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## Contents

### Agricultural Marketing Service

**RULES AND REGULATIONS:**

Lemons grown in California and Arizona; handling limitation..... 5919

Marketing orders; general regulations..... 5907

Milk in certain marketing areas; orders:

    Central Arizona..... 5921

    Michigan Upper Peninsula..... 5922

    Minneapolis-St. Paul..... 5919

### Agricultural Research Service

**NOTICES:**

Certain humanely slaughtered livestock; identification of carcasses..... 5954

**RULES AND REGULATIONS:**

Foreign quarantine; administrative instructions and interpretation relating to entry into Guam of fruits and vegetables..... 5907

Tanking and denaturing condemned carcasses and parts; required permits for specimens for educational, research, and other nonfood purposes.... 5923

### Agriculture Department

See Agricultural Marketing Service; Agricultural Research Service; Commodity Credit Corporation; Commodity Stabilization Service.

### Atomic Energy Commission

**NOTICES:**

Ocean Transport Co.; proposed amendment of byproduct, source and special nuclear material license..... 5950

### Civil Aeronautics Board

**NOTICES:**

Las Vegas Hacienda, Inc., and Henry F. Price, enforcement proceedings; oral argument.... 5950

### Coast Guard

**RULES AND REGULATIONS:**

Payment of counsel fees and other expenses in foreign courts..... 5933

### Commodity Credit Corporation

**RULES AND REGULATIONS:**

Cotton loan program, 1960; schedule of base loan rates for choice (B) upland cotton..... 5901

### Commodity Stabilization Service

**RULES AND REGULATIONS:**

Referenda on marketing quotas; posting of notice..... 5907

### Federal Aviation Agency

**PROPOSED RULE MAKING:**

Control area extensions:

    Modification..... 5943

    Modification and revocation... 5942

    Withdrawals of proposed designations (2 documents)..... 5948

Control zones; modifications (9 documents)..... 5943-5947

Control zone; modification of proposed designation..... 5948

Control zone, coded jet route, Federal airway and reporting point; modification..... 5941

Federal airway segments and associated control areas; revocations (2 documents)..... 5939, 5940

Federal airway segment, associated control areas and reporting point; revocations (2 documents)..... 5940

High density air traffic zone and airport; withdrawal of proposed designation..... 5948

Restricted area; withdrawal of proposed revocation..... 5948

Restricted area/military climb corridor, designation; and modification of Federal airway..... 5941

**RULES AND REGULATIONS:**

Federal airway; modification.... 5924

Federal airway and associated control areas; designation..... 5925

Federal airway and associated control areas, modification; and revocation of Federal airway and associated control areas and reporting points, and designation of reporting point..... 5925

Prohibited area, revocation; and modification of control area extension..... 5925

Restricted areas:

    Modifications (3 documents).... 5928-5930

    Modification and redesignation..... 5926

    Modification and revocation... 5926

Restricted areas/military climb corridors:

    Designations (2 documents).... 5927, 5928

    Modifications (3 documents).... 5929, 5930

### Federal Communications Commission

**NOTICES:**

*Hearings, etc.:*

Independent Broadcasting Co., Inc., and High Fidelity Music Co..... 5951

Mark Twain Broadcasting Co... 5951

Pioneer Broadcasting Co. (KNOW)..... 5951

Storer Broadcasting Co. (WWVA-TV)..... 5951

Tot Industries, Inc., et al..... 5952

Zephyr Broadcasting Corp. and Myron A. Reck (WTRR)..... 5952

### Federal Deposit Insurance Corporation

**NOTICES:**

Calls for condition reports:

    Insured mutual savings banks not members of the Federal Reserve System..... 5952

    Insured state banks not members of the Federal Reserve System, except banks in the District of Columbia and mutual savings banks..... 5952

(Continued on next page)

**Federal Power Commission**

NOTICES:  
*Hearings, etc.:*  
 Arkansas Louisiana Gas Co.----- 5952  
 Gulf Oil Corp. et al.----- 5953  
 W. A. Richardson Oil Co. et al.----- 5954

**Federal Reserve System**

RULES AND REGULATIONS:  
 Discount rates; advances and discounts to member banks and others----- 5924  
 Loans by bank, in capacity of trustee, for purchasing or carrying registered stock----- 5923  
 Payment by check of interest on deposits----- 5923

**Federal Trade Commission**

RULES AND REGULATIONS:  
 Prohibited trade practices:  
 Hayim & Co.----- 5931  
 Independent Quilting Co., Inc., et al.----- 5931  
 Parker-Levy Juniors, Inc., et al.----- 5932  
 Joseph Zable et al.----- 5932

**Food and Drug Administration**

PROPOSED RULE MAKING:  
 Food additives; filing of petitions (4 documents)----- 5939

**RULES AND REGULATIONS:**

Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions; ferrous sulfate----- 5933

**Health, Education, and Welfare Department**

See Food and Drug Administration.

**Interior Department**

See Land Management Bureau.

**International Cooperation Administration**

NOTICES:  
 International Committee of Young Men's Christian Association; register of voluntary foreign aid agencies----- 5956

**Interstate Commerce Commission**

NOTICES:  
 Fourth section applications for relief----- 5956  
 Railroads serving Nebraska; re-routing and diversion of traffic----- 5957

**Land Management Bureau**

NOTICES:  
 Alaska; filing of protraction diagrams, Fairbanks Land District----- 5950

**Post Office Department**

RULES AND REGULATION:  
 Customs; importation----- 5936  
 Highway transportation; miscellaneous amendments----- 5935  
 International mail directory; individual countries----- 5937

**Securities and Exchange Commission**

NOTICES:  
*Hearings, etc.:*  
 Cohen, Alexander H., and Love Me Little Co.----- 5950  
 Satellite Time Corp.----- 5951  
 PROPOSED RULE MAKING:  
 Report form for small business investment companies----- 5949

**State Department**

RULES AND REGULATIONS:  
 Compensation granted certain employees at unhealthful posts outside U.S.; list of places----- 5901

**Treasury Department**

See Coast Guard.

**Codification Guide**

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

<b>3 CFR</b>	<b>9 CFR</b>	<b>16 CFR</b>
EXECUTIVE ORDERS:	14----- 5923	13 (4 documents)----- 5931, 5932
10127 (revoked in part by F.R. Doc. 60-5878)----- 5925	<b>12 CFR</b>	<b>17 CFR</b>
<b>5 CFR</b>	217----- 5923	PROPOSED RULES:
301----- 5901	221----- 5923	274----- 5949
<b>6 CFR</b>	224----- 5924	<b>21 CFR</b>
427----- 5901	<b>14 CFR</b>	120----- 5933
<b>7 CFR</b>	600 (3 documents)----- 5924, 5925	PROPOSED RULES:
319----- 5907	601 (3 documents)----- 5925	121 (4 documents)----- 5939
717----- 5907	608 (10 documents)----- 5926-5930	<b>33 CFR</b>
900----- 5907	PROPOSED RULES:	47----- 5933
953----- 5919	600 (6 documents)----- 5939-5941	<b>39 CFR</b>
973----- 5919	601 (19 documents)----- 5939-5948	94----- 5935
1004----- 5921	602----- 5941	151----- 5936
1011----- 5922	608 (2 documents)----- 5941, 5948	168----- 5937
	618----- 5948	



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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter III—Foreign and Territorial Compensation

#### PART 301—ADDITIONAL COMPENSATION AND CREDIT GRANTED CERTAIN EMPLOYEES OF THE FEDERAL GOVERNMENT SERVING OUTSIDE THE UNITED STATES

##### Subpart E—Unhealthful Posts

###### LIST OF PLACES

Pursuant to section 853 of the Foreign Service Act of 1946, as amended, and section 503 of Executive Order 10261 dated June 27, 1951, as amended, the list of unhealthful places in § 301.61 established by Executive Order No. 5644 of June 8, 1931, as amended by the second paragraph of Executive Order No. 6942 of January 8, 1935, Executive Order No. 7062 of June 5, 1935, Executive Order No. 10000 of September 16, 1948, as amended, and Departmental Regulations 108.149 of March 13, 1952; 108.224 of June 1, 1954; 108.295 of August 15, 1956; and 108.322 of July 5, 1957 is further amended to include the designation of Tegucigalpa, Honduras as an unhealthful place, effective as of the beginning of the first pay period following June 25, 1960.

(Secs. 303, 443, 853, 60 Stat. 1002, 1006, 1024, sec. 207, 62 Stat. 194, 1205; 22 U.S.C. 843, 888, 1093, 5 U.S.C. 118h)

For the Secretary of State.

LANE DWINELL,  
Assistant Secretary.

JUNE 14, 1960.

[F.R. Doc. 60-5930; Filed, June 27, 1960; 8:49 a.m.]

## Title 6—AGRICULTURAL CREDIT

### Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

#### SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[1960 C.C.C. Cotton Bulletin 1, Amdt. 1]

##### PART 427—COTTON

#### Subpart—1960 Cotton Loan Program Regulations

##### SCHEDULE OF BASE LOAN RATES FOR CHOICE (B) UPLAND COTTON

The 1960 C.C.C. Cotton Bulletin 1 is hereby amended by adding § 427.1130 to read as follows:

#### § 427.1130. Basic loan rates by warehouse locations.

The base loan rates, in cents per pound, gross weight, applicable to Middling white 1-inch Choice (B) upland cotton, under Commodity Credit Corporation's 1960 Cotton Loan Program, are as follows:

ALABAMA	Basis Middling white 1-inch loan rate
<i>City and county</i>	
Abbeville, Henry	27.15
Akron, Hale	27.05
Albertville, Marshall	27.25
Alexander City, Tallapoosa	27.35
Allceville, Pickens	26.95
Altoona, Etowah	27.35
Andalusia, Covington	27.05
Anniston, Calhoun	27.35
Arab, Marshall	27.25
Ardmore, Limestone	27.05
Ashford, Houston	27.15
Ashland, Clay	27.35
Athens, Limestone	27.05
Atmore, Escambia	26.95
Attalla, Etowah	27.35
Auburn, Lee	27.35
Banks, Pike	27.15
Bankston, Fayette	27.05
Belk, Fayette	27.05
Berry, Fayette	27.05
Bessemer, Jefferson	27.15
Birmingham, Jefferson	27.15
Blountsville, Blount	27.25
Boaz, Marshall	27.25
Bolgee, Greene	26.95
Brantley, Crenshaw	27.05
Brantley, Dallas	27.05
Brent, Bibb	27.15
Brewton, Escambia	26.95
Bridgeport, Jackson	27.15
Brownstown, Jackson	27.15
Brundidge, Pike	27.15
Butler, Choctaw	26.95
Camden, Wilcox	26.95
Camp Hill, Tallapoosa	27.35
Carbon Hill, Walker	27.05
Carrollton, Pickens	26.95
Centre, Cherokee	27.35
Centreville, Bibb	27.15
Chavies, De Kalb	27.25
Childersburg, Talladega	27.35
Clanton, Chilton	27.15
Clayton, Barbour	27.25
Clio, Barbour	27.25
Collinsville, De Kalb	27.25
Columbia, Houston	27.15
Columbiana, Shelby	27.25
Cooper, Chilton	27.15
Cordova, Walker	27.05
Cottonwood, Houston	27.15
Courtiand, Lawrence	27.05
Crossville, De Kalb	27.25
Cullman, Cullman	27.15
Dadeville, Tallapoosa	27.35
Dancy, Pickens	26.95
Deatsville, Elmore	27.25
Decatur, Morgan	27.15
Demopolis, Marengo	26.95
Detroit, Lamar	26.95
Dothan, Houston	27.15
Dozier, Crenshaw	27.05
Dutton, Jackson	27.15
Eclectic, Elmore	27.25
Elba, Coffee	27.15
Elkmont, Limestone	27.05
Enterprise, Coffee	27.15
Ethelsville, Pickens	26.95
Eufaula, Barbour	27.25

#### ALABAMA—Continued

<i>City and county</i>	<i>Basis Middling white 1-inch loan rate</i>
Eutaw, Greene	26.95
Evergreen, Conecuh	26.95
Fackler, Jackson	27.15
Fadette, Geneva	27.15
Faunsdale, Marengo	26.95
Fayette, Fayette	27.05
Flat Rock, Jackson	27.15
Florala, Covington	27.05
Florence, Lauderdale	26.95
Fort Deposit, Lowndes	27.05
Fort Payne, De Kalb	27.25
Frisco City, Monroe	26.95
Fyffe, De Kalb	27.25
Gadsden, Etowah	27.35
Gantt, Covington	27.05
Geneva, Geneva	27.15
Georgiana, Butler	27.05
Glen Allen, Fayette	27.05
Good Water, Coosa	27.25
Gordo, Pickens	26.95
Goshen, Pike	27.15
Greensboro, Hale	27.05
Greenville, Butler	27.05
Grove Hill, Clarke	26.95
Guin, Marion	26.95
Guntersville, Marshall	27.25
Hackleburg, Marion	26.95
Haleyville, Winston	27.05
Hamilton, Marion	26.95
Hanceville, Cullman	27.15
Hartford, Geneva	27.15
Hartselle, Morgan	27.15
Havana Junction, Hale	27.05
Headland, Henry	27.15
Heflin, Cleburne	27.35
Henagar, De Kalb	27.25
Hodges, Franklin	26.95
Hodgesville, Houston	27.15
Hollywood, Jackson	27.15
Huntsville, Madison	27.15
Hurtsboro, Russell	27.35
Ider, De Kalb	27.25
Jacksonville, Calhoun	27.35
Jasper, Walker	27.05
Jemison, Chilton	27.15
Kennedy, Lamar	26.95
Lafayette, Chambers	27.35
Larkinsville, Jackson	27.15
Leighton, Colbert	26.95
Lester, Limestone	27.05
Linden, Marengo	26.95
Lineville, Clay	27.35
Livingston, Sumter	26.95
Lockhart, Covington	27.05
Louisville, Barbour	27.25
Luverne, Crenshaw	27.05
McCullough, Escambia	26.95
McKenzie, Butler	27.05
Madison, Madison	27.15
Malvern, Geneva	27.15
Maplesville, Chilton	27.15
Marion, Perry	27.05
Millers Ferry, Wilcox	26.95
Millport, Lamar	26.95
Mobile, Mobile	26.87
Monroeville, Monroe	26.95
Montevallo, Shelby	27.25
Montgomery, Montgomery	27.15
Moore's Bridge, Tuscaloosa	27.05
Moore's Valley, Wilcox	26.95
Moulton, Lawrence	27.05
Moundville, Hale	27.05
Newbern, Hale	27.05
New Brockton, Coffee	27.15
New Hope, Madison	27.15
Newville, Henry	27.15

RULES AND REGULATIONS

ALABAMA—Continued

City and county	Basis Middling white 1-inch loan rate
Northport, Tuscaloosa	27.05
Notasulga, Macon	27.25
Oakman, Walker	27.05
Oneonta, Blount	27.25
Opelika, Lee	27.35
Opp, Covington	27.05
Ozark, Dale	27.15
Panola, Sumter	26.95
Pell City, St. Clair	27.25
Peterman, Monroe	26.95
Phil Campbell, Franklin	26.95
Pickensville, Pickens	26.95
Pinckard, Dale	27.15
Pine Hill, Wilcox	26.95
Pisgah, Jackson	27.15
Pollard, Escambia	26.95
Prattville, Autauga	27.15
Ralph, Tuscaloosa	27.05
Red Bay, Franklin	26.95
Red Level, Covington	27.05
Reform, Pickens	26.95
Repton, Conecuh	26.95
Roanoke, Randolph	27.35
Rogersville, Lauderdale	26.95
Russellville, Franklin	26.95
Samantha, Tuscaloosa	27.05
Samson, Geneva	27.15
Scottsboro, Jackson	27.15
Section, Jackson	27.15
Selma, Dallas	27.05
Sheffield, Colbert	26.95
Slocomb, Geneva	27.15
Stevenson, Jackson	27.15
Stewart, Hale	27.05
Sulligent, Lamar	26.95
Sweet Water, Marengo	26.95
Sylacauga, Talladega	27.35
Sylvania, De Kalb	27.25
Talladega, Talladega	27.35
Tallassee, Elmore	27.25
Thomasville, Clarke	26.95
Thorsby, Chilton	27.15
Troy, Pike	27.15
Tuscaloosa, Tuscaloosa	27.05
Tuscumbia, Colbert	26.95
Tuskegee, Macon	27.25
Union Springs, Bullock	27.25
Uniontown, Perry	27.05
Vernon, Lamar	26.95
Vina, Franklin	26.95
Wadley, Randolph	27.35
Warrior, Jefferson	27.15
Webb, Houston	27.15
Wetumpka, Elmore	27.25
Wilsonville, Shelby	27.25
Winfield, Marion	26.95
Woodville, Jackson	27.15
York, Sumter	26.95

ARIZONA

Amado, Santa Cruz	25.83
Buckeye, Maricopa	25.83
Casa Grande, Pinal	25.83
Chandler, Maricopa	25.83
Coolidge, Pinal	25.83
Eloy, Pinal	25.83
Gilbert, Maricopa	25.83
Litchfield Park, Maricopa	25.83
McMicken, Maricopa	25.83
Marana, Pima	25.83
Phoenix, Maricopa	25.83
Picacho, Pinal	25.83
Safford, Graham	26.15
Sahuarita, Pima	25.83
Willcox, Cochise	26.15
Yuma, Yuma	25.83

ARKANSAS

Arkadelphia, Clark	26.76
Ashdown, Little River	26.68
Batesville, Independence	26.76
Blytheville, Mississippi	26.81
Boughton, Nevada	26.68
Bradley, Lafayette	26.68
Brinkley, Monroe	26.81
Camden, Ouachita	26.68
Clarendon, Monroe	26.81

ARKANSAS—Continued

City and county	Basis Middling white 1-inch loan rate
Conway, Faulkner	26.76
Cotton Plant, Woodruff	26.81
Dardanelle, Yell	26.76
Dell, Mississippi	26.81
Dumas, Desha	26.79
Earle, Crittenden	26.81
England, Lonoke	26.79
Eudora, Chicot	26.78
Evadale, Mississippi	26.81
Fordyce, Dallas	26.76
Forrest City, St. Francis	26.81
Fort Smith, Sebastian	26.68
Gurdon, Clark	26.76
Harrisburg, Poinsett	26.81
Helena, Phillips	26.81
Hope, Hempstead	26.68
Hughes, St. Francis	26.81
Hulbert, Crittenden	26.84
Jacksonville, Pulaski	26.79
Jonesboro, Craighead	26.81
Junction City, Union	26.68
Leachville, Mississippi	26.81
Lepanto, Poinsett	26.81
Little Rock, Pulaski	26.79
Lonoke, Lonoke	26.79
McCrotry, Woodruff	26.81
McGehee, Desha	26.79
Magnolia, Columbia	26.68
Malvern, Hot Springs	26.76
Marianna, Lee	26.81
Marked Tree, Poinsett	26.81
Marvell, Phillips	26.81
Morrilton, Conway	26.76
Nashville, Howard	26.68
Newport, Jackson	26.79
North Little Rock, Pulaski	26.79
Osceola, Mississippi	26.81
Paragould, Greene	26.81
Pine Bluff, Jefferson	26.79
Portland, Ashley	26.76
Prescott, Nevada	26.68
Russellville, Pope	26.76
Searcy, White	26.79
Sparkman, Dallas	26.68
Trumann, Poinsett	26.81
Waldo, Columbia	26.68
Walnut Ridge, Lawrence	26.79
Warren, Bradley	26.76
West Helena, Phillips	26.81
West Memphis, Crittenden	26.84
Wilson, Mississippi	26.81
Wynne, Cross	26.81

CALIFORNIA

Arvin, Kern	25.83
Bakersfield, Kern	25.83
Buttonwillow, Kern	25.83
Calico, Kern	25.83
Caruthers, Fresno	25.83
Chowchilla, Madera	25.83
Coalinga, Fresno	25.83
Corcoran, Kings	25.83
El Centro, Imperial	25.83
Firebaugh, Fresno	25.83
Five Points, Fresno	25.83
Fresno, Fresno	25.83
Hanford, Kings	25.83
Helm, Fresno	25.83
Huron, Fresno	25.83
Kerman, Fresno	25.83
Kingsburg, Fresno	25.83
Locke, Sacramento	25.83
Los Angeles, Los Angeles	25.83
McFarland, Kern	25.83
Madera, Madera	25.83
Milpitas, Santa Clara	25.83
Oakland, Alameda	25.83
Pinedale, Fresno	25.83
Pond, Kern	25.83
Reedley, Fresno	25.83
Richmond, Contra Costa	25.83
San Diego, San Diego	25.83
San Francisco, San Francisco	25.83
San Joaquin, Fresno	25.83
San Jose, Santa Clara	25.83
San Pedro, Los Angeles	25.83

CALIFORNIA—Continued

City and county	Basis Middling white 1-inch loan rate
Selma, Fresno	25.83
Stockton, San Joaquin	25.83
Stratford, Kings	25.83
Tipton, Tulare	25.83
Tranquillity, Fresno	25.83
Tulare, Tulare	25.83
Visalia, Tulare	25.83

FLORIDA

Graceville, Jackson	27.15
Jay, Santa Rosa	26.87
Malone, Jackson	27.15
Pensacola, Escambia	26.87

GEORGIA

Abbeville, Wilcox	27.35
Adairsville, Bartow	27.45
Adel, Cook	27.25
Adrian, Emanuel	27.45
Alamo, Wheeler	27.35
Albany, Dougherty	27.35
Allentown, Wilkinson	27.45
Alma, Bacon	27.35
Alvaton, Meriwether	27.45
Ambrose, Coffee	27.35
Americus, Sumter	27.35
Arabi, Crisp	27.35
Arlington, Calhoun	27.25
Ashburn, Turner	27.35
Athens, Clarke	27.55
Atlanta, Fulton	27.45
Augusta, Richmond	27.55
Bainbridge, Decatur	27.25
Barnesville, Lamar	27.45
Bartow, Jefferson	27.45
Baxley, Appling	27.35
Bishop, Oconee	27.55
Blackshear, Pierce	27.25
Blakely, Early	27.25
Braselton, Jackson	27.55
Bronwood, Terrell	27.35
Brookfield, Tift	27.35
Brooklet, Bulloch	27.45
Brunswick, Glynn	27.25
Buchanan, Haralson	27.45
Buena Vista, Marion	27.45
Buford, Gwinnett	27.45
Butler, Taylor	27.45
Byromville, Dooly	27.35
Cadwell, Laurens	27.45
Cairo, Grady	27.25
Calhoun, Gordon	27.45
Camilla, Mitchell	27.25
Canon, Franklin	27.55
Carnegie, Randolph	27.25
Carrollton, Carroll	27.45
Cartersville, Bartow	27.45
Cedartown, Polk	27.45
Chamblee, De Kalb	27.45
Chauncey, Dodge	27.45
Chester, Dodge	27.45
Claxton, Evans	27.35
Cochran, Bleckley	27.45
Coleman, Randolph	27.25
Colquitt, Miller	27.25
Columbus, Muscogee	27.45
Comer, Madison	27.55
Commerce, Jackson	27.55
Concord, Pike	27.45
Conyers, Rockdale	27.45
Cordele, Crisp	27.35
Coverdale, Turner	27.35
Covington, Newton	27.45
Culloden, Monroe	27.45
Cuthbert, Randolph	27.25
Dallas, Paulding	27.45
Dalton, Whitfield	27.45
Davisboro, Washington	27.45
Dawson, Terrell	27.35
Dexter, Laurens	27.45
Doerun, Colquitt	27.25
Donalsonville, Seminole	27.25
Douglas, Coffee	27.35
Douglasville, Douglas	27.45
Dublin, Laurens	27.45
Dudley, Laurens	27.45
Eastman, Dodge	27.45

GEORGIA—Continued

GEORGIA—Continued

LOUISIANA—Continued

City and county	Basis Middling white 1-inch loan rate
East Point, Fulton	27.45
Eatonton, Putnam	27.45
Edison, Calhoun	27.25
Eiberton, Elbert	27.55
Ellaville, Schley	27.45
Fairburn, Fulton	27.45
Farrar, Jasper	27.45
Fayetteville, Fayette	27.45
Findlay, Dooly	27.35
Fitzgerald, Ben Hill	27.35
Forsyth, Monroe	27.45
Fort Gaines, Clay	27.25
Fort Valley, Peach	27.45
Franklinton, Bibb	27.45
Gainesville, Hall	27.55
Garfield, Emanuel	27.45
Gay, Meriwether	27.45
Glennville, Tattnall	27.35
Grantville, Coweta	27.45
Graymont, Emanuel	27.45
Greensboro, Greene	27.55
Greenville, Meriwether	27.45
Gresston, Dodge	27.45
Griffin, Spalding	27.45
Haralson, Coweta	27.45
Harrison, Washington	27.45
Hartsfield, Colquitt	27.25
Hartwell, Hart	27.55
Hawkinsville, Pulaski	27.45
Hogansville, Troup	27.45
Hollonville, Pike	27.45
Ideal, Macon	27.45
Jackson, Butts	27.45
Jefferson, Jackson	27.55
Jeffersonville, Twiggs	27.45
Jesup, Wayne	27.35
Jonesboro, Clayton	27.45
Kelly, Jasper	27.45
Kingston, Bartow	27.45
Kite, Johnson	27.45
Lafayette, Walker	27.45
La Grange, Troup	27.45
Lavonia, Franklin	27.55
Lawrenceville, Gwinnett	27.45
Leary, Calhoun	27.25
Leesburg, Lee	27.35
Lenox, Cook	27.25
Leslie, Sumter	27.35
Lilly, Dooly	27.35
Lincolnton, Lincoln	27.55
Locust Grove, Henry	27.45
Loganville, Walton	27.45
Louisville, Jefferson	27.45
Lumpkin, Stewart	27.35
Luthersville, Meriwether	27.45
Lyerly, Chattooga	27.45
Lyons, Toombs	27.35
McDonough, Henry	27.45
McRae, Telfair	27.35
Macon, Bibb	27.45
Madison, Morgan	27.45
Manchester, Meriwether	27.45
Mansfield, Newton	27.45
Marletta, Cobb	27.45
Marshallville, Macon	27.45
Meansville, Pike	27.45
Melgs, Thomas	27.25
Metter, Candler	27.45
Midville, Burke	27.45
Milan, Telfair	27.35
Milledgeville, Baldwin	27.45
Millen, Jenkins	27.45
Monroe, Walton	27.45
Montezuma, Macon	27.45
Monticello, Jasper	27.45
Montrose, Laurens	27.45
Moreland, Coweta	27.45
Morven, Brooks	27.25
Moultrie, Colquitt	27.25
Newborn, Newton	27.45
Newnan, Coweta	27.45
Norman Park, Colquitt	27.25
Ochlochnee, Thomas	27.25
Ocilla, Irwin	27.35
Oglethorpe, Macon	27.45
Omega, Tift	27.35

City and county	Basis Middling white 1-inch loan rate
Orchard Hill, Spalding	27.45
Palmetto, Fulton	27.45
Parrott, Terrell	27.35
Pelham, Mitchell	27.25
Perry, Houston	27.45
Pinehurst, Dooly	27.35
Pinelog, Bartow	27.45
Pine Mountain, Harris	27.45
Pineview, Wilcox	27.35
Pitts, Wilcox	27.35
Plains, Sumter	27.35
Portal, Bulloch	27.45
Pulaski, Candler	27.45
Quitman, Brooks	27.25
Rebecca, Turner	27.35
Red Oak, Fulton	27.45
Rentz, Laurens	27.45
Reynolds, Taylor	27.45
Rhine, Dodge	27.45
Richland, Stewart	27.35
Robertta, Crawford	27.45
Rochelle, Wilcox	27.35
Rockmart, Polk	27.45
Rocky Ford, Screven	27.45
Rome, Floyd	27.45
Royston, Franklin	27.55
Rutledge, Morgan	27.45
Sandersville, Washington	27.45
Sasser, Terrell	27.35
Savannah, Chatham	27.45
Scotland, Telfair	27.35
Senola, Coweta	27.45
Shady Dale, Jasper	27.45
Sharpsburg, Coweta	27.45
Shellman, Randolph	27.25
Shingler, Worth	27.35
Social Circle, Walton	27.45
Soperton, Treutlen	27.45
Sparta, Hancock	27.45
Statesboro, Bulloch	27.45
Summit, Emanuel	27.45
Swainsboro, Emanuel	27.45
Sycamore, Turner	27.35
Sylvania, Screven	27.45
Sylvester, Worth	27.35
Tallapoosa, Haralson	27.45
Taylorsville, Bartow	27.45
Temple, Carroll	27.45
Tennille, Washington	27.45
Thomaston, Upson	27.45
Thomson, McDuffie	27.55
Tifton, Tift	27.35
Tignall, Wilkes	27.55
Toccoa, Stephens	27.55
Turin, Coweta	27.45
Twin City, Emanuel	27.45
Tyrone, Fayette	27.45
Unadilla, Dooly	27.35
Uvalda, Montgomery	27.35
Valdosta, Lowndes	27.25
Vidalia, Toombs	27.35
Vienna, Dooly	27.35
Villa Rica, Carroll	27.45
Wadley, Jefferson	27.45
Warrenton, Warren	27.55
Warwick, Worth	27.35
Washington, Wilkes	27.55
Watkinsville, Oconee	27.55
Waynesboro, Burke	27.45
West Point, Troup	27.45
Williamson, Pike	27.45
Winder, Barrow	27.55
Woodbury, Meriwether	27.45
Woodland, Talbot	27.45
Wrens, Jefferson	27.45
Wrightsville, Johnson	27.45
Yatesville, Upson	27.45
Zebulon, Pike	27.45

ILLINOIS

Cairo, Alexander	26.82
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LOUISIANA

Alexandria, Rapides	26.68
Arcadia, Bienville	26.68
Bernice, Union	26.68

City and county	Basis Middling white 1-inch loan rate
Bryceland, Bienville	26.68
Bunkie, Avoyelles	26.68
Chatham, Jackson	26.68
Choudrant, Lincoln	26.76
Coushatta, Red River	26.68
Delhi, Richland	26.77
Dubach, Lincoln	26.68
Eunice, St. Landry	26.68
Farmerville, Union	26.76
Ferriday, Concordia	26.78
Franklinton, Washington	26.82
Gibsland, Bienville	26.68
Gretna, Jefferson	26.82
Haynesville, Claiborne	26.68
Homer, Claiborne	26.68
Jonesboro, Jackson	26.68
Lake Charles, Calcasieu	26.68
Lake Providence, East Carroll	26.78
Leesville, Vernon	26.68
Logansport, De Soto	26.68
Mansfield, De Soto	26.68
Marlon, Union	26.76
Minden, Webster	26.68
Monroe, Ouachita	26.76
Natchitoches, Natchitoches	26.68
Newellton, Tensas	26.78
New Orleans, Orleans	26.82
Oak Grove, West Carroll	26.77
Opelousas, St. Landry	26.68
Plain Dealing, Bossier	26.68
Port Allen, West Baton Rouge	26.69
Rayville, Richland	26.76
Ringgold, Bienville	26.68
Ruston, Lincoln	26.76
Shreveport, Caddo	26.68
Springhill, Webster	26.68
Tallulah, Madison	26.78
Westwego, Jefferson	26.82
Winnsboro, Franklin	26.76

MISSISSIPPI

Aberdeen, Monroe	26.87
Amory, Monroe	26.87
Batesville, Panola	26.87
Belmont, Tishomingo	26.87
Belzoni, Humphreys	26.82
Booneville, Prentiss	26.87
Brookhaven, Lincoln	26.84
Canton, Madison	26.87
Carthage, Leake	26.87
Clarksdale, Coahoma	26.82
Cleveland, Bolivar	26.82
Coffeeville, Yalobusha	26.87
Columbia, Marion	26.84
Columbus, Lowndes	26.87
Como, Panola	26.87
Corinth, Alcorn	26.87
Crystal Springs, Copiah	26.84
Drew, Sunflower	26.82
Durant, Holmes	26.87
Flora, Madison	26.82
Forest, Scott	26.84
Gloster, Amite	26.82
Goodman, Holmes	26.87
Greenville, Washington	26.82
Greenwood, Leflore	26.82
Grenada, Grenada	26.87
Gulfport, Harrison	26.82
Hattiesburg, Forrest	26.84
Hollandale, Washington	26.82
Holly Springs, Marshall	26.87
Houston, Chickasaw	26.87
Indianola, Sunflower	26.82
Inverness, Sunflower	26.82
Itta Bena, Leflore	26.82
Jackson, Hinds	26.84
Kosciusko, Attala	26.87
Laurel, Jones	26.84
Leland, Washington	26.82
Lexington, Holmes	26.82
Liberty, Amite	26.82
Louisville, Winston	26.87
McComb, Pike	26.84
Macon, Noxubee	26.87
Magee, Simpson	26.84
Magnolia, Pike	26.84
Marks, Quitman	26.82

