 per conveyance or premises. Conveyance includes, but is not limited to, aircraft, motor vehicles, rail and water craft.

(2) *Public liability: property.* For loss of or damage to property occurring at any one time or place: minimum \$5,000;

(3) *Public liability: personal injury.* Claims for bodily injury or death: minimum \$10,000 for any one person and \$20,000 for all persons in any one accident.

(d) *Maintenance of insurance coverage.* The insurance coverage referred to herein shall be kept in effect by the

international air freight forwarder at all times and until such time as the operating authorization may be revoked pursuant to § 297.44 or is otherwise terminated by the Board.

#### Subpart E—Reporting Requirements and Requirements for the Maintenance and Retention of Records

##### § 297.50 Reporting requirements.

Each holder of an operating authorization as an international air freight forwarder shall comply with the applicable reporting provisions of Part 244 of this subchapter, as amended.

##### § 297.51 Records requirements.

(a) Each holder of an operating authorization as an international air freight forwarder shall comply with the applicable recordkeeping provisions of Part 249 of this subchapter, as amended.

(b) Each holder of an operating authorization as an international air freight forwarder shall prepare an accurate airwaybill for each shipment consigned for transportation to a direct air carrier by such holder in the capacity of an international air freight forwarder and a copy thereof shall be supplied to the consignor and consignee of each such shipment. Each such airwaybill shall contain:

(1) The following information:

(i) Name and address of consignor, consignee, and international air freight forwarder.

(ii) A limitation of liability statement.

(iii) Number of packages in shipment.

(iv) Total weight (both actual and dimensional, where applicable).

(v) Description of commodities.

(vi) Point of origin and destination of shipment.

(vii) Declared value of shipment.

(viii) Date of airwaybill preparation.

(ix) Name of employee or agent preparing airwaybill.

(2) The following charges, when applicable:

(i) Commodity rate applied.

(ii) Total weight-rate charge.

(iii) Pick-up and/or delivery.

(iv) Excess valuation.

(v) Charges advanced.

(vi) Assembly or distribution.

(vii) Preparation of export documents.

(viii) Insurance (liability).

(ix) C.O.D. fee.

(x) Transportation tax.

(xi) Total charges and an indication as to whether charges are prepaid or collect.

(c) Each holder of an operating authorization as an international air freight forwarder shall prepare an accurate manifest showing every individual shipment included in each consolidated shipment consigned for transportation to a direct air carrier by such holder. There shall be set forth in each such manifest the following information:

(1) The number of the international air freight forwarder's individual airwaybill for each individual shipment within a consolidated shipment.

(2) Name of the direct air carrier transporting the shipment and the number of the air carrier's airwaybill under which the shipment is transported.

(3) Date of shipment.

(4) Weight of each individual shipment and the total weight of consolidated shipment.

(5) When a consolidated shipment consists of a combination of shipments to be transported to points in the United States and foreign points outside thereof, a clear statement that shipments with a foreign destination are included in the consolidated shipment.

By the Civil Aeronautics Board.<sup>5</sup>

[SEAL]

MABEL MCCART,  
Acting Secretary.

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

[F.R. Doc. 59-10452; Filed, Dec. 9, 1959; 8:49 a.m.]

### Chapter III—Federal Aviation Agency

#### SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket 148; Amdt. 64]

#### PART 507—AIRWORTHINESS DIRECTIVES

##### Forney (Ercoupe) Aircraft

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring inspection for main rudder rib damage on Forney (Ercoupe) aircraft was published in 24 F.R. 8188.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing § 507.10(a), (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

59-25-5 FORNEY (ERCOUPE). Applies to all (Ercoupe) Forney aircraft with Serial Numbers up to 3,335 inclusive.

Compliance required by December 31, 1959, and thereafter every 100 hours of operation or periodic inspection, whichever occurs first. Fatigue failures have continued to occur in the rudder main rib where the control horn is attached after installation of the reinforcement plates.

Therefore, it is required that a visual inspection be made of the area around the rudder control horn for excessive deflection of the horn, canning of rudder skin, or any other unusual peculiarity which would indicate main rudder rib damage. If damage is evident, rudder rib Erco P/N 415-240 12 L/R must be replaced with Forney P/N F-24015 L/R, or equivalent.

This inspection may be discontinued when the heavier gauge rib is installed.

(Forney Service Bulletin No. 105 covers this subject.)

This supersedes AD 47-20-7 (21 F.R. 9462).

<sup>5</sup>Dissenting opinion of Vice Chairman Gurney is filed as part of the original document.

<sup>4</sup>Filed as part of the original document. Available from Publications Section, Civil Aeronautics Board.

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

Issued in Washington, D.C., on December 3, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-10409; Filed, Dec. 9, 1959; 8:45 a.m.]

[Reg. Docket 196; Amdt. 62]

**PART 507—AIRWORTHINESS DIRECTIVES**

**Hiller UH-12 Series Helicopters**

Several instances of contact between the lower cyclic scissors and the filister head screws attaching the wobble plate shield have occurred. Due to the critical loading on these scissors, any damage requires repair to prevent subsequent failure under normal loading conditions, which can result in loss of cyclic control.

For this reason, the Administrator finds that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing § 507.10(a) is amended by adding the following new airworthiness directive:

59-25-3 HILLER. Applies to Hiller UH Series helicopters as follows:

(a) UH-12 and UH-12A—incorporating both P/N 34126 wobble plate shield and P/N 34158 forged lower cyclic scissors.

(b) UH-12B and UH-12C—incorporating the P/N 34158 forged lower cyclic scissors.

(c) UH-12D—all serial numbers.

(d) UH-12E—Serials 942, 954, and 2001 through 2018.

Compliance required as indicated.

To prevent contact between the lower cyclic scissors and the filister head screws attaching the wobble plate shield, which can result in damage to the lower scissors and subsequent loss of cyclic control, the following inspection and rework are required.

(1) Daily, inspect the lower cyclic scissors P/N 34158 on all models, or P/N 34141 on Models UH-12D and UH-12E for damage due to striking the wobble plate shield attachment screws. Damaged scissors must be replaced prior to next flight.

(2) Not later than January 1, 1960, replace the filister head screws attaching the wobble plate shield with AN509-8R4 flush head screws in accordance with the procedures in Hiller Service Bulletins No. 87 or No. 2004.

(3) Upon accomplishment of item (2) above, the inspections of item (1) may be discontinued.

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

Issued in Washington, D.C., on December 3, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-10410; Filed, Dec. 9, 1959; 8:45 a.m.]

[Reg. Docket 127; Amdt. 61]

**PART 507—AIRWORTHINESS DIRECTIVES**

**Kidde and C-O-TWO; Smoke Detectors**

A proposal to amend Part 507 of the regulations of the Administrator to in-

clude an airworthiness directive requiring removal of certain models of Kidde and C-O-TWO smoke detectors installed in civil transport category aircraft was published in 24 F.R. 7649.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing § 507.10(a) is amended by adding the following new airworthiness directive.

59-24-2 KIDDE and C-O-TWO. Applies to smoke detectors, Kidde Model A4532-M1, and C-O-TWO Models ASDC-2 and ASDT-3, installed in civil transport category aircraft.

The Walter Kidde Model A4532-M1 and the C-O-TWO Models ASDC-2 and ASDT-3 smoke detectors have unstable and oversensitive alarm settings; thus resulting in false indications. Due to this unsatisfactory characteristic, the manufacturers, Walter Kidde and Company and the C-O-TWO Division of Fyr-Fyter Company have withdrawn their statements of conformance with Technical Standard Orders, TSO-C1 and C1a for these smoke detectors. Therefore, their TSO approvals are no longer effective.

All model A4532-M1, ASDC-2 and ASDT-3 smoke detectors installed in transport category aircraft shall be removed from service prior to January 31, 1960, except those detectors approved as a part of the airplane installation which have an alarm sensitivity that does not exceed 60 percent light transmission need not be removed. The TSO identification shall be eliminated from the detector label of such detectors approved as a part of the airplane installation.

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

Issued in Washington, D.C., on December 3, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-10411; Filed, Dec. 9, 1959; 8:45 a.m.]

[Reg. Docket 153; Amdt. 65]

**PART 507—AIRWORTHINESS DIRECTIVES**

**Mooney M-20A Aircraft**

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive which will minimize icing of the induction system alternate air source on Mooney M-20A aircraft, was published in 24 F.R. 8303.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing § 507.10(a), (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

59-25-6 MOONEY. Applies to M-20A aircraft Serial Numbers 1201 through 1500. Compliance required not later than December 30, 1959.

In order to minimize the possibility of icing of the induction system alternate air source, relocate the carburetor alternate air source to a more sheltered location and omit the screen covering this opening.

(a) Remove the engine side cowls and the landing light.

(b) Disconnect air hose P/N 6064-19 from present alternate air inlet. Remove screen and air inlet and patch hole.

(c) Cut hole in landing light housing in the upper inboard quadrant to match hose connecting assembly P/N 6354.

(d) Position P/N 6354 inlet on outer side of light housing to match hole cut per item (c). Self-locking nuts and bolts should be used to attach P/N 6354 to landing light housing, in lieu of Tinnerman fasteners furnished with kit.

(e) Attach hose P/N 6064-19 to P/N 6354 with existing clamp and reinstall light and cowling.

(Mooney Service Letter 20-50 covers this same alteration.)

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

Issued in Washington, D.C., on December 4, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-10412; Filed, Dec. 9, 1959; 8:45 a.m.]

[Reg. Docket 197; Amdt. 63]

**PART 507—AIRWORTHINESS DIRECTIVES**

**Piper PA-18 and PA-22 Series Aircraft**

Several cracked nicopress sleeves on 3/8-inch 7 x 19 flexible stainless steel control cable assemblies have occurred in service due to corrosion resulting from contaminated steel cables. Investigation has established that cracks are likely to occur in the nicopress sleeves used in a specific lot of 3/8-inch 7 x 19 flexible stainless steel cable assemblies of the Piper PA-18 and PA-22 Series aircraft control system which render the cable assemblies unsafe for use.

For this reason, the Administrator finds that notice and public procedure hereon are impracticable and that good cause exists for making this amendment effective immediately.

In consideration of the foregoing, § 507.10(a), 14 CFR Part 507, is hereby amended by adding a new airworthiness directive to read as follows and to become effective on the date of publication in the FEDERAL REGISTER:

PIPER. Applies to PA-18/150, PA-18A/125, PA-18A/135, PA-18A/150, PA-18S/150, PA-18AS/150: Serial Numbers 18-1667, 18-1887, 18-4260, 18-4360, 18-6127, 18-6289, 18-6301, 18-6332, 18-6375, 18-6398, 18-6418, 18-6424, 18-6434, 18-6437, 18-6438, 18-6444, 18-6463, 18-6466, 18-6501, 18-6540, 18-6604, 18-6606, 18-6609, 18-6616, 18-6657, 18-6668, 18-6679, 18-6680, 18-6681, 18-6682, 18-6771, 18-6855, 18-6914, 18-6924, 18-6981, 18-6991, 18-6992, 18-6993, 18-7018, 18-7025, 18-7037, 18-7043, 18-7047, 18-7058, 18-7071, 18-7072, 18-7075, 18-7078, 18-7093, PA-22/150, PA-22S/150, PA-22/160, PA-22S-160: Serial Numbers 22-6116, 22-6167, 22-6359, 22-6421, 22-6466, 22-6550, 22-6704, 22-6758, 22-6883.

Compliance required within the next 10 hours time in service.

To preclude loss of control of the airplane as a result of failed nicopress sleeves in the control system, the following is required prior to next 10 hours time in service: Aileron, lower elevator, and flap flexible

stainless steel cable assemblies in PA-18 or PA-18A aircraft; 12794-03, 13271-02, 13745-02, 40123-44, 40123-86, 40123-87, and 10870-12 must be replaced with respective assemblies 12794-00, 13271-00, 13745-00, 40123-03, 40123-77, 40123-76, and 10870-08; PA-22 aileron, lower elevator, flap and rudder cable assemblies 11525-03, 12515-04, 13108-03, 13109-13, 13109-15, 40123-83, 40123-84, and 40123-94 must be replaced with cable assemblies 11527-02, 12515-03, 13108-02, 13109-10, 13109-12, 40123-68, 40123-69, and 40123-93.

Standard landplane galvanized cables are satisfactory for continued or replacement use.

(Piper Service Bulletin Number 181 dated November 5, 1959, covers this same subject.)

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

Issued in Washington, D.C., on December 3, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-10413; Filed, Dec. 9, 1959; 8:45 a.m.]

#### SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket 59-WA-68; Amdt. 128]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Modification of Federal Airway

The purpose of this amendment to § 600.6008 of the regulations of the Administrator is to modify the segment of VOR Federal airway No. 8 which extends from the Hector, Calif., VOR, to the Mormon Mesa, Nev., VOR, together with the north and south alternates to Victor 8 in this vicinity.

The segment of Victor 8 between Hector and Mormon Mesa is presently designated via the intersection of the Hector VOR 049° and the Las Vegas, Nev., VOR 210° radials, and the Las Vegas VOR. The Federal Aviation Agency is realigning this segment from the Hector VOR, to the Mormon Mesa VOR via the Goffs, Calif., VOR and the intersection of the Goffs VOR 030° and the Mormon Mesa VOR 200° radials, to allow en route traffic to bypass the Las Vegas and Nellis AFB, Nev., terminal area. Thus, en route transcontinental traffic will be segregated from the arriving and departing jet traffic at Nellis AFB. This modification is part of the proposed revised airway structure in the Las Vegas area to provide segregation between jet training and other air traffic. Additionally, Victor 8 N between the Long Beach, Calif., VOR and the Las Vegas VOR is being extended to the Mormon Mesa VOR, and Victor 8 S between the Las Vegas VOR and the Mormon Mesa VOR is being revoked. The control areas associated with Victor 8 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment to such control areas is necessary.