## MISSISSIPPI—Continued

City and county	Basis Middling white 1-inch loan rate
Meridian, Lauderdale	26.87
Mount Olive, Covington	26.84
Natchez, Adams	26.82
New Albany, Union	26.87
Newton, Newton	26.84
Okolona, Chickasaw	26.87
Oxford, Lafayette	26.87
Philadelphia, Neshoba	26.87
Pontotoc, Pontotoc	26.87
Port Gibson, Claiborne	26.82
Prentiss, Jefferson Davis	26.84
Quitman, Clarke	26.84
Ripley, Tippah	26.87
Rolling Fork, Sharkey	26.82
Rosedale, Bolivar	26.82
Ruleville, Sunflower	26.82
Shaw, Bolivar	26.82
Shelby, Bolivar	26.82
Shuqualak, Noxubee	26.87
Sledge, Quitman	26.82
Summit, Pike	26.84
Tunica, Tunica	26.82
Tupelo, Lee	26.87
Tutwiler, Tallahatchie	26.82
Tylertown, Walthall	26.84
Union, Newton	26.87
Vicksburg, Warren	26.82
Water Valley, Yalobusha	26.87
Wesson, Copiah	26.84
West Point, Clay	26.87
Yazoo City, Yazoo	26.82

## MISSOURI

Arbyrd, Dunklin	26.81
Caruthersville, Pemiscot	26.81
Charleston, Mississippi	26.79
Gideon, New Madrid	26.79
Hayti, Pemiscot	26.81
Kennett, Dunklin	26.79
Lilbourn, New Madrid	26.79
Malden, Dunklin	26.79
Portageville, New Madrid	26.81
Sikeston, Scott	26.79

## NEVADA

All point origins, all point origins	25.83
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## NEW MEXICO

Animas, Hidalgo	26.25
Artesia, Eddy	26.40
Carlsbad, Eddy	26.40
Deming, Luna	26.33
Hobbs, Lea	26.48
Las Cruces, Dona Ana	26.39
Lordsburg, Hidalgo	26.25
Lovington, Lea	26.48
Roswell, Chaves	26.40
Socorro, Socorro	26.39

## NORTH CAROLINA

Avondale, Rutherford	27.63
Battleboro, Nash	27.55
Benson, Johnston	27.55
Bessemer City, Gaston	27.63
Bethel, Pitt	27.55
Bladenboro, Bladen	27.55
Bostic, Rutherford	27.63
Butner, Granville	27.55
Candor, Montgomery	27.63
Carthage, Moore	27.63
Charlotte, Mecklenburg	27.63
Cherryville, Gaston	27.63
Clayton, Johnston	27.55
Clinton, Sampson	27.55
Columbus, Polk	27.63
Concord, Cabarrus	27.63
Conway, Northampton	27.55
Dallas, Gaston	27.63
Dunn, Harnett	27.55
Durham, Durham	27.63
Edenton, Chowan	27.55
Elizabeth City, Pasquotank	27.55
Enfield, Halifax	27.55
Farmville, Pitt	27.55
Fayetteville, Cumberland	27.55
Forest City, Rutherford	27.63

## NORTH CAROLINA—Continued

City and county	Basis Middling white 1-inch loan rate
Franklinton, Franklin	27.55
Gastonia, Gaston	27.63
Godwin, Cumberland	27.55
Goldsboro, Wayne	27.55
Greensboro, Guilford	27.63
Gumberry, Northampton	27.55
Harris, Rutherford	27.63
Henderson, Vance	27.55
Hickory, Catawba	27.63
High Point, Guilford	27.63
Hope Mills, Cumberland	27.55
Jackson, Northampton	27.55
Kings Mountain, Cleveland	27.63
Kinston, Lenoir	27.55
La Grange, Lenoir	27.55
Laurel Hill, Scotland	27.55
Laurinburg, Scotland	27.55
Lewiston, Bertie	27.55
Lilesville, Anson	27.63
Lincolnton, Lincoln	27.63
Littleton, Halifax	27.55
Louisburg, Franklin	27.55
Lumberton, Robeson	27.55
Marshville, Union	27.63
Mathews, Mecklenburg	27.63
Maxton, Robeson	27.55
Monroe, Union	27.63
Moorestville, Iredell	27.63
Morven, Anson	27.63
Mount Gilead, Montgomery	27.63
Mount Olive, Wayne	27.55
Murfreesboro, Hertford	27.55
Nashville, Nash	27.55
Newton, Catawba	27.63
Norlina, Warren	27.55
Parkton, Robeson	27.55
Pates, Robeson	27.55
Pembroke, Robeson	27.55
Pikeville, Wayne	27.55
Pinetops, Edgecombe	27.55
Raeford, Hoke	27.55
Raleigh, Wake	27.55
Ranlo, Gaston	27.63
Red Springs, Robeson	27.55
Reidsville, Rockingham	27.63
Rich Square, Northampton	27.55
Roanoke Rapids, Halifax	27.55
Rockingham, Richmond	27.63
Rocky Mount, Edgecombe	27.55
Rowland, Robeson	27.55
Rutherfordton, Rutherford	27.63
Saint Pauls, Robeson	27.55
Salisbury, Rowan	27.63
Sanford, Lee	27.63
Scotland Neck, Halifax	27.55
Seaboard, Northampton	27.55
Selma, Johnston	27.55
Shelby, Cleveland	27.63
Smithfield, Johnston	27.55
Southern Pines, Moore	27.63
Spring Hope, Nash	27.55
Stantonsburg, Wilson	27.55
Statesville, Iredell	27.63
Tarboro, Edgecombe	27.55
Wadesboro, Anson	27.63
Wagram, Scotland	27.55
Wake Forest, Wake	27.55
Warrenton, Warren	27.55
Washington, Beaufort	27.55
Weldon, Halifax	27.55
Williamston, Martin	27.55
Wilmington, New Hanover	27.55
Wilson, Wilson	27.55
Wingate, Union	27.63
Woodland, Northampton	27.55

## OKLAHOMA

Ada, Pontotoc	26.68
Altus, Jackson	26.60
Anadarko, Caddo	26.60
Ardmore, Carter	26.68
Carnegie, Caddo	26.60
Carter, Beckham	26.60
Chandler, Lincoln	26.60
Chickasha, Grady	26.60
Clinton, Custer	26.60
Cushing, Payne	26.68

## OKLAHOMA—Continued

City and county	Basis Middling white 1-inch loan rate
Durant, Bryan	26.68
Eakly, Caddo	26.60
Elk City, Beckham	26.60
Enid, Garfield	26.60
Erick, Beckham	26.60
Foss, Washita	26.60
Frederick, Tillman	26.60
Guthrie, Logan	26.60
Hobart, Kiowa	26.60
Hugo, Choctaw	26.68
Idabel, McCurtain	26.68
Konawa, Seminole	26.68
Lawton, Comanche	26.60
Lone Wolf, Kiowa	26.60
McAlester, Pittsburg	26.68
Mangum, Greer	26.60
Marlow, Stephens	26.60
Mountain View, Kiowa	26.60
Muskogee, Muskogee	26.68
Oklahoma City, Oklahoma	26.60
Pauls Valley, Garvin	26.60
Purcell, McClain	26.60
Ryan, Jefferson	26.60
Sentinel, Washita	26.60
Shawnee, Pottawatomie	26.68
Snyder, Kiowa	26.60
Stroud, Lincoln	26.68
Tipton, Tillman	26.60
Waurika, Jefferson	26.60
Weleetka, Okfuskee	26.68
Wynne Wood, Garvin	26.60

## SOUTH CAROLINA

Abbeville, Abbeville	27.63
Aiken, Aiken	27.63
Allendale, Allendale	27.55
Anderson, Anderson	27.63
Andrews, Georgetown	27.55
Angelus, Chesterfield	27.63
Ashwood, Lee	27.55
Atkins, Lee	27.55
Bamberg, Bamberg	27.55
Barnwell, Barnwell	27.55
Batesburg, Lexington	27.63
Belton, Anderson	27.63
Bennettsville, Marlboro	27.55
Bethune, Kershaw	27.63
Bishopville, Lee	27.55
Blacksburg, Cherokee	27.63
Blackstock, Fairfield	27.63
Blackville, Barnwell	27.55
Blair, Fairfield	27.63
Blaney, Kershaw	27.63
Blenheim, Marlboro	27.55
Bowman, Orangeburg	27.55
Boykin, Kershaw	27.63
Branchville, Orangeburg	27.55
Brunson, Hampton	27.55
Calhoun Falls, Abbeville	27.63
Camden, Kershaw	27.63
Cameron, Calhoun	27.55
Campobello, Spartanburg	27.63
Carlisle, Union	27.63
Catawba, York	27.63
Catechee, Pickens	27.63
Centenary, Marion	27.55
Central, Pickens	27.63
Chappells, Newberry	27.63
Charleston, Charleston	27.55
Cheraw, Chesterfield	27.63
Chesnee, Spartanburg	27.63
Chester, Chester	27.63
Chesterfield, Chesterfield	27.63
Clinton, Laurens	27.63
Clio, Marlboro	27.55
Clover, York	27.63
Columbia, Richland	27.63
Conestee, Greenville	27.63
Cope, Orangeburg	27.55
Cordova, Orangeburg	27.55
Cowpens, Spartanburg	27.63
Crockettville, Hampton	27.55
Cross Anchor, Spartanburg	27.63
Cross Hill, Laurens	27.63
Dalzell, Sumter	27.55
Darlington, Darlington	27.55

SOUTH CAROLINA—Continued

City and county	Basis Middling white 1-inch loan rate
Davis Station, Clarendon	27.55
Denmark, Bamberg	27.55
Dillon, Dillon	27.55
Drake, Marlboro	27.55
Due West, Abbeville	27.63
Dumbarton, Barnwell	27.55
Dunbar, Marlboro	27.55
Duncan, Spartanburg	27.63
Easley, Pickens	27.63
Edgefield, Edgefield	27.63
Ehrhardt, Bamberg	27.55
Elko, Barnwell	27.55
Ellenton, Aiken	27.63
Elllott, Lee	27.55
Elloree, Orangeburg	27.55
Enoree, Spartanburg	27.63
Estill, Hampton	27.55
Eureka, Aiken	27.63
Eutawville, Orangeburg	27.55
Fairfax, Allendale	27.55
Fairforest, Spartanburg	27.63
Fairmont, Spartanburg	27.63
Filbert, York	27.63
Fingerville, Spartanburg	27.63
Florence, Florence	27.55
Fountain Inn, Greenville	27.63
Gaffney, Cherokee	27.63
Garnett, Hampton	27.55
Gray Court, Laurens	27.63
Greenville, Greenville	27.63
Greenwood, Greenwood	27.63
Greer, Greenville	27.63
Hamer, Dillon	27.55
Hampton, Hampton	27.55
Hartsville, Darlington	27.55
Heath Springs, Lancaster	27.63
Hemingway, Williamsburg	27.55
Hickory Grove, York	27.63
Holly Hill, Orangeburg	27.55
Honea Path, Anderson	27.63
Inman, Spartanburg	27.63
Iva, Anderson	27.63
Jefferson, Chesterfield	27.63
Jenkinsville, Fairfield	27.63
Johnsonville, Florence	27.55
Johnston, Edgefield	27.63
Jonesville, Union	27.63
Kershaw, Kershaw	27.63
Kings Creek, Cherokee	27.63
Kingstree, Williamsburg	27.55
Kline, Barnwell	27.55
Kollock, Marlboro	27.55
Lake City, Florence	27.55
Lake View, Dillon	27.55
Lamar, Darlington	27.55
Lancaster, Lancaster	27.63
Landrum, Spartanburg	27.63
Lanford, Laurens	27.63
Latta, Dillon	27.55
Laurens, Laurens	27.63
Leesville, Lexington	27.63
Lester, Marlboro	27.55
Liberty, Pickens	27.63
Little Rock, Dillon	27.55
Lowrys, Chester	27.63
Lugoff, Kershaw	27.63
Luray, Hampton	27.55
Lynchburg, Lee	27.55
McBee, Chesterfield	27.63
McCull, Marlboro	27.55
McCormick, McCormick	27.63
Manning, Clarendon	27.55
Marion, Marion	27.55
Mauldin, Greenville	27.63
Mayesville, Sumter	27.55
Mount Carmel, McCormick	27.63
Mount Croghan, Chesterfield	27.63
Mountville, Laurens	27.63
Mullins, Marion	27.55
Neeses, Orangeburg	27.55
Newberry, Newberry	27.63
Newry, Oconee	27.63
New Zion, Clarendon	27.55
Ninety Six, Greenwood	27.63
Norris, Pickens	27.63
North, Orangeburg	27.55
Norway, Orangeburg	27.55

SOUTH CAROLINA—Continued

City and county	Basis Middling white 1-inch loan rate
Olanda, Florence	27.55
Olar, Bamberg	27.55
Orangeburg, Orangeburg	27.55
Oswego, Sumter	27.55
Owings, Laurens	27.63
Pageland, Chesterfield	27.63
Pamplico, Florence	27.55
Parksville, McCormick	27.63
Pelzer, Anderson	27.63
Pendleton, Anderson	27.63
Pickens, Pickens	27.63
Piedmont, Greenville	27.63
Pinewood, Sumter	27.55
Plum Branch, McCormick	27.63
Pomaria, Newberry	27.63
Princeton, Laurens	27.63
Prosperity, Newberry	27.63
Remini, Clarendon	27.55
Richburg, Chester	27.63
Ridge Springs, Saluda	27.63
Rldgeway, Fairfield	27.63
Rock Hill, York	27.63
Roebuck, Spartanburg	27.63
Rowesville, Orangeburg	27.55
Salley, Aiken	27.63
Saluda, Saluda	27.63
Sandy Springs, Anderson	27.63
Sardinia, Clarendon	27.55
Scotia, Hampton	27.55
Seigling, Allendale	27.55
Sellers, Marion	27.55
Seneca, Oconee	27.63
Sharon, York	27.63
Silver, Clarendon	27.55
Simpsonville, Greenville	27.63
Six Mile, Pickens	27.63
Smoaks, Colleton	27.55
Smyrna, York	27.63
Spartanburg, Spartanburg	27.63
Springfield, Orangeburg	27.55
Starr, Anderson	27.63
St. Matthews, Calhoun	27.55
Summerton, Clarendon	27.55
Sumter, Sumter	27.55
Swansea, Lexington	27.63
Syracuse, Darlington	27.55
Tatum, Marlboro	27.55
Timmonsville, Florence	27.55
Trenton, Edgefield	27.63
Turbeville, Clarendon	27.55
Union, Union	27.63
Vance, Orangeburg	27.55
Van Wyck, Lancaster	27.63
Wagner, Aiken	27.63
Walhalla, Oconee	27.63
Wallace, Hampton	27.55
Walterboro, Colleton	27.55
Waterloo, Laurens	27.63
Wattsville, Laurens	27.63
Wedgefield, Sumter	27.55
Westminster, Oconee	27.63
West Union, Oconee	27.63
Whitmire, Newberry	27.63
Whitney, Spartanburg	27.63
Williamston, Anderson	27.63
Williston, Barnwell	27.55
Windsor, Aiken	27.63
Winnsboro, Fairfield	27.63
Wisacky, Lee	27.55
Wolfton, Orangeburg	27.55
Woodruff, Spartanburg	27.63
York, York	27.63

TENNESSEE

Brownsville, Haywood	26.86
Chattanooga, Hamilton	27.35
Covington, Tipton	26.86
Decherd, Franklin	27.15
Dyersburg, Dyer	26.86
Elora, Lincoln	27.05
Fayetteville, Lincoln	27.05
Five Points, Lawrence	26.95
Halls, Lauderdale	26.86
Henderson, Chester	26.87
Humboldt, Gibson	26.86
Jackson, Madison	26.87

TENNESSEE—Continued

City and county	Basis Middling white 1-inch loan rate
Knoxville, Knox	27.35
Lawrenceburg, Lawrence	26.95
Loretto, Lawrence	26.95
Memphis, Shelby	26.87
Milan, Gibson	26.86
Murfreesboro, Rutherford	27.05
Ripley, Lauderdale	26.86
Shelbyville, Bedford	27.05
South Pittsburg, Marion	27.25
Tiptonville, Lake	26.86
Winchester, Franklin	27.15

  

TEXAS	
City and county	Basis Middling white 1-inch loan rate
Abernathy, Hale	26.52
Abilene, Taylor	26.58
Ackerly, Dawson	26.50
Afton, Dickens	26.58
Aiken, Floyd	26.52
Alba, Wood	26.68
Alvarado, Johnson	26.60
Amarillo, Potter	26.52
Amherst, Lamb	26.50
Anson, Jones	26.58
Anton, Hockley	26.50
Aspermont, Stonewall	26.58
Athens, Henderson	26.68
Atlanta, Cass	26.68
Austin, Travis	26.60
Austonia, Houston	26.60
Avery, Red River	26.68
Balleyboro, Bailey	26.50
Bakersfield, Pecos	26.48
Ballinger, Runnels	26.58
Balmorea, Reeves	26.48
Barry, Navarro	26.60
Bartlett, Bell	26.60
Beaumont, Jefferson	26.68
Beckville, Panola	26.68
Belton, Bell	26.60
Bertram, Burnet	26.60
Big Spring, Howard	26.50
Bledsoe, Cochran	26.50
Bloomburg, Cass	26.68
Bogata, Red River	26.68
Bonham, Fannin	26.68
Bovina, Farmer	26.50
Brady, McCulloch	26.58
Breckenridge, Stephens	26.60
Brenham, Washington	26.60
Broadview, Lubbock	26.50
Brookshire, Waller	26.60
Brownfield, Terry	26.50
Brownsville, Cameron	26.52
Brownwood, Brown	26.60
Bryan, Brazos	26.60
Bula, Bailey	26.50
Burton, Washington	26.60
Bynum, Hill	26.60
Caldwell, Burleson	26.60
Calvert, Robertson	26.60
Cameron, Milam	26.60
Carthage, Panola	26.68
Celina, Collin	26.60
Center, Shelby	26.68
Chalson, Jefferson	26.68
Chapel Hill, Washington	26.60
Childress, Childress	26.58
Chillicothe, Hardeman	26.60
Clarksville, Red River	26.68
Cleburne, Johnson	26.60
Coble, Hockley	26.50
Coleman, Coleman	26.58
Colorado City, Mitchell	26.58
Commerce, Hunt	26.68
Cooper, Delta	26.68
Corpus Christi, Nueces	26.56
Corsicana, Navarro	26.60
Crockett, Houston	26.60
Crosbyton, Crosby	26.50
Cuero, De Witt	26.60
Cumby, Hopkins	26.68
Daingerfield, Morris	26.68
Dallas, Dallas	26.60
Dean, Clay	26.60
Dean, Hockley	26.50
Dean, Leon	26.60
Decatur, Wise	26.60

## RULES AND REGULATIONS

## TEXAS—Continued

<i>City and county</i>	<i>Basis Middling white 1-inch loan rate</i>
Dell City, Hudspeth	26.40
Denison, Grayson	26.68
Denton, Denton	26.60
Denver City, Yoakum	26.50
Deport, Lamar	26.68
Dimmitt, Castro	26.52
Dublin, Erath	26.60
Eden, Concho	26.58
Edgewood, Van Zandt	26.68
El Campo, Wharton	26.60
Elgin, Bastrop	26.60
Elkhart, Anderson	26.60
El Paso, El Paso	26.39
Elysian Fields, Harrison	26.68
Emhouse, Navarro	26.60
Engelman Gardens, Hidalgo	26.52
Enloe, Delta	26.68
Ennis, Ellis	26.60
Enochs, Bailey	26.50
Fabens, El Paso	26.39
Fairfield, Freestone	26.60
Farwell, Parmer	26.50
Floydada, Floyd	26.58
Forney, Kaufman	26.68
Fort Stockton, Pecos	26.48
Fort Worth, Tarrant	26.60
Frisco, Collin	26.60
Gainesville, Cook	26.68
Galveston, Galveston	26.68
Ganado, Jackson	26.60
Garland, Dallas	26.68
Gary, Panola	26.68
Gatesville, Coryell	26.60
Gilmer, Upshur	26.68
Gonzales, Gonzales	26.60
Grand Saline, Van Zandt	26.68
Grandview, Johnson	26.60
Granger, Williamson	26.60
Grapeland, Houston	26.60
Grassland, Lynn	26.50
Greenville, Hunt	26.68
Hale Center, Hale	28.52
Hamilton, Hamilton	26.60
Hamlin, Jones	26.58
Harlingen, Cameron	26.52
Hart, Castro	26.52
Haskell, Haskell	26.58
Hearne, Robertson	26.60
Hebron, Denton	26.60
Hedley, Donley	26.58
Henderson, Rusk	26.68
Hillsboro, Hill	26.60
Hoban, Reeves	26.48
Honey Grove, Fannin	26.68
Houston, Harris	26.68
Hubbard, Hill	26.60
Hughes Spring, Cass	26.68
Huntsville, Walker	26.60
Hutto, Williamson	26.60
Irene, Hill	26.60
Jacksonville, Cherokee	26.68
Jarrell, Williamson	26.60
Jayton, Kent	26.58
Jefferson, Marlon	26.68
Jewett, Leon	26.60
Kaufman, Kaufman	26.68
Kenedy, Karnes	26.56
Kernes, Navarro	26.60
Killeen, Bell	26.60
Knox City, Knox	26.58
Krum, Denton	26.60
Ladonia, Fannin	26.68
La Grange, Fayette	26.60
Lamesa, Dawson	26.50
Levelland, Hockley	26.50
Lindale, Smith	26.68
Littlefield, Lamb	26.50
Lobo, Culberson	26.40
Lockhart, Caldwell	26.60
Lockney, Floyd	26.52
Longview, Gregg	26.68
Lorraine, Mitchell	26.58
Lorenzo, Crosby	26.50

## TEXAS—Continued

<i>City and county</i>	<i>Basis Middling white 1-inch loan rate</i>
Lovelady, Houston	26.60
Lubbock, Lubbock	26.52
Lueders, Jones	26.58
McAdoo, Dickens	26.58
McCamey, Upton	26.48
McGregor, McLennan	26.60
McKinney, Collin	26.68
McLean, Gray	26.58
Madisonville, Madison	26.60
Marfa, Presidio	26.40
Marlin, Falls	26.60
Marshall, Harrison	26.68
Mart, McLennan	26.60
Maypearl, Ellis	26.60
Meadow, Terry	26.50
Memphis, Hall	26.58
Mercedes, Hidalgo	26.52
Mereta, Tom Green	25.58
Merkel, Taylor	26.58
Mexla, Limestone	26.60
Midland, Midland	26.50
Midlothian, Ellis	26.60
Mineola, Wood	26.68
Monahans, Ward	26.48
Morton, Cochran	26.50
Mt. Pleasant, Titus	26.68
Muleshoe, Bailey	26.50
Munday, Knox	26.58
Nacogdoches, Nacogdoches	26.68
Naples, Morris	26.68
Navasota, Grimes	26.60
Needville, Fort Bend	26.68
New Boston, Bowie	26.68
New Braunfels, Comal	26.60
Nocona, Montague	26.60
Norton, Runnels	26.58
O'Brien, Haskell	26.58
O'Donnell, Lynn	26.50
Old Glory, Stonewall	26.58
Oilton, Lamb	26.52
Omaha, Morris	26.68
Paducah, Cottle	26.58
Palestine, Anderson	26.60
Paris, Lamar	26.68
Patricia, Dawson	26.50
Peacock, Stonewall	26.58
Pecos, Reeves	26.48
Petersburg, Hale	26.52
Pettit, Hockley	26.50
Pilot Point, Denton	26.60
Pittsburg, Camp	26.68
Plains, Yoakum	26.50
Plainview, Hale	26.52
Plano, Collin	26.68
Port Arthur, Jefferson	26.68
Post, Garza	26.50
Presidio, Presidio	26.40
Princeton, Collin	26.68
Pyote, Ward	26.48
Quanah, Hardeman	26.60
Quitague, Briscoe	26.52
Quitman, Wood	26.68
Ralls, Crosby	26.50
Raymondville, Willacy	26.52
Rice, Navarro	26.60
Roans Prairie, Grimes	26.60
Roaring Springs, Motley	26.58
Robstown, Nueces	26.56
Roby, Fisher	26.58
Rochelle, McCulloch	26.58
Rochester, Haskell	26.58
Rockwall, Rockwall	26.68
Roscoe, Nolan	26.58
Rosebud, Falls	26.60
Rosenberg, Fort Bend	26.68
Rotan, Fisher	26.58
Rowlett, Dallas	26.68
Royse City, Rockwall	26.68
Rule, Haskell	26.58
Salado, Bell	26.60
San Angelo, Tom Green	26.58
San Antonio, Bexar	26.56

## TEXAS—Continued

<i>City and county</i>	<i>Basis Middling white 1-inch loan rate</i>
San Augustine, San Augustine	26.68
San Marcos, Hays	26.60
Saragosa, Reeves	26.48
Schulenburg, Fayette	26.60
Seagraves, Gaines	26.50
Seguin, Guadalupe	26.60
Seymour, Baylor	26.60
Shallowater, Lubbock	26.50
Shamrock, Wheeler	26.58
Sherman, Grayson	26.68
Shiner, Lavaca	26.60
Shiro, Grimes	26.60
Silverton, Briscoe	26.52
Slaton, Lubbock	26.52
Snyder, Scurry	26.58
Southton, Bexar	26.56
Spade, Lamb	26.50
Spade, Mitchell	26.58
Spur, Dickens	26.58
Stamford, Jones	26.58
Stanton, Martin	26.50
Streetman, Freestone	26.60
Sudan, Lamb	26.50
Sugar Land, Fort Bend	26.68
Sulphur Springs, Hopkins	26.68
Sweetwater, Nolan	26.58
Swenson, Stonewall	26.58
Taft, San Patricio	26.56
Tahoka, Lynn	26.50
Tarzan, Martin	26.50
Tatum, Rusk	26.68
Taylor, Williamson	26.60
Teague, Freestone	26.60
Temple, Bell	26.60
Tenaha, Shelby	26.68
Terrell, Kaufman	26.68
Texarkana, Bowie	26.68
Texas City, Galveston	26.68
Timpson, Shelby	26.68
Troup, Smith	26.68
Tulla, Swisher	26.52
Turkey, Hall	26.52
Twitty, Wheeler	26.58
Tyler, Smith	26.68
Valley Mills, Bosque	26.60
Van Horn, Culberson	26.40
Venus, Johnson	26.60
Vernon, Willbarger	26.60
Victoria, Victoria	26.60
Waco, McLennan	26.60
Wall, Tom Green	26.58
Waxahachie, Ellis	26.60
Wellington, Collingsworth	26.58
Westaco, Hidalgo	26.52
West, McLennan	26.60
Whiteface, Cochran	26.50
Whitewright, Grayson	26.68
Wichita Falls, Wichita	26.60
Wills Point, Van Zandt	26.68
Wilson, Lynn	26.50
Winnboro, Wood	26.68
Winters, Runnels	26.58
Wolfe City, Hunt	26.68
Wolforth, Lubbock	26.50
Yoakum, Lavaca	26.60
Yorktown, De Witt	26.60

## VIRGINIA

Brodnax, Brunswick	27.55
Kenbridge, Lunenburg	27.55
Norfolk, Norfolk	27.55

(Sec. 4, 62 Stat. 1070, as amended, sec. 5, 62 Stat. 1072, secs. 101, 102, 401, 63 Stat. 1051, as amended, Title II, 73 Stat. 178; 15 U.S.C. 714 b and c, 7 U.S.C. 1441, 1443, 1421)

Issued this 22d day of June 1960.

CLARENCE D. PALMBY,  
Acting Executive Vice President,  
Commodity Credit Corporation.

[F.R. Doc. 60-5965; Filed, June 27, 1960;  
8:53 a.m.]

**Title 7—AGRICULTURE**

**Chapter III—Agricultural Research Service, Department of Agriculture.**

**PART 319—FOREIGN QUARANTINE NOTICES**

**Subpart—Fruits and Vegetables**

**GUAM; ADMINISTRATIVE INSTRUCTIONS**

Pursuant to § 319.56-2 of the regulations supplemental to the Fruit and Vegetable Quarantine (7 CFR 319.56-2) under sections 5 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 159, 162), § 319.56a(a) (6) of administrative instructions now appearing as 7 CFR 319.56a(a) (6) is hereby amended to read as follows:

§ 319.56a Administrative instructions and interpretation relating to entry into Guam of fruits and vegetables under § 319.56.

~(a) \* \* \*

(6) Citrus fruits, celery, chives, garlic, leek, onions, arrowroot, kale, cow-cabbage, cauliflower, broccoli, cabbage, sprouts, asparagus, Portuguese cabbage, cassava, dasheen, gingerroot, horseradish, kudzu, lettuce, turnip, udo, water-chestnut, watercress, waterlilyroot, and yam bean root, from Taiwan (Formosa); (Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interprets or applies sec. 5, 37 Stat. 316; 7 U.S.C. 159)

This amendment shall become effective June 28, 1960.

This amendment allows the importation of citrus fruits into Guam from Taiwan (Formosa). Citrus fruits were previously prohibited entry into Guam from Taiwan. The amendment is therefore a lessening of restrictions.

In order to be of maximum benefit to importers in Guam, it should be made effective as soon as possible. Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 23d day of June 1960.

[SEAL]

H. S. DEAN,  
Acting Director,  
Plant Quarantine Division.

[F.R. Doc. 60-5964; Filed, June 27, 1960; 8:53 a.m.]

**Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas), Department of Agriculture**

[Referenda Bulletin 1, Amdt. 2]

**PART 717—HOLDING OF REFERENDA ON MARKETING QUOTAS**

**Posting a Notice of Referendum**

*Basis and purpose.* The amendment contained herein is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.) for the purpose of

amending paragraph (a) of Section 717.6 of the regulations governing the holding of referenda on marketing quotas contained in §§ 717.1 to 717.14 inclusive (23 F.R. 3432; 7285). Prior to preparing this amendment, public notice (25 F.R. 4920) was given in accordance with the Administrative Procedure Act (5 U.S.C. 1003). The data, views, and recommendations pertaining to this amendment which were submitted pursuant to such notice have been duly considered.

In order that this amendment may be in effect for the referendum on wheat to be held on July 21, 1960, it is necessary to waive the 30-day effective date requirement of the Administrative Procedure Act. Accordingly, it is hereby determined and found that compliance with such 30-day effective date requirement is impracticable and contrary to the public interest and this amendment shall be effective upon filing this document with the Director, Office of the Federal Register.

The regulations governing the holding of referenda on marketing quotas (23 F.R. 3432; 7285) are hereby amended in the following respects:

Paragraph (a) of § 717.6 is amended to read as follows:

(a) *Posting a notice.* The county committee shall give public notice in each community or neighborhood of a referendum by posting a notice at one or more places open to the public within such community or neighborhood prior to the date of the referendum. Such notice shall be on a form prescribed by the Deputy Administrator, and shall state the commodity or commodities and marketing year, or years, or crops for which the referendum is to be held, the location of the polling places in the community or neighborhood, the date of the referendum, and the hours when the polls will be opened and closed. The county office manager is authorized to sign such notice on behalf of the county committee.

(Sec. 375, 52 Stat. 86, as amended; 7 U.S.C. 1375)

Done at Washington, D.C., this 22d day of June 1960.

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

[F.R. Doc. 60-5966; Filed, June 27, 1960; 8:53 a.m.]

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

**SUBCHAPTER A—MARKETING ORDERS**

**PART 900—GENERAL REGULATIONS**

**Republication of Part**

For convenient reference, and for the purpose of bringing up-to-date the provisions of this part, as from time to time amended, and noted in the FEDERAL REGISTER, and to reflect organizational changes, the provisions of this part are hereby republished in the FEDERAL REGISTER. This document was prepared in

cooperation with the Office of the Federal Register.

**Subpart—Rules of Practice and Procedure Governing Proceedings To Formulate Marketing Agreements and Marketing Orders**

- Sec.
- 900.1 Words in the singular form.
- 900.2 Definitions.
- 900.3 Proposals.
- 900.4 Institution of proceeding.
- 900.5 Docket number.
- 900.6 Presiding officers.
- 900.7 Motions and requests.
- 900.8 Conduct of the hearing.
- 900.9 Oral and written arguments.
- 900.10 Certification of the transcript.
- 900.11 Copies of the transcript.
- 900.12 Deputy Administrator's recommended decision.
- 900.13 Submission to Secretary.
- 900.13a Decision by Secretary.
- 900.14 Execution of marketing agreement and issuance of marketing order.
- 900.15 Filing; extensions of time; effective date of filing; and computation of time.
- 900.16 Discussion of issues, etc., of proceeding prohibited.
- 900.17 Additional documents to be filed with hearing clerk.
- 900.18 Hearing before Secretary.

**Subpart—Rules of Practice Governing Proceedings on Petitions To Modify or To Be Exempted From Marketing Orders**

- 900.50 Words in the singular form.
- 900.51 Definitions.
- 900.52 Institution of proceeding.
- 900.52a Answer to petition.
- 900.52b Amended pleadings.
- 900.53 Withdrawal of petition.
- 900.54 Docket number.
- 900.55 Presiding officers.
- 900.56 Consolidated hearings.
- 900.57 Intervention.
- 900.58 Prehearing conferences.
- 900.59 Motions and requests.
- 900.60 Oral hearings before presiding officer.
- 900.61 Depositions.
- 900.62 Subpenas.
- 900.63 Fees and mileage.
- 900.64 The presiding officer's report.
- 900.65 Transmittal of record.
- 900.66 Argument before Secretary.
- 900.67 Consideration and issuance of order.
- 900.68 Applications for reopening hearings; for rehearings or rearguments of proceedings; or for reconsideration of orders.
- 900.69 Filing; service; extensions of time; effective date of filing; and computation of time.
- 900.70 Applications for interim relief.
- 900.71 Hearing before Secretary.