This action has been coordinated with the Army, the Navy, the Air Force, and interested civil aviation organizations. Accordingly, compliance with the Notice, and public procedures provisions of section 4 of the Administrative Procedure

Act have, in effect, been complied with. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.6008 (14 CFR, 1958 Supp., 600.6008, 23 F.R. 10337, 24 F.R. 2227) is amended as follows:

In the text of § 600.6008 *VOR Federal airway No. 8 (Long Beach, Calif., to Washington, D.C.)*, delete "From the point of intersection of the Long Beach omnirange 266° and the Los Angeles, Calif., VOR 236° radials via the Long Beach, Calif., omnirange station; Ontario, Calif., omnirange station; Hector, Calif., omnirange station; the intersection of the Hector omnirange 049° and the Las Vegas omnirange 210° radials; Las Vegas, Nev., omnirange station, including a north alternate from the Long Beach omnirange to the Las Vegas omnirange via the point of intersection of the Long Beach omnirange 024° and the Los Angeles omnirange 057° radials, the point of intersection of the Los Angeles omnirange 057° and the Daggett omnirange 235° radials, and the Daggett, Calif., omnirange station; Las Vegas, Nev., omnirange station; Mormon Mesa, Nev., omnirange station, including a south alternate via the intersection of the Las Vegas omnirange 081° and the Mormon Mesa omnirange 201° radials;" and substitute therefore "From the INT of the Long Beach VORTAC 266° and the Los Angeles, Calif., VOR 236° radials via the Long Beach, Calif., VORTAC; Ontario, Calif., VOR; Hector, Calif., VOR; Goffs, Calif., VOR; the INT of the Goffs VOR 030° and the Mormon Mesa VOR 200° radials; Mormon Mesa, Nev., VOR, including a N alternate from the Long Beach VORTAC to the Mormon Mesa VOR via the INT of the Long Beach VORTAC 024° and the Los Angeles VOR 057° radials, the INT of the Los Angeles VOR 057° and the Daggett VOR 235° radials, the Daggett, Calif., VOR, and the Las Vegas, Nev., VOR;"

This amendment shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 4, 1959.

GEORGE S. CASSADY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10415; Filed, Dec. 9, 1959; 8:45 a.m.]

[Airspace Docket 59-WA-423; Amdt. 133]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Modification of Federal Airway

The purpose of this amendment to § 600.6089 of the regulations of the Administrator is to modify the segment of VOR Federal airway No. 89 and its associated control areas between Chadron,

Nebr., and Rapid City, S. Dak., via the Smithwick, S. Dak., VORTAC.

This segment of Victor 89 presently extends between Chadron and Rapid City direct from station to station. The Federal Aviation Agency has installed a VORTAC at Smithwick, S. Dak., which is located approximately half-way between Chadron and Rapid City. Victor 89 is being realigned between these two terminals via the Smithwick VORTAC to provide more precise navigational guidance. Concurrently, the east alternate to Victor 89 is redesignated via the intersection of the Chadron VOR 017° and the Rapid City VOR 180° radials. The control areas associated with Victor 89 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

This action has been coordinated with the Army, the Navy, the Air Force, and interested civil aviation organizations. Accordingly, compliance with the Notice, and public procedures provisions of section 4 of the Administrative Procedure Act have, in effect, been complied with. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.6089 (14 CFR, 1958 SUPP., 600.6089) is amended as follows:

In the text of § 600.6089 *VOR Federal airway No. 89 (Denver, Colo., to Rapid City, S. Dak.)*, delete "to the Rapid City, S. Dak., VOR, including an east alternate." and substitute therefor "Smithwick, S. Dak., VORTAC; to the Rapid City, S. Dak., VOR, including an east alternate from the Chadron, Nebr., VOR to Rapid City VOR via the intersection of the Chadron VOR 017° and the Rapid City VOR 180° radials."

This amendment shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 4, 1959.

GEORGE S. CASSADY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10416; Filed, Dec. 9, 1959; 8:45 a.m.]

[Airspace Docket No. 59-WA-30]

[Amdt. 109]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 131]

### PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONE, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

#### Extension of Federal Airway and Associated Control Areas

On August 21, 1959, a Notice of Proposed Rule-Making was published in the

FEDERAL REGISTER (24 F.R. 6815) stating that the Federal Aviation Agency was considering amendments to §§ 600.6156 and 601.6156 of the regulations of the Administrator which would extend VOR Federal airway No. 156 and its associated control areas from Richmond, Va., to Cape Charles, Va.

As stated in the Notice, Victor 156 presently extends from Elkins, W. Va., to Richmond. The Federal Aviation Agency is extending Victor 156 from the Richmond VOR to the Cape Charles VOR to provide a westbound VOR departure route for aircraft departing airports located within the Norfolk, Va., terminal area. Such action will result in Victor 156, and its associated control areas, being designated from Elkins to Cape Charles.

Written comment concerning the proposed amendments was generally favorable with the exception of a comment received from the United States Air Force. The Air Force interposed no objection "provided such extension does not interfere with designation of a Restricted Area/Climb Corridor for Langley Air Force Base." The Federal Aviation Agency considers that the public interest would best be served by designating the extension of V-156 at this time. However, upon the submission of a request for the establishment of a Restricted Area Climb Corridor for Langley Air Force Base, the agency will give due consideration to the applicable factors involved.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) §§ 600.6156 (24 F.R. 703) and 601.6156 (14 CFR, 1958 Supp., 601.6156) are amended as follows:

1. Section 600.6156 *VOR Federal airway No. 156 (Elkins, W. Va., to Richmond, Va.)*:

(a) In the caption delete "(Elkins, W. Va., to Richmond, Va.)" and substitute therefor "(Elkins, W. Va., to Cape Charles, Va.)"

(b) In the text delete "to the Richmond, Va., VOR." and substitute therefor "Richmond, Va., VOR; point of INT of the Richmond VOR 090° and the Norfolk, Va., VOR 336° radials; to the Cape Charles, Va., VOR."

2. In the caption of § 601.6156 *VOR Federal airway No. 156 control areas (Elkins, W. Va., to Richmond, Va.)*, delete "(Elkins, W. Va., to Richmond, Va.)" and substitute therefor "(Elkins, W. Va., to Cape Charles, Va.)"

These amendments shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 4, 1959.

GEORGE S. CASSADY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10417; Filed, Dec. 9, 1959; 8:45 a.m.]

[Airspace Docket 59-WA-288]

[Amdt. 112]

## PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 135]

### PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

#### Modification of Federal Airway, Associated Control Areas and Designation of Reporting Point

The purpose of these amendments to §§ 600.6159, 601.6159 and 601.7001 of the regulations of the Administrator is to modify the segment of VOR Federal airway No. 159 W and its associated control areas from Orlando, Fla., to Ocala, Fla., by redesignating Victor 159 W between these two terminals and to designate the Ocala VOR as a reporting point.

A segment of Victor 159 W presently extends from the Orlando VOR to the Ocala, Fla., VOR. The Federal Aviation Agency is modifying this segment of Victor 159 W between the Orlando VOR and the Ocala VOR, via the intersection of the Orlando VOR 284° and the Ocala VOR 152° radials. Northbound traffic departing Tampa, Fla., via VOR Federal airway No. 157 is frequently restricted in climbing after crossing the Webster, Fla., intersection because of southbound traffic over Ocala proceeding via Victor 157 and Victor 295 to Orlando. This modification will reduce the airway mileage for southbound traffic from Ocala proceeding via Victor 157 and Victor 295 to Orlando and reduce climb restrictions on Tampa northbound departing traffic. Victor 159 W is hereby designated from the Orlando VOR to the Ocala VOR via the intersection of the Orlando VOR 284° and the Ocala VOR 152° radials. Coincident with this action, § 601.6159, relating to control areas for Victor 159 W is modified to reflect this redescription. Moreover, § 601.7001, relating to domestic VOR reporting points, is modified by adding the Ocala VOR as a designated reporting point.

This action has been coordinated with the Army, the Navy, the Air Force, and interested civil aviation organizations. Accordingly, compliance with the Notice, and public procedures provisions of section 4 of the Administrative Procedure Act have, in effect, been complied with. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.6159 (24 F.R. 2646) and §§ 601.6159, 600.7001 (14 CFR, 1958 Supp., 601.6159, 24 F.R. 2649; 601.7001) are amended as follows:

1. Section 600.6159 is amended to read:

§ 600.6159 VOR Federal airway No. 159 (Miami, Fla., to Birmingham, Ala.).

From the Miami, Fla., VOR via the INT of the Miami VOR 346° and the West Palm Beach VOR 219° radials; West Palm Beach, Fla., VOR; Vero Beach, Fla., VOR; Orlando, Fla., VOR, including an E alternate from the Vero Beach VOR to the Orlando VOR via the INT of the Vero Beach VOR 342° and the Orlando VOR 123° radials and also a W alternate from the West Palm Beach VOR to the Orlando VOR via the INT of the West Palm Beach VOR 314° and the Orlando VOR 162° radials; Ocala, Fla., VOR, including a W alternate via the Orlando VOR 284° and the Ocala VOR 152° radials; Gainesville, Fla., VOR; INT of the Cross City, Fla., VOR 333° and the Valdosta, Ga., VOR 233° radials; Albany, Ga., VOR, including a W alternate from the Ocala VOR to the Albany VOR via the Cross City, Fla., VOR and the INT of the Tallahassee, Fla., VOR 091° and the Cross City VOR 333° radials; Eufaula, Ala., VOR; Tuskegee, Ala., VOR; to the Birmingham, Ala., VORTAC.

§ 601.6159 [Amendment]

2. In the text of § 601.6159 *VOR Federal airway No. 159 control areas (Miami, Fla., to Birmingham, Ala.)*, delete "and west alternate" and substitute therefor "and W alternates."

3. In the text of § 601.7001 *Domestic VOR reporting points*, add: "Ocala, Fla., VOR".

These amendments shall become effective 0001 e.s.t., January 14, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 4, 1959.

GEORGE S. CASSADY,  
Acting Director,  
Bureau of Air Traffic Management.

[F.R. Doc. 59-10418; Filed, Dec. 9, 1959; 8:45 a.m.]

[Airspace Docket 59-WA-113]

[Amdt. 126]

## PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 154]

### PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

#### Extension of Federal Airway and Associated Control Areas

On August 29, 1959, a Notice of Proposed Rule-Making was published in the FEDERAL REGISTER (24 F.R. 7042) stating that the Federal Aviation Agency was considering an amendment to §§ 600.6126 and 601.6126 of the regulations of the Administrator which would extend VOR Federal airway No. 126 from the Armonk, N.Y., intersection to Riverhead, N.Y.

As stated in the Notice, Victor 126 presently extends from Chicago, Ill., to New York, N.Y. The Federal Aviation Agency is extending Victor 126 to the Riverhead VOR as a part of a plan to revise and increase the air traffic flow capabilities into and from the New York Metropolitan area. The extension of this airway will serve primarily as a northwest bound route for aircraft departing New York International Airport, Idlewild, N.Y. Such action will result in Victor 126 and its associated control areas extending from Chicago to Riverhead.

No adverse comments were received regarding these amendments.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) §§ 600.6126 and 601.6126 (14 CFR, 1958 Supp., 600.6126, 601.6126) are amended as follows:

1. Section 600.6126 *VOR Federal airway No. 126 (Chicago, Ill., to New York, N.Y.)*:

(a) In the caption delete "(Chicago, Ill., to New York, N.Y.)" and substitute therefor "(Chicago, Ill., to Riverhead, N.Y.)."

(b) In the text delete "to the point of intersection of the Huguenot omnirange 114° and the Wilton, Conn., omnirange 240° radials." and substitute therefor "to the Riverhead, N.Y., VOR."

2. In the caption of § 601.6126 *VOR Federal airway No. 126 control areas (Chicago, Ill., to New York, N.Y.)*, delete "(Chicago, Ill., to New York, N.Y.)" and substitute therefor "(Chicago, Ill., to Riverhead, N.Y.)."

These amendments shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 4, 1959.

GEORGE S. CASSADY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10419; Filed, Dec. 9, 1959;  
8:46 a.m.]

[Airspace Docket 59-WA-111]

[Amdt. 127]

## PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 155]

### PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

#### Modification of Federal Airway and Designation of Reporting Point

On September 16, 1959, a Notice of Proposed Rule-Making was published in

the FEDERAL REGISTER (24 F.R. 7465) stating that the Federal Aviation Agency proposed to amend §§ 600.6040 and 601.7001 of the regulations of the Administrator which would modify the segment of VOR Federal airway No. 40 which extends from Navarre, Ohio, to Pittsburgh, Pa.