**Subpart—Procedure Governing Meetings To Arbitrate and Mediate Disputes Relating to Sales of Milk or Its Products**

- 900.100 Words in the singular form.
- 900.101 Definitions.
- 900.102 Filing of applications for mediation or arbitration.
- 900.103 Application for mediation.
- 900.104 Inquiry by the Deputy Administrator.
- 900.105 Notification.
- 900.106 Assignment of mediator.
- 900.107 Meetings.
- 900.108 Mediator's report.
- 900.109 Mediation agreement.
- 900.110 Application for arbitration.
- 900.111 Inquiry by the Deputy Administrator.
- 900.112 Notification.
- 900.113 Submission.
- 900.114 Designation of arbitrator.
- 900.115 Hearing.
- 900.116 Award.

Sec.  
900.117 Approval of award.  
900.118 Costs.

**Subpart—Miscellaneous Regulations**

900.200 Definitions.  
900.201 Investigation and disposition of alleged violations.  
900.210 Disclosures of information.  
900.211 Penalties.

**Subpart—Rules of Practice and Procedure Governing Proceedings To Formulate Marketing Agreements and Marketing Orders**

**AUTHORITY:** §§ 900.1 to 900.18 issued under sec. 10, 48 Stat. 37, as amended; 7 U.S.C. 610.

**§ 900.1 Words in the singular form.**

Words in this subpart in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

**§ 900.2 Definitions.**

As used in this subpart, the terms as defined in the act shall apply with equal force and effect. In addition, unless the context otherwise requires:

(a) The term "act" means Public Act No. 10, 73d Congress (48 Stat. 31), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246), as amended.

(b) The term "Department" means the United States Department of Agriculture.

(c) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(d) The term "examiner" means any examiner in the Office of Hearing Examiners, United States Department of Agriculture.

(e) The term "Deputy Administrator" means any Deputy Administrator of the Agricultural Marketing Service of the Department or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(f) The term "Service" means the Agricultural Marketing Service of the Department.

(g) The term "FEDERAL REGISTER" means the publication provided for by the act of July 26, 1935 (49 Stat. 500), and acts supplementary thereto and amendatory thereof.

(h) The term "hearing" means that part of the proceeding which involves the submission of evidence.

(i) The term "marketing agreement" means any marketing agreement or any amendment thereto which may be entered into pursuant to section 8b of the act.

(j) The term "marketing order" means any order or any amendment thereto which may be issued pursuant to section 8c of the act, and after notice and hearing as required by said section.

(k) The term "proceeding" means a proceeding upon the basis of which a

marketing agreement may be entered into or a marketing order may be issued.

(l) The term "hearing clerk" means the hearing clerk, United States Department of Agriculture, Washington, D. C.

(m) The term "presiding officer" means the examiner conducting a proceeding under the act.

**§ 900.3 Proposals.**

(a) A marketing agreement or a marketing order may be proposed by the Secretary or by any other person. If any person other than the Secretary proposes a marketing agreement or marketing order, he shall file with the Deputy Administrator a written application, together with at least four copies of the proposal, requesting the Secretary to hold a hearing upon the proposal. Upon receipt of such proposal, the Deputy Administrator shall cause such investigation to be made and such consideration thereof to be given as, in his opinion, are warranted. If the investigation and consideration lead the Deputy Administrator to conclude that the proposed marketing agreement or marketing order will not tend to effectuate the declared policy of the act, or that for other proper reasons a hearing should not be held on the proposal, he shall deny the application, and promptly notify the applicant of such denial, which notice shall be accompanied by a brief statement of the grounds for the denial.

(b) If the investigation and consideration lead the Deputy Administrator to conclude that the proposed marketing agreement or marketing order will tend to effectuate the declared policy of the act, or if the Secretary desires to propose a marketing agreement or marketing order, he shall sign and cause to be served a notice of hearing, as provided in this subpart.

**§ 900.4 Institution of proceeding.**

(a) *Filing and contents of the notice of hearing.* The proceeding shall be instituted by filing the notice of hearing with the hearing clerk. The notice of hearing shall contain a reference to the authority under which the marketing agreement or marketing order is proposed; shall define the scope of the hearing as specifically as may be practicable; shall contain either the terms or substance of the proposed marketing agreement or marketing order or a description of the subjects and issues involved and shall state the industry, area, and class of persons to be regulated, the time and place of such hearing, and the place where copies of such proposed marketing agreement or marketing order may be obtained or examined. The time of the hearing shall not be less than 15 days after the date of publication of the notice in the FEDERAL REGISTER, as provided in this subpart, unless the Deputy Administrator shall determine that an emergency exists which requires a shorter period of notice, in which case the period of notice shall be that which the Deputy Administrator may determine to be reasonable in the circumstances: *Provided*, That, in the case of hearings on amendments to marketing agreements or mar-

keting orders, the time of the hearing may be less than 15 days but shall not be less than 3 days after the date of publication of the notice in the FEDERAL REGISTER.

(b) *Giving notice of hearing and supplemental publicity.* (1) The Deputy Administrator shall give or cause to be given notice of hearing in the following manner:

(i) By publication of the notice of hearing in the FEDERAL REGISTER;

(ii) By mailing a true copy of the notice of hearing to each of the persons known to the Deputy Administrator, to be interested therein;

(iii) By issuing a press release containing the complete text or a summary of the contents of the notice of hearing and making the same available to such newspapers in the area proposed to be subjected to regulation as reasonably will tend to bring the notice to the attention of the persons interested therein;

(iv) By forwarding copies of the notice of hearing addressed to the governors of such of the several States of the United States and to executive heads of such of the Territories and Possessions of the United States as the Deputy Administrator, having due regard for the subject matter of the proposal and the public interest, shall determine should be notified.

(2) Legal notice of the hearing shall be deemed to be given if notice is given in the manner provided by subparagraph (1) (i) of this paragraph; and failure to give notice in the manner provided in subparagraph (1) (ii), (iii), and (iv) of this paragraph shall not affect the legality of the notice.

(c) *Record of notice and supplemental publicity.* There shall be filed with the hearing clerk or submitted to the presiding officer at the hearing an affidavit or certificate of the person giving the notice provided in (b) (1) (iii) and (iv) of this section. In regard to the provisions relating to mailing in (b) (1) (ii) of this section, a determination by the Deputy Administrator that such provisions have been complied with shall be filed with the hearing clerk or submitted to the presiding officer at the hearing. In the alternative, if notice is not given in the manner provided in (b) (1) (ii), (iii), and (iv) of this section there shall be filed with the hearing clerk or submitted to the presiding officer at the hearing a determination by the Deputy Administrator that such notice is impracticable, unnecessary, or contrary to the public interest with a brief statement of the reasons for such determination. Determinations by the Deputy Administrator as herein provided shall be final.

**§ 900.5 Docket number.**

Each proceeding, immediately following its institution, shall be assigned a docket number by the hearing clerk and thereafter the proceeding may be referred to by such number.

**§ 900.6 Presiding officers.**

(a) *Assignment.* No presiding officer who has any pecuniary interest in the outcome of a proceeding shall serve as presiding officer in such proceeding.

(b) *Powers of presiding officers.* Subject to review by the Secretary, as provided elsewhere in this subpart, the presiding officer, in any proceeding, shall have power to:

- (1) Rule upon motions and requests;
- (2) Change the time and place of hearing, and adjourn the hearing from time to time or from place to place;
- (3) Administer oaths and affirmations and take affidavits;
- (4) Examine and cross-examine witnesses and receive evidence;
- (5) Admit or exclude evidence;
- (6) Hear oral argument on facts or law;
- (7) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding.

(c) *Who may act in absence of presiding officer.* In case of the absence of the presiding officer or his inability to act, the powers and duties to be performed by him under this part in connection with a proceeding may, without abatement of the proceeding unless otherwise ordered by the Secretary, be assigned to any other presiding officer.

(d) *Disqualification of presiding officer.* The presiding officer may at any time withdraw as presiding officer in a proceeding if he deems himself to be disqualified. Upon the filing by an interested person in good faith of a timely and sufficient affidavit of personal bias or disqualification of a presiding officer, the Secretary shall determine the matter as a part of the record and decision in the proceeding, after making such investigation or holding such hearings, or both, as he may deem appropriate in the circumstances.

#### § 900.7 Motions and requests.

(a) *General.* All motions and requests shall be filed with the hearing clerk, except that those made during the course of the hearing may be filed with the presiding officer or may be stated orally and made a part of the transcript.

Except as provided in § 900.15 (b) such motions and requests shall be addressed to, and ruled on by, the presiding officer if made prior to his certification of the transcript pursuant to § 900.10 or by the Secretary if made thereafter.

(b) *Certification to Secretary.* The presiding officer may in his discretion submit or certify to the Secretary for decision any motion, request, objection, or other question addressed to the presiding officer.

#### § 900.8 Conduct of the hearing.

(a) *Time and place.* The hearing shall be held at the time and place fixed in the notice of hearing, unless the presiding officer shall have changed the time or place, in which event the presiding officer shall file with the hearing clerk a notice of such change, which notice shall be given in the same manner as provided in § 900.4 (relating to the giving of notice of the hearing): *Provided*, That, if the change in time or place of hearing is made less than 5 days prior to the date previously fixed for the hearing, the presiding officer, either in addition to or in lieu of causing the notice of the change to be given, shall announce, or cause to

be announced, the change at the time and place previously fixed for the hearing.

(b) *Appearances — (1) Right to appear.* At the hearing, any interested person shall be given an opportunity to appear, either in person or through his authorized counsel or representative, and to be heard with respect to matters relevant and material to the proceeding. Any interested person who desires to be heard in person at any hearing under these rules shall, before proceeding to testify, state his name, address, and occupation. If any such person is appearing through a counsel or representative, such person or such counsel or representative shall, before proceeding to testify or otherwise to participate in the hearing, state for the record the authority to act as such counsel or representative, and the names and addresses and occupations of such person and such counsel or representative. Any such person or such counsel or representative shall give such other information respecting his appearance as the presiding officer may request.

(2) *Debarment of counsel or representative.* Whenever, while a proceeding is pending before him, the presiding officer finds that a person, acting as counsel or representative for any person participating in the proceeding, is guilty of unethical or unprofessional conduct, the presiding officer may order that such person be precluded from further acting as counsel or representative in such proceeding. An appeal to the Secretary may be taken from any such order, but the proceeding shall not be delayed or suspended pending disposition of the appeal: *Provided*, That the presiding officer may suspend the proceeding for a reasonable time for the purpose of enabling the client to obtain other counsel or other representative.

In case the presiding officer has ordered that a person be precluded from further acting as counsel or representative in the proceeding, the presiding officer, within a reasonable time thereafter, shall submit to the Secretary a report of the facts and circumstances surrounding such order and shall recommend what action the Secretary should take respecting the appearance of such person as counsel or representative in other proceedings before the Secretary. Thereafter the Secretary may, after notice and an opportunity for hearing, issue such order, respecting the appearance of such person as counsel or representative in proceedings before the Secretary, as the Secretary finds to be appropriate.

(3) *Failure to appear.* If any interested person fails to appear at the hearing, he shall be deemed to have waived the right to be heard in the proceeding.

(c) *Order of procedure.* (1) The presiding officer shall, at the opening of the hearing prior to the taking of testimony, have noted as part of the record his designation as presiding officer, the notice of hearing as filed with the Division of the Federal Register, and the affidavit or certificate of the giving of notice or the determination provided for in § 900.4(c).

(2) Evidence shall then be received with respect to the matters specified in

the notice of the hearing in such order as the presiding officer shall announce.

(d) *Evidence—(1) In general.* The hearing shall be publicly conducted, and the testimony given at the hearing shall be reported verbatim.

Every witness shall, before proceeding to testify, be sworn or make affirmation. Cross-examination shall be permitted to the extent required for a full and true disclosure of the facts.

When necessary, in order to prevent undue prolongation of the hearing, the presiding officer may limit the number of times any witness may testify to the same matter or the amount of corroborative or cumulative evidence.

The presiding officer shall, insofar as practicable, exclude evidence which is immaterial, irrelevant, or unduly repetitious, or which is not of the sort upon which responsible persons are accustomed to rely.

(2) *Objections.* If a party objects to the admission or rejection of any evidence or to any other ruling of the presiding officer during the hearing, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the presiding officer. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. The ruling of the presiding officer on any objection shall be a part of the transcript.

Only objections made before the presiding officer may subsequently be relied upon in the proceeding.

(3) *Proof and authentication of official records or documents.* An official record or document, when admissible for any purpose, shall be admissible as evidence without the production of the person who made or prepared the same. Such record or document shall, in the discretion of the presiding officer, be evidenced by an official publication thereof or by a copy attested by the person having legal custody thereof and accompanied by a certificate that such person has the custody.

(4) *Exhibits.* All written statements, charts, tabulations, or similar data offered in evidence at the hearing shall, after identification by the proponent and upon satisfactory showing of the authenticity, relevancy, and materiality of the contents thereof, be numbered as exhibits and received in evidence and made a part of the record. Such exhibits shall be submitted in quadruplicate and in documentary form. In case the required number of copies is not made available, the presiding officer shall exercise his discretion as to whether said exhibits shall, when practicable, be read in evidence or whether additional copies shall be required to be submitted within a time to be specified by the presiding officer. If the testimony of a witness refers to a statute, or to a report or document (including the record of any previous hearing) the presiding officer, after inquiry relating to the identification of such statute, report, or document, shall determine whether the same shall be produced at the hearing and physically be made a part of the evidence as an exhibit, or whether it shall be incorporated into the evidence by reference. If relevant and material matter offered in evidence is

embraced in a report or document (including the record of any previous hearing) containing immaterial or irrelevant matter, such immaterial or irrelevant matter shall be excluded and shall be segregated insofar as practicable, subject to the direction of the presiding officer.

(5) *Official notice.* Official notice may be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical, scientific or commercial fact of established character: *Provided*, That interested persons shall be given adequate notice, at the hearing or subsequent thereto, of matters so noticed and shall be given adequate opportunity to show that such facts are inaccurate or are erroneously noticed.

(6) *Offer of proof.* Whenever evidence is excluded from the record, the party offering such evidence may make an offer of proof, which shall be included in the transcript. The offer of proof shall consist of a brief statement describing the evidence to be offered. If the evidence consists of a brief oral statement or of an exhibit, it shall be inserted into the transcript in toto. In such event, it shall be considered a part of the transcript if the Secretary decides that the presiding officer's ruling in excluding the evidence was erroneous. The presiding officer shall not allow the insertion of such evidence in toto if the taking of such evidence will consume a considerable length of time at the hearing. In the latter event, if the Secretary decides that the presiding officer erred in excluding the evidence, and that such error was substantial, the hearing shall be reopened to permit the taking of such evidence.

#### § 900.9 Oral and written arguments.

(a) *Oral argument before presiding officer.* Oral argument before the presiding officer shall be in the discretion of the presiding officer. Such argument, when permitted, may be limited by the presiding officer to any extent that he finds necessary for the expeditious disposition of the proceeding and shall be reduced to writing and made part of the transcript.

(b) *Briefs, proposed findings and conclusions.* The presiding officer shall announce at the hearing a reasonable period of time within which interested persons may file with the hearing clerk proposed findings and conclusions, and written arguments or briefs, based upon the evidence received at the hearing, citing, where practicable, the page or pages of the transcript of the testimony where such evidence appears. Factual material other than that adduced at the hearing or subject to official notice shall not be alluded to therein, and, in any case, shall not be considered in the formulation of the marketing agreement or marketing order. If the person filing a brief desires the Secretary to consider any objection made by such person to a ruling of the presiding officer, as provided in § 900.8 (d), he shall include in the brief a concise statement concerning each such objection, referring where practicable, to the pertinent pages of the transcript.

#### § 900.10 Certification of the transcript.

The presiding officer shall notify the hearing clerk of the close of a hearing as soon as possible thereafter and of the time for filing written arguments, briefs, proposed findings and proposed conclusions, and shall furnish the hearing clerk with such other information as may be necessary. As soon as possible after the hearing, the presiding officer shall transmit to the hearing clerk an original and three copies of the transcript of the testimony and the original and all copies of the exhibits not already on file in the office of the hearing clerk. He shall attach to the original transcript of testimony his certificate stating that, to the best of his knowledge and belief, the transcript is a true transcript of the testimony given at the hearing except in such particulars as he shall specify; and that the exhibits transmitted are all the exhibits as introduced at the hearing with such exceptions as he shall specify. A copy of such certificate shall be attached to each of the copies of the transcript of testimony. In accordance with such certificate the hearing clerk shall note upon the official record copy, and cause to be noted on other copies, of the transcript each correction detailed therein by adding or crossing out (but without obscuring the text as originally transcribed) at the appropriate place any words necessary to make the same conform to the correct meaning, as certified by the presiding officer. The hearing clerk shall obtain and file certifications to the effect that such corrections have been effected in copies other than the official record copy.

#### § 900.11 Copies of the transcript.

(a) During the period in which the proceeding has an active status in the Department, a copy of the transcript and exhibits shall be kept on file in the office of the hearing clerk, where it shall be available for examination during official hours of business. Thereafter said transcript and exhibits shall be made available by the hearing clerk for examination during official hours of business after prior request and reasonable notice to the hearing clerk.

(b) If a personal copy of the transcript is desired, such copy may be obtained upon written application filed with the reporter and upon payment of fees at the rate (if any) provided in the contract between the reporter and the Secretary.

#### § 900.12 Deputy Administrator's recommended decision.

(a) *Preparation.* As soon as practicable following the termination of the period allowed for the filing of written arguments or briefs and proposed findings and conclusions the Deputy Administrator shall file with the hearing clerk a recommended decision.

(b) *Contents.* The Deputy Administrator's recommended decision shall include: (1) A preliminary statement containing a description of the history of the proceedings, a brief explanation of the material issues of fact, law, or discretion presented on the record, and proposed findings and conclusions with respect to

such issues as well as the reasons or basis therefor: (2) A ruling upon each proposed finding or conclusion submitted by interested persons, and (3) An appropriate proposed marketing agreement or marketing order effectuating his recommendations.

(c) *Exceptions to recommended decision.* Immediately following the filing of his recommended decision the Deputy Administrator shall give notice thereof, and opportunity to file exceptions thereto by publication in the FEDERAL REGISTER. Within a period of time specified in such notice any interested person may file with the hearing clerk exceptions to the Deputy Administrator's proposed marketing agreement or marketing order, or both, as the case may be, and a brief in support of such exceptions. Such exceptions shall be in writing, shall refer, where practicable, to the related pages of the transcript and may suggest appropriate changes in the proposed marketing agreement or marketing order.

(d) *Omission of recommended decision.* The procedure provided in this section may be omitted only if the Secretary finds on the basis of the record that due and timely execution of his functions imperatively and unavoidably requires such omission.

#### § 900.13 Submission to Secretary.

Upon the expiration of the period allowed for filing exceptions or upon request of the Secretary, the hearing clerk shall transmit to the Secretary the record of the proceeding. Such record shall include: all motions and requests filed with the hearing clerk and rulings thereon; the certified transcript; any proposed findings or conclusions or written arguments or briefs that may have been filed; the Deputy Administrator's recommended decision, if any, and such exceptions as may have been filed.

#### § 900.13a Decision by Secretary.

After due consideration of the record, the Secretary shall render a decision. Such decision shall become a part of the record and shall include (a) a statement of his findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law or discretion presented on the record, (b) a ruling upon each proposed finding and proposed conclusion not previously ruled upon in the record, (c) a ruling upon each exception filed by interested persons and (d) either (1) a denial of the proposal to issue a marketing agreement or marketing order or (2) a marketing agreement and, if the findings upon the record so warrant, a marketing order, the provisions of which shall be set forth directly or by reference, regulating the handling of the commodity or product in the same manner and to the same extent as such marketing agreement, which order shall be complete except for its effective date and any determinations to be made under § 900.14 (b) or § 900.14 (c): *Provided*, That such marketing order shall not be executed, issued, or made effective until and unless the Secretary determines that the requirements of § 900.14 (b) or § 900.14 (c) have been met.

**§ 900.14 Execution of marketing agreement and issuance of marketing order.**

(a) *Execution of marketing agreement.* If the Secretary has approved a marketing agreement, as provided in § 900.13a, the Deputy Administrator shall cause copies thereof to be distributed for execution by the handlers eligible to become parties thereto. If and when such number of the handlers as the Secretary shall deem to be sufficient shall have executed the marketing agreement, the Secretary shall execute the same, and notice of its effective date shall be mailed by the hearing clerk to each person signatory thereto. A marketing agreement shall be effective and binding upon any party thereto even though such party may not have received the notice provided for in this paragraph, or the hearing clerk may have failed to mail such notice.

(b) *Issuance of marketing order with marketing agreement.* Whenever, as provided in paragraph (a) of this section, the Secretary executes a marketing agreement, and handlers also have executed the same as provided in section 8c (8) of the act, he shall, if he finds that it will tend to effectuate the purposes of the act, issue and make effective the marketing order, if any, which was filed as a part of his decision pursuant to § 900.13a: *Provided*, That the issuance of such order shall have been approved or favored by producers as required by section 8c (8) of the act.

(c) *Issuance of marketing order without marketing agreement.* If, despite the failure or refusal of handlers to sign the marketing agreement, as provided in section 8c (8) of the act, the Secretary makes the determinations required under section 8c (9) of the act, the Secretary shall issue and make effective the marketing order, if any, which was filed as a part of his decision pursuant to § 900.13a.

(d) *Effective date of marketing order.* No marketing order shall become effective less than 30 days after its publication in the FEDERAL REGISTER, unless the Secretary, upon good cause found and published with the order, fixes an earlier effective date therefor: *Provided*, That no marketing order shall become effective as to any person sought to be charged thereunder before either (1) it has been filed with the Division of the Federal Register, or (2) such person has received actual notice of the issuance and terms of the marketing order.

(e) *Notice of issuance.* After issuance of a marketing order, such order shall be filed with the hearing clerk, and notice thereof, together with notice of the effective date, shall be given by publication in the FEDERAL REGISTER. (7 U.S.C. 610(c).)

**§ 900.15 Filing; extensions of time; effective date of filing; and computation of time.**

(a) *Filing, number of copies.* Except as is provided otherwise in this subpart, all documents or papers required or authorized by the foregoing provisions of this subpart to be filed with the hearing clerk shall be filed in quadruplicate.

Any document or paper, so required or authorized to be filed with the hearing clerk, shall, during the course of an oral hearing, be filed with the presiding officer.

(b) *Extensions of time.* The time for the filing of any document or paper required or authorized by the foregoing provisions of this subpart to be filed may be extended by the presiding officer (before the record is certified by the presiding officer) or by the Deputy Administrator (after the record is so certified by the presiding officer but before it is transmitted to the Secretary), or by the Secretary (after the record is transmitted to the Secretary) upon request filed, and if, in the judgment of the presiding officer, Deputy Administrator, or the Secretary, as the case may be, there is good reason for the extension. All rulings made pursuant to this paragraph shall be filed with the hearing clerk.

(c) *Effective date of filing.* Any document or paper required or authorized by the foregoing provisions of this subpart to be filed shall be deemed to be filed when it is postmarked or when it is received by the hearing clerk.

(d) *Computation of time.* Sundays and Federal holidays shall be included in computing the time allowed for the filing of any document or paper: *Provided*, That, when such time expires on a Sunday or legal holiday, such period shall be extended to include the next following business day.

**§ 900.16 Discussion of issues, etc., of proceeding prohibited.**

Except as may be provided otherwise in this subpart, no officer or employee of the Department shall, following the close of the hearing in a marketing agreement or marketing order proceeding and prior to the execution of a marketing agreement or the issuance of a marketing order therein, discuss the issues, merits, or evidence involved in the proceeding with any person interested in the result of the proceeding or with any representative of such person: *Provided, however*, That the provisions of this section shall not preclude an officer or employee who has been duly assigned to, or who has supervision over, a proceeding from discussing with interested persons or their representatives matters of procedure in connection with such proceeding. Insofar as the provisions of this section are inconsistent with the provisions of Regulation 1544 of the publication entitled "Regulations of the U. S. Department of Agriculture," the provisions of this section shall prevail.

**§ 900.17 Additional documents to be filed with hearing clerk.**

In addition to the documents or papers required or authorized by the foregoing provisions of this subpart to be filed with the hearing clerk, the hearing clerk shall receive for filing and shall have custody of all papers, reports, records, orders, and other documents which relate to the administration of any marketing agreement or marketing order and which the Secretary is required to issue or to approve.

**§ 900.18 Hearing before Secretary.**

The Secretary may act in the place and stead of a presiding officer in any proceeding under this subpart. When he so acts the hearing clerk shall transmit the record to the Secretary at the expiration of the period provided for the filing of proposed findings of fact, conclusions and orders, and the Secretary shall thereupon, after due consideration of the record, issue his final decision in the proceeding: *Provided*, That he may issue a tentative decision in which event the parties shall be afforded an opportunity to file exceptions before the issuance of the final decision.

**Subpart—Rules of Practice Governing Proceedings on Petitions to Modify or To Be Exempted From Marketing Orders**

**AUTHORITY:** §§ 900.50 to 900.71 issued under sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c.

**§ 900.50 Words in the singular form.**

Words in this subpart in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

**§ 900.51 Definitions.**

As used in this subpart, the terms as defined in the act shall apply with equal force and effect. In addition, unless the context otherwise requires:

(a) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. and Sup. 601);

(b) The term "Department" means the United States Department of Agriculture;

(c) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead;

(d) The term "examiner" means any examiner in the Office of Hearing Examiners, United States Department of Agriculture;

(e) The term "Deputy Administrator" means any Deputy Administrator of the Agricultural Marketing Service of the Department or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead;

(f) The term "Service" means the Agricultural Marketing Service of the Department;

(g) The term "FEDERAL REGISTER" means the publication provided for by the act of July 26, 1935 (49 Stat. 500), and acts supplementary thereto and amendatory thereof;

(h) The term "marketing order" means any order or any amendment thereto which may be issued pursuant to section 8c of the act;

(i) The term "handler" means any person who, by the terms of a marketing order, is subject thereto, or to whom a

marketing order is sought to be made applicable;

(j) The term "proceeding" means a proceeding before the Secretary arising under subsection (15) (A) of section 8c of the act;

(k) The term "hearing" means that part of the proceeding which involves the submission of evidence;

(l) The term "party" includes the Department;

(m) The term "hearing clerk" means the hearing clerk, United States Department of Agriculture, Washington, D. C.;

(n) The term "presiding officer" means the examiner conducting a proceeding under the act;

(o) The term "presiding officer's report" means the presiding officer's report to the Secretary and includes the presiding officer's proposed (1) findings of fact and conclusions with respect to all material issues of fact, law or discretion, as well as the reasons or basis therefor, (2) order and (3) rulings on findings, conclusions and orders submitted by the parties;

(p) The term "petition" includes an amended petition.

#### § 900.52 Institution of proceeding.

(a) *Filing and service of petition.* Any handler desiring to complain that any marketing order or any provision of any such order or any obligation imposed in connection therewith is not in accordance with law, shall file with the hearing clerk, in quadruplicate, a petition in writing addressed to the Secretary. Promptly upon receipt of the petition, the hearing clerk shall transmit a true copy thereof to the Deputy Administrator and the General Counsel, respectively.

(b) *Contents of petition.* A petition shall contain:

(1) The correct name, address, and principal place of business of the petitioner. If petitioner is a corporation, such fact shall be stated, together with the name of the State of incorporation, the date of incorporation, and the names, addresses, and respective positions held by its officers and directors; if an unincorporated association, the names and addresses of its officers, and the respective positions held by them; if a partnership, the name and address of each partner;

(2) Reference to the specific terms or provisions of the order, or the interpretation or application thereof, which are complained of;

(3) A full statement of the facts (avoiding a mere repetition of detailed evidence) upon which the petition is based, and which it is desired that the Secretary consider, setting forth clearly and concisely the nature of the petitioner's business and the manner in which petitioner claims to be affected by the terms or provisions of the order, or the interpretation or application thereof, which are complained of;

(4) A statement of the grounds on which the terms or provisions of the order, or the interpretation or application thereof, which are complained of, are challenged as not in accordance with law;

(5) Prayers for the specific relief which the petitioner desires the Secretary to grant;

(6) An affidavit by the petitioner, or, if the petitioner is not an individual, by an officer of the petitioner having knowledge of the facts stated in the petition, verifying the petition and stating that it is filed in good faith and not for purposes of delay.

(c) *Application to dismiss petition—*

(1) *Filing, contents, and responses thereto.* If the Deputy Administrator is of the opinion that the petition, or any portion thereof, does not substantially comply, in form or content, with the act or with the requirements of paragraph (b) of this section, or is not filed in good faith, or is filed for purposes of delay, he may, within 30 days after the filing of the petition, file with the hearing clerk an application to dismiss the petition, or any portion thereof, on one or more of the grounds stated in this paragraph. Such application shall specify the grounds of objection to the petition and if based, in whole or in part, on allegations of fact not appearing on the face of the petition, shall be accompanied by appropriate affidavits or documentary evidence substantiating such allegations of fact. The application may be accompanied by a memorandum of law. Upon receipt of such application, the hearing clerk shall cause a copy thereof to be served upon the petitioner, together with a notice stating that all papers to be submitted in opposition to such application, including any memorandum of law, must be filed by the petitioner with the hearing clerk not later than 20 days after the service of such notice upon the petitioner. Upon the expiration of the time specified in such notice, or upon receipt of such papers from the petitioner, the hearing clerk shall transmit all papers which have been filed in connection with the application to the Secretary for his consideration.

(2) *Decision by Secretary.* The Secretary, after due consideration, shall render a decision upon the application, stating the reasons for his action. Such decision shall be in the form of an order and shall be filed with the hearing clerk who shall cause a copy thereof to be served upon the petitioner and a copy thereof to be transmitted to the Deputy Administrator. Any such order of the Secretary shall be a final order: *Provided*, That within 20 days following the service upon the petitioner of a copy of an order of the Secretary dismissing the petition, or any portion thereof, on the ground that it does not substantially comply in form and content with the act or with paragraph (b) of this section, the petitioner shall be permitted to file an amended petition.

(3) *Referral to presiding officer.* The Secretary may, in his discretion, refer any application made under this section to the presiding officer for preliminary consideration and report, and, in a proper case, for the taking of evidence: *Provided*, That the provisions of §§ 900.60 to 900.65, inclusive, shall be applicable to the reception of such evidence, if any; the form, content, and filing of such re-

port; the allowance of exceptions thereto; and transmittal of the record to the Secretary.

(4) *Oral argument.* Unless a written application for oral argument is filed by a party with the hearing clerk not later than the time fixed for filing papers in opposition to the application, it shall be considered that the party does not desire oral argument. The granting of a request to make oral argument shall rest in the discretion of the Secretary or the presiding officer, as the case may be.

#### § 900.52a Answer to petition.

(a) *Time of filing.* Within 30 days after the filing of the petition, the Deputy Administrator shall file an answer thereto: *Provided*, That if an application to dismiss the petition, in whole or in part, is made pursuant to § 900.52(c), the answer shall be filed within 15 days after the filing of an order of the Secretary denying the application or granting the application with respect to only a portion of the petition. The answer shall be filed with the hearing clerk who shall cause a copy thereof to be served promptly upon the petitioner.

(b) *Contents.* The answer shall specify which of the material allegations of fact or of law in the petition are controverted and which are not controverted. The answer also may contain affirmative allegations of fact constituting separate defenses and statements of objections to the sufficiency of the whole or any part of the petition.

#### § 900.52b Amended pleadings.

At any time before the close of the hearing the petition or answer may be amended, but the hearing shall, at the request of the adverse party, be adjourned or recessed for such reasonable time as the presiding officer may determine to be necessary to protect the interests of the parties. Amendments subsequent to the first amendment or subsequent to the filing of an answer may be made only with leave of the presiding officer or with the written consent of the adverse party.

#### § 900.53 Withdrawal of petition.

If, at any time after the petition is filed, the petitioner desires to withdraw the same, he shall file with the hearing clerk (or, if filed during the course of a hearing, with the presiding officer) a written request for permission to withdraw. The Secretary may, in his discretion, thereupon dismiss the petition without further procedure: *Provided*, That, if the request to withdraw is filed after a hearing has been opened, permission to withdraw shall be granted only in exceptional circumstances.

#### § 900.54 Docket number.

Each proceeding, immediately following its institution, shall be assigned a docket number by the hearing clerk and thereafter the proceeding may be referred to by such number.

#### § 900.55 Presiding officers.

(a) *Assignment.* No presiding officer who has any pecuniary interest in the outcome of the proceeding, or who has

participated in any investigation preceding the institution of the proceeding, shall serve as presiding officer in such proceeding.

(b) *Conduct.* The presiding officer shall conduct the proceeding in a fair and impartial manner and shall not discuss ex parte the merits of the proceeding with any person who is or who has been connected in any manner with the proceeding in an advocative or investigative capacity.

(c) *Powers of presiding officers.* Subject to review by the Secretary, as provided elsewhere in this subpart, the presiding officer shall have power to:

- (1) Rule upon motions and requests;
- (2) Adjourn the hearing from time to time, and change the time and place of hearing;
- (3) Administer oaths and affirmations and take affidavits;
- (4) Issue subpoenas, under the facsimile signature of the Secretary, requiring the attendance and testimony of witnesses and the production of books, records, contracts, papers, and other documentary evidence;
- (5) Examine witnesses and receive evidence;
- (6) Take or order, under the facsimile signature of the Secretary, the taking of depositions;
- (7) Admit or exclude evidence;
- (8) Hear oral argument on facts or law;
- (9) Consolidate hearings upon two or more petitions pertaining to the same order;
- (10) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding.

(d) *Who may act in absence of presiding officer.* In case of the absence of the presiding officer or his inability to act, the powers and duties to be performed by him under these rules of practice in connection with a proceeding may, without abatement of the proceeding unless otherwise ordered by the Secretary, be assigned to any other presiding officer.

(e) *Disqualification of presiding officer.* The presiding officer may at any time withdraw as presiding officer in a proceeding if he deems himself to be disqualified. Upon the filing by an interested person in good faith of a timely and sufficient affidavit of personal bias or disqualification of a presiding officer, the Secretary shall determine the matter as a part of the record and decision in the proceeding, after making such investigation or holding such hearings, or both, as he may deem appropriate in the circumstances.

#### § 900.56 Consolidated hearings.

At the discretion of the presiding officer, hearings upon two or more petitions pertaining to the same order may be consolidated, and the evidence taken at such consolidated hearing may be embodied in a single record.

#### § 900.57 Intervention.

Intervention in proceedings subject to this subpart shall not be allowed, except that, in the discretion of the Secretary or the presiding officer, any person

(other than the petitioner) showing a substantial interest in the outcome of a proceeding shall be permitted to participate in the oral argument and to file a brief.

#### § 900.58 Prehearing conferences.

In any proceeding in which it appears that such procedure will expedite the proceeding, the presiding officer, at any time prior to the commencement of or during the course of the hearing, may request the parties or their counsel to appear at a conference before him to consider (a) the simplification of issues; (b) the possibility of obtaining stipulations of fact and of documents which will avoid unnecessary proof; (c) the limitation of the number of expert or other witnesses; and (d) such other matters as may expedite and aid in the disposition of the proceeding. No transcript of such conference shall be made, but the presiding officer shall prepare and file for the record a written summary of the action taken at the conference, which shall incorporate any written stipulations or agreements made by the parties at the conference or as a result of the conference. If the circumstances are such that a conference is impracticable, the presiding officer may request the parties to correspond with him for the purpose of accomplishing any of the objects set forth in this section. The presiding officer shall forward copies of letters and documents to the parties as the circumstances require. Correspondence in such negotiations shall not be a part of the record, but the presiding officer shall submit a written summary for the record if any action is taken.

#### § 900.59 Motions and requests.

(a) *General.* All motions and requests shall be filed with the hearing clerk, except that those made during the course of an oral hearing may be filed with the presiding officer or may be stated orally and made a part of the transcript.

The presiding officer is authorized to rule upon all motions and requests filed or made prior to the transmittal by the hearing clerk to the Secretary of the record as provided in this subpart. The Secretary shall rule upon all motions and requests filed after that time.

(b) *Certification of motions.* The submission or certification of any motion, request, objection, or other question to the Secretary prior to the transmittal of the record to the Secretary, as provided in this subpart, shall be in the discretion of the presiding officer.

#### § 900.60 Oral hearings before presiding officer.

(a) *Time and place.* The presiding officer shall set a time and place for hearing and shall file with the hearing clerk a notice stating the time and place of hearing. If any change in the time or place of hearing becomes necessary, it shall be made by the presiding officer, who, in such event, shall file with the hearing clerk a notice of the change. Such notice shall be served upon the parties, unless it is made during the course of an oral hearing and made a part of the transcript.

(b) *Appearances—(1) Representation.* In any proceeding under the act, the parties may appear in person or by counsel or other representative. The Department, if represented by counsel, shall be represented by an attorney assigned by the General Counsel of the Department, and such attorney shall present or supervise the presentation of the position of the Department.

(2) *Debarment of counsel or representative.* Whenever, while a proceeding is pending before him, the presiding officer finds that a person acting as counsel or representative for any party to the proceeding is guilty of unethical or unprofessional conduct, the presiding officer may order that such person be precluded from further acting as counsel or representative in such proceeding. An appeal to the Secretary may be taken from any such order, but the proceeding shall not be delayed or suspended pending disposition of the appeal: *Provided*, That the presiding officer may suspend the proceeding for a reasonable time for the purpose of enabling the client to obtain other counsel or representative.

In case the presiding officer has issued an order precluding a person from further acting as counsel or representative in the proceeding, the presiding officer, within a reasonable time thereafter, shall submit to the Secretary a report of the facts and circumstances surrounding the issuance of the order and shall recommend what action the Secretary should take respecting the appearance of such person as counsel or representative in other proceedings before the Secretary. Thereafter, the Secretary may, after notice and an opportunity for hearing, issue such order respecting the appearance of such person as counsel or representative in proceedings before the Secretary as the Secretary finds to be appropriate.

(3) *Failure to appear.* If the petitioner, after being duly notified, fails to appear at the hearing, he shall be deemed to have authorized the Secretary, without further procedure, to dismiss the proceeding with or without prejudice, as the Secretary may determine. In the event that the petitioner appears at the hearing and no representative of the Department appears, the presiding officer shall proceed ex parte to hear the evidence of the petitioner: *Provided*, That failure on the part of such representative of the Department to appear at a hearing shall not be deemed to be a waiver of the Department's right to file suggested findings of fact, conclusions, and order; to be served with a copy of the presiding officer's report; and to file exceptions with and to submit argument before the Secretary with respect thereto.

(c) *Order of proceeding.* Except as may be determined otherwise by the presiding officer, the petitioner shall proceed first at the hearing.

(d) *Evidence—(1) In general.* The hearing shall be publicly conducted, and the testimony given at the hearing shall be reported verbatim.

The testimony of witnesses at a hearing shall be upon oath or affirmation and subject to cross-examination.

Any witness may, in the discretion of the presiding officer, be examined separ-

rately and apart from all other witnesses except those who may be parties to the proceeding.

The presiding officer shall exclude, insofar as practicable, evidence which is immaterial, irrelevant, or unduly repetitious, or which is not of the sort upon which responsible persons are accustomed to rely.

(2) *Objections.* If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the presiding officer. The transcript shall not include argument or debate thereon, except as ordered by the presiding officer. The ruling of the presiding officer on any objection shall be a part of the transcript.

Only objections made before the presiding officer may subsequently be relied upon in the proceeding.

(3) *Depositions.* The deposition of any witness shall be admitted, in the manner hereinafter provided in and subject to the provisions of § 900.61.

(4) *Affidavits.* Except as is otherwise provided in this subpart, affidavits may be admitted only if the evidence is otherwise admissible and the parties agree (which may be determined by their failure to make timely objections) that affidavits may be used.

(5) *Proof and authentication of official records or documents.* An official record or document, when admissible for any purpose, shall be admissible in evidence without the production of the person who made or prepared the same. Such record or document shall, in the discretion of the presiding officer, be evidenced by an official publication thereof or by a copy attested by the person having legal custody thereof and accompanied by a certificate that such person has the custody.

(6) *Exhibits.* All written statements, charts, tabulations, or similar data offered in evidence at the hearing shall, after identification by the proponent and upon a satisfactory showing of the admissibility of the contents thereof, be numbered as exhibits and received in evidence and made a part of the record. Except where the presiding officer finds that the furnishing of copies is impracticable, a copy of each exhibit, in addition to the original, shall be filed with the presiding officer for the use of each other party to the proceeding. The presiding officer shall advise the parties as to the exact number of copies which will be required to be filed and shall make and have noted on the record the proper distribution of the copies.

If the testimony of a witness refers to a statute, or to a report, document, or transcript, the presiding officer, after inquiry relating to the identification of such statute, report, document, or transcript, shall determine whether the same shall be produced at the hearing and physically be made a part of the evidence as an exhibit, or whether it shall be incorporated into the evidence by reference. If relevant and material matter offered in evidence is embraced in a report, document, or transcript contain-

ing immaterial or irrelevant matter, such immaterial or irrelevant matter shall be excluded and shall be segregated insofar as practicable, subject to the direction of the presiding officer.

(7) *Official notice.* Official notice will be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical, scientific, or commercial fact of established character: *Provided*, That the parties shall be given adequate notice, at the hearing or by reference in the presiding officer's report or the tentative order or otherwise, of matters so noticed, and (except where official notice is taken, for the first time in the proceeding, in the final order) shall be given adequate opportunity to show that such facts are erroneously noticed.

(8) *Offer of proof.* Whenever evidence is excluded from the record, the party offering such evidence may make an offer of proof, which shall be included in the transcript. The offer of proof shall consist of a brief statement describing the evidence to be offered. If the evidence consists of a brief oral statement or of an exhibit, it shall be inserted into the transcript in toto. In such event, it shall be considered a part of the transcript if the Secretary decides that the presiding officer's ruling in excluding the evidence was erroneous. The presiding officer shall not allow the insertion of such evidence in toto if the taking of such evidence will consume a considerable length of time at the hearing. In the latter event, if the Secretary decides that the presiding officer erred in excluding the evidence, and that such error was substantial, the hearing shall be reopened to permit the taking of such evidence.

(e) *Oral argument before presiding officer.* Oral argument before the presiding officer shall be allowed unless the presiding officer finds that the denial of such argument will not deprive the parties of an adequate opportunity for oral argument subsequently in the proceeding. Such argument may be limited by the presiding officer to any extent that he finds necessary for the expeditious disposition of the proceeding and shall be reduced to writing and made part of the transcript.

(f) *Transcript.* (1) During the period in which the proceeding has an active status in the Department, a copy of the transcript and exhibits shall be kept on file in the office of the hearing clerk, where it shall be available for examination during official hours of business. Thereafter said transcript and exhibits shall be made available by the hearing clerk for examination during official hours of business after prior request and reasonable notice to the hearing clerk.

(2) If a personal copy of the transcript is desired, such copy may be obtained upon written application filed with the reporter, and upon payment of fees at the rate (if any) provided in the contract between the reporter and the Secretary.

#### § 900.61 Depositions.

(a) *Procedure in lieu of deposition.* Before any party may have testimony taken by deposition, said party shall, if practicable, submit to the other

party an affidavit which shall set forth the facts to which the witness would testify, if the deposition should be taken. If, after examination of such affidavit, the other party agrees, or (within 10 days after submission of the affidavit) fails to object, that the affidavit may be used in lieu of the deposition, the presiding officer shall admit the affidavit in evidence and shall not order the deposition to be taken.

(b) *Application for taking deposition.* Upon the application of a party to the proceeding, the presiding officer may, at any time after the filing of the moving paper, order, under the facsimile signature of the Secretary, the taking of testimony by deposition. The application shall be in writing and shall be filed with the hearing clerk and shall set forth: (1) the name and address of the proposed deponent; (2) the name and address of the person (referred to hereinafter in this section as the "officer"), qualified under the rules in this part to take depositions, before whom the proposed examination is to be made; (3) the proposed time and place of the examination, which shall be at least 15 days after the date of the mailing of the application; and (4) the reasons why such deposition should be taken.

(c) *Presiding officer's order for taking deposition.* If, after the examination of the application, the presiding officer is of the opinion that the deposition should be taken, he shall order its taking. The order shall be filed with the hearing clerk and shall be served upon the parties and shall state: (1) the time and place of the examination (which shall not be less than 10 days after the filing of the order); (2) the name of the officer before whom the examination is to be made; (3) the name of the deponent. The officer and the time and place need not be the same as those suggested in the application.

(d) *Qualifications of officer.* The deposition shall be taken before the presiding officer, or before an officer authorized by the law of the United States or by the law of the place of the examination to administer oaths, or before an officer authorized by the Secretary to administer oaths.

(e) *Procedure on examination.* The deponent shall be examined under oath or affirmation and shall be subject to cross-examination. The testimony of the deponent shall be recorded by the officer or by some person under his direction and in his presence. In lieu of oral examination, parties may transmit written interrogatories to the officer prior to the examination and the officer shall propound such interrogatories to the deponent.

The applicant must arrange for the examination of the witness either by oral examination or by written interrogatories. If it is found by the presiding officer, upon the protest of a party to the proceeding, that such party has his residence and his place of business more than 100 miles from the place of the examination and that it would constitute an undue hardship upon such party to be represented at the examination, the applicant will be required to conduct the examination by means of interrogatories.

When the examination is conducted by means of interrogatories, copies of the interrogatories shall be served upon the other parties to the proceeding at least five days prior to the date set for the examination, and the other parties shall be afforded an opportunity to file with the officer cross-interrogatories at any time prior to the time of the examination.

(f) *Certification by officer.* The officer shall certify on the deposition that the deponent was duly sworn by him and that the deposition is a true record of the deponent's testimony. He shall then securely seal the deposition, together with two copies thereof, in an envelope and mail the same by registered mail to the hearing clerk.

(g) *Use of depositions.* A deposition ordered and taken in accord with the provisions of this section may be used in a proceeding under the act if the presiding officer finds that the evidence is otherwise admissible and (1) that the witness is dead; or (2) that the witness is at a distance greater than 100 miles from the place of hearing, unless it appears that the absence of the witness was procured by the party offering the deposition; or (3) that the witness is unable to attend or testify because of age, sickness, infirmity, or imprisonment; or (4) that the party offering the deposition has endeavored to procure the attendance of the witness by subpoena but has been unable to do so; or (5) that such exceptional circumstances exist as to make it desirable, in the interests of justice, to allow the deposition to be used. If a deposition has been taken, and the party upon whose application it was taken refuses to offer it in evidence, the other party may offer the deposition, or any part thereof, in evidence.

#### § 900.62 Subpenas.

(a) *Issuance of subpoenas.* The attendance of witnesses and the production of documentary evidence from any place in the United States on behalf of any party to the proceeding may, by subpoena, be required at any designated place of hearing. Subpenas may be issued by the Secretary or by the presiding officer, under the facsimile signature of the Secretary, upon a reasonable showing by the applicant of the grounds, necessity, and reasonable scope thereof.

(b) *Application for subpoena duces tecum.* Subpenas for the production of documentary evidence, unless issued by the presiding officer upon his own motion, shall be issued only upon a verified written application. Such application shall specify, as exactly as possible, the documents desired and shall show their competency, relevancy, and materiality and the necessity for their production.

(c) *Service of subpoenas.* Subpenas may be served (1) by a United States Marshal or his deputy, or (2) by any other person who is not less than 18 years of age, or (3) by registering and mailing a copy of the subpoena addressed to the person to be served at his or its last known residence or principal place of business or residence. Proof of service may be made by the return of service on the subpoena by the United States

Marshal or his deputy; or, if served by an individual other than a United States Marshal or his deputy, by an affidavit of such person stating that he personally served a copy of the subpoena upon the person named therein; or, if service was by registered mail, by an affidavit made by the person mailing the subpoena that it was mailed as provided in this paragraph and by the signed return post-office receipt: *Provided*, That, if the subpoena is issued on behalf of the Department, the return receipt without an affidavit of mailing shall be sufficient proof of service. In making personal service, the person making service shall leave a copy of the subpoena with the person subpoenaed; the original, bearing or accompanied by the required proof of service, shall be returned to the official who issued the same.

#### § 900.63 Fees and mileage.

Witnesses who are subpoenaed and who appear in such proceeding, including witnesses whose depositions are taken, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and persons taking depositions shall be entitled to the same fees as are paid for like services in the courts of the United States, to be paid by the party at whose request the deposition is taken. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and claims therefor, as to witnesses subpoenaed on behalf of the Department, shall be proved before the person issuing the subpoena, and, as to witnesses subpoenaed on behalf of any other party, shall be presented to such party.

#### § 900.64 The presiding officer's report.

(a) *Filing the transcript of evidence.* (1) As soon as practicable after the close of the hearing, the presiding officer shall transmit to the hearing clerk an original and three copies of the transcript of the testimony and the original and all copies of the exhibits not already on file in the office of the hearing clerk. The presiding officer shall attach to the original transcript of testimony his certificate stating that to the best of his knowledge and belief, the transcript is a true, correct, and complete transcript of the testimony given in the hearing except in such particulars as he shall specify, and that the exhibits transmitted are all the exhibits received in evidence at the hearing with such exceptions as he shall specify. A copy of such certification shall be attached to each copy of the transcript of testimony. In accordance with such certificate the presiding officer shall note on the original transcript and the hearing clerk shall cause to be noted on other copies of the transcript, each correction detailed in such certificate by adding or crossing out (but without obscuring the text as originally transcribed) at the appropriate places any words necessary to make the text conform to the correct meaning, as certified by the presiding officer.

(2) Immediately following the filing of the transcript, the hearing clerk shall advise each party to the proceeding as to the date of such filing.

(b) *Proposed findings of fact, conclusions, and orders.* Within 10 days (unless the presiding officer shall have announced at the hearing a shorter or longer period of time) after the transcript has been filed with the hearing clerk, as provided in paragraph (a) of this section, each party may file with the hearing clerk proposed findings of fact, conclusions, and order, based solely upon the evidence of record, and briefs in support thereof.

(c) *Presiding officer's report.* The presiding officer, within a reasonable time after the termination of the period allowed for the filing of proposed findings of fact, conclusions, and orders, and briefs in support thereof, shall prepare, upon the basis of the record, and shall file with the hearing clerk, his report; a copy of which (together with notification of the date fixed by the presiding officer for the filing of exceptions thereto) shall be served by the hearing clerk upon each of the parties.

(d) *Exceptions.* Within a period of time (to be fixed by the presiding officer but not to exceed 20 days) after the filing of the presiding officer's report, the parties may file exceptions to the report. Any party who desires to take exception to any matter set out in the report shall transmit his exceptions in writing to the hearing clerk, referring, where practicable, to the relevant pages of the transcript, and suggesting a corrected finding of fact, conclusion, or order. Within the same period of time, each party shall transmit to the hearing clerk a brief statement in writing concerning each of the objections taken to the action of the presiding officer, as set out in § 900.60, upon which the party wishes to rely, referring, where practicable, to the pertinent pages of the transcript. A party, if he files exceptions or a statement of objections, shall state in writing whether he desires to make an oral argument thereon before the Secretary; otherwise, it shall be considered that he does not desire to make such oral argument.

(e) *Revision of presiding officer's report.* If exceptions are filed to the presiding officer's report, as provided in paragraph (d) of this section, the presiding officer, after consideration of such exceptions, shall make and file with the hearing clerk a draft of the findings of fact, conclusions, and final order of the Secretary, which shall include such revision of his report as he deems to be appropriate in view of such exceptions.

#### § 900.65 Transmittal of record.

The hearing clerk, immediately following the filing of the revision of the presiding officer's report, or upon notification by the presiding officer that no revision will be made, shall transmit to the Secretary the record of the proceeding. Such record shall include: the petition; motions and requests filed with the hearing clerk, and rulings thereon; the transcript of the testimony taken at the hearing, together with the exhibits filed therein; any documents or papers filed in connection with prehearing conferences; such proposed findings of fact, conclusions, and orders, and briefs in support thereof, as may have been filed

in connection with the hearing; the presiding officer's report; such exceptions, statements of objections, and briefs in support thereof, as may have been filed in the proceeding; and the presiding officer's draft of the findings of fact, conclusions, and final order of the Secretary.

#### § 900.66 Argument before Secretary.

(a) *Oral argument.* Unless a party has included in his exceptions a request for oral argument or has filed a separate request for oral argument prior to the expiration of the last date for filing such exceptions, it shall be considered that he does not desire to make such oral argument. The granting of a request to make oral argument shall rest in the discretion of the Secretary.

(b) *Briefs.* The parties may, in the discretion of the Secretary, file written briefs either in addition to oral argument or in lieu thereof.

(c) *Scope of argument.* Except where the Secretary determines that argument on additional issues would be helpful, argument, whether oral or in a written brief, shall be limited to the issues raised by the exceptions and statement of objections, or to such issues as the Secretary may indicate. If the Secretary determines that additional issues should be argued, counsel for the parties shall be given reasonable notice of such determination, so as to permit the preparation of adequate argument on all the issues to be argued.

#### § 900.67 Consideration and issuance of order.

(a) *Consideration of order.* As soon as practicable after the receipt of the record from the hearing clerk, or in case argument was had, as soon as practicable thereafter, the Secretary, upon the basis of the record, shall begin his consideration of the final order to be issued in the proceeding. If an oral argument was held, the order shall be considered by and shall be issued over the signature of the official who heard such oral argument, unless the parties shall consent to a different arrangement. At no stage of the proceeding between its institution and the issuance of the order shall the Secretary discuss ex parte the merits of the proceeding with any person who is connected with the proceeding in an advocative or an investigative capacity, or with any representative of such person: *Provided, however,* That the Secretary may discuss the merits of the proceeding with such a person if all parties to the proceeding, or their representatives, have been given an opportunity to be present. If, notwithstanding the foregoing provisions of this section, a memorandum or other communication from any party, or from any person acting on behalf of any party, which relates to the merits of the proceeding, receives the personal attention of the Secretary (or, if an official other than the Secretary is to issue the order, then of such other official) during the pendency of the proceeding, such memorandum or communication shall be regarded as argument made in the proceeding and shall be filed with the hearing clerk, who shall serve a copy thereof upon the opposite party to the proceeding, and op-

portunity shall be given the opposite party to file a reply thereto.

(b) *Issuance of order.* The order shall be issued and served upon the parties as the final order in the proceeding without further procedure: *Provided,* That, if the terms of the order differ substantially from those proposed in the report of the presiding officer, the Secretary shall, if he deems it advisable to do so, direct that a copy of the order be served upon the parties as a tentative order; and, in such event, opportunity shall be given the parties to file exceptions thereto and written arguments or briefs in support of such exceptions. In such case, if exceptions are filed within a period of time (to be fixed by the Secretary but not to exceed 20 days) following the service of the tentative order, the Secretary shall give consideration to and shall make such changes in the tentative order as he deems to be appropriate; otherwise, the tentative order shall become final, as of the day following the date of expiration of the period fixed for the filing of exceptions.

#### § 900.68 Applications for reopening hearings; for rehearings or rearguments of proceedings; or for reconsideration of orders.

(a) *Petition requisite—(1) Filing; service.* An application for reopening the hearing to take further evidence, or for rehearing or reargument of the proceeding, or for reconsideration of the order shall be made by petition addressed to the Secretary and filed with the hearing clerk, who immediately shall notify and serve a copy thereof upon the other party to the proceeding. Every such petition shall state specifically the grounds relied upon.

(2) *Petitions to reopen hearings.* A petition to reopen the hearing for the purpose of taking additional evidence may be filed at any time prior to the issuance of the final order. Every such petition shall state briefly the nature and purpose of the evidence to be adduced, shall show that such evidence is not merely cumulative, and shall set forth a good reason why such evidence was not adduced at the hearing.

(3) *Petitions to rehear or reargue proceedings, or to reconsider orders.* A petition to rehear or reargue the proceeding or to reconsider the final order shall be filed within 15 days after the date of the service of such order. Every such petition shall state specifically the matters claimed to have been erroneously decided, and alleged errors must be briefly stated.

(b) *Procedure for disposition of petitions.* Within 10 days following the service of any petition provided for in this section, the other party to the proceeding shall file with the hearing clerk an answer thereto. As soon as practicable thereafter, the Secretary shall announce the decision granting or denying the petition. Unless the Secretary shall determine otherwise, the issuance or operation of the order shall not be stayed pending the decision of the Secretary upon the petition. In the event that any such petition is granted by the Secretary, the applicable rules of practice, as set out

elsewhere in this subpart, shall be followed.

#### § 900.69 Filing; service; extensions of time; effective date of filing; and computation of time.

(a) *Filing; number of copies.* Except as provided otherwise herein, all documents or papers required or authorized in this subpart to be filed with the hearing clerk shall be filed in quadruplicate: *Provided,* That, if there are more than two parties to the proceeding, a sufficient number of additional copies shall be filed so as to provide for service upon all the parties to the proceeding. Any document or paper, required or authorized in this subpart to be filed with the hearing clerk, shall, during the course of an oral hearing, be filed with the presiding officer.

(b) *Service; proof of service.* Copies of all such papers shall be served upon the parties by the hearing clerk, by the presiding officer, or by some other employee of the Department or by a United States Marshal or his deputy. Service shall be made either (1) by delivering a copy of the document or paper to the individual to be served or to a member of the partnership to be served or to the president, secretary, or other executive officer or any director of the corporation, organization, or association to be served, or to the attorney or agent of record of such individual, partnership, corporation, organization, or association; or (2) by leaving a copy of the document or paper at the principal office or place of business of such individual, partnership, corporation, organization, or association, or of his or its attorney or agent of record; or (3) by registering and mailing a copy of the document or paper, addressed to such individual, partnership, corporation, organization, or association, or to his or its attorney or agent of record, at his or its last known principal office, place of business, or residence. Proof of service hereunder shall be made by the affidavit of the person who actually made the service. The affidavit contemplated herein shall be filed with the hearing clerk, and the fact of filing thereof shall be noted on the docket of the proceeding.

(c) *Extensions of time.* The time for the filing of any documents or papers required or authorized in this subpart to be filed may be extended upon (1) a written stipulation between the parties, or (2) upon the request of a party, by the presiding officer before the transmittal of the record to the Secretary, or by the Secretary at any other time if, in the judgment of the Secretary or the presiding officer, as the case may be, there is good reason for the extension.

(d) *Effective date of filing.* Any document or paper, except a petition filed pursuant to § 900.52, required or authorized under these rules to be filed shall be deemed to have been filed when it is postmarked, or when it is received by the hearing clerk. Any petition filed under § 900.52 shall be deemed to be filed when it is received by the hearing clerk.

(e) *Computation of time.* Sundays and Federal holidays shall be included in computing the time allowed for the filing

of any document or paper: *Provided*, That, when such time expires on a Sunday or legal holiday, such time shall be extended to include the next following business day.

#### § 900.70 Applications for interim relief.

(a) *Filing the application.* A person who has filed a petition pursuant to § 900.52 may by separate application filed with the hearing clerk apply to the Secretary or an order postponing the effective date of, or suspending the application of, the marketing order or any provision thereof, or any obligation imposed in connection therewith, pending final determination of the proceeding.

(b) *Contents of the application.* The application shall contain a statement of the facts upon which the relief is requested, including any facts showing irreparable injury. The application must be signed and sworn to by the petitioner and any facts alleged therein which are not within his personal knowledge shall be supported by affidavits of a person or persons having personal knowledge of such facts or by proper documentary evidence thereof.

(c) *Answer to application.* Immediately upon receipt of the application, the hearing clerk shall transmit a copy thereof, together with all supporting papers, to the Deputy Administrator, who shall, within 20 days, or such other time fixed by the Secretary, after the filing of the application file an answer thereto with the hearing clerk.

(d) *Contents of answer.* The answer shall contain a statement of the objections, if any, of the Deputy Administrator to the application for interim relief, and may be supported by affidavits and documentary evidence.

(e) *Transmittal to Secretary.* Upon receiving the answer of the Deputy Administrator or upon the expiration of the time for filing the answer, the hearing clerk shall transmit to the Secretary for his decision all papers filed in connection with the application.

(f) *Hearing and oral argument.* The Secretary may, in his discretion, permit oral argument or the taking of testimony in connection with such application. However, unless written request therefor is filed with the hearing clerk prior to the transmittal of the papers to the Secretary, the parties shall be deemed to have waived oral argument and the taking of testimony.

(g) *Decision by Secretary.* The Secretary may grant or deny the application. Any action taken by the Secretary shall be in the form of an order filed with the hearing clerk and shall contain a brief statement of the reasons for the action taken. The hearing clerk shall cause copies of the order to be served upon the parties.

#### § 900.71 Hearing before Secretary.

The Secretary may act in the place and stead of a presiding officer in any proceeding hereunder. When he so acts the hearing clerk shall transmit the record to the Secretary at the expiration of the period provided for the filing of proposed findings of fact, conclusions and orders, and the Secretary shall there-

upon, after due consideration of the record, issue his final order in the proceeding: *Provided*, That he may issue a tentative order in which event the parties shall be afforded an opportunity to file exceptions before the issuance of the final order.

#### Subpart—Procedure Governing Meetings To Arbitrate and Mediate Disputes Relating to Sales of Milk or Its Products

*AUTHORITY:* §§ 900.100 to 900.118 issued under sec. 3, 50 Stat. 248; 7 U. S. C. 671.

#### § 900.100 Words in the singular form.

Words in this subpart in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

#### § 900.101 Definitions.

As used in this subpart, the terms as defined in the act shall apply with equal force and effect. In addition, unless the context otherwise requires:

(a) The term "act" means section 3 of the Agricultural Marketing Agreement Act of 1937, as amended (50 Stat. 248, as amended; 7 U.S.C. 671);

(b) The term "Department" means the United States Department of Agriculture;

(c) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead;

(d) The term "General Counsel" means the General Counsel of the Department;

(e) The term "Deputy Administrator" means any Deputy Administrator of the Agricultural Marketing Service of the Department or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead;

(f) The term "Service" means the Agricultural Marketing Service of the Department.

(g) The term "Division" means the Dairy Division of the Service;

(h) The term "cooperative" means any association, incorporated or otherwise, which is in good faith owned or controlled by producers, or organizations thereof, of milk or its products, and which is bona fide engaged in the collective processing or preparing for market or handling or marketing, in the current of interstate or foreign commerce, of milk or its products;

(i) The term "arbitrator" means any officer or employee of the Service designated by the Deputy Administrator, pursuant to the act, to arbitrate a bona fide dispute with reference to the terms and conditions of the sale of milk or its products between a producer cooperative and purchasers, handlers, processors, or distributors of milk or its products;

(j) The term "mediator" means any officer or employee of the Service designated by the Deputy Administrator, pursuant to the act, to mediate a bona fide dispute with reference to terms and con-

ditions of the sale of milk or its products between a producer cooperative and purchasers, handlers, processors, or distributors of milk or its products;

(k) The term "hearing clerk" means the hearing clerk, United States Department of Agriculture, Washington, D.C.

#### § 900.102 Filing of applications for mediation or arbitration.

All applications for mediation or arbitration, all submissions, and all correspondence regarding mediation or arbitration shall be addressed to the Secretary, attention of the Division.

#### § 900.103 Application for mediation.

An application for mediation by a cooperative shall be in writing and shall include the following information:

(a) Names in full of the parties to the dispute and their addresses;

(b) Description of the cooperative organization and business, including copies of the articles of incorporation or association, by-laws, and membership contract; information regarding the number of shares of outstanding stock and the approximate portion owned by active producers; a statement of the function performed in connection with the collective processing, preparing, handling, or marketing of milk or its products; and data relative to the distribution of membership by States, the distribution by States of plant facilities for collecting, processing, or disposing of milk or its products, and the business operations for the year last past, including the total quantity of milk and its products handled by the applicant and the proportion of that quantity that was sold in States other than the States of production;

(c) Suggested time and place for meeting between parties and mediator.

#### § 900.104 Inquiry by the Deputy Administrator.

Upon receipt of an application for mediation, the Deputy Administrator, through such officers or employees of the Service as he may designate, may make any inquiry which is deemed to be necessary or proper in order to determine whether a bona fide dispute exists.

#### § 900.105 Notification.

The Deputy Administrator, acting on behalf of the Secretary will notify the applicant as to whether he considers that mediation will effectuate the purpose of the act and as to whether he will mediate.

#### § 900.106 Assignment of mediator.

The Director of the Division shall assign a mediator, from the group designated by the Deputy Administrator, to act in such capacity.

#### § 900.107 Meetings.

All meetings held pursuant to §§ 900.103 to 900.109 shall be held with and under the direction of the mediator.

#### § 900.108 Mediator's report.

The mediator, upon the completion of mediation proceedings, shall submit to the Deputy Administrator a complete report on such proceedings.

**§ 900.109 Mediation agreement.**

An agreement arrived at by mediation shall not become effective until approved by the Secretary, and the Secretary will not approve an agreement if there is evidence of fraud, if there is a lack of evidence to support the agreement, or if the agreement provides for any unfair trade practice.

**§ 900.110 Application for arbitration.**

An application for arbitration by a cooperative shall be in writing and shall contain the following information:

- (a) Names in full of the parties to the dispute and their addresses;
- (b) The same information required under § 900.103 (b);
- (c) Concise statement of dispute to be submitted;
- (d) Originals or certified copies of all contracts, if any, involved in the dispute, and of correspondence which has passed between the parties and of any other documents or information relied upon;
- (e) Dates before which it is desired that the hearing shall be had and the award shall become effective;
- (f) Suggested time and place for arbitration hearing.

The applicant shall send a copy of the application to each other party to the dispute.

**§ 900.111 Inquiry by the Deputy Administrator.**

Upon receipt of an application for arbitration, the Deputy Administrator, through such officers or employees of the Service as he may designate, may make any inquiry deemed to be necessary or proper in order to determine whether a bona fide dispute exists, to assist the parties in reducing the dispute to well-defined issues, and to select an arbitrator who would be satisfactory to all parties.

**§ 900.112 Notification.**

The Deputy Administrator, acting on behalf of the Secretary, within a reasonable time after the receipt of an application, will notify the applicant as to whether he will grant the application.

**§ 900.113 Submission.**

Within a reasonable time after the receipt of the Deputy Administrator's consent to arbitrate, the parties to the dispute shall file with the Deputy Administrator a formal submission, which shall contain the following information:

- (a) Names in full of the parties;
- (b) Addresses of the parties to whom all notifications and communications concerning the arbitration shall be sent;
- (c) Description of the organization and businesses of all parties to the dispute, including sufficient information to show that the cooperative is a bona fide one, and that the parties are engaged in activities in the current of interstate or foreign commerce;
- (d) Concise statement of the specific questions submitted and a brief outline of the contentions of each party to the dispute, and a statement as to the period of time during which the award shall be in effect, said period to be not less than thirty days from the effective date of the award;

(e) Name of arbitrator;

(f) Time and place of arbitration, including street address;

(g) Stipulation by the parties that they will produce any books, records, and correspondence required by the arbitrator as being necessary to a fair determination of the dispute;

(h) Agreement by the parties that they will consider the award as final and will comply therewith;

(i) Stipulation by the parties that arbitration is to take place under rules and regulations issued by the Secretary, and that any such rules and regulations pertaining to mediation and arbitration shall be considered a part of the submission;

(j) Stipulation that a stenographic report of the proceedings must be made.