As stated in the Notice, Victor 40 presently extends from Cleveland, Ohio, to Pittsburgh. The modification of this airway segment between Navarre and Pittsburgh via the intersection of the Imperial, Pa., VOR 295° and Ellwood City, Pa., VOR 241° radials and the Imperial VOR will provide an independent route for arrival aircraft from the west and northwest destined for the Pittsburgh terminal area. Such action will result in Victor 40 between Navarre and Pittsburgh being designated via the East Liverpool, Ohio, intersection and the Imperial VOR. Concurrent with this action, the East Liverpool intersection (intersection of Imperial VOR 295° and the Ellwood City VOR 241° radials) will be designated as a reporting point. The control areas associated with Victor 40 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

No adverse comments were received regarding the proposed amendment.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) §§ 600.6040 and 601.7001 (14 CFR, 1958 Supp., 600.6040, 601.7001) are amended as follows:

1. In § 600.6040 *VOR Federal airway No. 40 (Cleveland, Ohio to Pittsburgh, Pa.)* delete "point of intersection of the Navarre omnirange direct radial to the Wheeling, W. Va., omnirange station with the Imperial, Pa., omnirange direct radial to the Tiverton, Ohio, omnirange station;" and substitute therefor "INT of the Imperial VOR 295° with the Ellwood City, Pa., VOR 241° radials; Imperial, Pa., VOR;"

2. In text of § 601.7001 *Domestic VOR reporting points*, add: East Liverpool INT: The INT of the Imperial, Pa., VOR 295° and the Ellwood City, Pa., VOR 241° radials.

These amendments shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 4, 1959.

GEORGE S. CASSADY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10420; Filed, Dec. 9, 1959;  
8:46 a.m.]

[Airspace Docket No. 59-WA-88]

[Amdt. 129]

## PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 158]

### PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

#### Modification of Federal Airway and Associated Control Areas

On September 25, 1959, a Notice of Proposed Rule-Making was published in the FEDERAL REGISTER (24 F.R. 7734) stating that the Federal Aviation Agency was considering an amendment to §§ 600.6115 and 601.6115 of the regulations of the Administrator which would modify the segment of VOR Federal airway No. 115 and its associated control areas between Birmingham, Ala., and Chattanooga, Tenn.

As stated in the Notice, Victor 115 presently extends from Crestview, Fla., to Charleston, W. Va., and from Ellwood City, Pa., to Buffalo, N.Y. The Federal Aviation Agency is designating an east alternate to Victor 115 and its associated control areas for the segment between the Birmingham VOR and the Chattanooga VOR via a new VOR to be commissioned on or about February 5, 1960, near Gadsden, Ala., at latitude 33°58'33" N., longitude 86°05'05" W. The east alternate will provide an additional departure route in the Birmingham terminal area, and an alternate route to relieve air traffic congestion on Victor 115. Such action will result in Victor 115 E and its associated control areas being designated from the Birmingham VOR to the Chattanooga VOR via the Gadsden VOR. Concurrently, the captions of §§ 600.6115 and 601.6115 will be modified to indicate the existing break in continuity of Victor 115 between Charleston, W. Va., and Ellwood City, Pa.

No adverse comments were received regarding the proposed amendments.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) §§ 600.6115 (24 F.R. 2646) and 601.6115 (14 CFR, 1958 Supp., 601.6115) are amended as follows:

1. Section 600.6115 *VOR Federal airway No. 115 (Crestview, Fla., to Buffalo, N.Y.)*:

(a) In the caption, delete "(Crestview, Fla., to Buffalo, N.Y.)" and substitute therefor "(Crestview, Fla., to Charleston, W. Va., and Ellwood City, Pa., to Buffalo, N.Y.)."

(b) In the text, delete "Chattanooga, Tenn., VOR;" and substitute therefor "Chattanooga, Tenn., VOR, including an E alternate via the INT of the Birmingham VOR 097° and the Gadsden, Ala., VOR 233° radials, the Gadsden VOR and

the INT of the Gadsden VOR 042° and the Chattanooga VOR 214° radials;”.

2. Section 601.6115 VOR Federal airway No. 115 control areas (Crestview, Fla., to Buffalo, N.Y.):

(a) In the caption, delete “(Crestview, Fla., to Buffalo, N.Y.)” and substitute therefor “(Crestview, Fla., to Charleston, W. Va., and Ellwood City, Pa., to Buffalo, N.Y.)”.

(b) In the text, add at the end, “including an E alternate.”

These amendments shall become effective 0001 e.s.t. February 11, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 4, 1959.

GEORGE S. CASSADY,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10421; Filed, Dec. 9, 1959;  
8:46 a.m.]

[Airspace Docket 59-FW-21; Amdt. 27]

## PART 602—ESTABLISHMENT OF CODED JET ROUTES AND NAVIGATIONAL AIDS IN THE CONTINENTAL CONTROL AREA

### Establishment of Coded Jet Route

On September 15, 1959, a Notice of Proposed Rule-Making was published in the FEDERAL REGISTER (24 F.R. 7424) stating that the Federal Aviation Agency proposed to amend Part 602 of the regulations of the Administrator by establishing VOR/VORTAC jet route No. 91 between Atlanta, Ga., and the United States/Canadian Border.

As stated in the Notice, scheduled air carrier jet aircraft service between Atlanta and Detroit, Mich., will begin in the near future. The portion of J-91-V between Atlanta and Knoxville, Tenn., will coincide with existing VOR/VORTAC jet route No. 43. This will provide continuity of the route and will thereby simplify flight planning and air traffic management. The segment of J-91-V between the Cleveland, Ohio, VOR and the United States/Canadian Border will be established via the Cleveland VOR direct radial to the Windsor, Ont., VOR. Air traffic utilizing this segment will proceed from the United States/Canadian Border to the Windsor VOR via VOR Federal airway No. 42. Such action will result in VOR/VORTAC jet route No. 91 being established from the Atlanta VOR via the Knoxville VOR, the Charleston, W. Va., VORTAC, the Cleveland VOR to the United States/Canadian Border.

The Notice refers to the “334°” radial of the Cleveland VOR. This has been changed herein to the “328°” radial.

No adverse comments were received regarding this amendment.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) Part 602 (14 CFR, 1958 SUPP., Part 602) is amended by adding the following section:

§ 602.591 VOR/VORTAC jet route No. 91 (Atlanta, Ga., to the United States-Canadian Border).

From the Atlanta, Ga., VOR via the Knoxville, Tenn., VOR; Charleston, W. Va., VORTAC; INT of the Charleston VOR 357° and the Cleveland, Ohio, VOR 172° radials; Cleveland VOR; INT of the Cleveland VOR 328° radial and the United States-Canadian Border.

This amendment shall become effective 0001 e.s.t. January 14, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 4, 1959.

GEORGE S. CASSADY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10414; Filed, Dec. 9, 1959;  
8:45 a.m.]

[Airspace Docket No. 59-KC-15; Amdt. 50]

## PART 608—RESTRICTED AREAS

### Modification of Restricted Area

The purpose of this amendment to § 608.30 of the regulations of the Administrator is to modify the Camp Lucas, Mich., Restricted Area (Mamainse Point, Ontario, Canada) (R-467) (Lake Superior Chart).

The current published time of designation of R-467 is daylight hours only. A recent review of the utilization of R-467 indicates there is only sufficient activity to justify designation of this restricted area between sunrise to sunset, April 1 to November 1, annually. Therefore, action is being taken herein to effect this change in time of designation accordingly.

Since this action imposes no additional burden upon any person, notice and public procedure hereon are unnecessary, and good cause exists for making the amendment effective on less than 30 days notice.

In consideration of the foregoing, the following action is taken:

In § 608.30, *The Camp Lucas, Mich., Restricted Area (Mamainse Point, Ontario, Canada) (R-467) (Lake Superior Chart)* (23 F.R. 8582) is amended by deleting “Daylight hours only.” and substituting therefor “Sunrise to Sunset, April 1 to November 1, annually.”

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on December 3, 1959.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 59-10422; Filed, Dec. 9, 1959;  
8:46 a.m.]

# Title 19—CUSTOMS DUTIES

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

[T.D. 54995]

### PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

#### Temporary Importations Under Bond

Section 10.31(f) of the Customs Regulations provides for the taking of temporary importation bonds (customs Form 7563) without surety or cash deposit for articles entered without formal entry under section 308(3) or 308(9) of the Tariff Act of 1930, as amended. A review of the procedure indicates that the extension of this provision to cover articles entered under any subdivision of section 308 where the amount of the bond would be under \$25 will simplify the handling of such entries by customs and eliminate unnecessary expense to the importer without unduly endangering the revenue. Accordingly, § 10.31(f) of the Customs Regulations is amended by inserting in the last sentence thereof “or the amount of the bond taken under any subdivision of section 308 is less than \$25,” after “§ 10.36,” so that paragraph (f) will read as follows:

(f) A bond shall be given on customs Form 7563 in an amount equal to one and one-quarter times the duties which it is estimated would accrue had all the articles covered by the entry been entered under an ordinary consumption entry. A term bond on customs Form 7563-A, may also be given. Cash deposits in the amount of the bond may be accepted in lieu of sureties. When the articles are entered under section 308(3) or 308(9) of the Tariff Act of 1930, as amended, without formal entry, as provided for in § 10.36, or the amount of the bond taken under any subdivision of section 308 is less than \$25, the bond shall be without surety or cash deposit and the bond form shall be modified to so indicate.

(Secs. 308, 624, 46 Stat. 690, as amended, 759; 19 U.S.C. 1308, 1624)

Quotations from paragraph 1615 of the Tariff Act of 1930, as amended, appear in footnotes 1 and 6, and section 308 of the Tariff Act of 1930, as amended, is quoted in footnote 34. To conform the footnotes to recent amendments of those laws, footnotes 1, 6, and 34 to Part 10 are amended as follows:

Subparagraph (e) (3) of footnote 1 appended to § 10.1 is amended to read:

“(3) Any article (A) manufactured or produced in the United States in a customs bonded warehouse or under section 308(1) of this Act, and (E) exported under any provision of law; or

Subparagraph (g) (3) of footnote 6 appended to § 10.8 is amended by deleting “or” at the end of subdivision (E); by substituting “; or” for the period at the end of subdivision (C); and by adding the following new subdivision:

“(D) After manufacture or production in the United States under section 308(1) of this Act.

Subdivision (1) of footnote 34 appended to § 10.31 is amended to read:

(1) Merchandise imported to be repaired, altered, or processed (including processes which result in articles manufactured or produced in the United States); but merchandise may be admitted into the United States under this subdivision only on condition that—

(A) Such merchandise will not be processed into an article manufactured or produced in the United States if such article is—

(i) Alcohol, distilled spirits, wine, beer, or any dilution or mixture of any or all of the foregoing,

(ii) A perfume or other commodity containing ethyl alcohol (whether or not such alcohol is denatured), or

(iii) A product of wheat; and

(B) If any processing of such merchandise results in an article (other than an article described in clause (A) of this subdivision) manufactured or produced in the United States—

(1) A complete accounting will be made to the Customs Service for all articles, wastes, and irrecoverable losses resulting from such processing, and

(ii) All articles and valuable wastes resulting from such processing will be exported or destroyed under customs supervision within the bonded period;

Footnote 34 is also amended by deleting "and" at the end of paragraph (11); by deleting the quotation marks and citation of authority at the end of paragraph (12); by substituting "; and" for the period after "United States" in paragraph (12); and, by adding the following new paragraph:

(13) Automobiles, automobile chassis, automobile bodies, cutaway portions of any of the foregoing, and parts for any of the foregoing, finished, unfinished, or cutaway, when intended solely for show purposes; except that (A) the privileges granted by this subdivision in respect of imports from a foreign country shall be allowed only if the Secretary of the Treasury shall have found that such foreign country allows, or will allow, substantially reciprocal privileges in respect of similar imports to such country from the United States, and if the Secretary of the Treasury finds that a foreign country has discontinued, or will discontinue, the allowance of such privileges, the privileges granted shall not apply thereafter in respect of imports from such foreign country; and (B) articles imported under this subdivision shall be admitted under bond for their exportation within six months from the date of importation, in lieu of the period specified above, and such six months period shall not be extended. (Tariff Act of 1930, sec. 308, as amended; 19 U.S.C. 1308.)

(Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

The purpose of the amendment of § 10.31(f) is to permit a more liberal use of temporary importation bonds without surety or cash deposits in lieu thereof. It is, therefore, to the benefit of the public that this amendment be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found that notice and public procedure thereon are impractical, unnecessary, and contrary to the public interest, and good cause is found for making this amend-

ment effective upon publication in the FEDERAL REGISTER.

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

Approved: December 1, 1959.

A. GILMORE FLUES,  
Acting Secretary of the Treasury.

[F.R. Doc. 59-10447; Filed, Dec. 9, 1959;  
8:48 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER A—GENERAL

#### PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

##### Status of Articles Offered to the General Public for the Control or Reduction of Blood Cholesterol Levels and for the Prevention and Treatment of Heart and Artery Disease Under the Federal Food, Drug, and Cosmetic Act

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055, as amended; 21 U.S.C. 371) and delegated to the Commissioner of Food and Drugs by the Secretary (23 F.R. 9500), and pursuant to the Administrative Procedure Act (sec. 3, 40 Stat. 237; 5 U.S.C. 1002), the following statement of policy is issued.

§ 3.41 Status of articles offered to the general public for the control or reduction of blood cholesterol levels and for the prevention and treatment of heart and artery disease under the Federal Food, Drug, and Cosmetic Act.

(a) There is much public interest and speculation about the effect of various fatty foods on blood cholesterol and the relationship between blood cholesterol levels and diseases of the heart and arteries. The general public has come to associate the term "cholesterol" with these diseases. A number of common food fats and oils and some other forms of fatty substances are being offered to the general public as being of value in the control or reduction of blood cholesterol levels and for the prevention or treatment of diseases of the heart or arteries.

(b) The role of cholesterol in heart and artery diseases has not been established. A causal relationship between blood cholesterol levels and these diseases has not been proved. The advisability of making extensive changes in the nature of the dietary fat intake of the people of this country has not been demonstrated.