The submission shall be signed by each party before a notary public, and when the signature is that of an agent of a corporation or cooperative association, the same shall be accompanied by evidence of the authority to sign.

A submission may be withdrawn at any time before the award, and any question held by the arbitrator to be a separable question may be withdrawn before award by agreement of all parties. When any question is so withdrawn, the parties shall file with the arbitrator the agreement on that question reached by the parties, showing all the details thereof, and the arbitrator shall include it in the record of the arbitration.

**§ 900.114 Designation of arbitrator.**

The Deputy Administrator, after receiving the submission, will designate one or more persons to act as arbitrator.

**§ 900.115 Hearing.**

The arbitrator shall have full discretion to conduct the hearing in such manner as will, in his opinion, enable him to ascertain all the facts in the case.

Parties to the dispute may appear in person or by duly accredited agents and may be represented by counsel.

All relevant and material evidence may be presented. The arbitrator shall not be bound by the legal rules of evidence.

The arbitrator, in the presence of the parties, may require the production of books and records for examination by himself, but not for examination of confidential information by other parties to the dispute unless the party producing the same consents to its examination by the other parties to the dispute.

No evidence offered by one party shall be received except in the presence of all parties unless the parties so agree in a submission specifying the nature of the evidence to be received.

Final determination as to what will be considered confidential information shall be made by the arbitrator.

The arbitrator may request the opinions of economists, marketing specialists, statisticians, lawyers, accountants, and other experts.

When more than two arbitrators are designated to hear a dispute, and they disagree, the award of the majority shall be the final award. If the arbitrators are evenly divided, there shall be no award.

A stenographic record of all the proceedings during an arbitration must be made.

**§ 900.116 Award.**

An award shall be made within ten days after the close of the hearing.

The award shall be in writing and shall cover only points of dispute raised in the submission.

The arbitrator, in making the award, may use his own technical knowledge in addition to the evidence submitted by the parties.

The award shall state the period during which it shall be in effect, said period to be not less than thirty days from the effective date thereof; and said period may be extended by agreement among the parties upon notification thereof to the Deputy Administrator, unless or until the Deputy Administrator withdraws his approval.

The arbitrator shall sign the award in the presence of a notary public, or, when more than one arbitrator is designated, the arbitrator shall sign in the presence of each other.

Copies of the award shall be delivered to the parties by the Division.

**§ 900.117 Approval of award.**

The award shall not become effective until approved by the Secretary, and the Secretary will not approve an award if there is evidence of fraud, or evidence of misconduct upon the part of the arbitrator, or lack of evidence to support the award, or if the award provides for any unfair trade practice.

**§ 900.118 Costs.**

The parties jointly shall pay for the stenographic record. A copy of the record shall be furnished by the parties to the arbitrator and shall be forwarded by him to the Deputy Administrator, ultimately to be filed in the office of the hearing clerk.

The arbitrator shall not receive compensation from parties to the dispute.

**Subpart—Miscellaneous Regulations**

**AUTHORITY:** §§ 900.200 to 900.211 issued under sec. 10, 48 Stat. 37, as amended; 7 U.S.C. 610.

**§ 900.200 Definitions.**

As used in this subpart, the terms as defined in the act shall apply with equal force and effect. In addition, unless the context otherwise requires:

(a) The term "act" means Public Act No. 10, 73d Congress (48 Stat. 31), as amended and as reenacted and amended by the Agricultural Marketing Agreement act of 1937 (50 Stat. 246, 7 U.S.C. 601), as amended;

(b) The term "Department" means the United States Department of Agriculture;

(c) The term "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead;

(d) The term "General Counsel" means the General Counsel of the Department;

(e) The term "Deputy Administrator" means any Deputy Administrator of the Agricultural Marketing Service of the Department or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead;

(f) The term "Service" means the Agricultural Marketing Service of the Department;

(g) The term "FEDERAL REGISTER" means the publication provided for by the act of July 26, 1935 (49 Stat. 500), and acts supplementary thereto and amendatory thereof;

(h) The term "marketing agreement" means any marketing agreement or any amendment thereto which may be entered into pursuant to section 8b of the act;

(i) The term "marketing order" means any order or any amendment thereto which may be issued pursuant to section 8c of the act;

(j) The term "person" means any individual, corporation, partnership, association, or any other business unit;

(k) The term "official" means the Secretary, any officer, employee, or other person employed or appointed by the Department, and any agency or agent appointed by the Secretary to administer a marketing agreement or a marketing order, and any agent or employee of any such agency or agent;

(l) The term "information" means and includes reports, books, accounts, records, and the facts and information contained therein and required to be furnished to or acquired by any official pursuant to the provisions of any marketing agreement or marketing order.

**§ 900.201 Investigation and disposition of alleged violations.**

Whenever the Deputy Administrator has reason to believe that any handler has violated, or is violating, the provisions of any marketing order, he may institute such investigation and, after due notice to such handler, conduct such hearing in order to determine the facts as, in his opinion, are warranted. If, in the opinion of the Deputy Administrator and the General Counsel, the facts developed as a result of such investigation or hearing warrant such action, the General Counsel shall refer the matter to the Attorney General for appropriate action.

**§ 900.210 Disclosures of information.**

All information in the possession of any official which relates to the business or property of any person, and which was furnished by, or obtained from, such person pursuant to the provisions of any marketing agreement or marketing order, shall be kept confidential and shall not be disclosed, divulged, or made public, unless otherwise expressly provided in said marketing agreement or marketing order, or unless said person authorizes said official, in writing, to disclose such information, except that:

(a) Such information may be disclosed, divulged, or made public if it has been obtained from or furnished by a person who is not the person to whose

business or property such information relates or an employee of such latter person, or if such information is otherwise required by law to be furnished to an official;

(b) Such information may be furnished to other officials for use in the regular course of their official duties;

(c) Such information may be combined and published in the form of general statistical studies or data in which the identity of the person furnishing such information or from whom it was obtained shall not be disclosed;

(d) Such information may be disclosed upon lawful demand made by the President or by either House of Congress or any committee thereof, or, if the Secretary determines that such disclosure is not contrary to the public interest, such information may be disclosed in response to a subpoena by any court of competent jurisdiction.

(e) Such information may be offered in evidence (whether or not it has been obtained from or furnished by the person against whom it is offered) by or on behalf of the Secretary, the United States, or the official who obtained it or to whom it was furnished, in any administrative hearing held pursuant to section 8c (15)

(A) of the act or in any action, suit, or proceeding, civil or criminal, in which the Secretary or the United States or any such official is a party, and (1) which is instituted (i) for the purpose of enforcing or restraining the violation of any marketing agreement or marketing order, or (ii) for the purpose of collecting any penalty or forfeiture provided for in the act, or (iii) for the purpose of collecting any monies due under a marketing agreement or marketing order, or (2) in which the validity of any marketing agreement or marketing order, or any provision of either, is challenged or involved.

(f) Such information may be furnished to the duly constituted authorities of any State, pursuant to a written agreement made under authority of section 10(i) of the act, to the extent that such information is relevant to transactions within the regulatory jurisdiction of such authorities.

**§ 900.211 Penalties.**

Any official who shall have violated the provisions of § 900.210 by wilfully divulging, disclosing, or making public any information acquired by or furnished to or in the possession or custody of such official pursuant to the provisions of a marketing agreement or marketing order shall be subject to a penalty of \$100 for each offense. (The civil penalty provided in this section is prescribed under the authority contained in sec. 10(c) of the act (7 U.S.C. 610(c)); this provision is not intended to supersede the provision in sec. 8d(2) of the act (7 U.S.C. 608d(2)) for criminal liability and removal from office.

Issued at Washington, D.C., this 23d day of June 1960.

CLARENCE L. MILLER,  
Assistant Secretary.

[F.R. Doc. 60-5961; Filed, June 27, 1960; 8:52 a.m.]

[Lemon Reg. 851, Amdt. 1]

**PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA**

**Limitation of Handling**

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

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

**Order, as amended.** The provisions in paragraph (b)(1)(ii) of § 953.958 (Lemon Regulation 851; 25 F.R. 5475) are hereby amended to read as follows:

(ii) District 2: 465,000 cartons.

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

Dated: June 23, 1960.

FLOYD F. HEDLUND,  
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-5963; Filed, June 27, 1960; 8:53 a.m.]

[Milk Order 73]

**PART 973—MILK IN MINNEAPOLIS-ST. PAUL MARKETING AREA**

**Order Amending Order**

**§ 973.0 Findings and determinations.**

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Minneapolis-St. Paul marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(4) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 3 cents per hundredweight or such amount not to exceed 3 cents per hundredweight as the Secretary may prescribe, with respect to producer milk (including such handler's own farm production) and to other source milk which is classified as Class I milk.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than July 1, 1960.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued May 17, 1960, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued June 9, 1960. The changes effected by this order will not require extensive preparation or substantial alteration marketing of milk, it is hereby found and determined that good cause exists for making this order amending the order effective July 1, 1960, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See section 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.).

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

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

*Order relative to handling.* It is therefore ordered that on and after the effective date hereof, the handling of milk in the Minneapolis-St. Paul marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

#### § 973.9 [Amendment]

1. Delete § 973.9(b) in its entirety and substitute therefor the following:

(b) (1) Except as provided in subparagraph (2) of this paragraph, any plant from which during any month 50 percent or more of such plant's total receipts for such month from farms of skim milk or butterfat eligible for sale in fluid form as Grade A milk within the marketing area is delivered to (i) a plant(s) which has qualified pursuant to paragraph (a) of this section, (ii) any other plant(s) located within the marketing area from which Class I milk is disposed of within the marketing area on a route(s), or (iii) a governmentally-owned and operated institution which disposes of Class I milk solely for use on its own premises or to its own facilities: *Provided*, That if during each of the months of July, August, September and October 50 percent or more of such plant's receipts of skim milk or butterfat for such month as described above is delivered as provided in this paragraph, it shall be a pool plant through the following June: *And provided further*, That if not less than 30 percent of the total member producer milk of a cooperative association is delivered during each of the months of July, August, September and October as direct-shipped milk to a plant(s) described in paragraph (a) of this section located within the city limits of either Minneapolis or St. Paul, then any deliveries of milk by such cooperative association directly to such plant(s) may be considered, for the purposes of this paragraph, as having been received first at a plant of such cooperative association also located within the city limits of Minneapolis or St. Paul.

(2) Producer milk which was received on more than 45 days during the months of April, May and June at a pool plant qualified under this paragraph, which milk is caused to be delivered from farms to a pool plant(s) described in paragraph

(a) of this section during any of the months of July, August, September and October shall be considered for the purposes of this paragraph as having been shipped from thence to the plant(s) described in paragraph (a) of this section: *Provided*, That the producers of such milk are listed on the payroll reports (of the respective plants) submitted pursuant to § 973.32 and appropriately noted on the reports of receipts and utilization submitted pursuant to § 973.30.

2. Delete § 973.11 in its entirety and substitute therefor the following:

#### § 973.11 Producer.

"Producer" means any person, except a producer-handler, who produces milk eligible for sale in fluid form as Grade A milk within the marketing area which is either (a) received from the farm at a pool plant, or (b) moved in accordance with the conditions of § 973.44(c) (2) but allotted to a pool plant by listing on the payroll report of such plant pursuant to § 973.32, which milk shall be deemed to be received at such pool plant: *Provided*, That any such person whose milk is received from the farm at a pool plant during any portion of the period July through October, inclusive, but subsequently in such four-month period is received at a non-pool plant (except as provided above in this paragraph) shall not regain status as a producer prior to the next July 1.

#### § 973.22 [Amendment]

3. In § 973.22(h) delete "13th" and substitute therefor "15th".

#### § 973.30 [Amendment]

4. In § 973.30(a) delete "8th" and substitute therefor "10th".

5. In § 973.30(b) delete "8th" and substitute therefor "10th".

#### § 973.41 [Amendment]

6. In the third parenthetical phrase in § 973.41(a) insert after the words "sweet or sour, including" the words "Smetana" and similar sour cream products and".

#### § 973.44 [Amendment]

7. Delete from that portion of § 973.44 preceding paragraph (a) therein the word "transferred" and substitute therefor the word "moved".

8. Delete from § 973.44(b) the cross-reference "paragraph (c) (2) and (3) of this section" and substitute therefor the cross-reference "paragraph (c) (2), (3) and (4) of this section."

9. Delete § 973.44(c) and substitute therefor the following:

(c) As Class I milk if moved to a non-pool plant under any of the following circumstances: (1) by transfer in consumer packages; (2) by a cooperative association directly from the farm of the producer, and the nonpool plant is one from which milk is disposed of in fluid form on routes; (3) by transfer in bulk as any item of § 973.41(a), except cream, and the nonpool plant is located more than 100 miles from the Minnesota Transfer Viaduct over

University Avenue in St. Paul, Minnesota; or (4) by transfer in bulk as cream and the nonpool plant is located as described in subparagraph (3) of this paragraph and is a plant from which milk is disposed of in fluid form on routes: *Provided*, That this subparagraph shall not apply in the case of cream transferred in bulk to any plant subject to another marketing agreement or order issued pursuant to the act, if such cream is allocated thereunder in the transferee-plant to a class of utilization other than Class I milk as defined in such other marketing agreement or order.

**§ 973.45 [Amendment]**

10. Add in the proviso of § 973.45 after the word "disposition" the words "by a handler".

11a. Delete that portion of § 973.51 preceding paragraph (a) therein and substitute therefor the following:

**§ 973.51 Basic formula price.**

The basic formula price per hundredweight to be used in determining the Class I price shall be the highest of the prices computed pursuant to paragraphs (a), (b), and (c) of this section:

b. Add the words "per hundredweight" after the phrase "(or field) prices" in § 973.51(a).

c. Add the following as § 973.51(c):

(c) (1) Multiply by 4.24 the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter at New York, as reported by the Department of Agriculture during the preceding month; (2) multiply by 8.2 the weighted average of carlot prices for spray process nonfat dry milk, for human consumption f.o.b. manufacturing plants in the Chicago area, as published by the Department of Agriculture for the period from the 26th day of the second preceding month through the 25th day of the preceding month; (3) add into one sum the amounts obtained in subparagraphs (1) and (2) of this paragraph; and (4) subtract 75.2 cents therefrom.

12. Delete § 973.53 in its entirety and substitute therefor the following:

**§ 973.53 Class I price.**

Subject to the differentials provided in §§ 973.55 and 973.56(a), the price per hundredweight for Class I milk each month shall be the basic formula price computed pursuant to § 973.51 plus an amount as follows: \$1.00 for July, August, September, October, and November; and \$.76 for other months: *Provided*, That prior to December 1, 1960, the following shall be added to the basic formula price in lieu of the above amounts: 70 cents for each month until July; \$1.10 for July, August, September, and October; and \$1.00 for November: *And provided further*, That whenever the current supply-demand ratio varies from that set forth in the table below, the Class I price shall be increased or decreased 1.5 cents for each full percentage point that the current supply-demand ratio is above or below that set forth in the

table, but such price shall not be increased or decreased more than 24 cents for any month because of the current supply-demand ratio:

Month to which applicable	Standard percentages	Months used in computing current supply-demand ratio
January.....	88	October-November.
February.....	82	November-December.
March.....	78	December-January.
April.....	73	January-February.
May.....	71	February-March.
June.....	70	March-April.
July.....	68	April-May.
August.....	66	May-June.
September.....	70	June-July.
October.....	82	July-August.
November.....	88	August-September.
December.....	88	September-October.

**§ 973.54 [Amendment]**

13. In § 973.54 delete the phrase "price for Class II milk" and substitute therefor the phrase "price per hundredweight for Class II milk."

14. Delete from § 973.54 the figure "75.2" and substitute therefor the figure "65".

**§ 973.72 [Amendment]**

15. Delete from § 973.72(b) the phrase "plus 8 cents".

**§ 973.73 [Amendment]**

16. In § 973.73 delete "13th" and substitute therefor "15th".

**§ 973.77 [Amendment]**

17. In § 973.77(d) delete the words "producer" and "producer's" and substitute therefor the words "person" and "person's", respectively.

18. In § 973.77(e) delete the word "producer" wherever it appears and substitute therefor the word "person".

**§ 973.80 [Amendment]**

19. In § 973.80(a) delete "10th" and substitute therefor "11th".

**§ 973.90 [Amendment]**

20. In § 973.90 delete the figure "1.5" wherever it appears and substitute therefor the figure "3".

**§ 973.91 [Amendment]**

21. In § 973.91(a) delete the figure "2" and substitute therefor the figure "6".

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

Issued at Washington, D.C., this 22d day of June 1960, to be effective on and after the 1st day of July 1960.

CLARENCE L. MILLER,  
Assistant Secretary.

[F.R. Doc. 60-5931; Filed, June 27, 1960; 8:49 a.m.]

[Milk Order 104]

**PART 1004—MILK IN CENTRAL ARIZONA MARKETING AREA**

**Order Terminating Certain Provisions**

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Central Arizona marketing area (7 CFR Part 1004), it is hereby found and determined that:

(a) The following provisions of the order, no longer tend to effectuate the declared policy of the Act;

(1) Sections 1004.17, 1004.18, 1004.31 (b) (1), 1004.72, 1004.80(c) (2) (ii), 1004.90, 1004.91, and 1004.92;

(2) In § 1004.31(b) (2) (ii), the provision "including, for the months of January through June, the pounds of base milk,";

(3) In the first sentence of § 1004.71, the words "of the" after the word "each", the letter "s" of the word "months", and the phrase "of July through December";

(4) In § 1004.74, one sign "\$" in the citation "§ 1004.71", the subsequent phrase "and 1004.72 (for base milk)", and the last complete sentence, "The rates applicable to excess milk shall be determined by dividing the quantity of excess milk specified in § 1004.72(a) (2) by the total quantity of excess milk and multiplying the result by the rates applicable to base milk."

(5) In § 1004.75(c), one sign "\$" in the citation "§§ 1004.71" and the subsequent phrase "and 1004.72"; and

(6) In § 1004.80(a) (2), the phrase "or base milk and excess milk".

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This termination order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This termination order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) The termination order should be made effective July 1, 1960, in order that producers may receive advance notice that their deliveries of milk during the months of August through November of 1960 will not be used as a basis for computing payments during the months of January through June 1961.

(4) The termination will have no effect on the cost of milk to handlers, but will affect the distribution of returns for milk among producers with different seasonal production patterns. Producer organizations presently provides incentives for their member producers to maintain even production throughout the year.

(5) Based on a request for the termination of the base plan, supported by producer associations representing approximately 90 percent of the producers supplying the market, a notice of proposed termination of such provisions was issued June 1, 1960 (25 F.R. 4962), to which interested parties were given opportunity to submit written views, data and arguments. No views in opposition to the proposed termination were received from any producers, nor were any substantive views presented by other interested parties to the effect that such provisions should be retained in the order.

Therefore, good cause exists for making this order effective July 1, 1960.

It is therefore ordered, That the aforesaid provisions of the order are hereby terminated effective July 1, 1960.

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

Issued at Washington, D.C., this 22d day of June 1960.

CLARENCE L. MILLER,  
Assistant Secretary.

[F.R. Doc. 60-5932; Filed, June 27, 1960;  
8:49 a.m.]

[Milk Order 111]

**PART 1011—MILK IN MICHIGAN  
UPPER PENINSULA MARKETING  
AREA**

**Order Amending Order**

**§ 1011.0 Findings and determinations.**

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Michigan Upper Peninsula marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 5 cents per hun-

dredweight or such amount not to exceed 5 cents per hundredweight as the Secretary may prescribe, with respect to (i) all receipts within the month of milk from producers including milk of such handler's own production, and (ii) any other source milk allocated to Class I pursuant to § 1011.46(b) and the corresponding step of § 1011.47.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than July 1, 1960. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued May 20, 1960, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued June 9, 1960. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective July 1, 1960, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.)

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

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

*Order relative to handling.* It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Michigan Upper Peninsula marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Amend § 1011.5 to read as follows:  
**§ 1011.5 Michigan Upper Peninsula marketing area.**

(a) "Michigan Upper Peninsula marketing area" (hereinafter referred to as the "marketing area") means all the territory including all municipal corporations within the zones described below in this section.

(b) "Zone 1(a)": The city of Menominee and the townships of Menominee,

Mellen and Ingallston, in Menominee County, Michigan; the town of Peshtigo and the cities of Marinette and Peshtigo in Marinette County, Wisconsin;

(c) "Zone 1": Counties of Delta, Dickinson, Gogebic, Iron, Ontonagon and all territory in Menominee County not included in Zone 1(a), all in the State of Michigan; the town of Niagara and the village of Niagara, in Marinette County; the towns of Aurora and Florence, in Florence County, and the towns of Carey, Kimball, Oma, Pence, Saxon and the cities of Hurley and Montreal in Iron County, all in the State of Wisconsin;

(d) "Zone 2": Counties of Alger, Baraga, Chippewa, Houghton, Keweenaw, Luce, Mackinac, Marquette and Schoolcraft, all in the State of Michigan.

**§ 1011.46 [Amendment]**

2. Amend § 1011.46(c) to read as follows:

(c) Subtract from the pounds of butterfat remaining in each class the pounds of butterfat in other source milk received during the month in the form of fluid milk products from a plant subject to another marketing agreement or order issued pursuant to the Act as follows:

(1) From Class I, the pounds of such butterfat received in a consumer-packaged form not so packaged in the plant during the month, and disposed of without further processing or packaging; and

(2) In series beginning with the lowest priced utilization, the remaining pounds of such butterfat;

3. Amend § 1011.51 to read as follows:

**§ 1011.51 Class I milk price.**

Through November 1961, subject to the provisions of § 1011.54, the minimum price to be paid by each handler for milk received at his fluid milk plant from producers or the fluid milk plant of a cooperative association during the month and utilized as Class I milk shall be the basic formula price for the preceding month, plus the applicable amounts specified below for the marketing area zone in which such plant is located. For plants located outside the marketing area and west of Lake Michigan the price (subject to § 1011.55) shall be that specified for Zone 1. For plants located outside the marketing area and east of Lake Michigan the price (subject to § 1011.55) shall be that specified for Zone 2.

Zone	Months of Mar. through June	Months of Jan., Feb., and Dec.	Months of July through Nov.
1(a)-----	\$0.65	\$0.85	\$1.05
1-----	.75	.95	1.15
2-----	.95	1.15	1.35

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

Issued at Washington, D.C., this 22d day of June 1960, to be effective on and after the 1st day of July 1960.

CLARENCE L. MILLER,  
Assistant Secretary.

[F.R. Doc. 60-5933; Filed, June 27, 1960;  
8:49 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER A—MEAT INSPECTION REGULATIONS

#### PART 14—TANKING AND DENATURING CONDEMNED CARCASSES AND PARTS

##### Required Permits for Specimens for Educational, Research, and Other Nonfood Purposes

Pursuant to the authority conferred by the Meat Inspection Act, as amended and extended (21 U.S.C. 71-96), § 14.5 of the Meat Inspection Regulations (9 CFR 14.5) is amended to read as follows:

§ 14.5 Specimens for educational, research, and other nonfood purposes; permits for, required.

(a) Specimens of diseased, condemned, or inedible materials, including embryos and specimens of animal parasites, may be released for educational, research or other nonfood purposes under permit issued by the inspector in charge: *Provided*, That the person desiring such specimens makes a written application to such inspector for such permit on M.I. Form 403-10 and arranges with and receives permission from the official establishment to obtain the specimens. Permits shall be issued for a period not longer than one year. The permit may be revoked by the inspector in charge if the specimens are not used as stated in the application, or if the collection or handling of the specimens interferes with inspection or the maintenance of sanitary conditions in the establishment.

(b) The collection and handling of the specimens referred to in paragraph (a) of this section shall be at such time and place and in such a manner as not to interfere with the inspection or to cause any objectionable condition.

(34 Stat. 1264; 21 U.S.C. 89)

The foregoing amendment merely simplifies the procedure for obtaining release from inspected establishments of specimens for research and certain other nonfood purposes, now eligible for such release. In order to be of maximum benefit to affected persons, 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 publication of notice of rule-making and other public procedure with respect to the amendment are impracticable and unnecessary and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

The amendment shall become effective on June 28, 1960.

No. 125—4

Done at Washington, D.C., this 22d day of June 1960.

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

[F.R. Doc. 60-5934; Filed, June 27, 1960; 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. Q]

#### PART 217—PAYMENT OF INTEREST ON DEPOSITS

##### Monthly Payments by Check

§ 217.116 Monthly payment by check of interest on deposits.

(a) The Board has recently considered the question whether a member bank's plan for payment of interest on a one-year time certificate of deposit conforms with the requirements of Part 217. Under this plan the bank would pay interest monthly by means of check in an amount equal to one-twelfth of the amount that would have been paid for the year if the bank had compounded interest quarterly at the maximum permissible rate of 3 percent.

(b) Section 217.6 prohibits a member bank from paying interest on a savings deposit or on a time deposit having a maturity of 6 months or more "at a rate in excess of 3 percent per annum, compounded quarterly, regardless of the basis upon which such interest may be computed." A footnote states that this limitation "is not to be interpreted as preventing the compounding of interest at other than quarterly intervals, provided that the aggregate amount of such interest so compounded does not exceed the aggregate amount of interest at the rate above prescribed when compounded quarterly."

(c) These provisions in effect permit a member bank to pay interest in an amount somewhat greater than that paid on a straight 3 percent basis if the bank's practice is to compound interest, provided that on whatever basis interest is compounded the amount "so compounded" does not exceed the amount that would have been paid at the maximum rate when compounded quarterly. The regulation does not prevent a member bank from paying interest monthly by check instead of compounding interest. However, the regulation does not contemplate payment of interest in excess of a straight or simple rate of 3 percent except where it is paid on interest left in the account, that is, where interest is compounded. Accordingly, a plan under which monthly payments are made by check in an amount equal to one-twelfth of the amount that would have been paid for a year if the bank had compounded interest quarterly at

a rate of 3 percent would not be in accordance with the regulation.

(d) The same principles would, of course, apply to monthly payments of interest by check on a time deposit having a maturity of less than 6 months and on which the maximum permissible rate would be 2½ percent or 1 percent. They would equally apply to monthly payments of interest on savings deposits.

(Sec. 11(1), 38 Stat. 262; 12 U.S.C. 248(1). Interprets or applies secs. 19, 24, 38 Stat. 270, 273, as amended, sec. 8, 48 Stat. 168, as amended; 12 U.S.C. 264(c)(7), 371, 371a, 371b, 461)

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,  
[SEAL] MERRITT SHERMAN,  
Secretary.

[F.R. Doc. 60-5918; Filed, June 27, 1960; 8:47 a.m.]

[Reg. U]

#### PART 221—LOANS BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING REGISTERED STOCKS

##### Capacity as Trustee

§ 221.112 Loans by bank in capacity as trustee.

(a) The Board's advice has been requested whether a bank's activities in connection with the administration of an employees' savings plan are subject to Part 221.

(b) Under the plan, any regular, full-time employee may participate by authorizing the sponsoring company to deduct a percentage of his salary and wages and transmit the same to the bank as trustee. Voluntary contributions by the company are allocated among the participants. A participant may direct that funds held for him be invested by the trustee in insurance, annuity contracts, Series E Bonds, or in one or more of three specified securities which are listed on a stock exchange. Loans to purchase the stocks may be made to participants from funds of the trust, subject to approval of the administrative committee, which is composed of five participants, and of the trustee. The bank's right to approve is said to be restricted to the mechanics of making the loan, the purpose being to avoid cumbersome procedures.

(c) Loans are secured by the credit balance of the borrowing participants in the savings fund, including stock, but excluding (in practice) insurance and annuity contracts and government securities. Additional stocks may be, but, in practice, have not been pledged as collateral for loans. Loans are not made, under the plan, from bank funds, and participants do not borrow from the bank upon assignment of the participants' accounts in the trust.

(d) It is urged that loans under the plan are not subject to this Part 221 because a loan should not be considered as having been made by a bank where the bank acts solely in its capacity of trustee, without exercise of any discretion.

**RULES AND REGULATIONS**

(e) The Board reviewed this question upon at least one other occasion in recent years, and full consideration has again been given to the matter. After considering the arguments on both sides, the Board has reaffirmed its earlier view that, in conformity with interpretation not published in CFR which was published at page 874 of the 1946 Federal Reserve Bulletin, this Part 221 applies to the activities of a bank when it is acting in its capacity as trustee. Although the bank in that case had at best a limited discretion with respect to loans made by it in its capacity as trustee, the Board concluded that this fact did not affect the application of the regulation to such loans.

(Sec. 23(a), 48 Stat. 901, as amended; 15 U.S.C. 78w. Interprets or applies secs. 3, 7, 17, 48 Stat. 882, 886, 897, as amended; 15 U.S.C. 78c, 78g, 78q)

**BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,**  
[SEAL] **MERRITT SHERMAN,**  
*Secretary.*

[F.R. Doc. 60-5917; Filed, June 27, 1960;  
8:47 a.m.]

**PART 224—DISCOUNT RATES**

**Advances and Discounts to Member  
Banks and Others**

Pursuant to section 14(d) of the Federal Reserve Act, and for the purpose of adjusting discount rates with a view to accommodating commerce and business in accordance with other related rates and the general credit situation of the country, Part 224 is amended as set forth below:

1. Section 224.2 is amended to read as follows:

§ 224.2 Advances and discounts for member banks under sections 13 and 13a.

The rates for all advances and discounts under section 13 and 13a of the Federal Reserve Act (except advances under the last paragraph of such section 13 to individuals, partnerships or corporations other than member banks) are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	3½	June 14, 1960
New York.....	3½	June 10, 1960
Philadelphia.....	3½	June 3, 1960
Cleveland.....	3½	June 10, 1960
Richmond.....	3½	June 10, 1960
Atlanta.....	3½	June 13, 1960
Chicago.....	3½	June 10, 1960
St. Louis.....	3½	June 10, 1960
Minneapolis.....	3½	June 10, 1960
Kansas City.....	3½	June 10, 1960
Dallas.....	3½	June 10, 1960
San Francisco.....	3½	June 3, 1960

2. Section 224.3 is amended to read as follows:

§ 224.3 Advances to member banks under section 10(b).

The rates for advances to member banks under section 10(b) of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	4	June 14, 1960
New York.....	4	June 10, 1960
Philadelphia.....	4	June 3, 1960
Cleveland.....	4	June 10, 1960
Richmond.....	4	June 10, 1960
Atlanta.....	4	June 13, 1960
Chicago.....	4	June 10, 1960
St. Louis.....	4	June 10, 1960
Minneapolis.....	4	June 10, 1960
Kansas City.....	4	June 10, 1960
Dallas.....	4	June 10, 1960
San Francisco.....	4	June 3, 1960

3. Section 224.4 is amended to read as follows:

§ 224.4 Advances to persons other than member banks.

The rates for advances to individuals, partnerships or corporations other than member banks secured by direct obligations of the United States under the last paragraph of section 13 of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	4½	June 14, 1960
New York.....	4½	June 10, 1960
Philadelphia.....	5	Sept. 18, 1959
Cleveland.....	5	Sept. 11, 1959
Richmond.....	4½	June 10, 1960
Atlanta.....	5	Sept. 14, 1959
Chicago.....	4½	June 10, 1960
St. Louis.....	4½	June 10, 1960
Minneapolis.....	4½	June 10, 1960
Kansas City.....	4½	June 10, 1960
Dallas.....	5	Sept. 11, 1959
San Francisco.....	4½	June 3, 1960

For the reasons and good cause found as stated in § 224.7, there is no notice, public participation, or deferred effective date in connection with this action.

(Sec. 11(1), 38 Stat. 262; 12 U.S.C. 248(1). Interpret or apply sec. 14(d), 38 Stat. 264, as amended; 12 U.S.C. 357)

**BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,**  
[SEAL] **MERRITT SHERMAN,**  
*Secretary.*

[F.R. Doc. 60-5935; Filed, June 27, 1960;  
8:49 a.m.]

**Title 14—AERONAUTICS AND  
SPACE**

**Chapter III—Federal Aviation Agency**

**SUBCHAPTER E—AIR NAVIGATION  
REGULATIONS**

[Airspace Docket No. 59-KC-6]

**PART 600—DESIGNATION OF  
FEDERAL AIRWAYS**

**Modification**

On December 16, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 10161) stating that the Federal Aviation Agency proposed the realignment of the north alternate to VOR Federal airway No. 14 and the south alternates to VOR Federal airways No. 14 and 210 between Terre Haute, Ind., and Indianapolis, Ind.