(c) It is therefore the opinion of the Food and Drug Administration that any claim, direct or implied, in the labeling of fats and oils or other fatty substances offered to the general public that they will prevent, mitigate, or cure diseases

of the heart or arteries is false or misleading, and constitutes misbranding within the meaning of the Federal Food, Drug, and Cosmetic Act.

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interprets or applies sec. 403 (a), 52 Stat. 1047; 21 U.S.C. 343 (a))

Dated: December 7, 1959.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 59-10454; Filed, Dec. 9, 1959;  
8:49 a.m.]

#### SUBCHAPTER C—DRUGS

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

##### Changes in Labeling Requirements Re Expiration Date and Prescription Legend

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 357, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F.R. 1045, 23 F.R. 9500), the regulations for the certification of chlortetracycline (or tetracycline) and chlortetracycline- (or tetracycline-) containing drugs are amended as indicated below:

1. Section 146c.201(c) is amended as follows:

a. Subparagraph (1) (iii) is amended by changing the clause following the word "certified" to read as follows: "Provided, however, That such expiration date may be omitted from the immediate container if it contains a single dose and it is packaged in an individual wrapper or container;"

b. Subparagraph (1) is further amended by deleting the word "and" at the end of subdivision (iv) and by adding new subdivisions (vi) and (vii):

(vi) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled;

(vii) If it is intended solely for intravenous veterinary use, the statement "Caution: Federal law restricts this drug to sale by or on the order of a licensed veterinarian."

c. Subparagraph (2) is deleted and reserved.

2. Section 146c.202(c) is amended as follows:

a. In subparagraph (1) (iv), the clause following the words "paragraph (a) of this section" is changed to read: "Provided, however, That such expiration date may be omitted from the immediate container if it contains a single dose and it is packaged in an individual wrapper or container."

b. Subparagraph (2) is amended to read as follows:

(2) On the outside wrapper or container and the immediate container, if it is packaged for ophthalmic use by man or if it contains cortisone, hydrocortisone, or an ester of cortisone or hydrocortisone, the statement "Caution: Federal law prohibits dispensing without prescription," and a reference specifically identifying a readily available medical publication containing information (including contraindications and possible sensitization) adequate for the use of such ointment by practitioners licensed by law to administer such drug; or a reference to a brochure or other printed matter containing such information, and a statement that such brochure or printed matter will be sent on request: *Provided, however*, That this reference may be omitted if the information is contained in a circular or other labeling within or attached to the package.

3. Section 146c.203(c) is amended as follows:

a. Subparagraph (1) is amended by deleting the word "and" at the end of subdivision (iii) and by changing the colon after the words "paragraph (a) of this section" in subdivision (iv) to a semicolon and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription."

c. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

4. Section 146c.204(c) is amended as follows:

a. Subparagraph (1) is amended by deleting the concluding clause beginning "Provided, however,".

b. Subparagraph (1) is further amended by adding a new subdivision (v):

(v) The statement: "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

5. Section 146c.205(c) is amended as follows:

a. Subparagraph (1) (iii) is amended by changing the colon after the word "certified" to a semicolon and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

6. Section 146c.206(c) is amended as follows:

a. Subparagraph (1) (iii) is amended by changing the colon after the words "paragraph (a) of this section" to a semicolon and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

7. Section 146c.208(c) is amended as follows:

a. Subparagraph (1) (iii) is amended by changing the colon after the word "certified" to a semicolon and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by changing the period at the end of subdivision (iv) to a semicolon and by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (3) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (3).

8. Section 146c.211(c) is amended as follows:

a. Subparagraph (1) (iii) is amended by changing the colon after the words "used for such drug" to a semicolon and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by changing the period at the end of subdivision (iv) to a semicolon and by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

9. Section 146c.212(c) is amended as follows:

a. Subparagraph (1) (iv) is amended by changing the colon after the words "paragraph (a) of this section" to a period and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without pre-

scription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

10. Section 146c.213(c) is amended as follows:

a. Subparagraph (1) (iv) is amended by changing the colon after the word "certified" to a period and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

(c) Subparagraph (3) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (3).

11. Section 146c.214(c) is amended as follows:

a. Subparagraph (1) (iv) is amended by changing the colon after the word "certified" to a period and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (3) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (3).

12. Section 146c.215(c) is amended as follows:

a. Subparagraph (1) (iii) is amended by changing the colon after the word "certified" to a period and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (iv):

(iv) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (4) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (4).

13. Section 146c.217(c) is amended as follows:

a. Subparagraph (1) (v) is amended by changing the colon after the words "paragraph (a) of this section" to a period and by deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (vi):

(vi) If it is intended for use by humans, the statement "Caution: Federal

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law prohibits dispensing without prescription."

2. Subparagraph (2) is amended to read as follows:

(2) On the outside wrapper or container, a reference specifically identifying a readily available medical publication containing information (including contraindications and possible sensitization) adequate for the use of such drug by practitioners licensed by law to administer such drug; or a reference to a brochure or other printed matter containing such information, and a statement that such brochure or printed matter will be sent on request: *Provided, however,* That this reference may be omitted if the information is contained in a circular or other labeling within or attached to the package.

14. Section 146c.219(c) (1) (iv) is amended by changing the colon after the word "certified" to a period and deleting the remainder of the subdivision.

15. Section 146c.220(c) (3) is amended by changing the colon after the word "certified" to a period and deleting the remainder of the subdivision.

16. Section 146c.221(c) is amended as follows:

a. Subparagraph (1) is amended by changing the period at the end of subdivision (iv) to a semicolon and adding the following clause: "*Provided, however,* That such expiration date may be omitted from the immediate container if it contains a single dose and it is packaged in an individual wrapper or container."

b. Subparagraph (1) is further amended by adding a new subdivision (vi):

(vi) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is deleted and reserved.

17. Section 146c.222(c) is amended as follows:

a. Subparagraph (1) (v) is amended by changing the colon after the word "certified" to a period and deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (vi):

(vi) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

18. Section 146c.226(c) is amended as follows:

a. Subparagraph (1) (iv) is amended by deleting the clause beginning "Provided, however,".

b. Subparagraph (1) is further amended by adding a new subdivision (vi):

(vi) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

19. Section 146c.227(c) is amended as follows:

a. Subparagraph (1) (iii) is amended by changing the colon after the word "certified" to a period and by deleting the remainder of the subdivision.

b. Subparagraph (1) is further amended by adding a new subdivision (iv):

(iv) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

c. Subparagraph (2) is deleted and deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

20. Section 146c.230(c) (1) (iii) is amended by changing the colon after the word "certified" to a period and deleting the remainder of the subdivision.

21. Section 146c.234(d) is amended to read as follows:

(d) In addition to the labeling prescribed for tetracycline hydrochloride capsules or tetracycline phosphate complex capsules, each package shall bear on its label and labeling the number of milligrams of novobiocin, and if it contains cortisone or a derivative of cortisone, the name and quantity of each such substance, in each capsule of the batch. The outside wrapper or container and immediate container, if it contains cortisone or a derivative of cortisone, shall bear the statement "Caution: Federal law restricts this drug to sale by or on the order of a licensed veterinarian." The expiration date shall be the date that is 18 months after the month during which the batch was certified.

22. Section 146c.235(c) is amended as follows:

a. Subparagraph (1) (iv) is amended by changing the clause following the word "certified" to read: "*Provided, however,* That such expiration date may be omitted from the immediate container if it contains a single dose and it is packaged in an individual wrapper or container."

b. Subparagraph (1) is further amended by adding a new subdivision (vi):

(vi) The statement "Caution: Federal law prohibits dispensing without prescription."

c. Subparagraph (2) is deleted and reserved.

23. Section 146c.241(c) (1) (iv) is amended by changing the colon after the word "certified" to a period and by deleting the remainder of the subdivision.

24. Section 146c.244(c) is amended as follows:

a. Subparagraph (1) is amended by adding a new subdivision (iv):

(iv) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

b. Subparagraph (2) is amended by deleting subdivision (i) and by incorporating subdivision (ii) into subparagraph (2).

25. Section 146c.247(c) is amended as follows:

a. Subparagraph (1) is amended by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription."

b. Subparagraph (2) is deleted and reserved.

26. Section 146c.249(c) is amended as follows:

a. Subparagraph (1) is amended by adding a new subdivision (v):

(v) The statement "Caution: Federal law prohibits dispensing without prescription."

b. Subparagraph (2) is deleted and reserved.

27. Section 146c.250(c) is amended as follows:

a. Subparagraph (1) is amended by adding a new subdivision (vi):

(vi) The statement "Caution: Federal law prohibits dispensing without prescription."

b. Subparagraph (2) is deleted and reserved.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the affected industry has been informed that publication of these amendments was pending and no controversy concerning the need for such amendments has been encountered.

*Effective dates.* All amendments involving expiration dates shall become effective 30 days from the date of publication of this order in the FEDERAL REGISTER. All amendments involving placement of the prescription legend on immediate containers shall become effective 90 days from the date of publication.

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

Dated: November 27, 1959.

[SEAL] GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 59-10444; Filed Dec. 9, 1959; 8:48 a.m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Agricultural Marketing Service

[ 7 CFR Part 963 ]

[Docket No. AO-309-A1]

#### MILK IN GREAT BASIN MARKETING AREA

#### Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the South Salt Lake Auditorium, 2490 South State Street, South Salt Lake, Utah, beginning at 10:00 a.m., m.s.t., on December 15, 1959, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Great Basin marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Federated Milk Producers Association, Hi-Land Dairymen's Association and Weber Central Dairy Association.

#### § 963.7 [Amendment]

*Proposal No. 1.* Delete § 963.7(b) and substitute the following:

(b) A dairy farmer, except a producer-handler, who produces milk in compliance with the inspection requirements described in paragraph (a) of this section, on any day of the current month on which his milk is diverted by a handler (not the operator of a nonpool plant) for the handler's account from a pool plant to a nonpool plant.

*Proposal No. 2.* Delete § 963.10 and substitute the following:

#### § 963.10 Approved plant.

"Approved plant" means a plant (a) in which milk or milk products are processed, packaged or received from dairy farmers and from which any fluid milk product is disposed of during the month on routes in the marketing area, or (b) from which milk or skim milk qualified for distribution for fluid consumption is shipped during the month to a plant described in paragraph (a) of this section.

#### § 963.11 [Amendment]

*Proposal No. 3.* Delete § 963.11(a) and substitute the following:

(a) An approved plant, except the plant of a producer-handler as described in § 963.8, from which during the month (1) there are disposed of on routes fluid milk products (including packaged products disposed of to other handlers) equal to not less than 50 percent of the receipts during the month at such plant of producer milk and fluid milk products from plants qualified pursuant to paragraph (b) hereof and (2) there are disposed of on routes in the marketing area fluid milk products which are not less than 10 percent of the total fluid milk product disposition from the plant on routes: *Provided*, That any approved plant from which the total route distribution of fluid milk products is to individuals or institutions for charitable purposes and is without remuneration from such individuals or institutions shall be a nonpool plant: *And provided further*, That where more than one approved plant is held in common ownership they may be considered as one plant for the purpose of calculating the foregoing percentages.

#### § 963.13 [Amendment]

*Proposal No. 4.* Delete § 963.13 (a) and (b) and substitute the following:

(a) Received from producers at a pool plant but not including producers for which another person is the handler pursuant to § 963.9(c);

(b) Diverted as described in § 963.7 to a nonpool plant (in which case it is received by the handler diverting the milk) but not in an amount for any producer to exceed by more than 100 percent the volume of milk which was received from such producer at a pool plant during the month;

*Proposal No. 5.* Delete § 963.16 and substitute the following:

#### § 963.16 Route.

"Route" means disposition of fluid milk products (including through a vendor or a sale from a plant or plant store) other than such disposition to a pool plant which is a pool plant pursuant to § 963.11(a); but not including disposition of fluid milk products from a pool plant to a nonpool plant for Class II use.

#### § 963.62 [Amendment]

*Proposal No. 6.* Amend § 963.62 by deleting the words "less 500 pounds per day".

Proposed by the Dairy Division, Agricultural Marketing Service:

*Proposal No. 7.* Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 1935 South Main Street, Suite 339, Salt Lake City, Utah,

or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Issued at Washington, D.C., this 4th day of December 1959.

F. R. BURKE,  
Acting Deputy Administrator.

[F.R. Doc. 59-10443; Filed, Dec. 9, 1959; 8:48 a.m.]

### FEDERAL AVIATION AGENCY

[ 14 CFR Part 507 ]

[Regulatory Docket No. 191]

#### AIRWORTHINESS DIRECTIVES

##### Wright Engines

##### Correction

In F.R. Doc. 59-10204, appearing at page 9746 of the issue for Friday, December 4, 1959, the following changes should be made:

1. The Regulatory Docket Number, preceding the text of the document, reading "19" should read "191".

2. The number "97709HDI" in the airworthiness directive should read "977C9HDI".

[ 14 CFR Part 600 ]

[Airspace Docket No. 59-WA-297]

#### FEDERAL AIRWAYS

##### Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6007 and 600.6124 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 7 presently extends from Miami, Fla., to Green Bay, Wis. VOR Federal airway No. 124 presently extends from Terre Haute, Ind., to Shelbyville, Ind. The Federal Aviation Agency is proposing to realign the segment of Victor 7 between Lewis, Ind., and Westpoint, Ind.; to realign the west alternate of Victor 7 between Evansville, Ind., and Terre Haute; to revoke the west alternate of Victor 7 between Terre Haute and Westpoint; and to realign that portion of Victor 124 based on the Terre Haute VOR. The segment of Victor 7 from the Lewis VOR to the Westpoint VOR via the Terre Haute VOR presently overlies Hulman Field, Terre Haute. Realignment of this segment via the relocated Terre Haute VOR at its new site at latitude 39°29'20" N., longitude 87°14'57" W., to which it will be moved approximately March 31, 1960, would permit more efficient use of airspace in the Terre Haute area for air traffic management and will provide a

more direct route between Lewis and Westpoint. Concurrently with this action, the west alternate to Victor 7 between Evansville and Terre Haute would be realigned to terminate at the relocated Terre Haute VOR, and that portion of Victor 124 presently designated from Terre Haute to Shelbyville, Ind., via the Terre Haute VOR 097° and the Shelbyville VOR 253° radials, would be realigned via the Terre Haute VOR 095° and the Shelbyville VOR 253° radials.

The west alternate to Victor 7 between Terre Haute and Westpoint serves as an altitude change airway between these points and presently overlies a portion of VOR Federal airway No. 171. The realignment of Victor 171 to bypass Terre Haute and the designation of a west alternate to Victor 171 between Lewis and Danville, Ill., proposed in Airspace Docket No. 59-KC-53, would provide adequate airway structure for effecting altitude changes in the area north of Terre Haute. Therefore, Victor 7 west alternate between Terre Haute and Westpoint would no longer be required.

The control areas associated with Victor 7 and Victor 124 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

If these actions are taken, VOR Federal airway No. 7 would be realigned from Lewis, Ind., via Terre Haute, Ind. (relocated Terre Haute VOR), to Westpoint, Ind.; Victor 7 west alternate would be realigned from Evansville, Ind., to Terre Haute, Ind.; Victor 7 west alternate from Terre Haute to Westpoint would be revoked; and VOR Federal airway No. 124 would be realigned between Terre Haute and Shelbyville, Ind., via the Terre Haute VOR 095° and the Shelbyville VOR 253° radials.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10423; Filed, Dec. 9, 1959; 8:46 a.m.]

### [ 14 CFR Part 600 ]

[Airspace Docket No. 59-WA-190]

## FEDERAL AIRWAYS

### Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6002 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 2 presently extends, in part, from Nodine, Minn., to Salem, Mich. The Federal Aviation Agency has under consideration the realignment of the main airway segment of Victor 2 between Lone Rock, Wis., and Milwaukee, Wis., and the north alternate from Lansing, Mich., to Salem, Mich.; and the revocation of the north alternates between Nodine, Minn., and Lone Rock and between Lone Rock and Milwaukee. The segment of Victor 2 between Lone Rock and Milwaukee presently traverses a concentrated military air operation area in the vicinity of Truax Field, Madison, Wis. Realignment of this segment from the Lone Rock VOR via the intersection of the Lone Rock VOR 106° and the Milwaukee VOR 270° radials would bypass the Truax Field terminal area. If VOR Federal airway No. 170 is extended from Milwaukee to Nodine, as proposed in Airspace Docket No. 59-KC-3, Victor 170 would provide an alternate route between Nodine and Milwaukee and the north alternates to Victor 2 from Nodine to Lone Rock and from Lone Rock to Milwaukee would no longer be required. If VOR Federal airway No. 218 is realigned between Lansing and Pontiac, Mich., as proposed in Airspace Docket No. 59-KC-12, Victor 218 would not have sufficient angular separation from Victor 2 north alternate at the Lansing VOR, to permit simultaneous use of these airway segments at the same altitude. Therefore, realignment of Victor 2 north alternate between Lansing and Salem via the intersection of the Lansing VOR 090° and the Salem VOR 308° radials would simplify the route structure by relocating that portion of Victor 2 north alternate based on the Lansing VOR, to overlie the redesignated segment of Victor 218. The control areas associated with Victor 2 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

If these actions are taken, the main airway segment of VOR Federal airway No. 2 between Lone Rock, Wis., and Milwaukee, Wis., and its associated control areas would be realigned via the Lone Rock VOR 106° and the Milwaukee VOR 270° radials and the north alternate to Victor 2 between Lansing, Mich., and Salem, Mich., would be realigned via the Lansing VOR 090° and the Salem VOR 308° radials. In addition, the north alternates and associated control areas to Victor 2 between Nodine, Minn., and Lone Rock and between Lone Rock and Milwaukee would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10429; Filed, Dec. 9, 1959; 8:47 a.m.]

### [ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 59-FW-9]

## FEDERAL AIRWAYS AND CONTROL AREAS

### Revocations and Modifications

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.107, § 601.107, § 601.1005 and § 601.4107 of the regulations of the Administrator, the substance of which is stated below.

Amber Federal airway No. 7 extends in part from Melbourne, Fla., to Raleigh,

N.C. The Federal Aviation Agency has under consideration the revocation of a segment of Amber 7 between Daytona Beach, Fla., and Florence, S.C. A Federal Aviation Agency IFR peak day airway traffic survey during the period July 1, 1958, to June 30, 1959, showed less than 14 aircraft movements for this segment of Amber 7. On the basis of this survey, it appears that the retention of this airway segment and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest. Concurrent with this action the Jacksonville, Fla., control area extension would be re-described in part by designating VOR Federal airway No. 22 as the northern boundary and VOR Federal airway No. 3 as the eastern boundary.

If this action is taken, the segment of Amber 7 and its associated control areas from Daytona Beach, Fla., to Florence, S.C., would be revoked, the Jacksonville, Fla., control area extension would be re-described and the following reporting points on Amber 7 would be revoked: Brunswick, Ga., radio marker beacon; Savannah, Ga., radio range station; Charleston, S.C., radio range station.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10424; Filed, Dec. 9, 1959;  
8:46 a.m.]

### [ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 59-FW-46]

## FEDERAL AIRWAYS AND CONTROL AREAS

### Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Blue Federal airway No. 64 presently extends from Wink, Tex., to Hobbs, N. Mex. The Federal Aviation Agency has under consideration the revocation of Blue 64 and its associated control areas. The Federal Aviation Agency IFR peak day airway traffic survey for each half of the calendar year 1958 showed less than 3 aircraft movements on Blue 64. On the basis of this survey, it appears that the retention of this airway and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest.

If this action is taken, Blue 64 and its associated control areas would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10425; Filed, Dec. 9, 1959;  
8:46 a.m.]

### [ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 59-FW-48]

## FEDERAL AIRWAYS AND CONTROL AREAS

### Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Blue Federal airway No. 68 and its associated control areas presently extends from Midland, Tex., to Hobbs, N. Mex. The Federal Aviation Agency has under consideration the revocation of Blue 68 and its associated control areas. The Federal Aviation Agency IFR peak day airway traffic survey for each half of calendar year 1958 showed less than 2 aircraft movements on Blue 68. On the basis of this survey, it appears that the retention of this airway and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest.

If this action is taken, Blue 68 and its associated control areas would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10426; Filed, Dec. 9, 1959;  
8:46 a.m.]

## I 14 CFR Parts 600, 601 I

[Airspace Docket No. 59-FW-70]

FEDERAL AIRWAYS AND CONTROL  
AREAS

## Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Red Federal airway No. 74 presently extends from Biloxi, Miss., to Brookley, Ala. The Federal Aviation Agency has under consideration the revocation of Red 74 and its associated control areas. The Federal Aviation Agency IFR peak day airway traffic survey for the calendar year 1958 showed less than 14 aircraft movements on Red 74. On the basis of this survey, it appears that the retention of this airway and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest.

If this action is taken, Red 74 and its associated control areas would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10427; Filed, Dec. 9, 1959;  
8:46 a.m.]

## I 14 CFR Parts 600, 601 I

[Airspace Docket No. 59-WA-132]

FEDERAL AIRWAYS AND CONTROL  
AREAS

## Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Blue Federal airway No. 87 and its associated control areas presently extends from Lexington, Ky., to the North Hampton, Ohio, Intersection. The Federal Aviation Agency is considering revoking Blue 87. The Federal Aviation Agency IFR peak day survey during the period July 1, 1958, through June 30, 1959, showed aircraft movements for segments of Blue 87 between Lexington and Cincinnati, Ohio, as 7; Cincinnati and Dayton, Ohio, as 21; Dayton and North Hampton Intersection as zero. The Federal Aviation Agency is considering in Airspace Docket No. 59-NY-15, a Proposal by the Department of the Air Force for the designation of a Restricted Area/Military Climb Corridor at Wright-Patterson AFB, Dayton, Ohio. This proposed Restricted Area/Military Climb Corridor would provide protection for the high speed air defense Century series aircraft and other users of the airspace during the climb phase of the air defense aircraft mission. The Climb Corridor would overlie Blue 87 longitudinally between Cincinnati and Dayton, and would preclude the effective use of airspace on this airway segment for en route air traffic. On the basis of the survey and the proposed designation of a Restricted Area/Military Climb Corridor at Wright-Patterson AFB, Dayton, Ohio, it appears that the retention of this airway and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest.

If this action is taken, Blue 87 and its associated control areas would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in

order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10428; Filed, Dec. 9, 1959;  
8:47 a.m.]

## I 14 CFR Parts 600, 601 I

[Airspace Docket No. 59-WA-330]

FEDERAL AIRWAYS AND CONTROL  
AREAS

## Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6426 and § 601.6426 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 426 presently extends from St. Louis, Mo., to Nakomis, Ill. The Federal Aviation Agency has under consideration extending Victor 426 southwest from St. Louis, Mo., VOR to a VORTAC proposed to be installed approximately March 15, 1960, near Richwoods, Mo., at latitude 38°13'27" N., longitude 90°49'26" W. It is proposed to extend Victor 426 from St. Louis VOR to the proposed Richwoods VORTAC to provide a direct airway between these points to serve as a departure route for southbound traffic departing the St. Louis terminal area. This would provide a transition airway to Victor 72 and Victor 88 from southbound traffic.

If this action is taken, VOR Federal airway No. 426 and associated control areas would extend from Richwoods, Mo., to Nakomis, Ill., via St. Louis, Mo.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional

Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10430; Filed, Dec. 9, 1959;  
8:47 a.m.]

#### [ 14 CFR Parts 600, 601 I

[Airspace Docket No. 59-WA-339]

### FEDERAL AIRWAYS AND CONTROL AREAS

#### Designation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of VOR Federal airway No. 459 from the Fresno, Calif., VOR to the Linden, Calif., VOR via a VOR to be installed approximately March 10, 1960, near Friant, Calif., at latitude 37°03'16" N., longitude 119°35'42" W. Victor 459 would provide an additional route between Fresno, Calif., and Linden and would relieve traffic congestion on VOR Federal airway No. 23. It would also provide an additional ingress and egress route for San Francisco Bay area traffic.

If this action is taken, VOR Federal airway No. 459 and its associated control areas would extend from the Fresno, Calif., VOR via the Friant, Calif., VOR; intersection of the Friant VOR 319° and the Linden, Calif., VOR 124° radials; to the Linden VOR. In addition, the Friant, Calif., VOR would be designated as a Domestic VOR reporting point for air traffic management purposes.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received

within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10431; Filed, Dec. 9, 1959;  
8:47 a.m.]

#### [ 14 CFR Parts 600, 601 I

[Airspace Docket No. 59-WA-393]

### FEDERAL AIRWAYS AND CONTROL AREAS

#### Revocations and Modifications

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6107, 600.6199, 601.6107, 601.6199 and 601.1113 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 107 presently extends in part from Oakland, Calif., to Red Bluff, Calif.; and VOR Federal airway No. 199 presently extends in part from San Francisco, Calif., to Ukiah, Calif. The Federal Aviation Agency has under consideration the revocation of the segment of Victor 107 between Oakland VOR, and Red Bluff VOR and the extension of Victor 199 from Ukiah VOR to the Red Bluff VOR to replace the segment of Victor 107 being considered for revocation between these points. The proposed Restricted Area/Military Climb Corridor at Hamilton AFB, San Rafael, Calif. (Airspace Docket No. 59-LA-13), would overlie Victor 107 longitudinally between Oakland and Ukiah and would preclude the effective use of the airspace between these points on a joint use basis by air traffic management. The extension of Victor 199 to replace Victor 107 between Ukiah and Red Bluff would simplify airway numbering and would facili-

itate flight planning for air traffic management purposes. The San Francisco control area extension is presently described with reference to a portion of the segment of Victor 107 which is being considered for revocation between Oakland and Ukiah. It is therefore proposed to redescribe the San Francisco control area extension, to encompass the same area, by use of geographical coordinates, and to delete references to Federal airways and navigational aid courses.

If these actions are taken the segment of VOR Federal airway No. 107 and its associated control areas from Oakland, Calif., to Red Bluff, Calif., would be revoked. VOR Federal airway No. 199 and its associated control areas would be extended from Ukiah, Calif., to Red Bluff, Calif. The San Francisco, Calif., control area extension (§ 601.1113) would be modified to include all of that airspace bounded by a line beginning at latitude 38°15'00" N., longitude 122°37'00" W.; to latitude 37°43'34" N., longitude 122°13'21" W.; to latitude 37°27'20" N., longitude 121°50'30" W.; to latitude 37°00'55" N., longitude 122°17'15" W.; thence north along the 3 nautical mile line off shore to latitude 37°12'20" N., longitude 122°28'00" W.; to latitude 37°14'00" N., longitude 122°24'55" W.; to latitude 38°08'30" N., longitude 122°54'00" W.; thence to the point of beginning.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room E-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10432; Filed Dec. 9, 1959;  
8:47 a.m.]