Subsequent to the notice, further study revealed that the intersection of Victor

14 S and Victor 210 S via the Terre Haute VOR 080° True and the Indianapolis VORTAC 230° True radials would not coincide with the intersection formed by VOR Federal airway No. 11 W. Therefore, the south alternates to Victor 14 and Victor 210 are designated via the Terre Haute VOR 079° True and the Indianapolis VORTAC 230° True radials. This change is minor in nature in that it represents a correction of only one degree and is reflected in the amendment. The notice stated that the north alternate to Victor 14 between Terre Haute and Indianapolis was a standard alternate. This alternate airway had been nonstandard and is being realigned as a standard alternate. The amendment to § 600.6210 includes a change in the caption of the section to more accurately describe the airway. Relocation of the Terre Haute VOR has been rescheduled and will now be commissioned at the new site approximately October 20, 1960.

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.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, §§ 600.6014 (24 F.R. 10506; 25 F.R. 5328) and 600.6210 (24 F.R. 10522; 25 F.R. 5329) are amended as follows:

1. In the text of § 600.6014 VOR Federal airway No. 14 (Roswell, N. Mex., to Boston, Mass.), delete "including a north alternate via the INT of the Terre Haute VOR 052° and the Indianapolis VOR 273° radials and also a south alternate via the Terre Haute VOR 082° and the Indianapolis VOR 230° radials;" and substitute therefor "including a north alternate and a south alternate via the INT of the Terre Haute VOR 079° True and the Indianapolis VORTAC 230° True radials;"

2. Section 600.6210 VOR Federal airway No. 210 (Los Angeles, Calif., to Imperial, Pa.):

(a) In the caption delete "(Los Angeles, Calif., to Imperial, Pa.);" and substitute therefor "(Los Angeles, Calif., to Pueblo, Colo., and Kansas City, Mo., to Imperial, Pa.)."

(b) In the text delete "Terre Haute omnirange 082° and the Indianapolis omnirange 230° radials;" and substitute therefor "Terre Haute VOR 079° True and the Indianapolis VORTAC 230° True radials;"

These amendments shall become effective 0001 e.s.t., November 17, 1960.

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

Issued in Washington, D.C., on June 17, 1960.

**CHARLES W. CARMODY,**  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5880; Filed, June 27, 1960;  
8:45 a.m.]

[Airspace Docket No. 60-LA-14]

**PART 600—DESIGNATION OF  
FEDERAL AIRWAYS****PART 601—DESIGNATION OF THE  
CONTINENTAL CONTROL AREA,  
CONTROL AREAS, CONTROL  
ZONES, REPORTING POINTS, AND  
POSITIVE CONTROL ROUTE SEG-  
MENTS****Modification of Federal Airway and  
Associated Control Areas, Revoca-  
tion of Federal Airway and Asso-  
ciated Control Areas and Reporting  
Point and Designation of Reporting  
Point**

On March 26, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 2590) stating that the Federal Aviation Agency proposed to extend VOR Federal airway No. 263 and its associated control areas from Lamar, Colo., to Santa Fe, N. Mex., via the Tobe, Colo., VOR and a VOR to be commissioned approximately May 1, 1960, near Cimarron, N. Mex.; to revoke in its entirety VOR Federal airway No. 452 and its associated control areas; to revoke the Raton, N. Mex., VOR as a reporting point; and to designate the Cimarron, N. Mex., VOR as a reporting point. Subsequent to the publication of the notice, the commissioning date of the Cimarron VOR was rescheduled to August 25, 1960.

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.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons set forth in the notice, Parts 600 (24 F.R. 10487) and 601 (24 F.R. 10530) and §§ 600.6263 (24 F.R. 10524), 601.6263 (24 F.R. 10604) and 601.7001 (24 F.R. 10606) are amended as follows:

1. Section 600.6263 is amended to read:

§ 600.6263 VOR Federal airway No. 263 (Santa Fe, N. Mex., to Thurman, Colo.).

From the Santa Fe, N. Mex., VORTAC via the Cimarron, N. Mex., VOR; Tobe, Colo., VORTAC; Lamar, Colo., VOR; Hugo, Colo., VOR; to the Thurman, Colo., VOR.

§ 600.6452 [Revocation]

2. Section 600.6452 VOR Federal airway No. 452 (Raton, N. Mex., to Dalhart, Tex.) is revoked.

3. Section 601.6263 is amended to read:

§ 601.6263 VOR Federal airway No. 263 control areas (Santa Fe, N. Mex., to Thurman, Colo.).

All of VOR Federal airway No. 263.

§ 601.6452 [Revocation]

4. Section 601.6452 VOR Federal airway No. 452 control areas (Raton, N. Mex., to Dalhart, Tex.) is revoked.

**§ 601.7001 [Amendment]**

5. In the text of § 601.7001 Domestic VOR reporting points, "Raton N. Mex., omnirange station" is deleted and "Cimarron, N. Mex., VOR" is added.

These amendments shall become effective 0001 e.s.t. August 25, 1960.

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

Issued in Washington, D.C., on June 17, 1960.

CHARLES W. CARMODY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5879; Filed, June 27, 1960;  
8:45 a.m.]

[Airspace Docket No. 60-WA-87]

**PART 600—DESIGNATION OF  
FEDERAL AIRWAYS****PART 601—DESIGNATION OF THE  
CONTINENTAL CONTROL AREA,  
CONTROL AREAS, CONTROL  
ZONES, REPORTING POINTS, AND  
POSITIVE CONTROL ROUTE SEG-  
MENTS****Designation of Federal Airway and  
Associated Control Areas**

On April 9, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 3087) stating that the Federal Aviation Agency was proposing to designate VOR Federal airway No. 307 and associated control areas from the Victoria, British Columbia, L/MF radio range direct to the Vancouver, British Columbia, VOR, excluding that portion outside the United States.

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.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, Parts 600 (24 F.R. 10487) and 601 (24 F.R. 10530) are amended by adding the following:

§ 600.6307 VOR Federal airway No. 307 (Victoria, British Columbia, to Vancouver, British Columbia).

From the Victoria, British Columbia, RR to the Vancouver, British Columbia, VOR.

§ 601.6307 VOR Federal airway No. 307 control areas (Victoria, British Columbia, to Vancouver, British Columbia).

All of VOR Federal airway No. 307.

This amendment shall become effective 30 days after 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 June 17, 1960.

CHARLES W. CARMODY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5877; Filed, June 27, 1960;  
8:45 a.m.]

[Airspace Docket No. 60-WA-128]

**PART 601—DESIGNATION OF THE  
CONTINENTAL CONTROL AREA,  
CONTROL AREAS, CONTROL  
ZONES, REPORTING POINTS, AND  
POSITIVE CONTROL ROUTE SEG-  
MENTS****Revocation of Prohibited Area and  
Modification of Control Area Ex-  
tension**

The purpose of these amendments is to modify Executive Order 10127 by repealing the airspace reservation, hereinafter referred to as Prohibited Area (P-78), established over the Clinton Engineering Works, Oak Ridge, Tenn., and to amend § 601.1126 of the regulations of the Administrator by modifying the Knoxville, Tenn., control area extension.

The Clinton Engineering Works Prohibited Area (P-78) was established at Oak Ridge by Presidential Executive Order 10127 (paragraph 1 thereof) dated May 23, 1950 (15 F.R. 3171) at the request of the Atomic Energy Commission for national defense and other governmental purposes. The prohibited area is in effect continuously from the surface to an unlimited altitude and encompasses the area beginning at latitude 36°00'25" N., and longitude 84°07'05" W.; thence to latitude 35°51'35" N., longitude 84°16'25" W.; thence to latitude 35°52'10" N., longitude 84°24'15" W.; thence to latitude 35°55'45" N., longitude 84°29'30" W.; thence to latitude 36°05'05" N., longitude 84°13'30" W.; thence to the point of beginning.

The Federal Aviation Agency has received information from the Atomic Energy Commission stating that there is no longer a requirement for this prohibited area. Therefore, the retention of Prohibited Area P-78 is no longer justified as an assignment of airspace and the revocation thereof is in the public interest.

A portion of the Knoxville, Tenn., control area extension penetrates Prohibited Area P-78 and is excluded from P-78 in the control area extension's description. Since the action taken herein revokes P-78, the reference to P-78 in the description of the Knoxville control area extension is no longer required and is deleted.

Since this amendment reduces a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary and it may be made effective immediately.

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

1. In Executive Order 10127 (15 F.R. 3171), the Clinton Engineering Works, Oak Ridge, Tenn., Prohibited Area (P-

78) (Chattanooga and Nashville Charts) is revoked.

2. In the text of § 601.1126 (24 F.R. 10553), "The airspace which lies within Prohibited Area P-78 is excluded." is deleted.

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a), 313(a), 1501(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354, 1301 note)

Issued in Washington, D.C., on June 16, 1960.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 60-5878; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 59-FW-26]

## PART 608—RESTRICTED AREAS

### Modification and Redesignation

The purpose of this amendment to § 608.13 of the regulations of the Administrator is to divide the Fort Chaffee, Ark., Restricted Area (R-215) (Little Rock Chart) into a west area (R-215A) and an east area (R-215B); modify the designated altitudes and time of use, and change the controlling agency.

Restricted Area (R-215) is presently designated from the surface to 26,000 feet MSL; time of use continuous, and the controlling agency, the Commanding General, Fort Chaffee, Ark. A joint Federal Aviation Agency, Department of the Army study of the activities currently conducted in this area indicated that certain modifications in the description and time of use of the area are feasible and would promote the more efficient utilization of airspace. The area, when restricted, will be utilized by reserve components of the Department of the Army for training purposes. Small arms firing to include pistols, rifles, machine guns, mortars and rocket launchers will be conducted in the west segment of the area (R-215A). Firing of heavy field artillery, to include 8-inch howitzers, will be conducted in the east portion of the area (R-215B). These activities will be confined to the summer months and to Saturdays and Sundays for the balance of the year.

Restricted Area (R-215A) will include the section of existing Restricted Area (R-215) which lies west of Arkansas State Highway 96 and will be designated as Surface to 6,000 feet MSL. The time of designation shall be 0500 to 2200 local time, Monday through Saturday, July 1 through August 31; and 0500 to 1800 local time, Saturday and Sunday, September 1 through June 30.

Restricted Area (R-215B) will consist of that section of existing Restricted Area (R-215) which lies east of State Highway 96 and will be designated as Surface to 26,000 feet MSL. The time of designation shall be 0500 to 2200 local time, Monday through Saturday, July 1 through August 31; and 0500 to 1800 local time, Saturday and Sunday, September 1 through June 30. The con-

trolling agency of both areas shall be the Federal Aviation Agency. The Department of the Army concurs that these modified areas will adequately meet their current requirements.

Since this amendment reduces a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

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

1. Section 608.13 *Arkansas* (23 F.R. 8576; 24 F.R. 2233) is amended as follows:

(a) Fort Chaffee, Arkansas (R-215) (Little Rock Chart) is revoked.

(b) Fort Chaffee, Arkansas, Restricted Area (R-215A) (Little Rock Chart) is added to read:

#### *Description by geographical coordinates.*

Beginning at latitude 35°17'30" N., longitude 94°12'17" W.;  
thence S to latitude 35°14'30" N., longitude 94°12'15" W.;  
thence SW to latitude 35°14'00" N., longitude 94°13'00" W.;  
thence W to latitude 35°14'00" N., longitude 94°15'00" W.;  
thence NW to latitude 35°14'45" N., longitude 94°18'30" W.;  
thence N to latitude 35°18'15" N., longitude 94°17'00" W.;  
thence E to the point of beginning.

*Designated altitudes.* Surface to 6,000 feet, MSL.

*Time of designation.* From 0500 to 2200 local time, Monday through Saturday, July 1 through August 31. From 0500 to 1800 local time, Saturday and Sunday, September 1 through June 30.

*Controlling agency.* FAA St. Louis ARTC Center.

(c) Fort Chaffee, Arkansas, Restricted Area (R-215B) (Little Rock Chart) is added to read:

#### *Description by geographical coordinates.*

Beginning at latitude 35°17'30" N., longitude 94°12'17" W.; thence E to latitude 35°16'00" N., longitude 94°01'30" W.; thence S to latitude 35°11'30" N., longitude 94°01'30" W.; thence W to latitude 35°11'30" N., longitude 94°10'00" W.; thence N to latitude 35°14'00" N., longitude 94°10'00" W.; thence W to latitude 35°14'00" N., longitude 94°13'00" W.; thence NE to latitude 35°14'30" N., longitude 94°12'15" W.; thence N to a point of beginning.

*Designated altitudes.* Surface to 26,000 feet, MSL.

*Time of designation.* From 0500 to 2200 local time, Monday through Saturday, July 1 through August 31. From 0500 to 1800 local time, Saturday and Sunday, September 1 through June 30.

*Controlling agency.* FAA St. Louis ARTC Center.

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 June 16, 1960.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 60-5883; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-174]

## PART 608—RESTRICTED AREAS

### Modification and Revocation

On September 19, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 7585) stating that the Federal Aviation Agency was proposing an amendment to § 608.14 of the regulations of the Administrator, which would modify the following restricted areas in the State of California: Complex (R-484), Camp Irwin (R-276), Cuddeback Dry Lake (R-447), Trona (R-277), Muroc Lake (R-279), Saline Valley (R-485), all located within Complex R-484 and Bullion Mountains (R-344).

As stated in the notice, the Federal Aviation Agency proposed to combine the Saline Valley Restricted Area (R-485) with Complex Restricted Area (R-484) within which it is presently encompassed. Although the notice proposed to enlarge the combined geographical area, such action is not now being taken for reasons contained herein.

The Camp Irwin (R-276), Cuddeback Dry Lake (R-447), Trona (R-277), and the Muroc Lake (R-279) restricted areas, all contained within Complex (R-484) were proposed to be combined as the Muroc Lake, Calif., Restricted Area (R-279). The geographical area encompassed by this proposed modification would not change.

The Bullion Mountains Restricted Area (R-344) was to be modified by revoking the portion in the northwest corner of the restricted area which overlies VOR Federal airways Nos. 8, 21, 1518, and 1520, thereby relieving these airways from present altitude restriction.

A public hearing was held October 29, 1959, at the Mission Inn Hotel, Riverside, Calif., at which time all interested persons were given an opportunity to submit views or arguments, in writing or orally concerning the proposal.

As a result of the hearing, certain positions have been brought to the attention of the Federal Aviation Agency. The Department of Defense states that no requirement exists at this time for the expansion of Complex (R-484) to the north and west as proposed. Further, the consolidation of these restricted areas and redesignation as two separate restricted areas is not practical from a users standpoint because of the many differing agencies within the Department of Defense and the various segments of the aviation industry using the areas for flight test purposes. They also requested that the modification of the southwest corner of Complex (R-484) be held in abeyance pending further study of its effect on the Palmdale, Calif., terminal area. The Federal Aviation Agency does not consider the designation of a restricted area for the purpose of protecting terminal military traffic justified since this is not the purpose for which restricted areas are intended.

The Aerospace Industries Association concurred with the Department of Defense comments.

The California Aeronautics Commission, California Association of Airports and the County of San Bernardino, Calif., concurred in the proposal provided no lower altitude restrictions were placed on Complex (R-484). They also recommended that the Federal Aviation Agency be designated the controlling agency of Complex (R-484) and all restricted areas contained within the Complex as well as R-344. Mr. Robert C. Davis, owner and operator of the Ridgecrest-Davis Airport, Ridgecrest, Calif., concurred in the proposal.

In so far as the actions proposed in 59-WA-174 are concerned, Mr. Albert J. Huber, Aviation Director, Kern County, Calif., concurred in the combining of R-279 and Complex (R-484) and recommended a central controlling agency be designated for the entire complex.

As a result of the hearing and all other available data, the Federal Aviation Agency is taking the following action: Complex (R-484), external boundary of R-484 and area to remain as presently designated with the exception of the southwest corner, and that will be designated along the following coordinates from latitude 34°56'00" N., longitude 118°21'00" W., to latitude 35°15'00" N., longitude 118°35'00" W. Bullion Mountains Restricted Area (R-344), boundary to remain as presently designated with the exception of the northwest corner and that will be designated along coordinates latitude 34°30'00" N., longitude 116°26'30" W., to latitude 34°40'30" N., longitude 116°29'40" W., to latitude 34°43'00" N., longitude 116°26'20" W. The above boundary redesignations will reduce to a slight extent the size of restricted areas R-344 and Complex (R-484) thereby providing additional airspace that will permit airway widths in the area to meet the minimum criteria. Saline Valley Restricted Area (R-485), located within the geographical boundaries of Complex Restricted Area (R-484) is being revoked because the report required by Special Airspace Regulation No. 1 (24 F.R. 5898) did not indicate sufficient utilization or justification for its continued separate designation. However, as pointed out in the Notice, R-485 was under joint use and, thus, there remains justification for the retention of the area within the confines of R-484. The remaining restricted areas will remain as presently designated with the exception of the controlling agency for Complex (R-484), including the restricted areas therein, and R-344 which are changed to the Federal Aviation Agency.

No other comments were received concerning 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, the following action is taken:

In § 608.14 *California*:

(a) The Complex, Calif., Restricted Area (R-484) (Los Angeles-Mt. Whitney Charts) (23 F.R. 8577) is amended as follows:

*Description by geographical coordinates.*

In the text delete "thence to latitude 35°00'00"; longitude 118°35'00";" and substitute therefor "thence to latitude 34°56'00" N., longitude 118°21'00" W.; thence to latitude 35°15'00" N., longitude 118°35'00" W.;"

*Controlling agency* is amended to read: The Federal Aviation Agency, Los Angeles ARTC Center.

(b) The Camp Irwin, Calif., Restricted Area (R-276) (Los Angeles Chart) (23 F.R. 8576, 24 F.R. 524) *Controlling agency* is amended to read: The Federal Aviation Agency, Los Angeles ARTC Center.

(c) The Cuddeback Dry Lake, Calif., Restricted Area (R-447) (Los Angeles Chart) (23 F.R. 8577) *Controlling agency* is amended to read: The Federal Aviation Agency, Los Angeles ARTC Center.

(d) The Trona, Calif., Restricted Area (R-277) (Los Angeles Chart) (23 F.R. 8578) *Controlling agency* is amended to read: The Federal Aviation Agency, Los Angeles ARTC Center.

(e) The Muroc Lake, Calif., Restricted Area (R-279) (Los Angeles Chart) (23 F.R. 8577, 24 F.R. 3875, 5116) *Controlling agency* is amended to read: The Federal Aviation Agency, Los Angeles ARTC Center.

(f) The Saline Valley, Calif., Restricted Area (R-485) (Mt. Whitney Chart) (23 F.R. 8578, 24 F.R. 3875) is revoked.

(g) The Bullion Mountains, Calif., Restricted Area (R-344) (Los Angeles Chart) (23 F.R. 8576, 24 F.R. 524) is amended as follows:

*Description by geographical coordinates.*

In the text delete "thence to latitude 34°31'00", longitude 116°27'30"; thence to latitude 34°43'00", longitude 116°32'45";" and substitute therefor "thence to latitude 34°30'00" N., longitude 116°26'30" W.; thence to latitude 34°40'30" N., longitude 116°29'40" W.; thence to latitude 34°43'00" N., longitude 116°26'20" W.;"

*Designated altitudes* is amended to read: Surface to unlimited.

*Controlling agency* is amended to read: The Federal Aviation Agency, Los Angeles ARTC Center.

These amendments shall become effective 0001 e.s.t., August 25, 1960.

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

Issued in Washington, D.C., on June 16, 1960.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 60-5889; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 59-LA-3]

**PART 608—RESTRICTED AREAS**  
**Designation of Restricted Area/  
Military Climb Corridor**

On December 5, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 9792) stating that the Federal Aviation Agency was considering an amendment to § 608.14 of the regulations of the Administrator which would designate a Restricted

Area/Military Climb Corridor at George Air Force Base, Victorville, Calif.

As stated in the notice, the military climb corridor, designated as a restricted area, would confine high speed, high rate-of-climb Century series aircraft departing from the airbase on active air defense missions within a relatively small area. The restricted area would provide protection for these aircraft and other users of the airspace during the climb phase of the air defense mission.

The notice described the proposed Restricted Area/Military Climb Corridor as being centered on the 250° True radial of the George Air Force Base TVOR, extending from 5 statute miles west of the airbase to 30 statute miles west of the airbase expanding uniformly from a width of 2 statute miles at the beginning to 4.6 statute miles at the outer extremity. The lower altitude limits would extend in graduated steps from 4,900 feet MSL to 21,900 feet MSL. The upper altitude limits would extend in graduated steps from 17,900 feet MSL to 27,000 feet MSL. The time of use would be continuous, and the controlling agency would be George Air Force Base Approach Control. The controlling agency of a Restricted Area/Military Climb Corridor will authorize aircraft to operate within and through the area when it is not in use.

Comments objecting to the designation of this Restricted Area/Military Climb Corridor were submitted by sailplane soaring associations and organizations and from the owner of the El Mirage Field. The El Mirage Field is a small field approximately 12 miles west of George AFB which functions primarily as a base serving sailplane and soaring activities. Mr. William G. Briegleb, owner of El Mirage states that the corridor will seriously affect flying in the area and curtail activities at his field. Mr. Briegleb questions the necessity for the low floor of the corridor, or for the designation of a corridor at all. Other comments from interested groups and organizations state and contend: that while the purpose and safety feature of a military climb corridor is recognized, objection is made regarding the location and configuration of this corridor; that sailplanes do not have sufficient radio equipment to obtain clearance through such a restricted area when it is not in use; that the floor of the proposed corridor is unnecessarily low in its first stages; that if a corridor must be used, it should be centered on a radial of the George AFB TVOR between 200° and 220° True; that the corridor will seriously hinder sailplane activity at El Mirage Field; that such restrictions to civil aviation "far outnumber and outweigh the military benefits", and that the corridor would conflict with El Mirage Field, Hansen Airport and Federal airways Green 4, Blue 14, and Victor 12, Victor 137 and Victor 201. These comments, received from the Soaring Society of America, Inc.; the Southern California Soaring Association, Inc.; the Antelope Valley Soaring Club, and the California Aeronautics Commission, all reflect concern over the adverse effects the corridor

will have on soaring activities at El Mirage Field.

Similar written objections to the corridor, though not received in response to the Notice, but resulting from the original proposal as presented before the Regional Airspace Subcommittee of the Air Coordinating Committee, have also been given careful consideration.

The Federal Aviation Agency fully appreciates its responsibilities in serving all aviation interests and will continue to exert every effort toward the equitable and efficient allocation of airspace consistent with safety and military defense requirements. In this instance, an Air Defense commitment exists at George AFB, and increased safety to all users of surrounding airspace dictates the designation of a restricted area/military climb corridor. George AFB is situated in a complex area surrounded by Federal airways. Designating the corridor to the west from George AFB will cause conflict with segments of Federal airways Blue 14 and Victor 137, and may result in a proposal to revoke these segments. However, these are the least used of the surrounding airway segments that would otherwise be affected. Also, it is necessary to as closely as practicable approximate the scramble runway heading in designating a climb corridor. In order to alleviate the impact of the climb corridor on the soaring activities at El Mirage Field, the corridor is designated on the 242° True radial of the George AFB TVOR rather than the 250° True radial as proposed in the notice. This aligns the corridor as far south and away from El Mirage as possible without conflicting with heavily traveled Federal airways Victor 210 and Victor 8 north. Centered on this radial, the corridor will not conflict with Federal airways Green 4, Victor 12 or Victor 201, nor with the Hansen Airport. To further relieve, to all extent possible, the restrictive effect on local soaring activities, the floor of the corridor is modified herein in the stages between 7 and 15 statute miles from the airbase, with the exception of the 10-mile stage, by redefining the length of the stages and by raising the floor from that proposed in the Notice in the 7 through 9 and the 11 through 14-mile stages. This will result in the floor of the corridor being 4,900 feet MSL from 5 statute to 7 statute miles from the airbase; 5,900 feet MSL from 7 to 8 statute miles; 6,900 feet MSL from 8 to 9 statute miles; 7,900 feet MSL from 9 to 10 statute miles; 8,900 feet MSL from 10 to 11 statute miles; 9,900 feet MSL from 11 to 12 statute miles; 10,900 feet MSL from 12 to 13 statute miles; and 11,900 feet MSL from 13 to 15 statute miles, rather than the standard floor of 4,900 feet MSL from 5 to 10 statute miles from the airbase and 8,900 feet MSL from 10 to 15 statute miles as proposed in the Notice. The Department of the Air Force has concurred in these modifications of the proposal. It is true that to allow aircraft to transit the restricted area when it is not in use, the controlling agency must have two-way radio contact with such aircraft to exercise this controlling authority. However, in modifying the alignment and the floor of the corridor, additional airspace

has been provided which soaring aircraft may traverse without entering the corridor and obtaining the necessary clearance to do so.

The notice stated that the controlling agency of the climb corridor would be the George Air Force Base Approach Control. Subsequent to publication of the notice, the Palmdale Approach Control was commissioned and is providing approach control service for George AFB. Accordingly, Palmdale Approach Control is designated as the controlling agency.

No other adverse comments were received regarding the proposed 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, the following action is taken:

In § 608.14 *California*, (25 F.R. 8576) add the following:

Victorville, Calif., (George AFB) Restricted Area/Military Climb Corridor (R-578) (Los Angeles Chart).

*Description.* That area centered on the 242° True radial of the George Air Force Base terminal VOR extending from 5 statute miles west of the airbase to 30 statute miles west of the airbase having a width of 2 statute miles at the beginning and a width of 4.6 statute miles at the outer extremity.

*Designated altitudes.*

4,900 feet MSL to 17,900 feet MSL from 5 statute miles W of the airbase to 6 statute miles W of the airbase.

4,900 feet MSL to 26,900 feet MSL from 6 to 7 statute miles W of the airbase.

5,900 feet MSL to 27,000 feet MSL from 7 to 8 statute miles W of the airbase.

6,900 feet MSL to 27,000 feet MSL from 8 to 9 statute miles W of the airbase.

7,900 feet MSL to 27,000 feet MSL from 9 to 10 statute miles W of the airbase.

8,900 feet MSL to 27,000 feet MSL from 10 to 11 statute miles W of the airbase.

9,900 feet MSL to 27,000 feet MSL from 11 to 12 statute miles W of the airbase.

10,900 feet MSL to 27,000 feet MSL from 12 to 13 statute miles W of the airbase.

11,900 feet MSL to 27,000 feet MSL from 13 to 15 statute miles W of the airbase.

12,900 feet MSL to 27,000 feet MSL from 15 to 20 statute miles W of the airbase.

17,900 feet MSL to 27,000 feet MSL from 20 to 25 statute miles W of the airbase.

21,900 feet MSL to 27,000 feet MSL from 25 to 30 statute miles W of the airbase.

*Time of designation.* Continuous.

*Controlling agency.* Palmdale Approach Control.

This amendment shall become effective 0001 e.s.t. August 25, 1960.

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

Issued in Washington, D.C., on June 22, 1960.

JAMES T. PYLE,  
*Acting Administrator.*

[F.R. Doc. 60-5890; Filed, June 27, 1960; 8:46 a.m.]

[Airspace Docket No. 60-KC-14]

## PART 608—RESTRICTED AREAS

### Modification

The purpose of this amendment to § 608.22 of the regulations of the Admin-

istrator is to change the time of designation of the Camp Atterbury, Ind., Restricted Area (R-65) (Cincinnati Chart) from "Continuous" to "Sunrise to sunset."

Activities conducted in Restricted Area (R-65) consist of artillery firing, bombing, air-to-ground firing and aerial gunnery. The Department of the Army has requested that the time of designation for this restricted area be changed from "Continuous" to "Sunrise to sunset".

Since this amendment reduces a burden on the public, compliance with the notice, public procedure and effective date requirements of Section 4 of the Administrative Procedure Act is unnecessary and it may be made effective immediately.

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

In § 608.22, the Camp Atterbury, Ind., Restricted Area (R-65) (Cincinnati Chart) (23 F.R. 8580, 24 F.R. 2233, 3875, 7982) is amended by deleting "Continuous" and substituting therefor "Sunrise to sunset."

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 June 16, 1960.

JAMES T. PYLE,  
*Acting Administrator.*

[F.R. Doc. 60-5885; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 59-NY-14]

## PART 608—RESTRICTED AREAS

### Designation of Restricted Area/ Military Climb Corridor

On November 24, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 9431) stating that the Federal Aviation Agency was considering an amendment to § 608.27 of the regulations of the Administrator which would designate a Restricted Area/Military Climb Corridor at Loring Air Force Base, Limestone, Maine.

As stated in the notice, the Military Climb Corridor, designated as a Restricted Area, will 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 will provide protection for high speed air defense aircraft and other users of the airspace during the climb phase of the air defense aircraft mission. A portion of this Military Climb Corridor will extend into Canada. The Department of Transport of the Canadian Government has no objection to the extension of this Military Climb Corridor into the Province of New Brunswick, and agrees to designate the Canadian portion as Restricted Airspace. The overall dimensions of the proposed Restricted Area/Military Climb Corridor, including the Canadian and United States portions will be as follows:

That area centered on the 353° True radial of the Loring AFB TACAN from

5 statute miles north of the airbase to 32 statute miles north of the airbase, 2 statute miles wide at the beginning and uniformly expanding to a width of 4.6 statute miles at the outer extremity. The lower altitude limits in graduated steps will extend from 2,750 feet MSL to 19,750 feet MSL. The upper altitude limits will extend from 15,750 feet MSL to 27,000 feet MSL. Time of use will be continuous. The controlling agency will be the Loring AFB Approach Control. The controlling agency will authorize aircraft to operate within the Climb Corridor when not in use by active air defense aircraft.

No adverse comments were received regarding the proposed amendment. However, the Aircraft Owners and Pilots Association/National Aviation Trades Association Airspace Representative requested that consideration be given to raising the floor of the corridor in the areas from 6 to 7 and 7 to 10 statute miles from the airbase. The Federal Aviation Agency has coordinated this recommendation with the Department of the Air Force. The Air Force has indicated a requirement to maintain the present configuration of the climb corridors due to aircraft operating characteristics.

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, the following action is taken:

In § 608.27 *Maine*, (23 F.R. 8581) add the following:

Limestone, Maine (Loring AFB), Restricted Area/Military Climb Corridor (R-584) (Aroostook Chart).

*Description.* That area centered on the 353° True radial of the Loring AFB TACAN extending from 5 statute miles N of the airbase to 32 statute miles N of the airbase having a width of 2 statute miles at the beginning and a width of 4.6 statute miles at the outer extremity, excluding that portion which lies outside of the United States.

*Designated altitudes.*

2,750' MSL to 15,750' MSL from 5 statute miles N of the airbase to 6 statute miles N of the airbase.

2,750' MSL to 24,750' MSL from 6 to 7 statute miles N of the airbase.

2,750' MSL to 27,000' MSL from 7 to 10 statute miles N of the airbase.

6,750' MSL to 27,000' MSL from 10 to 15 statute miles N of the airbase, except that portion outside the United States.

10,750' MSL to 27,000' MSL from 15 statute miles N of the airbase northward to the United States/Canadian Border.

*Time of designation.* Continuous.

*Controlling agency.* Loring AFB Approach Control.

This amendment shall become effective 0001 e.s.t. August 25, 1960.

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

Issued in Washington, D.C., on June 16, 1960.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 60-5884; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 59-NY-48]

**PART 608—RESTRICTED AREAS**

**Modification**

The purpose of this amendment to § 608.29 of the regulations of the Administrator is to change the designated altitudes of the Camp Edwards, Mass., Restricted Area (R-14) (Boston Chart) from "surface to 26,000 feet" to "surface to 13,000 feet MSL".

Activities within R-14 consists of 105 mm and 155 mm howitzer firing. The Department of the Army no longer has a requirement for the airspace above 13,000 feet MSL within this restricted area and has concurred in the action to reduce the upper limit of Restricted Area (R-14) to 13,000 feet MSL.

Since this amendment reduces a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary and it may be made effective immediately.

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

In § 608.29 the *Camp Edwards, Mass., Restricted Area (R-14) (Boston Chart)* (23 F.R. 8582) is amended by deleting "Surface to 26,000 feet." and substituting therefor "Surface to 13,000 feet MSL."

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 June 16, 1960.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 60-5881; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-233]

**PART 608—RESTRICTED AREAS**

**Modification of Restricted Area/  
Military Climb Corridor**

On November 11, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 9212) stating that the Federal Aviation Agency was considering an amendment to § 608.38 of the regulations of the Administrator which would modify the upper altitude limits of the Wrightstown (McGuire AFB), N.J., Restricted Area/Military Climb Corridor (R-539).

As stated in the notice, the present McGuire AFB climb corridor extends from a point 5 statute miles southwest of the airbase on the 226° True radial of the McGuire TVOR to a point 32 statute miles southwest of the airbase. The lower altitude limits extend in graduated steps from 2,100 feet MSL to 19,100 feet MSL. The upper altitude limits extend from 10,100 feet MSL to 27,000 feet MSL. The upper altitude limits of the present climb corridor will not contain later models of the Century series aircraft due to the ability of the aircraft to reach high speed and high rate of climb in a short time after takeoff. Accordingly,

to provide protection for the air defense Century series aircraft and other aircraft operating in the vicinity of the airbase, the Federal Aviation Agency is raising the upper altitude limits of the climb corridor. This action will result in the upper altitude limits of the McGuire AFB climb corridor extending from 15,100 feet MSL to 27,000 feet MSL.

No adverse comments were received regarding the proposed amendment. However, the Aircraft Owners and Pilots Association/National Aviation Trades Association Airspace Representative requested that consideration be given to raising the floor of the corridor in the steps from 6 to 7 and 7 to 10 statute miles from the airbase. The Federal Aviation Agency has coordinated this recommendation with the Department of the Air Force. The Air Force has indicated a requirement to maintain the present configuration of the climb corridors due to aircraft operating characteristics.