## PROPOSED RULE MAKING

## [ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 59-WA-396]

## FEDERAL AIRWAYS AND CONTROL AREAS

## Designation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of VOR Federal airway No. 485 and its associated control areas from Los Angeles, Calif., to Oakland, Calif. This would be a new airway. Victor 485 would be designated from the Los Angeles VOR via the intersection of the Los Angeles VOR 257° and the Oxnard, Calif., VOR 155° radials; Oxnard VOR; a VOR to be installed approximately April 15, 1960, near Fellows, Calif., at latitude 35°05'43" N., longitude 119°51'58" W.; a VOR to be installed approximately February 15, 1960, near Priest, Calif., at latitude 36°08'17" N., longitude 120°39'57" W.; via the intersection of the Priest VOR 334° and the Oakland VOR 131° radials to the Oakland VOR. Designation of this airway would provide an additional parallel route to serve the large volume of air traffic between Los Angeles, and San Francisco, Calif., terminal areas.

If such action is taken, VOR Federal airway No. 485, with associated control areas would be designated from Los Angeles, Calif., to Oakland, Calif., via the Eel, Calif., intersection to Oxnard, Calif.; Fellows, Calif.; Priest, Calif.; intersection of the Priest VOR 334° and the Oakland VOR 131° radials to Oakland.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10433; Filed, Dec. 9, 1959;  
8:47 a.m.]

## [ 14 CFR Part 608 ]

[Airspace Docket No. 59-LA-1]

## RESTRICTED AREAS

## Designation of Restricted Area/Military Climb Corridor

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 608.45 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of a Restricted Area/Military Climb Corridor at Kingsley Airport, Klamath Falls, Ore. The Military Climb Corridor, designated as a Restricted Area, would confine the high-speed, high rate-of-climb Century series air defense aircraft, departing from Kingsley Airport, on active air defense missions, within a relatively small area. The Restricted Area would provide protection for high speed air defense aircraft and other users of the airspace during the climb phase of the air defense aircraft mission. The proposed Restricted Area/Military Climb Corridor would extend along the 325° True radial of the Klamath Falls VOR from 10 statute miles northwest of the airport to 32.5 statute miles northwest of Kingsley Airport, having a width of 2.5 statute miles at the beginning and 4.5 statute miles wide at the outer extremity. The lower altitude limits in graduated steps would extend from 6,100 feet MSL to 23,100 feet MSL. The upper altitude limits would extend from 19,100 feet MSL to 27,000 feet MSL. Time of use would be continuous. The controlling agency would be the Klamath Falls Approach Control. The Federal Aviation Agency is considering the designation of a control area extension in Airspace Docket No. 59-LA-17, within a 40-mile radius of Klamath Falls, VOR. This control area extension would provide controlled airspace within the Restricted Area/Military Climb Corridor for joint use purposes by other aircraft when not in use by active air defense aircraft and when authorized by the controlling agency.

If this action is taken, the Klamath Falls, Ore. (Kingsley Airport) Restricted Area/Military Climb Corridor (R-587) (Klamath Falls Chart) would be designated as follows:

*Description.* That area centered on the 325° True radial of the Klamath Falls VOR extending from 10 statute miles NW of the airport, to 32.5 statute miles NW of the

airport, having a width of 2.5 statute miles at the beginning and a width of 4.5 statute miles at the outer extremity.

*Designated Altitudes*

6,100' MSL to 19,100' MSL from 10 statute miles NW of the airport to 11 statute miles NW of the airport.  
6,100' MSL to 27,000' MSL from 11 to 15 statute miles NW of the airport.  
10,100' MSL to 27,000' MSL from 15 to 20 statute miles NW of the airport.  
14,100' MSL to 27,000' MSL from 20 to 25 statute miles NW of the airport.  
19,100' MSL to 27,000' MSL from 25 to 30 statute miles NW of the airport.  
23,100' MSL to 27,000' MSL from 30 to 32.5 statute miles NW of the airport.  
*Time of designation.* Continuous.  
*Controlling agency.* Klamath Falls Approach Control.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10434; Filed, Dec. 9, 1959;  
8:47 a.m.]

## [ 14 CFR Part 608 ]

[Airspace Docket No. 59-NY-15]

## RESTRICTED AREAS

## Designation of Restricted Area/Military Climb Corridor

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 608.43 of the

regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration a Proposal from the Department of the Air Force for the designation of a Restricted Area/Military Climb Corridor at Wright-Patterson Air Force Base, Dayton, Ohio. The military Climb Corridor, designated as a Restricted Area, would confine the high-speed, high-rate-of-climb Century series air defense aircraft, departing from the base on active air defense missions, within a relatively small area. The Restricted Area would provide protection for high speed air defense aircraft and other users of the airspace during the climb phase of the air defense aircraft mission. If such action is taken, a Restricted Area/Military Climb Corridor would be designated at Wright-Patterson AFB, extending along the Patterson AFB TVOR 204° True radial from a point 5 statute miles southwest of the airbase to a point 32 statute miles southwest of the airbase, 2 statute miles wide at the beginning and uniformly expanding to 4.6 statute miles at the outer extremity. The lower limits in graduated steps would extend from 2,830 feet MSL to 19,830 feet MSL. The upper limits would extend from 15,830 feet MSL to 27,000 feet MSL. Time of use would be continuous. The controlling agency would be the Dayton Approach Control, Wright-Patterson AFB, Ohio. The controlling agency would authorize aircraft when not in use by active air defense aircraft.

This proposed Restricted Area/Military Climb Corridor would overlie Blue Federal airway No. 87 lengthwise between Cincinnati, Ohio, and Dayton, Ohio. The Federal Aviation Agency is proposing to revoke Blue 87 and its associated control areas between Lexington, Ky., and the North Hampton, Ohio, intersection in Airspace Docket No. 59-WA-132, based on low activity and the confliction with this Military Climb Corridor.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at

the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to insert an addition to § 608.43 (23 F.R. 8586) as follows:

§ 608.43 Ohio.

\* \* \* \* \*

Dayton, Ohio (Wright-Patterson AFB), Restricted Area/Military Climb Corridor (R-583) (Cincinnati Chart)

*Description.* That area centered on the 204° True radial of the Patterson TVOR extending from 5 statute miles SW of the Patterson AFB to 32 statute miles SW of the Patterson AFB, having a width of 2 statute miles at the beginning and a width of 4.6 statute miles at the outer extremity.

*Designated Altitudes*

- 2,830' MSL to 15,830' MSL from 5 statute miles SW of the airbase to 6 statute miles SW of the airbase.
- 2,830' MSL to 24,830' MSL from 6 to 7 statute miles SW of the airbase.
- 2,830' MSL to 27,000' MSL from 7 to 10 statute miles SW of the airbase.
- 6,830' MSL to 27,000' MSL from 10 to 15 statute miles SW of the airbase.
- 10,830' MSL to 27,000' MSL from 15 to 20 statute miles SW of the airbase.
- 15,830' MSL to 27,000' MSL from 20 to 25 statute miles SW of the airbase.
- 19,830' MSL to 27,000' MSL from 25 to 32 statute miles SW of the airbase.

*Time of designation.* Continuous.

*Controlling agency.* Dayton Approach Control, Wright-Patterson AFB, Ohio.

Issued in Washington, D.C., on December 3, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 59-10435; Filed, Dec. 9, 1959; 8:47 a.m.]

## FEDERAL RESERVE SYSTEM

[ 12 CFR Part 221 ]

[Reg. U]

### LOANS BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING REGISTERED STOCKS

#### Notice of Proposed Rule Making

Part 221 [Regulation U], issued by the Board of Governors of the Federal Reserve System pursuant to the authority cited therein, prescribes the maximum loan value of the collateral in the case of any loan by a bank which is secured directly or indirectly by any stock and made for the purpose of purchasing or carrying any stock registered on a national securities exchange (a "purpose loan").

One of several amendments to this Part adopted by the Board June 15, 1959 (24 F.R. 3867), broadened the provisions of § 221.3(b) (1) relating to the definition of "carrying" in order more effectively to prevent the excessive use of credit for

purchasing or carrying securities. This amendment has given rise to a number of questions leading to interpretations of the section. With a view to making these interpretations more readily available, the Board is considering a proposed amendment which would draw together and codify them and include them in the proposed new wording of the section.

The first sentence of the present, § 221.3(b) (1) provides that a loan need not be treated as a loan for the purpose of "carrying" registered stock which the borrower has owned free of any lien for a continuous period of as much as one year. The proposed amendment would make it clear, in affirmative language, that a loan is to be deemed a loan for the purpose of "carrying" if the borrower owns any registered stock, whether or not pledged as security for the loan, which he has not owned free of any lien for a continuous period of as much as one year, subject to the exceptions stated in the present regulation, viz., loans for the purpose of meeting emergency expenses not reasonably foreseeable at the time the stock was acquired or for meeting recurring expenses which the borrower has customarily met by temporary borrowing.

The proposed amendment would also except loans made for "substantially similar purposes". Whether these exceptions apply is, of course, a question of fact to be determined in the light of the circumstances of the particular case.

The proposed amendment would further make it clear that any such loan is to be considered a purpose loan only to the extent of the current market value of the registered stock owned by the borrower at the time of the loan less any credit outstanding for the purchase or carrying of such stock. In other words, a loan of \$5,000 to a borrower who has owned for less than a year registered stock with a current market value of \$1,000 would be a loan for the purpose of "carrying" only to the extent of \$1,000 and would require collateral as provided by the regulation for a loan in such amount. (The loan would not, of course, be for the purpose of "carrying" if it fell within one of the exceptions described above.)

The proposed amendment would also make it clear that the "one year rule" is applicable only with respect to loans made after June 15, 1959. Loans made prior to that date, even though they would have been purpose loans under the present regulation, would not become subject to the requirements of the regulation.

Finally, the proposed amendment would make it clear that, in determining the one year period, there may be included any period during which the borrower owned other stock where such stock was sold and registered stock immediately purchased with the proceeds and also the period during which any registered stock received by the borrower by way of gift or inheritance was previously held by the donor or decedent.

In considering both the existing and proposed wordings of the section, it should be noted that (with exceptions not relevant here) the margin and re-

tention requirements imposed by this regulation apply only to purpose loans by banks where the loans are secured, directly or indirectly, by some stock. However, the question whether a loan is for the purpose of "carrying" is different from questions concerning collateral. If the loan is a "purpose" loan (and is secured by some stock), then the margin requirements of the regulation apply, regardless of whether or not the collateral includes the particular stock being "purchased" or "carried".

Moreover, it should be borne in mind that the purpose of the regulation is not to be defeated by collusive or evasive arrangements, as, for example, where the borrower is a corporation and stock to secure the loan is pledged by a third person who controls the borrower and who owns registered stock acquired within the previous year.

The proposed amendment to § 221.3 (b) (1) is as follows:

(1) Under this part, a loan is deemed to be for the purpose of "carrying" a stock registered on a national securities exchange to the extent that the loan is used directly or indirectly to reduce or retire indebtedness incurred to purchase or carry any stock so registered. Under this part, a loan made after June 15, 1959, to a borrower who owns stock reg-

istered on a national securities exchange, which he has not owned free of any lien for a continuous period of at least one year, also is deemed to be for the purpose of "carrying" that stock to the extent of its current market value at the time the loan is made less any credit already outstanding for purchasing or carrying that stock: *Provided*, That such a loan shall not be deemed to be for the purpose of carrying such stock if the loan is to be used to meet emergency expenses not reasonably foreseeable at the time the stock was acquired or to meet recurring expenses which the borrower has customarily met by temporary borrowing, or for a substantially similar purpose. For purposes of the preceding sentence, the period during which the borrower has owned any stock so registered which was received by gift or inheritance (but not as compensation or by exercise of an option) shall be deemed to include the period of ownership of the donor or decedent; and the period during which the borrower has owned any stock so registered which was:

(i) Purchased immediately with the proceeds from the sale of any other stock,

(ii) Received in exchange for any other stock in connection with a corporate reorganization or recapitalization, or

(iii) Received in respect to any other stock as a result of a stock split or stock dividend (but not by exercise of subscription rights),

shall be deemed to include the period during which the borrower owned the other stock.

This notice is published pursuant to section 4 of the Administrative Procedure Act and section 2 of the rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.2). The proposed change is authorized under the authority cited at 12 CFR 221.

To aid in the consideration of the foregoing matter, the Board will be glad to receive from interested persons any relevant data, views, or arguments. Although such material may be sent directly to the Board, it is preferable that it be sent to the Federal Reserve Bank of the district which will forward it to the Board to be considered. All such material should be submitted in writing to be received not later than January 11, 1960.

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,

[SEAL] MERRITT SHERMAN,

Secretary,

[F.R. Doc. 59-10463; Filed, Dec. 9, 1959;  
8:50 a.m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
IDAHO

#### Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 3, 1959.

The Department of Agriculture has filed an application, Serial Number I-010821 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, except the mineral leasing laws. The applicant desires the land for administrative site for headquarters of the Clayton Ranger District.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 2237, Boise, Idaho.

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

T. 11 N., R. 17 E.

Sec. 29; Lots 4, 7 and 8.

This area includes 99.50 acres in Custer County, Idaho.

JOE T. FALLINI,  
State Supervisor.

[F.R. Doc. 59-10440; Filed, Dec. 9, 1959;  
8:48 a.m.]

### IDAHO

#### Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 3, 1959.

The Bureau of Reclamation has filed an application, Serial Number I-010166 for the withdrawal of the lands described below, from all forms of appropriation under the first form of withdrawal as provided by Section 3 of the Act of June 17, 1902 (32 Stat. 388). The applicant desires the land for development of the Burns Creek Dam and Reservoir Area.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 2237, Boise, Idaho.

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

T. 3 N., R. 42 E.

Sec. 4; SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

T. 2 N., R. 43 E.,

Sec. 32; Lot 4.

T. 3 N., R. 43 E.,

Sec. 31; SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

This area includes a total of 59.95 acres.

JOE T. FALLINI,  
State Supervisor.

[F.R. Doc. 59-10441; Filed, Dec. 9, 1959;  
8:48 a.m.]

### DEPARTMENT OF THE TREASURY

Bureau of Customs

[TC 474.51]

#### 15 DENIER MONOFILAMENT NYLON HAVING A SLIGHT TURN TWIST

Tariff Classification

DECEMBER 4, 1959.

The Bureau of Customs published a notice dated November 17, 1959, in the FEDERAL REGISTER of November 18, 1959

(24 F.R. 9314), that the existing practice of classifying so-called 15 denier monofilament nylon was under review. The merchandise involved is a single filament (monofilament) having a slight turn twist (approximately one full turn per inch). It does not consist of more than one filament twisted together.

The merchandise has been classified under an established and uniform practice as yarns of rayon or other synthetic textile, single, not having over 20 turns per inch, under paragraph 1301, Tariff Act of 1930, with duty at the rate of 22½ percent ad valorem but not less than 25 cents per pound.

The Bureau announced that it would give consideration to any relevant data, views, or arguments pertaining to the correct classification of such or similar merchandise received not later than 15 days from the publication of the notice.

In a letter dated December 4, 1959, to the collector of customs, New York, New York, the Bureau held that such or similar merchandise is classifiable as filaments of rayon or other synthetic textile, singles, weighing less than 150 deniers per length of 450 meters, under paragraph 1301 of the tariff act, dutiable at the rate of 50 percent ad valorem but not less than 40 cents per pound, whether entered, or withdrawn from warehouse, for consumption before or after September 14, 1958, the effective date of Public Law 85-645 amending paragraph 1313 of the tariff act to redefine "rayon or other synthetic textile".

As this ruling will result in the assessment of duty at a rate higher than that which heretofore has been assessed under an established and uniform practice, it shall be applied only with respect to such or similar merchandise entered, or withdrawn from warehouse, for consumption after 90 days after the publication of an abstract of the decision in the weekly Treasury Decisions.

D. B. STRUBINGER,

Acting Commissioner of Customs.

[F.R. Doc. 59-10481; Filed, Dec. 9, 1959; 8:50 a.m.]

## DEPARTMENT OF COMMERCE

### Maritime Administration

#### MODIFICATION OF ESSENTIAL CERTAIN UNITED STATES FOREIGN TRADE ROUTES

##### Notice of Tentative Conclusions and Determinations

Notice is hereby given that on December 7, 1959, the Acting Maritime Administrator, acting pursuant to section 211 of the Merchant Marine Act, 1936, as amended, tentatively found with respect to Trade Routes Nos. 1, 2, 4, 5, 6, 7, 8, 9, 10, 12, 14, 15A, 16, 17 and 18, that Canadian Atlantic and St. Lawrence River ports not west of the Montreal port area may be included on sailings which include U.S. Atlantic ports on such routes and that service between United States Atlantic ports and the foregoing Canadian Atlantic and St. Lawrence

River area in conjunction with the above routes is essential to the promotion, development and maintenance of the foreign commerce of the United States, and in accordance with his action of July 27, 1956, ordered that such tentative findings with respect to said trade routes be published in the FEDERAL REGISTER.

Any person, firm or corporation having any interest in the foregoing who desires to offer comments and views or request a hearing thereon, should submit same in writing in triplicate to the Chief, Office of Government Aid, Maritime Administration, Department of Commerce, Washington 25, D.C., by close of business on December 22, 1959. In the event a hearing is requested, a statement must be included giving the reasons therefor. Any hearing thereby afforded will be before an Examiner on an informal basis only. The Maritime Administrator will consider these comments and views and take such action with respect thereto as in his discretion he deems warranted.

Dated: December 8, 1959.

By order of the Acting Maritime Administrator.

JAMES L. PIMPER,  
Secretary.

[F.R. Doc. 59-10464; Filed, Dec. 9, 1959; 8:50 a.m.]

### Office of the Secretary

#### L. KEVILLE LARSON

##### Statement of Changes in Financial Interests

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

A. Deletions: Owens-Illinois Glass Company.

B. Additions:  
American Motors.  
Fansteel Metallurgical Corp.

This statement is made as of November 30, 1959.

L. KEVILLE LARSON.

[F.R. Doc. 59-10448; Filed, Dec. 9, 1959; 8:48 a.m.]

### ROBERT GEOFFREY PETERSEN

##### Statement of Changes in Financial Interests

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

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

This statement is made as of November 22, 1959.

ROBERT G. PETERSEN.

NOVEMBER 24, 1959.

[F.R. Doc. 59-10449; Filed, Dec. 9, 1959; 8:48 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13288; FCC 59M-1645]

### EVANSTON CAB CO.

#### Order Scheduling Hearing

In re application of Evanston Cab Co., Docket No. 13288, File No. 34460-LX-59; for authorization to operate a base station in the Taxicab Radio Service in Chicago, Ill.

It is ordered, This 3d day of December 1959, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on February 4, 1960, in Washington, D.C.

Released: December 4, 1959.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-10455; Filed, Dec. 9, 1959; 8:49 a.m.]

[Docket No. 12837 etc.; FCC 59M-1648]

### BIRNEY IMES, JR., ET AL.

#### Order Continuing Hearing

In re applications of Birney Imes, Jr., West Memphis, Arkansas, Docket No. 12837, File No. BP-11465; Newport Broadcasting Company, West Memphis, Arkansas, Docket No. 12839, File No. BP-12113; Crittenden County Broadcasting Company, West Memphis, Arkansas, Docket No. 12840, File No. BP-12405; Garrett Broadcasting Corporation, West Memphis, Arkansas, Docket No. 13057, File No. BP-12987; for construction permits.

The Hearing Examiner having under consideration the informal request of Garrett Broadcasting Corporation for continuance of procedural dates in the above-entitled proceeding;

It appearing that the exhibits to be offered in evidence in the presentation of direct affirmative cases are presently scheduled to be exchanged on December 15, 1959, with hearing to commence on January 18, 1960, which dates it is requested be continued to January 18, 1960, and February 22, 1960, respectively;

It further appearing that all parties having consented to immediate consideration and grant of the said request and good cause for a grant thereof is present;

It is ordered, This 3d day of December 1959 that said request is granted and the date for exchange of exhibits is continued to January 18, 1960;

*It is further ordered,* That the hearing herein presently scheduled to commence on January 18, 1960, is continued to February 23, 1960.<sup>1</sup>

Released: December 4, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-10456; Filed, Dec. 9, 1959;  
8:49 a.m.]

[Docket Nos. 13183, 13184; FCC 59M-1646]

**ISLAND TELERADIO SERVICE, INC.,  
AND SUPREME BROADCASTING  
CO., INC., OF PUERTO RICO**

**Memorandum and Order Scheduling  
Hearing**

In re applications of Island Teleradio Service, Inc., Charlotte Amalie, St. Thomas, Virgin Islands, Docket No. 13183, File No. BPCT-2565; Supreme Broadcasting Co., Inc. of Puerto Rico, Charlotte Amalie, St. Thomas, Virgin Islands, Docket No. 13184, File No. BPCT-2576; for construction permits for new television broadcast stations.

A prehearing conference was held in the above-entitled matter on December 3, 1959. At that conference counsel for Island Teleradio Service, Inc. stated that the two applicants were conducting negotiations looking toward settlement of their differences to the end that only a single applicant would remain in this proceeding. At his request and with the concurrence of all other parties, hearing was continued to the date set forth in the ordering clause below, with the understanding that should negotiations break down, the Examiner is to be promptly notified of that fact so that a further conference may be promptly scheduled as a preliminary step to formal hearing.

The ordering clause below formalizes an oral ruling made on the record.

*It is ordered,* This 3d day of December 1959, that hearing in the above-entitled proceeding is scheduled for January 26, 1960.

Released: December 4, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-10457; Filed, Dec. 9, 1959;  
8:49 a.m.]

[Docket Nos. 13276-13279; FCC 59M-1644]

**LARAMIE BROADCASTERS ET AL.**

**Order Scheduling Hearing**

In re applications of Grady Franklin Maples, Edna Hill Maples, George G. Entz and William R. Vogel d/b as Lara-

<sup>1</sup>The request from Garrett Broadcasting Company was for the hearing date to be continued to February 22, but since that date falls on a holiday, it was changed to February 23, 1960.

mie Broadcasters, Laramie, Wyoming, Docket No. 13276, File No. BP-12166; Garden of the Gods Broadcasting Company (KCMS), Manitou Springs, Colorado, Docket No. 13277, File No. BP-12339; Boulder Radio KBOL, Inc. (KBOL), Boulder, Colorado, Docket No. 13278, File No. BP-12572; T. I. Moseley, Denver, Colorado, Docket No. 13279, File No. BP-13147; for construction permits.

*It is ordered,* This 3d day of December 1959, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on February 8, 1960, in Washington, D.C.

Released: December 4, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-10458; Filed, Dec. 9, 1959;  
8:49 a.m.]

[Docket No. 13252; FCC 59M-1650]

**TRI-STATE BROADCASTING CO.**

**Order Continuing Hearing**

In re application of Tri-State Broadcasting Company, Summerville, Georgia, Docket No. 13252, File No. BP-12296; for construction permit.

The Hearing Examiner having under consideration agreement of parties participating at prehearing conference on December 2, 1959, regarding date for hearing;

*It is ordered,* This 3d day of December 1959, that the hearing now scheduled for January 7, 1960, is continued to February 12, 1960, at 10:00 a.m.

Released: December 4, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-10459; Filed, Dec. 9, 1959;  
8:49 a.m.]

[Docket No. 13275; FCC 59M-1643]

**TRI STATE BROADCASTING CO.  
(WONW)**

**Order Scheduling Hearing**

In re application of Tri State Broadcasting Company (WONW), Defiance, Ohio, Docket No. 13275, File No. BP-12305; for construction permit.

*It is ordered,* This 3d day of December 1959, that Basil P. Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on February 4, 1960, in Washington, D.C.

Released: December 4, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-10460; Filed, Dec. 9, 1959;  
8:49 a.m.]

[Docket No. 12651, etc.; FCC 59M-1651]

**JAMES E. WALLEY ET AL.**

**Order Setting Prehearing Conference**

In re applications of James E. Walley, Oroville, California, Docket No. 12651, File No. BP-11655; Robert L. Stoddard, tr/as Sierra Broadcasting Company (KATO), Reno, Nevada, Docket No. 12819, File No. BP-12299; Finley Broadcasting Company (KSRO), Santa Rosa, California, Docket No. 12820, File No. BP-12313; Gene V. Mitchell and Robert T. McVay d/b as Sanval Broadcasters, Oroville, California, Docket No. 12821, File No. BP-12381; Leslie G. Foote, tr/as Mojave Broadcasters (KDOL), Mojave, California, Docket No. 13280, File No. BMP-8561; Western States Radio (KIST), Santa Barbara, California, Docket No. 13281, File No. BP-12664; Katy Sweetheart of San Luis Obispo, Inc. (KATY), San Luis Obispo, California, Docket No. 13282, File No. BP-12760; Komy, Inc. (KOMY), Watsonville, California, Docket No. 13283, File No. BP-12853; McMahan Broadcasting Co. (KMAK), Fresno, California, Docket No. 13284, File No. BP-12979; for construction permits.

*It is ordered,* This 3d day of December, 1959, that all parties, or their counsel, in the above-entitled proceeding, are directed to appear for a prehearing conference pursuant to the provisions of § 1.111 of the Commission's rules, at the offices of the Commission in Washington, D.C., at 10 a.m., December 22, 1959, for the purpose of considering, but not limited to, the following matters:

- (1) The necessity or desirability of simplification, clarification, amplification, or limitation of the issues;
- (2) The possibility of stipulating with respect to facts;
- (3) The procedure at the hearing;
- (4) The limitation of the number of witnesses; and
- (5) Such other matters as will be conducive to an expeditious conduct of the hearing.

Released: December 4, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-10461; Filed, Dec. 9, 1959;  
8:49 a.m.]

[Docket Nos. 13262, 13263; FCC 59M-1649]

**JAMES J. WILLIAMS AND CHARLES  
E. SPRINGER**

**Order Continuing Hearing**

In re applications of James J. Williams, Williamsburg, Virginia, Docket No. 13262, File No. BP-11148, Charles E. Springer, Highland Springs, Virginia, Docket No. 13263, File No. BP-13122; for construction permits.

The Hearing Examiner having under consideration agreement of parties participating at prehearing conference on December 2, 1959, regarding date for hearing;

It is ordered, This 3d day of December 1959, that the hearing now scheduled for January 11, 1960, is continued to February 15, 1960, at 10:00 a.m.

Released: December 4, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 59-10462; Filed, Dec. 9, 1959;  
8:49 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. G-18945]

HANLON OIL CO.

### Notice of Application and Date of Hearing

DECEMBER 3, 1959.