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, the following action is taken:

In § 608.38 *New Jersey, Wrightstown (McGuire AFB), N.J., Restricted Area/Military Climb Corridor (R-539) (Washington Chart)* (24 F.R. 1832) is amended to read:

*Description.* That area centered on the 226° True radial of the McGuire TVOR extending from 5 statute miles SW of the airbase to 32 statute miles SW of the airbase having a width of 2 statute miles at the beginning and a width of 4.6 statute miles at the outer extremity.

*Designated altitudes.*

2,100' MSL to 15,100' MSL from 5 statute miles SW of the airbase to 6 statute miles SW of the airbase.

2,100' MSL to 24,100' MSL from 6 to 7 statute miles SW of the airbase.

2,100' MSL to 27,000' MSL from 7 to 10 statute miles SW of the airbase.

6,100' MSL to 27,000' MSL from 10 to 15 statute miles SW of the airbase.

10,000' MSL to 27,000' MSL from 15 to 20 statute miles SW of the airbase.

15,100' MSL to 27,000' MSL from 20 to 25 statute miles SW of the airbase.

19,100' MSL to 27,000' MSL from 25 to 32 statute miles SW of the airbase.

*Time of designation.* Continuous.

*Controlling agency.* McGuire AFB Approach Control.

This amendment shall become effective 0001 e.s.t., August 25, 1960.

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

Issued in Washington, D.C., on June 16, 1960.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 60-5888; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-234]

**PART 608—RESTRICTED AREAS**

**Modification of Restricted Area/  
Military Climb Corridor**

On November 11, 1959, a notice of proposed rule-making was published in

## RULES AND REGULATIONS

the FEDERAL REGISTER (24 F.R. 9215) stating that the Federal Aviation Agency was considering an amendment to § 608.40 of the regulations of the Administrator which would modify the upper altitude limits of the Westhampton Beach (Suffolk AFB), N.Y., Restricted Area/Military Climb Corridor (R-545).

As stated in the notice, the present Suffolk AFB climb corridor extends from a point 5 statute miles northeast of the airbase on the 039° True radial of the Suffolk TVOR to a point 32 statute miles northeast of the airbase. The lower altitude limits extend in graduated steps from 2,100 feet MSL to 19,100 feet MSL. The upper altitude limits extend from 10,100 feet MSL to 27,000 feet MSL. The upper altitude limits of the present climb corridor will not contain later models of the Century series aircraft due to the ability of the aircraft to reach high speed and high rate of climb in a short time after takeoff. Accordingly, to provide protection for the air defense Century series aircraft and other aircraft operating in the vicinity of the airbase, the Federal Aviation Agency is raising the upper altitude limits of the climb corridor. This action will result in the upper altitude limits of the Suffolk AFB climb corridor extending from 15,100 feet MSL to 27,000 feet MSL.

No adverse comments were received regarding the proposed amendment. However, the Aircraft Owners and Pilots Association/National Aviation Trades Association Airspace Representative requested that consideration be given to raising the floor of the corridor in the steps from 6 to 7 and 7 to 10 statute miles from the airbase. The Federal Aviation Agency has coordinated this recommendation with the Department of the Air Force. The Air Force has indicated a requirement to maintain the present configuration of the climb corridors due to aircraft operating characteristics.

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, the following action is taken:

In § 608.40 *New York*, Westhampton Beach, N.Y. (Suffolk AFB), Restricted Area/Military Climb Corridor (R-545) (New York Chart) (23 F.R. 9135) is amended to read:

*Description.* That area centered on the 039° True radial of the Suffolk TVOR extending from 5 statute miles NE of the airbase to 32 statute miles NE of the airbase having a width of 2 statute miles at the beginning and 4.6 statute miles at the outer extremity.

*Designated altitudes.*

2,100' MSL to 15,100' MSL from 5 statute miles NE of the airbase to 6 statute miles NE of the airbase.

2,100' MSL to 24,100' MSL from 6 to 7 statute miles NE of the airbase.

2,100' MSL to 27,000' MSL from 7 to 10 statute miles NE of the airbase.

6,100' MSL to 27,000' MSL from 10 to 15 statute miles NE of the airbase.

10,100' MSL to 27,000' MSL from 15 to 20 statute miles NE of the airbase.

15,100' MSL to 27,000' MSL from 20 to 25 statute miles NE of the airbase.

19,100' MSL to 27,000' MSL from 25 to 32 statute miles NE of the airbase.

*Time of designation.* Continuous.

*Controlling agency.* Suffolk AFB Approach Control.

This amendment shall become effective 0001 e.s.t. August 25, 1960.

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

Issued in Washington, D.C., on June 16, 1960.

JAMES T. PYLE,  
*Acting Administrator.*

[F.R. Doc. 60-5886; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 59-WA-231]

**PART 608—RESTRICTED AREAS****Modification of Restricted Area/  
Military Climb Corridor**

On November 11, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 9213) stating that the Federal Aviation Agency was considering an amendment to § 608.40 of the regulations of the Administrator which would modify the upper altitude limits of the Rome (Griffiss AFB), N.Y., Restricted Area/Military Climb Corridor (R-544).

As stated in the notice, the present Griffiss AFB climb corridor extends from a point 5 statute miles northwest of the airbase on the 138° True and the 318° True radials of the Griffiss TVOR to a point 32 statute miles northwest of the airbase. The lower altitude limits extend in graduated steps from 2,500 feet MSL to 19,500 feet MSL. The upper altitude limits extend from 10,500 feet MSL to 27,000 feet MSL. The upper altitude limits of the present climb corridor will not contain later models of the Century series aircraft due to the ability of the aircraft to reach high speed and high rate of climb in a short time after takeoff. Accordingly, to provide protection for the air defense Century series aircraft and other aircraft operating in the vicinity of the airbase, the Federal Aviation Agency is raising the upper altitude limits of the climb corridor. This action will result in the upper altitude limits of the Griffiss AFB climb corridor extending from 15,500 feet MSL to 27,000 feet MSL.

No adverse comments were received regarding the proposed amendment. However, the Aircraft Owners and Pilots Association/National Aviation Trades Association Airspace Representative requested that consideration be given to raising the floor of the corridor in the steps from 6 to 7 and 7 to 10 statute miles from the airbase. The Federal Aviation Agency has coordinated this recommendation with the Department of the Air Force. The Air Force has indicated a requirement to maintain the present configuration of the climb corridors due to aircraft operating characteristics.

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, the following action is taken:

In § 608.40 *New York*, Rome (Griffiss AFB), N.Y., Restricted Area/Military Climb Corridor (R-544) (Albany Chart) (23 F.R. 9134) is amended to read:

*Description.* That area centered on the 138° and the 318° True radials of the Griffiss TVOR extending from 5 statute miles NW of the airbase to 32 statute miles NW of the airbase having a width of 2 statute miles at the beginning and a width of 4.6 statute miles at the outer extremity.

*Designated altitudes.*

2,500' MSL to 15,500' MSL from 5 statute miles NW of the airbase to 6 statute miles NW of the airbase.

2,500' MSL to 24,500' MSL from 6 to 7 statute miles NW of the airbase.

2,500' MSL to 27,000' MSL from 7 to 10 statute miles NW of the airbase.

6,500' MSL to 27,000' MSL from 10 to 15 statute miles NW of the airbase.

10,500' MSL to 27,000' MSL from 15 to 20 statute miles NW of the airbase.

15,500' MSL to 27,000' MSL from 20 to 25 statute miles NW of the airbase.

19,500' MSL to 27,000' MSL from 25 to 32 statute miles NW of the airbase.

*Time of designation.* Continuous.

*Controlling agency.* Griffiss AFB Approach Control.

This amendment shall become effective 0001 e.s.t. August 25, 1960.

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

Issued in Washington, D.C., on June 16, 1960.

JAMES T. PYLE,  
*Acting Administrator.*

[F.R. Doc. 60-5887; Filed, June 27, 1960; 8:45 a.m.]

[Airspace Docket No. 60-KC-11]

**PART 608—RESTRICTED AREAS****Modification**

The purpose of this amendment to § 608.57 of the regulations of the Administrator is to change the time of designation of the Volk Field, Wis., Restricted Area (R-468) (Twin Cities and Green Bay Charts) from "day and night" to "sunrise to sunset, June 1 to August 31, and on Friday, Saturday, and Sunday, September 1 through May 31, excepting January and February," and the designated altitude from "12,000 feet" to "surface to 12,000 feet MSL".

The U.S. Air Force has advised that Air National Guard units conducting air-to-ground gunnery in Restricted Area (R-468) no longer have a requirement for the area, other than as specified above, and has concurred in the action to reduce the time of use.

Since this amendment reduces a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary and it may be made effective immediately.

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

In § 608.57 the Volk Field, Wis., Restricted Area (R-468) (Twin Cities and Green Bay Charts) (23 F.R. 8590, 24 F.R. 7637) is amended as follows: In the text delete "*Designated altitudes.*

12,000 feet. *Time of designation.* Day and night." and substitute therefor "Designated altitudes. Surface to 12,000 feet MSL. *Time of designation.* Sunrise to sunset, June 1 to August 31, annually, and on Friday, Saturday, and Sunday, September 1 through May 31, annually, excepting January and February."

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 June 16, 1960.

JAMES T. PYLE,  
Acting Administrator.

[F.R. Doc. 60-5882; Filed, June 27, 1960; 8:45 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 7749 c.o.]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Hayim & Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*; § 13.15-235 *Producer status of dealer or seller*; § 13.15-235(m) *Manufacturer*; § 13.30 *Composition of goods*; § 13.235 *Source or origin*; § 13.235-60 *Place*; § 13.235-60(e) *Imported products or parts as domestic*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*; § 13.1285 *Producer status of dealer or seller*; § 13.1325 *Source or origin*; § 13.1325-70 *Place*; § 13.1325-70(g) *Imported product or parts as domestic*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1530 *Producer status of dealer*; [Misrepresenting oneself and goods]—Goods: § 13.1590 *Composition*; § 13.1745 *Source or origin*; § 13.1745-70 *Place*; § 13.1745-70(c) *Imported product or parts as domestic*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C.) [Cease and desist order, Alvin M. Hayim et al., doing business as Hayim & Company, New York, N.Y., Docket 7749, May 12, 1960]

*In the Matter of Alvin M. Hayim, and Ella M. Hayim, Individually and as Copartners Doing Business as Hayim & Company*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging New York City distributors of rugs and floor coverings, many of them of foreign origin, with representing falsely on attached labels, invoices, price lists, etc., that they manufactured their products; that certain mixed fiber rugs were composed entirely of wool and that others were predomi-

nantly of wool; and that some, branded with American place names, were made in the United States.

Following acceptance of a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on May 12 the decision of the Commission.

Said order to cease and desist is as follows:

*It is ordered*, That respondents Alvin M. Hayim and Ella M. Hayim, as individuals or as copartners trading and doing business as Hayim & Company, or under any other trade name, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of rugs or floor coverings or any other textile product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly, through the use of the word "manufacturer" or by any other means that respondents own, operate or control the manufacturing plant or facilities in which the aforesaid products are made in whole or in part, unless such shall be the fact;

2. Using the terms "wool" or "all wool" or any other word or term indicative of wool, to designate or describe any product or portion thereof which is not composed wholly of wool, the fiber from the fleece of the sheep or lamb, or hair of the Angora or Cashmere Goat, or hair of the camel, alpaca, llama or vicuna, which has never been reclaimed from any woven or felted product; provided, that in the case of products or portions thereof which are composed in substantial part of wool and in part of other fibers or materials, the term "wool" may be used as descriptive of the wool content of the product or portion thereof if there are used in immediate connection or conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully designated each constituent fiber or material thereof in the order of its predominance by weight; provided further, that if any fiber or material so designated is not present in a substantial quantity, the percentage thereof shall be stated. Nothing herein shall prohibit the use of the terms "reprocessed wool" or "reused wool" when the products or those portions thereof referred to are composed of such fibers;

3. Using the words "Southampton", "Bar Harbor", "Northampton", "Miami Shores", "Palm Beach", or "Pinehurst", or any other distinctively American name in advertising or in labeling to designate or describe the aforesaid products which are not in fact made in the United States, or using any other word or term in advertising or in labeling as descriptive of the aforesaid products which represents, directly or indirectly, that said products are made in a country other than the one in which they are in fact made, without clearly and conspicuously revealing in immediate connection with each of the aforesaid names, words or terms, the actual country of origin of such products: *Pro-*

*vided, however*, That nothing herein shall relieve the respondents from their obligation to comply with the requirements of the Textile Fiber Products Identification Act after the effective date thereof or forbid the respondents thereafter from labeling and otherwise offering products subject to that Act in the manner prescribed thereby and rules and regulations promulgated thereunder by the Commission.

The terms "reprocessed wool" and "reused wool", as herein used, are to be defined as in section 2(c) and section 2(d) of the Wool Products Labeling Act.

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

*It is ordered*, That respondents Alvin M. Hayim and Ella M. Hayim, individually and as copartners doing business as Hayim & Company, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 12, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 60-5919; Filed, June 27, 1960; 8:47 a.m.]

[Docket 7754 c.o.]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Independent Quilting Co., Inc., et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*; § 13.1108-90 *Wool Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*; § 13.1185-90 *Wool Products Labeling Act*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68-68(c)) [Cease and desist order, Independent Quilting Company, Inc., et al., New York, N.Y., Docket 7754, May 13, 1960]

*In the Matter of Independent Quilting Company, Inc., a Corporation, and Abraham Saltzman, Larry Greenwald, and Emmett Greenwald, Individually and as Officers of Said Corporation*

The complaint in this case charged New York City manufacturers with violating the Wool Products Labeling Act by tagging and invoicing as "100% Reprocessed Wool" and "80% Reused Wool, 20% other fibers", wool products which contained substantially less wool than so indicated.

Accepting an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on May 13 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondents Independent Quilting Company, Inc., a corporation, and its officers, and Abraham Saltzman, Larry Greenwald, and Em-

## RULES AND REGULATIONS

mett Greenwald, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of wool interlining materials or other "wool products", as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to affix labels to such products showing each element of information required to be disclosed by sections 4(a)(2) of the Wool Products Labeling Act of 1939.

*It is further ordered.* That respondents Independent Quilting Company, Inc., a corporation, and its officers, and Abraham Saltzman, Larry Greenwald and Emmett Greenwald, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of fabrics or any other product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the constituent fibers of which their products are composed, or the percentages thereof, on invoices, shipping memoranda or in any other manner.

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

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

Issued: May 13, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 60-5920; Filed, June 27, 1960;  
8:47 a.m.]

[Docket 7621 c.o.]

### PART 13—PROHIBITED TRADE PRACTICES

#### Parker-Levy Juniors, Inc., et al.

Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements*: § 13.1212-90 *Wool Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-80 *Wool Products Labeling Act*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68-68(c)) [Cease and desist order, Parker-Levy Juniors, Inc., et al., New York, N.Y., Docket 7621, May 11, 1960]

#### *In the Matter of Parker-Levy Juniors, Inc., a Corporation, Jack Parker and Cal Levy, Individually and as Officers of Said Corporation*

The complaint in this case charged New York City manufacturers with violating the Wool Products Labeling Act by failing to label women's wool dresses as required.

Accepting a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on May 11 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered.* That the respondents Parker-Levy Juniors, Inc., a corporation, and its officers, and Jack Parker and Kalman C. Levy, individually and as officers of said corporation, and their representatives, agents and employees, directly or through any corporate or other device in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of women's dresses or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain or in any way be represented to contain "wool", "reprocessed wool" or "reused wool" as those terms are defined in said Act, do forthwith cease and desist from:

1. Misbranding such products by failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

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

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

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

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

*It is ordered.* That respondents Parker-Levy Juniors, Inc., a corporation, Jack Parker and Kalman C. Levy, incorrectly designated as Cal Levy, individually and

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

Issued: May 11, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 60-5921; Filed, June 27, 1960;  
8:48 a.m.]

[Docket 7704 c.o.]

### PART 13—PROHIBITED TRADE PRACTICES

#### Joseph Zable et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*: § 13.155-15 *Comparative*; § 13.155-40 *Exaggerated as regular and customary*; § 13.155-45 *Fictitious marking*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: § 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: § 13.1185-30 *Fur Products Labeling Act*; § 13.1212 *Formal regulatory and statutory requirements*: § 13.1212-30 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: § 13.1845-30 *Fur Products Labeling Act*; § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-35 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Joseph Zable trading as J. I. Zable Fur Co. and Joseph Zable Furs, Dallas, Tex., Docket 7704, May 12, 1960]

#### *In the Matter of Joseph Zable, an Individual Trading as J. I. Zable Fur Co. and Joseph Zable Furs*

The complaint in this case charged a Dallas, Tex., furrier with violating the Fur Products Labeling Act by labeling and invoicing fur products falsely with respect to the animal producing the fur; by advertising in newspapers which failed to disclose the names of animals producing the fur contained in fur products, represented sale prices as reduced from regular prices which were in fact fictitious, and used earlier comparative prices without designating the time they were in effect; by failing to maintain adequate records as a basis for said pricing claims; and by failing in other respects to comply with requirements of the Act.

Accepting a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on May 12 the decision of the Commission.

Said order to cease and desist is as follows:

*It is ordered.* That Joseph Zable, an individual trading as J. I. Zable Fur Co. and Joseph Zable Furs, or under any other name, and respondent's representatives, agents and employees, di-

rectly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce of fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which are made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing in words and figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

B. Falsely or deceptively labeling or otherwise identifying any such products as to the name or names of the animal or animals that produce the fur from which such products were manufactured.

C. Setting forth on labels affixed to fur products:

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

(2) Information required under section 4(2) of the Fur Products Labeling Act and rules and regulations promulgated thereunder mingled with non-required information.

2. Falsely and deceptively invoicing fur products by:

A. Failing to furnish to purchasers of fur products an invoice showing all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

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

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

A. Fails to disclose the name or names of the animal or animals producing the fur or furs in the fur product as set forth in the Fur Products Name Guide and as prescribed in the rules and regulations.

B. Represents, directly or by implication, that the respondent's usual or regular price of any fur product is any amount in excess of the price at which the respondent has usually or customarily sold the product in the recent regular course of business.

C. Setting forth former prices without designating the time of such former prices.

4. Misrepresenting in any manner the savings available to purchasers of respondent's fur products.

5. Making claims or representations in advertisements respecting prices or values of fur products unless respondent maintains full and adequate records dis-

closing the facts upon which such claims and representations are based.

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

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

Issued: May 12, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 60-5922; Filed, June 27, 1960; 8:48 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

##### Ferrous Sulfate

No objections having been filed to the proposal published in the FEDERAL REGISTER of May 11, 1960 (25 F.R. 4201), with reference to declaring ferrous sulfate as safe, and no request having been received for referral of the proposal to an advisory committee: *It is ordered*, That the regulations for setting tolerances and granting exemptions from tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.2) be amended by changing § 120.2(a) to read as set forth below:

##### § 120.2 Pesticide chemicals considered safe.

(a) As a general rule, pesticide chemicals other than ferrous sulfate, sulfur, lime, lime-sulfur, potassium polysulfide, sodium carbonate, and sodium polysulfide are not, for the purposes of section 408(a) of the act, generally recognized as safe for use.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(c), (e), 68 Stat. 511, 516; 21 U.S.C. 346a(c), (e)), and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.29(a)).

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions

of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

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

(Sec. 408, 68 Stat. 511 et seq.; 21 U.S.C. 346a)

Dated: June 21, 1960.

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

[F.R. Doc. 60-5945; Filed, June 27, 1960; 8:51 a.m.]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter I—Coast Guard, Department of the Treasury

#### SUBCHAPTER A—GENERAL

[CGFR 60-40]

#### PART 47—PAYMENT OF COUNSEL FEES AND OTHER EXPENSES IN FOREIGN COURTS

By virtue of the authority contained in the Act of September 2, 1958 (72 Stat. 1445), Title 10, U.S.C. 1037, the following regulations in a new part are prescribed and read as follows:

- Sec. 47.01 Policy.
- 47.02 Purpose.
- 47.05 Statutory authority.
- 47.08 Responsibility.
- 47.10 Criteria for the provision of counsel and payment of expenses in criminal cases.
- 47.11 Provision of bail in criminal cases.
- 47.12 Criteria for the furnishing of counsel and payment of expenses in civil cases.
- 47.15 Procedures for hiring of counsel and payment of expenses.
- 47.17 Payment of counsel fees and other expenses.
- 47.20 Reimbursement.

AUTHORITY: §§ 47.01 to 47.20 issued under 72 Stat. 1445; 10 U.S.C. 1037.

##### § 47.01 Policy.

It is the policy of the Department of the Treasury to protect, to the maximum extent possible, the rights of United States Coast Guard personnel who may be subject to trial by foreign courts and imprisonment in foreign prisons.

##### § 47.02 Purpose.

The regulations in this part establish criteria and assign responsibility for the provision of counsel, for the provision of bail, and for the payment of court costs and other necessary and reasonable expenses incident to representation in civil and criminal proceedings, including appellate proceedings, before foreign courts and foreign administrative agencies,

which involve any persons subject to the court-martial jurisdiction of the United States Coast Guard. Payment of fines is not authorized hereunder.

#### § 47.05 Statutory authority.

(a) Under regulations to be prescribed by him, the Secretary concerned may employ counsel, and pay counsel fees, court costs, bail, and other expenses incident to the representation, before the judicial tribunals and administrative agencies of any foreign nation, of persons subject to the Uniform Code of Military Justice. So far as practicable, these regulations shall be uniform for all armed forces.

(b) The person on whose behalf a payment is made under this section is not liable to reimburse the United States for that payment, unless he is responsible for forfeiture of bail provided under subsection (a).

(c) Appropriations available to the military department concerned or the Department of the Treasury, as the case may be, for the pay of persons under its jurisdiction may be used to carry out this section. Act of September 2, 1958 (72 Stat. 1445) Title 10, U.S.C. 1037.

#### § 47.08 Responsibility.

(a) Requests for provision of counsel, provision of bail or payment of expenses will ordinarily be made by the defendant accused or cited in a foreign court or agency through channels appropriate under the circumstances to the officer exercising general court-martial jurisdiction over him. This officer will determine whether the request meets the criteria prescribed in this part and based upon such determination will take final action to approve or disapprove the request.

(b) In the interest of obtaining prompt and effective legal service, the Commandant may designate as approval authority, instead of the officer exercising general court-martial jurisdiction, any subordinate U.S. Coast Guard officer having area responsibility in a particular country for all U.S. Coast Guard personnel subject to foreign criminal jurisdiction.

#### § 47.10 Criteria for the provision of counsel and payment of expenses in criminal cases.

Requests for the provision of counsel and payment of expenses in criminal cases may be granted in both trial and appellate proceedings in any one of the following criminal cases:

(a) Where the act complained of occurred in the performance of official duty; or

(b) Where the sentence which is normally imposed includes confinement in excess of six months, whether or not such sentence is suspended; or

(c) Where capital punishment might be imposed; or

(d) Where an appeal is made from any proceeding in which there appears to have been a denial of the substantial rights of the accused; or

(e) Where the case, although not within the criteria established in paragraph (a), (b), (c), or (d), of this section, is considered to have significant impact upon the relations of United States forces with the host country, or the case is considered to involve a particular United States interest.

#### § 47.11 Provision of bail in criminal cases.

(a) Funds for the posting of bail or bond to secure the release of personnel from confinement by foreign authorities before, during, or after trial may be furnished in all criminal cases. Safeguards should be imposed to assure that at the conclusion of the proceedings or on the appearance of the defendant in court the bail or bond will be refunded to the military authorities.

(b) Bail will be provided only to guarantee the presence of the defendant and will not be provided to guarantee the payment of fines or civil damages. It is contemplated that provision of bail will be made, in any case, only after other reasonable efforts have been made to secure release of pretrial custody to the United States by other normal methods.

#### § 47.12 Criteria for the furnishing of counsel and payment of expenses in civil cases.

(a) Request for provision of counsel and payment of expenses in civil cases may be granted in both trial and appellate proceedings in either of the following cases:

(1) Where the act complained of occurred in the performance of official duty; or

(2) Where the case is considered to have a significant impact upon the relations of United States forces with the host country, or the case is considered to involve a particular United States interest.

(b) No funds shall be provided under these regulations in cases where the United States of America is in legal effect the defendant without prior authorization of the Commandant.

#### § 47.15 Procedures for hiring of counsel and payment of expenses.

(a) The selection of individual trial or appellate counsel shall be made by or with the approval of the defendant. Such counsel shall represent the individual defendant and not the Government of the United States. Selection will be from approved lists of attorneys. These lists will normally be co-ordinated with the local bar association, if any, and the appropriate diplomatic mission of the United States. In any event, these lists will be composed only of attorneys who are qualified and admitted for full practice, on their own account, before the courts of the foreign country involved. Counsel fees and expenses should conform to amounts paid under similar circumstances by nationals of the foreign country where the trial is held. When appropriate and reasonable in the case, the payment of expenses, in addition to counsel fees, may include court costs, bail costs, charges for obtaining copies of records, printing and filing, interpreter fees, witness fees and other necessary and reasonable expenses. Expenses will not include the payment of fines or civil damages, directly or indirectly.

(b) Whenever possible a written contract between the selected counsel and the officer responsible under § 47.08 or his designee acting on behalf of the United States of America, shall be en-

tered into. The contract shall cover counsel fees, and, when appropriate other costs, arising in defense of the entire case in the court of the first instance. In the event the case is appealed to higher tribunals, supplemental agreements shall be executed for each appeal. A copy of the contractual agreement shall serve as the obligating document. This contract shall be written so as not to establish an employer-employee relationship between the selected counsel and the Government of the United States.

(c) If, because of local conditions or customs, it is not practicable to enter into a formal contractual arrangement, a letter of understanding shall be executed between the officer responsible under § 47.08 or his designee and the selected counsel. There should be a mutual understanding that the counsel fees and other expenses arising in defense of the case, which will be paid by the U.S. Coast Guard, shall conform to amounts paid by nationals of the foreign country under similar circumstances.

(d) The provision of counsel and payment of expenses under these regulations in this part is not subject to the provisions of the Comptroller Manual, U.S. Coast Guard. However, the contract clauses set forth in Part 5, section VII, Armed Services Procurement Regulations may be used as a guide in contracting.

(e) In consideration of the desirability of timely procedural action, a legal officer on the staff of the officer responsible under § 47.08 may be designated contracting officer with contracting authority limited to agreements described in this section. The effect of this designation would be to combine within one office the duties of contracting officer and legal officer.

#### § 47.17 Payment of counsel fees and other expenses.

Payment of bills submitted by the selected counsel and other costs shall be made upon acceptance of services procured under the regulations in this part when approved by the officer responsible under § 47.08 or his designee. Payments of bail may be made when authorized by such officers.

#### § 47.20 Reimbursement.

No reimbursement shall ordinarily be required from defendants with respect to payments made in their behalf under the regulations in this part. However, all payments made in behalf of a defendant who willfully causes forfeiture of bail provided on his behalf under these regulations shall constitute a debt owed to the United States. Prior to the posting of bail on the behalf of a defendant, a signed agreement will be secured from the defendant wherein he agrees to remit the amount of such bail or permit the application of so much of his pay as may be necessary to reimburse the government in the event he willfully causes forfeiture of bail. Such agreement should be made with the understanding that it does not prejudice his right of appeal to the Comptroller General and the courts of adjudication after such payment or deduction has been made if

he considers the amount thereof to be erroneous.

Dated: June 17, 1960.

[SEAL] A. GILMORE FLUES,  
Acting Secretary of the Treasury.

[F.R. Doc. 60-5940; Filed, June 27, 1960; 8:50 a.m.]

## Title 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### PART 94—HIGHWAY TRANSPORTATION

##### Miscellaneous Amendments

The regulations of the Post Office Department in Part 94—Highway Transportation—are amended as follows:

#### § 94.2 [Amendment]

I. In § 94.2 *Postal services*, subdivision (v) of paragraph (a) (2) is amended to allow assignment of METRO keys to star route contractors. As so amended, subdivision (v) reads as follows:

(a) *Exchange of mail.* \* \* \*

(2) *Through lobbies or lockers of post offices.* \* \* \*

(v) When specifically authorized by the postal installations manager, star route contractors and carriers may use METRO series street letter box keys. They must not have access to rotary, LA, street letter box (other than METRO series) or post office workroom keys.

NOTE: The corresponding Postal Manual section is 521.212e.

#### § 94.3 [Amendment]

II. In § 94.3 *Contracts*, make the following changes:

A. In subdivision (i) of paragraph (c) (2), that part of subdivision (i) which precedes clause (a) is amended to show that a noncitizen is eligible to bid and contract if he has filed a declaration of intention within the past 7 years to become a citizen; and clause (a) is amended to show that firms, companies, and corporations must be engaged in some business other than transportation of mail under a contract to qualify as an acceptable bidder. As so amended, that part of subdivision (i) which precedes clause (a), and clause (a) are amended to read as follows:

(c) *Securing bids.* \* \* \*

(2) *Requirements of bidders—(i) Eligibility.* Any person who is at least 21 years of age and who is a citizen of the United States, or has filed a declaration of intention within the past 7 years to become a citizen may submit a proposal and enter into a contract for carrying the mail, subject to the following restrictions:

(a) No proposal for a contract for star route service shall be considered unless the bidder is a legal resident of one of the counties crossed by the roads over which the mail is to be carried or a legal resident of a county adjoining one through which the mail is to be carried, with this exception: Proposals for carrying mail will be accepted from firms, companies, or corporations actu-

ally engaged in some business other than transportation of mail under a contract within the counties in which individuals are restricted as to residence.

NOTE: The corresponding Postal Manual section is 521.332a.

B. Subdivision (iii) of paragraph (d) (2) is amended to show that an award of contract may be extended an additional 60 days under certain circumstances. As so amended, subdivision (iii) reads as follows:

(d) *Award of contract.* \* \* \*

(2) *Reservations.* \* \* \*

(iii) Suspend the award of a contract for a period not exceeding 60 days after the date stated in the advertisement for the announcement of the award and allow a corresponding extension of time for the execution of the contract. This period may be extended an additional 60 days under the circumstances outlined in subdivision (ii) of paragraph (c) (7) of this section. It is not always possible to award contracts to be effective on the dates specified in the advertisement.

NOTE: The corresponding Postal Manual section is 521.342C.

C. Subdivision (i) of paragraph (e) (4) is amended by redesignating clause (c) as clause (d), and inserting a new clause (c) to cover advance telephone notification by carriers of delayed arrivals and large mail loads. As so amended, subdivision (i) reads as follows:

(e) *Contractors responsibilities.* \* \* \*

(4) *For maintaining schedules.* (i) Contractors and carriers must:

(a) Carry the mail according to the schedule of departures and arrivals and within the running time stated in the advertisement under which the contract is made, unless the schedule is altered by authority of the transportation planning and procurement officer. If the schedule is altered by a proper order, they must adhere to the altered schedule.

(b) Be allowed an equal amount of additional time on the schedule when more than 10 minutes is taken for opening and closing the mail at any post office, unless otherwise provided in the contract.

(c) Where specific instructions have been issued by the transportation planning and procurement officer on routes serving large post offices and sectional centers, notify postmasters in advance by telephone collect of estimated delayed arrival due to breakdowns or other causes or when extra large volumes of mail are being carried.

(d) Operate on standard time unless otherwise specified.

#### § 94.5 [Amendment]

III. In § 94.5 *Temporary service* delete paragraph (f) and redesignate paragraph (g) as the new paragraph (f). All previously authorized special services have been discontinued and no new authorizations are to be made.

NOTE: The corresponding Postal Manual sections are 521.56 and 521.57.

IV. Section 94.12 *Description* is amended to restrict the normal use of mail messenger services to routes in the same

or adjacent communities; and to point out that when a performance bond is required, panel body service or star route service should be used. As so amended, § 94.12 reads as follows:

#### § 94.12 Description.

Mail messenger service is a local mail transportation service performed by mail messengers designated by the Post Office Department to collect, transport and transfer mail between post offices, stations, and branches and railroad terminals, steamboats, highway post offices, star routes, truck terminals, airport mail facilities, and stop points in the same or adjacent communities. It may be used for occasional unscheduled trips of inter-city mail or mail equipment transportation over longer distances. When service is principally for scheduled inter-city transportation, use star route service. When local service is so extensive that a performance bond is needed to protect the Government's interest, use panel body contract service.

NOTE: The corresponding Postal Manual section is 522.1.

#### § 94.13 [Amendment]

V. In § 94.13 *Establishing service* make the following changes:

A. Subparagraph (1) of paragraph (b) is amended for the purpose of clarification to read as follows:

(b) *Advertising for service.* (1) When a regular designation is necessary, the transportation planning and procurement officer will prepare specifications and instruct the postmaster at the office where service is needed to advertise for 10 days to obtain competitive sealed proposals.

NOTE: The corresponding Postal Manual section is 522.221.

B. In paragraph (c) make the following changes:

1. Amend the heading of paragraph (c) to read: "*Requirements for bidders.*"

2. In subparagraph (4) make the following changes for the purpose of clarification:

a. Subdivision (i) is amended by inserting "or assistant messengers," immediately following the first reference to messengers therein. As so amended, subdivision (i) reads as follows:

(4) *Eligibility of postal employees.* (i) Postal employees and members of their immediate families (persons who are members of the same household or dependent one upon the other for support) may or may not become bidders, messengers or assistant messengers, or receive compensation for carrying the mail on mail messenger routes as shown in the following chart, subject to conditions in subdivisions (ii) and (iii) of this subparagraph.

b. In the tabular information immediately following subdivision (i), amend the column headed "Is less than \$900" under "Mail messenger annual rate of compensation" to read "Is \$900 or under".