Take notice that Hanlon Oil Company (Hanlon) filed an application in Docket No. G-18945 on July 9, 1959, pursuant to section 7(b) of the Natural Gas Act, for authorization to abandon service to Hope Natural Gas Company (Hope) from the Cokeley Heirs Farm in Grant District, Ritchie County, West Virginia, covered by a gas sales contract dated April 13, 1937, as amended, between The Oil & Gas Company, predecessor in interest of Hanlon, as seller, and Hope, as buyer, on file with the Commission as Hanlon Oil Company FPC Gas Rate Schedule No. 4, as supplemented, all as more fully described in the application on file with the Commission, and open to public inspection.

Applicant states in support of the proposed abandonment that the available supply of natural gas has declined to a point where it is no longer economically feasible to continue the operation. Hanlon has incorporated in the application a letter from Hope dated June 29, 1959, giving notice that as deliveries of gas under the contract of April 13, 1937, have declined to less than 5 Mcf per day, the contract is cancelled as provided therein.

This service was authorized on April 11, 1955, in Docket No. G-5479.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 14, 1960, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it

will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 4, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-10436; Filed, Dec. 9, 1959;  
8:48 a.m.]

[Docket Nos. G-14543—G-14545]

LAUGHLIN OIL & GAS CO.

### Notice of Applications and Date of Hearing

DECEMBER 3, 1959.

Take notice that on February 21, 1958, Laughlin Oil & Gas Company<sup>1</sup> (Laughlin) in Docket Nos. G-14543, G-14544, and G-14545 filed applications pursuant to section 7 of the Natural Gas Act seeking authorization to continue the sales of natural gas previously made by R. S. Monroe, et al. (Monroe) to Hope Natural Gas Company (Hope) from certain acreage in the Mannington District, Marion County, West Virginia, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

By order issued July 13, 1955, in the Matters of Penova Interests, et al., Docket Nos. G-4091, et al., Monroe was authorized in Docket Nos. G-5585, G-5586 and G-5587 to sell natural gas from the subject acreage to Hope.

By instrument of assignment dated December 31, 1957, Robert S. Monroe conveyed his interest in the subject acreage to W. W. Laughlin, Sr., and Harry D. L. Laughlin. Subsequently, W. W. Laughlin, by instrument of assignment dated December 31, 1957, reassigned a working interest in the subject assigned acreage to Howard N. Kennedy.

Laughlin proposes to continue the subject service to Hope under the terms of the original contracts dated March 24, 1954.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 5, 1960 at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washing-

ton, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

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

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-10437; Filed, Dec. 9, 1959;  
8:48 a.m.]

## FEDERAL RESERVE SYSTEM

### BANK STOCK CORPORATION OF MILWAUKEE

#### Order Extending Time Within Which To Become a Bank Holding Company

In the matter of the application of Bank Stock Corporation of Milwaukee, pursuant to section 3(a) (1) of the Bank Holding Company Act of 1956.

There having come before the Board of Governors, pursuant to section 3(a) (1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842) and section 4(a) (1) of the Board's Regulation Y (12 CFR 222.4(a) (1)), an application by Bank Stock Corporation of Milwaukee for the Board's approval of action whereby Applicant would become a bank holding company through the acquisition of 80 per cent or more of the outstanding voting shares of Marshall and Hsley Bank and Northern Bank, both of which are located in Milwaukee; a Notice of Tentative Decision referring to a Tentative Statement on said application having been published in the FEDERAL REGISTER on August 11, 1959 (24 F.R. 7347); said Notice having provided interested persons an opportunity, before issuance of the Board's order, to file objections or comments upon the facts stated and the reasons indicated in the Tentative Statement; and the time for filing such objections and comments having expired and no objections or comments having been filed;

And said application having been granted by order of the Board dated September 3, 1959, with a proviso that said acquisition be completed within three months from that date;

And Bank Stock Corporation of Milwaukee having applied to the Board for a one-month extension of the period prescribed in said proviso, and it appearing that such an extension would not be inconsistent with the public interest;

<sup>1</sup>Laughlin Oil and Gas Company is a partnership composed of W. W. Laughlin, Sr., Harry D. L. Laughlin and Howard N. Kennedy.

It is hereby ordered, That the time in which said acquisition may be completed is extended to January 4, 1960.

Dated at Washington, D.C., this 1st day of December 1959.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,  
Secretary.

[F.R. Doc. 59-10439; Filed, Dec. 9, 1959;  
8:48 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### LEARNER EMPLOYMENT CERTIFICATES

##### Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order 524 (24 F.R. 9274), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are established in these regulations.

**Apparel Industry Learner Regulations** (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of ten percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Alabama Textile Products Corp., Andalusia, Ala.; effective 12-1-59 to 11-30-60 (men's dress and sport shirts, and work pants).

The Andala Co., Andalusia, Ala.; effective 12-1-59 to 11-30-60 (men's work shirts and work pants).

Barrow Manufacturing Co., Winder, Ga.; effective 11-23-59 to 11-22-60 (men's and boys' work pants).

Berwick Shirt Co., 10th and Pine Streets, Berwick, Pa.; effective 11-24-59 to 11-23-60 (men's sport shirts).

Biltmore Manufacturing Co., Inc., Sweeten Creek Road, Biltmore, N.C.; effective 12-1-59 to 11-30-60. Learners may not be employed at special minimum wage rates in the production of separate skirts (women's sportswear).

Byrds Manufacturing Corp., Byrds town, Tenn.; effective 11-29-59 to 11-28-60 (ladies' and boys' dress shirts).

Cowden Manufacturing Co., 112 Hamilton Avenue, Lancaster, Ky.; effective 11-28-59 to 11-27-60 (cotton and denim overalls and jackets).

Dublin Garment Co., Dublin, Ga.; effective 12-10-59 to 12-9-60 (men's and boys' shirts).

Duti-Duds, Inc., 1117 Clay Street, Lynchburg, Va.; effective 12-2-59 to 12-1-60

(women's cotton; nylon and dacron uniforms).

Florence Manufacturing Co., Chase Avenue and Darlington Highway, Florence, S.C.; effective 11-29-59 to 11-28-60 (ladies' dresses).

Glen of Michigan, Division of Rhea Manufacturing Co., 77 Hancock Street, Manistee, Mich.; effective 12-6-59 to 12-5-60. Learners may not be employed at special minimum wage rates in the production of separate shirts (misses' dresses, blouses, and sportswear).

International Latex Corp., Manchester, Ga.; effective 12-1-59 to 11-30-60 (brassieres, infants' wear, and shower caps).

McAdoo Manufacturing Co., Inc., South Hancock Street, McAdoo, Pa.; effective 12-6-59 to 12-5-60 (men's and children's polo shirts).

Manhattan Shirt Co., Tripp Street, Americus, Ga.; effective 11-27-59 to 11-26-60 (men's dress shirts).

Manhattan Shirt Co., U.S. By-Pass No. 29 and No. 70, Lexington, N.C.; effective 12-1-59 to 11-30-60 (men's sport shirts, ladies' shirts).

Manhattan Shirt Co., 717 Capouse Avenue, Scranton, Pa.; effective 12-1-59 to 11-30-60 (men's sport shirts).

Manhattan Shirt Co., Leeds Avenue, Charleston Heights, S.C.; effective 12-1-59 to 11-30-60 (men's dress and sport shirts).

Mycos Manufacturing Co., Inc., Montgomery, Pa.; effective 12-1-59 to 11-30-60 (ladies' housecoats, dusters, robes).

Publix Tennessee Corp., Huntingdon, Tenn.; effective 12-1-59 to 11-30-60 (men's and boys' sport shirts).

Regal Shirt Corp., 208 South Third Street, Catawissa, Pa.; effective 12-1-59 to 11-30-60 (men's sport shirts).

Salemberg Manufacturing Co., Salemberg, N.C.; effective 11-19-59 to 11-18-60 (cotton dresses).

States Nitewear Manufacturing Co., Inc., Healey and Bates Sts., New Bedford, Mass.; effective 12-1-59 to 11-30-60 (ladies' cotton nightgowns and pajamas).

Sun Garment Co., 2401 Hyde Parkway, St. Joseph, Mo.; effective 12-1-59 to 11-30-60 (shirts).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Allee-Berry, Inc., Columbus, Kans.; effective 12-1-59 to 11-30-60; 10 learners (men's and boys' Ivy type pants; men's overalls and unlined work jackets).

Armored Garments, Inc., Spruce Pine, N.C.; effective 12-1-59 to 11-30-60; 10 learners (men's and boys' denim dungarees).

Gloucester Pants Co., Inc., 377 Main Street, Gloucester, Mass.; effective 12-1-59 to 11-30-60; 10 learners (men's and boys' trousers).

Hane Manufacturing Co., Shamokin Dam, Pa.; effective 11-20-59 to 11-19-60; 10 learners (girls' blouses, men's and boys' dress and sport shirts).

The Loudoun Manufacturing Co., Emmitsburg Manufacturing Co. Division, Emmitsburg, Md.; effective 11-18-59 to 11-17-60; 10 learners (men's trousers).

Prairie Manufacturing Co., East Prairie, Mo.; effective 11-23-59 to 11-22-60; 10 learners (men's and boys' work and semi-dress pants).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Evergreen Textile, Inc., Evergreen, Ala.; effective 11-23-59 to 5-22-60; 15 learners (men's semi-dress slacks).

Glenn Garment Co., Butler, Ky.; effective 11-18-59 to 5-17-60; 10 learners. Learners may not be employed at special minimum wage rates in the production of separate skirts (women's cotton blouses).

Grifton Manufacturing Co., Grifton, N.C.; effective 11-18-59 to 5-17-60; 40 learners (boys' jackets).

Lawrence-Lloyd Sportswear Co. of Texas, 2217 Mills Street, El Paso, Tex.; effective 11-24-59 to 5-23-60; 18 learners (men's slacks, outerwear shorts; men's and boys' sandlubbers).

Palmetto Sportswear, Inc., Bowman, S.C.; effective 11-24-59 to 5-23-60; 10 learners (women's slacks and shorts).

Prairie Manufacturing Co., East Prairie, Mo.; effective 11-23-59 to 5-22-60; 5 learners (men's and boys' work and semi-dress pants).

Shadowline, Inc., Boone, N.C.; effective 11-25-59 to 5-24-60; 15 learners (women's woven fabric gowns).

Weaver Pants Co., Inc., Corinth, Miss.; effective 11-20-59 to 5-19-60; 40 learners (men's single pants).

**Hosiery Industry Learner Regulations** (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.44, as amended).

The following learner certificates were issued authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes.

Knit-Sox Knitting Mills, Inc., 11 Eighth Street NE., Hickory, N.C.; effective 11-23-59 to 11-22-60 (seamless).

Magnet Mills, Inc., 308 Cullom Street, Clinton, Tenn.; effective 11-29-59 to 11-28-60 (full-fashioned and seamless).

Portage Hosiery Co., Portage, Wis.; effective 11-28-59 to 11-27-60 (seamless).

The following certificate was issued for plant expansion purposes. The effective and expiration dates and the number of learners are indicated.

Selma Hosiery Co., Dillon, S.C.; effective 12-2-59 to 6-1-60; 70 learners (seamless).

**Knitted Wear Industry Learner Regulations** (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

The following certificates were issued authorizing the employment of 5 percent of the total number of factory production workers for normal labor turnover purposes.

Chadbourn Textiles, Inc., Chadbourn, N.C.; effective 11-23-59 to 11-22-60 (men's and boys' knit tee and sport shirts).

Cluett, Peabody and Co., Inc., Eveleth, Minn.; effective 11-28-59 to 11-27-60 (men's underwear).

Dothan Manufacturing Co., Dothan, Ala.; effective 11-16-59 to 11-15-60 (men's pajamas and shorts).

Kingsboro Mills, Inc., Sparta Street, McMinnville, Tenn.; effective 11-17-59 to 11-16-60 (ladies' and children's lingerie).

**Shoe Industry Learner Regulations** (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.50 to 522.55, as amended).

The following certificate was issued for 10 percent of the total number of factory production workers for normal labor turnover purposes.

Golo of Dunmore, Golo Park, Dunmore, Pa.; effective 12-1-59 to 11-30-60 (women's shoes).

Each learner certificate has been issued upon the representations of the

**INTERSTATE COMMERCE COMMISSION**

**FOURTH SECTION APPLICATIONS FOR RELIEF**

DECEMBER 7, 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. 35870: *Bituminous coal—Illinois and western Kentucky to Indiana.* Filed by Illinois Freight Association, Agent (No. 81), for interested rail carriers. Rates on bituminous coal, in carloads, in multiple-car lots from Illinois and western Kentucky mines to South Bend, Mishawaka and Michigan City, Ind.

Grounds for relief: Market competition with Indiana mines, and competition with gas as a fuel.

Tariffs: Supplement 280 to Chicago & Eastern Illinois Railroad Company's tariff I.C.C. 2 and six other schedules named in the application.

FSA No. 35871: *Alcohol and related articles—New Orleans, La., to Chicago, and Lemont, Ill.* Filed by O. W. South, Jr., Agent (SFA No. A3877), for interested rail carriers. Rates on alcohol and related articles named in the application, in tank-car loads from New Orleans, La., to Chicago and Lemont, Ill.

Grounds for relief: Barge Competition. Tariff: Supplement 225 to Southern Freight Association tariff I.C.C. 400 (Marque series).

By the Commission.

[SEAL] HAROLD D. MCCOY, Secretary.

employer which, among other things, were that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 1st day of December 1959.

ROBERT G. GRONEWALD, Authorized Representative of the Administrator.

[F.R. Doc. 59-10442; Filed, Dec. 9, 1959; 8:48 a.m.]

[F.R. Doc. 59-10445; Filed, Dec. 9, 1959; 8:48 a.m.]

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