NOTE: The corresponding Postal Manual sections are 522.23 and 522.234.

C. Paragraph (f) is amended to define postmasters responsibility for swearing

in each newly employed assistant mail messenger. As so amended, paragraph (f) reads as follows:

(f) *Oaths.* Form 5498 is required of all regular, assistant, and temporary mail messengers. Immediately upon their acceptance of the position, the postmaster must forward the completed Form 5498 to the transportation planning and procurement officer. Postmasters will not stock Form 5498. If additional copies are needed to administer the oath to new assistants, request them from the distribution and traffic manager. Postmasters have a continuing responsibility as assistants are replaced, to see that each new assistant is given the oath.

NOTE: The corresponding Postal Manual section is 522.26.

#### § 94.14 [Amendment]

VI. In § 94.14 *Operation*, subparagraph (1) of paragraph (d) is amended to include the observation of facilities other than railroad stations. As so amended, subparagraph (1) of paragraph (d) reads as follows:

(d) *Irregularities*—(1) *Observation of service.* Postal employees must observe the services performed by mail messengers at railroad stations or other facilities and report any failures or irregularities that come to their attention.

NOTE: The corresponding Postal Manual section is 522.341.

#### § 94.15 [Amendment]

VII. In § 94.15 *Protection of mail*, paragraph (b) is amended to show that METRO series keys may be assigned to mail messengers. As so amended, paragraph (b) reads as follows:

(b) *Access to keys.* When specifically authorized by the postal installation manager, mail messengers may use METRO series street letter box keys. Such messengers must not have access to rotary, L.A., street letter box (other than METRO series), or post office workroom keys, unless they are also postal employees and require the key or keys in the course of their postal duties.

NOTE: The corresponding Postal Manual section is 522.42.

#### § 94.17 [Amendment]

VIII. In § 94.17 *Payments*, paragraph (c) is amended to clarify the regulations with regard to the readjustment of compensation, and to eliminate obsolete readjustment dates. As so amended, paragraph (c) reads as follows:

(c) *Readjustment of compensation*—(1) *Based on changed service conditions.* (i) The Post Office Department, under the provisions of Public Law 763, 83d Congress, may make readjustments of mail messengers' compensation based on increased or decreased costs occasioned by changed conditions which could not reasonably have been anticipated at the time the agreement was made. For comparative purposes, the base for determining increased or decreased costs will be the conditions prevailing at the time of making the agreement or the messenger's last increase in compensation. All recommendations for increase

in compensation of messengers under Public Law 763 must be based on changed conditions such as:

- (a) Longer working hours.
- (b) Increased distances to be traveled.
- (c) Increased volume of mail, requiring larger equipment.
- (d) Change in schedule.
- (e) Sustained increase in the cost of living.
- (f) Any other conditions which materially affect the cost of operation.

(ii) Applications for readjustment of compensation based on changed service conditions will be sent to the transportation planning and procurement officer who will make recommendation to the Bureau of Transportation on Form 5477 "Mail Messenger and Panel Body Adjustment Summary."

(2) *For temporary mail messenger service.* Where readjustments in rate of compensation for temporary messengers are warranted by changes in service conditions, the temporary messengers should be redesignated at higher rates if lower rates are not thought to be obtainable under an advertisement.

(3) *Effective date of readjustments.* Except in unusual circumstances, any adjustment granted will be made effective on the first day of the accounting period following that in which the application is made. Form 5440 C-D-E "Contract Route Service Order" will be used in making these adjustments.

NOTE: The corresponding Postal Manual section is 522.63.

#### § 94.33 [Amendment]

IX. In § 94.33 *Establishment*, make the following changes:

A. In paragraph (c) strike out "Applicants" where it appears both in the paragraph heading, and in the introductory sentence which precedes subdivision (i); and insert in lieu thereof "Bidders".

NOTE: The corresponding Postal Manual section is 525.23.

B. Paragraph (f) is amended to include the employment of a supervisor for panel body routes. As so amended, paragraph (f) reads as follows:

(f) *Employment of assistants.* Panel body contractors must either personally supervise their contracts or employ competent supervisors who will personally supervise performance of the contracts. They may not assign or sublet their contracts without the consent of the Postmaster General. They may employ assistants at their own expense. Assistants so employed must meet the minimum requirements shown in paragraph (c) of this section.

NOTE: The corresponding Postal Manual section is 525.26.

#### § 94.34 [Amendment]

X. In § 94.34 *Operation*, paragraph (d) is amended to show that irregularities in the Panel Body Service are to be handled in the same manner as those in the Mail Messenger Service. As so amended, paragraph (d) reads as follows:

(d) *Irregularities*—(1) *Observation of service.* See § 94.14(d)(1).

(2) *Record of irregularities.* See § 94.14(d)(2).

(3) *Assessing fines.* See § 94.14(d)(3).

(4) *Investigation of Complaints.* See § 94.14(d)(4).

NOTE: The corresponding Postal Manual section is 525.34.

(R.S. 161, as amended, 396, as amended, 3944, as amended, 3945, as amended, 3949, as amended, 3951, as amended, 3955, as amended, 3956, 3964, as amended, 3965, 3966, 3975, as amended; 24 Stat. 492, as amended, secs. 1, 7, 39 Stat. 161, 418, as amended, sec. 3, 54 Stat. 228, sec. 2, 72 Stat. 103; 5 U.S.C. 22, 369, 39 U.S.C. 422a, 425, 425a, 426, 429, 433-436, 481, 483, 484, 493, 578, 579)

[SEAL] HERBERT B. WARBURTON,  
General Counsel.

[F.R. Doc. 60-5925; Filed, June 27, 1960;  
8:48 a.m.]

## PART 151—CUSTOMS

### Importing Regulations

The regulations of the Post Office Department in Part 151—Customs—as published in the FEDERAL REGISTER of February 9, 1960, at pages 1095-1126, as Federal Register document 60-1246, are amended as follows:

#### § 151.5 [Amendment]

I. In § 151.5 *Treatment at delivery office*, make the following changes as a result of new instructions covering (1) the preparation of Forms 2932, Register of Customs Collections; and (2) the processing of inquiries and adjustments on mail entries, Customs Forms 3419, Entry of Merchandise Imported Through the Mails.

A. In paragraph (e) make the following changes:

1. Amend subparagraph (1) by deleting the word "daily" which precedes "record" in the first sentence therein; and by inserting "(See subparagraph (5) of this paragraph)" immediately following the next to last sentence which applies to the scheduled reporting periods of post offices with annual receipts of \$1 million and more.

NOTE: The corresponding Postal Manual section is 261.551.

2. In subparagraph (2) make the following changes:

a. In the introductory sentence, which precedes subdivision (i), strike out "quadruplicate" and insert in lieu thereof "triplicate."

b. In clause (a) of subdivision (ii), delete the last sentence which reads: "Record collections daily."

NOTE: The corresponding Postal Manual sections are 261.552 and 261.552b(1).

3. Amend subparagraphs (3) and (4) and insert a new subparagraph (5) to read as follows:

(3) Distribute Forms 2932 copies as follows: Original (white) to regional controller; second (pink) to applicable collector of Customs. Retain copy in preparing office for reference purposes. File the original copies of Customs Forms 3419.

(4) Mail Forms 2932 promptly to regional Controller separately from State-

ment of Accounts. Endorse envelope in lower left corner "Customs Collections—Forms 2932."

(5) Postmasters at offices with annual receipts of \$1 million and more (except New York City) will not post Customs Forms 3419 to Form 2932 daily. These offices will balance the total amount collected on Customs Forms 3419 daily with the amount reported for Customs collections on Form 1412, Daily Cash Report, and file the Customs Forms 3419 separately by customs port of entry until the end of the weekly reporting period. Then assemble the forms in ascending serial number order for each customs port of entry and enter them promptly on Forms 2932 for appropriate ports of entry in that order. All other offices will record collections on Forms 2932 daily.

NOTE: The corresponding Postal Manual sections are 261.553, 261.554, and 261.555.

B. In paragraph (f) the second sentence of subparagraph (2) is amended by striking out "postmaster" where it appears immediately following the first reference to "Form 3423," and inserting in lieu thereof: "the main office window unit."

NOTE: The corresponding Postal Manual section is 261.562.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

II. Add a new § 151.6 *Unidentified items and discrepancies* to provide for the use of Customs Forms 3427, Notice to Postmaster of Unidentified Mail Entries, for inquiries from collectors of customs on unidentified items, and Customs Forms 3429, for adjustment of differences between amounts assessed by collectors of customs and amounts collected by postmasters. As so added, § 151.6 reads as follows:

§ 151.6 Unidentified items and discrepancies.

(a) *Unidentified mail entries.* When a collector of customs is unable to identify a mail entry reported by a postmaster on Form 2932, Register of Customs Collections (RS-FI-35), the collector will forward the postmaster an inquiry on Customs Form 3427, Notice to Postmaster of Unidentified Mail Entries, in duplicate. Postmaster will review the original copy of Customs Forms 3419 and the file copy of the related Form 2932 and enter the correct customs district and post number and mail entry serial number in the spaces provided at the bottom of the form. Return the original copy of Customs Form 3427 to the port of entry from which received. File the duplicate copy with the related Form 2932.

(b) *Discrepancy in amount collected.* When a collector of customs finds a difference between amount reported by postmasters and the amounts shown on the related file copy of a Customs Form 3419, the collector will forward the postmaster an inquiry on Customs Form 3429 in triplicate. On receipt of Customs Form 3429, fill in correct district and port of entry number and mail entry number on face of form. Review the original copy of Customs Form 3419 and the related file copy of Form 2932 to de-

termine the amount of adjustment. Enter the adjustment data in spaces provided on the back of Customs Form 3429 as follows:

(1) Complete blocks a through e on all three copies of Customs Form 3429 by copying the information in the same order from file copy of Form 2932. Omit block f.

(2) Enter in appropriate spaces the item number and serial number as shown on file copy of Form 2932. Enter the amount of the item as previously reported, the correct amount, and the difference, either plus or minus, in block g.

(3) At the bottom of the form enter the net amount of adjustment (same as block g), signature of preparing employee, and date of preparation.

NOTE: Amounts of adjustments on Customs Form 3429 will not be entered on Statement of Account.

(4) Mail original copy to regional controller, duplicate to collector of customs from which the form was received and file the triplicate copy with the related file copy of Form 2932.

(5) When review of Customs Form 3419 and Form 2932 shows that the item was originally reported in the correct amount, forward the original copy of Customs Form 3419 with the original and duplicate copies of Customs Form 3429 to regional controller. After review, Customs Form 3419 will be returned to the postmaster by the regional controller.

NOTE: The corresponding Postal Manual section is 261.6.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

[SEAL] HERBERT B. WARBURTON,  
General Counsel.

[F.R. Doc. 60-5924; Filed, June 27, 1960; 8:48 a.m.]

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Individual Country Regulations

The regulations of the Post Office Department in Part 168—Directory of International Mail—are amended by making the following changes in § 168.5 *Individual country regulations.*

I. In country "Bahamas", as amended by Federal Register document 60-2068, 25 F.R. 1948-1949, make the following changes:

A. Under Postal Union Mail, insert a new item *Observations* immediately following the item *Money orders* to read as follows:

*Observations.* Senders should complete customs declarations, Forms 2976 or 2976-A, to show in addition to the value of the contents the cost of the postage and the registration fee if any.

B. Under Parcel Post, insert a new item *Observations* immediately following the item *Insurance* to read as follows:

*Observations.* Senders should complete customs declarations, Form 2966, to show in addition to the value of the

contents the cost of the postage and the insurance fee if any.

II. In country "Italy (Including Republic of San Marino)", as amended by Federal Register document 60-2068, 25 F.R. 1948-1949, under Parcel Post, the item *Observations* is amended by deleting the second paragraph therein. Customs duty is no longer being assessed on the contents of all parcels. As so amended, the item *Observations* reads as follows:

*Observations.* Commercial parcels must be accompanied by a copy of the relative commercial invoice dated and signed by the sender.

III. In country "Rhodesia and Nyasaland (Federation of)", as amended by Federal Register document 60-2068, 25 F.R. 1948-1949, delete the item *Import restrictions* where it appears both under Postal Union Mail and Parcel Post. Addressees are no longer required to obtain import licenses.

IV. In country "Union of Soviet Socialist Republics", as amended by Federal Register document 60-2068, make the following changes:

A. Under Postal Union Mail, the item *Prohibitions and import restrictions* is amended by striking out "Paper money" and inserting in lieu thereof "Currency, bonds and coupons"; and by deleting "stocks, and coupons; and playing cards" where they appear in the list of articles therein. As so amended, the item *Prohibitions and restrictions* reads as follows:

*Prohibitions and import restrictions.* Dutiable articles (merchandise) in letters and packages prepaid at letter rate, except for duty-prepaid packages of medicine mailed as prescribed under "Observations".

Currency, bonds and coupons of the Union of Soviet Socialist Republics.

Checks and drafts, foreign obligations, except in accordance with the regulations of the State Bank of the Union of Soviet Socialist Republics.

LIST OF ARTICLES ALLOWED TO ENTER WITHOUT PERMIT WHEN INTENDED FOR PERSONAL USE

Item No.	Name of commodity	Maximum quantity admitted
1	Various spices.....	3½ ounces of each kind.
2	Coffee, Cacao, chicory...	4 pounds 6 ounces of each.
3	Tea.....	7 ounces.
4	Chopped tobacco, tobacco products.	2 pounds 3 ounces.
5	Plates and dishes.....	11 pounds.
6	Medicaments, all kinds.	As prescribed by Soviet physicians or hospitals.
7	Perfumes and cosmetics.	17½ ounces or 1 set.
8	Soap, all kinds.....	11 pounds.
9	Articles of gold, silver or platinum.	44 pounds.
10	Hand tools.....	1 of each kind.
11	Household goods, including electric appliances.	Do.
12	Sporting goods.....	1 article or 1 set of each kind.
13	Photographic equipment and accessories.	Do.
14	Optical instruments, prostheses, surgical corsets, hearing aids, etc.	1 of each kind, as prescribed by Soviet physicians or hospitals.
15	Clothing (coats, suits, shawls).	3 of each kind.
16	Body linen, bed linens and table linen.	6 sets of each kind.
17	Shirts and blouses.....	3 of each kind.
18	Curtains, blinds.....	5 sets of each kind.

## RULES AND REGULATIONS

## LIST OF ARTICLES ALLOWED TO ENTER WITHOUT PERMIT WHEN INTENDED FOR PERSONAL USE—Continued

Item No.	Name of commodity	Maximum quantity admitted
19	Headwear, all kinds.....	4 articles.
20	Footwear, all kinds.....	4 pairs.
21	Haberdashery:	
	(a) Socks, stockings....	6 pairs.
	(b) Gloves.....	3 pairs.
	(c) Briefcases and handbags.	1 of each kind.
	(d) All other articles of haberdashery.	2 articles or 2 sets of each kind.
22	Toys, games and Christmas tree decorations.	2 articles or 2 sets of each kind.
23	Office supplies.....	1 article or 1 set of each kind.
24	Phonograph records.....	12 of different titles.
25	Musical instruments (wind or string).	1 article.

Customs duty is regularly assessed on the contents of gift parcels even if no import license is required. If gift parcels contain articles in excess of the quotas indicated in the foregoing list, duty is charged at penalty rates or the parcels are returned to origin.

All parcels containing meat and any meat products, as well as smoked meat, sausages, and other mixtures of meat

prepared by means of heat, must be accompanied by a veterinary certificate containing the following information:

(a) Nature of contents.

Postage stamps, canceled or not, philatelic collections; obsolete bonds or bills of exchange addressed to private individuals. Match-box labels for collectors, if more than one of a kind is sent, without a permit from the Ministry of Foreign Trade.

Articles prohibited or restricted as parcel post are prohibited or restricted in the postal union mail.

B. Under Parcel Post, the item *Prohibitions and import restrictions* is amended to show the changes in the prohibitions and other regulations affecting gift parcels. As so amended, the item *Prohibitions and import restrictions* reads as follows:

*Prohibitions and import restrictions.* Addresses are required to obtain import licenses for all commercial parcels, and for gift parcels unless they contain exclusively articles shown in the following list, for the personal use of the addressee, and not exceeding in amount the quotas

indicated. Import licenses are required for all parcels mailed by commercial firms, and when a number of parcels appear to have been mailed systematically.

(b) Weight.

(c) Names and addresses of sender and addressee.

(d) A statement that the contents come from animals subjected to veterinary inspection and which were healthy at the time of butchering; that they contain no antiseptic substance; and that they are prepared and shipped in accordance with the requirements of alimentary hygiene.

(e) Signature of official veterinarian, confirmed by an official seal.

Articles which are prohibited or restricted in the postal union mail are prohibited or restricted by parcel post.

(R.S. 161, as amended, 396, as amended, 398, as amended, 5 U.S.C. 22, 369, 372)

[SEAL] HERBERT B. WARBURTON,  
General Counsel.

[F.R. Doc. 60-5926; Filed, June 27, 1960;  
8:48 a.m.]

# Proposed Rule Making

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[ 21 CFR Part 121 ]

#### FOOD ADDITIVES

##### Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition has been filed by American Cyanamid Company, Agricultural Center, P.O. Box 383, Princeton, New Jersey, proposing the issuance of a regulation to provide for the use of 6,000 units of hygromycin B per pound and up to 0.05 gram of chlor-tetracycline per pound in medicated feed of swine for the prevention and treatment of bacterial swine enteritis, for maintenance of weight gain in the presence of atrophic rhinitis, and for reducing the incidence of cervical abscesses.

Dated: June 21, 1960.

[SEAL] WINTON B. RANKIN,  
*Assistant to the Commissioner  
of Food and Drugs.*

[F.R. Doc. 60-5946; Filed, June 27, 1960;  
8:51 a.m.]

[ 21 CFR Part 121 ]

#### FOOD ADDITIVES

##### Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition has been filed by the National Pickle Packers Association, 202 South Marion Street, Oak Park, Illinois, proposing the issuance of a regulation providing that polysorbate 80 (polyoxyethylene (20) sorbitan monooleate) may be used as a solubilizing and dispersing agent at not more than 500 parts per million (0.05 percent by weight) in pickles and pickle products.

Dated: June 21, 1960.

[SEAL] WINTON B. RANKIN,  
*Assistant to the Commissioner  
of Food and Drugs.*

[F.R. Doc. 60-5947; Filed, June 27, 1960;  
8:51 a.m.]

[ 21 CFR Part 121 ]

#### FOOD ADDITIVES

##### Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348

(b) (5)), notice is given that a petition has been filed by Food Machinery and Chemical Corporation, Lakeland, Florida, proposing the issuance of a regulation to provide for the use of coumarone-indene resin as a coating for citrus fruit where the amount remaining does not exceed 200 parts per million (0.02 percent) in or on the treated fruit.

Dated: June 21, 1960.

[SEAL] WINTON B. RANKIN,  
*Assistant to the Commissioner  
of Food and Drugs.*

[F.R. Doc. 60-5948; Filed, June 27, 1960;  
8:51 a.m.]

[ 21 CFR Part 121 ]

#### FOOD ADDITIVES

##### Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition has been filed by The Nopco Chemical Company, 60 Park Place, Newark 1, New Jersey, proposing the issuance of a regulation providing that polysorbate 80 (polyoxyethylene (20) sorbitan monooleate) may be used as a component of yeast defoamer formulations at a level not to exceed 4.0 percent, by weight, of such formulations.

Dated: June 21, 1960.

[SEAL] WINTON B. RANKIN,  
*Assistant to the Commissioner,  
of Food and Drugs.*

[F.R. Doc. 60-5949; Filed, June 27, 1960;  
8:51 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 60-NY-47]

### FEDERAL AIRWAYS AND CONTROL AREAS

#### Revocation of Segment

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 § 600.219, 601.219, 601.4219 of the regulations of the Administrator, the substance of which is stated below.

Red Federal airway No. 19 extends in part from the intersection of the southeast course of the Front Royal, Va., radio range and the west course of the Quantico, Va. (MCAS), radio range to the Quantico (MCAS), radio range station, excluding the portion more than 1 mile north of the west course of the Quantico (MCAS), radio range.

The Federal Aviation Agency has under consideration revocation of this airway segment. The Federal Aviation Agency IFR peak-day airway traffic survey for periods July 1, 1958, through December 31, 1958, and from January 1, 1959, through June 30, 1959, shows eleven and two aircraft movements respectively for this segment of Red 19. On the basis of the survey and the reduced width of this airway which restricts optimum use of this segment for air traffic management due to the close proximity of the Quantico Restricted Area (R-37), 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. Concurrently with this action, it is proposed to amend the caption to § 601.4219 relating to the associated reporting points on Red 19.

If these actions are taken, the segment of Red Federal airway No. 19 and its associated control areas from the intersection of the southeast course of the Front Royal, Va., radio range and the west course of the Quantico, Va. (MCAS), radio range to the Quantico (MCAS) radio range station would be revoked. The caption to § 601.4219 would be amended to conform to the modified airway.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Fed-

eral Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5908; Filed, June 27, 1960;  
8:47 a.m.]

**[ 14 CFR Parts 600, 601 ]**

[Airspace Docket No. 60-NY-54]

**FEDERAL AIRWAYS AND CONTROL  
AREAS**

**Revocation of Segment**

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 §§ 600.621, 601.621 and 601.4621 of the regulations of the Administrator, the substance of which is stated below.

Blue Federal airway No. 21 extends in part from the intersection of the south course of the Harrisburg, Pa., radio range and the west course of the Baltimore, Md., radio range to the intersection of the north course of the Williamsport, Pa., radio range and the southwest course of the Elmira, N.Y., radio range.

The Federal Aviation Agency has under consideration revocation of this segment of Blue 21. The Federal Aviation Agency IFR peak-day airway traffic survey for the period January 1, 1959, through December 31, 1959, showed less than ten aircraft movements for this segment of Blue 21. On the basis of the survey it appears that the retention of this airway segment and its associated control areas as an assignment of airspace is unjustified and that the revocation thereof would be in the public interest. Concurrently with this action, the Federal Aviation Agency would modify the caption to § 601.4621 which relates to the reporting points associated with Blue 21.

If this action is taken, the segment of Blue Federal airway No. 21 from the intersection of the south course of the Harrisburg, Pa., radio range and the west course of the Baltimore, Md., radio range to the intersection of the north course of the Williamsport, Pa., radio range and the southwest course of the Elmira, N.Y., radio range, and its associated control areas would be revoked. The caption to § 601.4621 relating to Blue 21 reporting points would be amended to conform to the modified airway.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five 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 in-

formal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5907; Filed, June 27, 1960;  
8:47 a.m.]

**[ 14 CFR Parts 600, 601 ]**

[Airspace Docket No. 60-NY-48]

**FEDERAL AIRWAYS, CONTROL AREAS  
AND REPORTING POINTS**

**Revocation of Segment**

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 §§ 600.245, 601.245 and 601.4245 of the regulations of the Administrator, the substance of which is stated below.

Red Federal airway No. 45 extends in part from Riverdale, Md., to the intersection of the north course of the Baltimore radio range and the southwest course of the Allentown, Pa., radio range. The Federal Aviation Agency IFR peak-day airway traffic survey for the period July 1, 1958, through June 30, 1959, showed less than eight aircraft movements for this segment of Red 45. On the basis of this survey, it appears that the retention of this airway segment and its associated control areas is unjustified as assignment of airspace and that the revocation thereof would be in the public interest. Concurrently with this action, § 601.4245 relating to the reporting points associated with Red 45 would be amended to conform to the modified airway.

If this action is taken, the segment of Red Federal airway No. 45 and its associated control areas from the Riverdale, Md., radio beacon to the intersection of the north course of the Baltimore, Md., radio range and the southwest course of the Allentown, Pa., radio range would be revoked. The caption to

§ 601.4245 would be amended to conform to the modified airway.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5909; Filed, June 27, 1960;  
8:47 a.m.]

**[ 14 CFR Parts 600, 601 ]**

[Airspace Docket No. 60-NY-52]

**FEDERAL AIRWAYS, CONTROL AREAS  
AND REPORTING POINTS**

**Revocation of Segment**

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 §§ 600.647, 601.647, and 601.4647 of the regulations of the Administrator, the substance of which is stated below.

Blue Federal airway No. 47 extends in part from the intersection of the north course of the Blackstone, Va., radio range and the 266° True bearing of the Richmond, Va., radio range to the Phillipsburg, Pa., radio range station. The Federal Aviation Agency has under consideration revocation of this segment of Blue 47. The Federal Aviation Agency IFR peak-day airway traffic survey for the period from July 1, 1958, through June 30, 1959, shows a maximum of nine aircraft movements between any

two reporting points on this segment of Blue 47. On the basis of the survey it appears that the retention of this segment of Blue 47 and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest. Concurrently with this action, the Flintstone, Md., intersection (intersection of the south course of the Altoona, Pa., radio range and the southeast course of the Pittsburgh, Pa., radio range) would be revoked as a designated reporting point on the segment of Blue 47 proposed for revocation and the caption to § 601.4647 relating to reporting points would be amended to conform to the modified airway.

If these actions are taken, the segment of Blue Federal airway No. 47 and associated control areas from the intersection of the north course of the Blackstone, Va., radio range and the 266° True bearing of the Richmond, Va., radio range to the Phillipsburg, Pa., radio range station would be revoked. The caption to § 601.4647 relating to the associated reporting points on Blue Federal airway No. 47 would be amended to conform to the modified airway. The Flintstone, Md., intersection (intersection of the south course of the Altoona, Pa., radio range and the southeast course of the Pittsburgh, Pa., radio range) would be revoked as a reporting point on Blue 47.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5910; Filed, June 27, 1960;  
8:47 a.m.]

### [ 14 CFR Parts 600, 601, 602 ]

[Airspace Docket No. 60-FW-36]

## CODED JET ROUTES, FEDERAL AIRWAYS, CONTROL ZONES AND REPORTING POINTS

### 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 §§ 600.16, 601.16, 601.2132, 601.4016 and 602.102 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration modification of the Biloxi, Miss., control zone. The Biloxi control zone is presently designated within a 5-mile radius of Keesler AFB and within 2 miles either side of the northeast course of the Keesler AFB radio range, extending 5 miles northeast of the radio range station. The Department of the Air Force has advised the Federal Aviation Agency that they no longer have a requirement for a radio range at Keesler AFB, and propose to convert this facility to a non-directional radio beacon. The Department of the Air Force advised that the instrument approach procedures based on the Keesler radio range are being revised in order to eliminate the requirement for the control zone extension to the northeast. Therefore, it is proposed to revoke the extension to the northeast based on the Keesler radio range. Concurrently, it is proposed to designate an extension to the northeast within 2 miles either side of the Keesler AFB TACAN (latitude 30°24'44" N., longitude 88°55'47" W.) 047° True radial extending from the 5-mile radius zone to 7 miles northeast of the TACAN and an extension within 2 miles either side of the 204° True radial of the Keesler TACAN extending from the 5-mile radius zone to 7 miles southwest of the TACAN. The extensions based on the TACAN would provide protection for aircraft executing prescribed instrument approaches to the Keesler AFB utilizing the Keesler TACAN. Concurrently with this action, it is proposed to substitute the Keesler non-directional radio beacon for the Keesler radio range in the description of L/MF Coded Jet Route No. 2, and Green Federal airway No. 6 and in the designation of Colored Federal airway Reporting Points for Green 6.

If this action is taken, the Biloxi, Miss., control zone would be designated within a 5-mile radius of Keesler AFB, Biloxi, Miss. (latitude 30°24'25" N., longitude 88°55'30" W.), within 2 miles either side of the Keesler AFB TACAN 047° True

radial extending from the 5-mile radius zone to 7 miles northeast of the TACAN and within 2 miles either side of the Keesler TACAN 204° True radial extending from the 5-mile radius zone to 7 miles southwest of the TACAN. The Keesler radio beacon would be substituted for the Keesler radio range in the description of L/MF Coded Jet Route No. 2, Green Federal airway No. 6 and as a reporting point in § 601.4016.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

J. R. BAILEY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5896; Filed, June 27, 1960;  
8:46 a.m.]

### [ 14 CFR Parts 600, 608 ]

[Airspace Docket No. 60-FW-14]

## FEDERAL AIRWAYS AND RESTRICTED AREAS

### Designation of Restricted Area/Military Climb Corridor and Modification of Federal Airway

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 §§ 600.6066 and 608.51 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 Webb Air Force Base, Big Springs, Tex.

The Military Climb Corridor designated as a Restricted Area would be used by the high-speed, high rate-of-climb century series air defense aircraft while departing from the airbase on active air defense missions. 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 be based on the 151° True radial of the Webb AFB TACAN (latitude 32°12'31" N., longitude 101°-30'57" W.) extending from 14.5 statute miles southeast of the Webb AFB TACAN to 41.5 statute miles southeast of the TACAN, having a width of 3 statute miles at the beginning and a width of 6 statute miles at the outer extremity. The lower altitude limits would extend in graduated steps from 4,600 feet MSL to 21,600 feet MSL. The upper altitude limits would extend from 15,000 feet MSL to 27,000 feet MSL. Time of use would be continuous. The controlling agency would be Webb AFB approach control. The controlling agency would authorize aircraft to operate within the climb corridor when not in use by active air defense aircraft. Concurrently with the proposed designation of the Restricted Area/Military Climb Corridor at Webb AFB, the Federal Aviation Agency is considering modification of the segment of VOR Federal airway No. 66 between Midland, Tex., and Abilene, Tex., by redesignating it via the Midland VOR 080° and the Abilene VOR 251° True radials. This realignment would provide lateral separation for aircraft on the airway from the Restricted Area/Military Climb Corridor. The control areas associated with Victor 66 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If these actions are taken, the Big Springs, Tex. (Webb AFB) Restricted Area/Military Climb Corridor (R-1) (Dallas and Austin Charts) would be designated as follows:

*Description.* That area centered on the 151° True radial of the Webb AFB TACAN, beginning 14.5 statute miles southeast of the TACAN and extending to 41.5 statute miles southeast of the TACAN, having a width 3 statute miles at the beginning and expanding uniformly to a width of 6 statute miles at the outer extremity.

*Designated altitudes.* 4,600' MSL to 15,000' MSL from 14.5 to 15.5 statute miles southeast of the Webb AFB TACAN.

4,600' MSL to 24,000' MSL from 15.5 to 16.5 statute miles southeast of the TACAN.

4,600' MSL to 27,000' MSL from 16.5 to 19.5 statute miles southeast of the TACAN.

8,600' MSL to 27,000' MSL from 19.5 to 24.5 statute miles southeast of the TACAN.

12,600' MSL to 27,000' MSL from 24.5 to 29.5 statute miles southeast of the TACAN.

17,600' MSL to 27,000' MSL from 29.5 to 34.5 statute miles southeast of the TACAN.

21,600' MSL to 27,000' MSL from 34.5 to 41.5 statute miles southeast of the TACAN.

*Time of use.* Continuous.

*Controlling agency.* Webb AFB, Tex., approach control.

The segment of VOR Federal airway No. 66 from Midland, Tex., to Abilene, Tex., would be redesignated via the Midland VOR 080° and the Abilene VOR 251° True radials.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5913; Filed, June 27, 1960;  
8:47 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 60-LA-8]

### CONTROL AREAS

#### Modification and Revocation of Extensions

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 Part 601 and § 601.1041 of the regulations of the Administrator, the substance of which is stated below.

The Boise, Idaho control area extension is designated within 5 miles either side of the southwest course of the Boise radio range extending from the radio range station to a point 20 miles southwest including the area in the south quadrant of the Boise radio range bounded on the northeast and southeast by the Mountain Home, Idaho, control area extension and on the southwest by a line drawn 135° True from a point at latitude 43°20'20" N., longitude 116°29'15" W., extending to the Mountain Home control area extension and that area

northeast of Boise lying within a 25-mile radius of the Boise radio range station bounded on the southwest by Green Federal airway No. 10 and the airspace northwest of Boise within 5 miles either side of the Boise VOR 291° True radial extending from the VOR to a point 67 miles northwest.

The Ontario, Oreg., control area extension is designated within an 8½ mile radius of the Ontario Airport including the airspace southeast of Ontario bounded on the northeast by Green Federal airway No. 10, on the south by the Boise, Idaho, control area extension, on the southwest by a line 12 miles southwest of and parallel to Green Federal airway No. 10.

The Federal Aviation Agency has under consideration the revocation of the Ontario control area extension and redesignation of the Boise control area extension to include the area within a 25-mile radius of the Boise, Idaho, VORTAC extending clockwise from the 320° True radial to the 129° True radial of the Boise VORTAC, within a 40-mile radius of the Boise VORTAC extending clockwise from the 129° True radial to the 320° True radial of the Boise VORTAC, within 5 miles either side of the 291° True radial of the Boise VORTAC, extending from the VORTAC to 67 miles northwest, and within a 10-mile radius of the Ontario, Oreg., Airport (latitude 44°01'15" N., longitude 117°-00'43" W.), excluding the portion which would coincide with the Mountain Home, Idaho, control area extension. This would provide protection to aircraft executing high and low altitude holding procedures, jet aircraft recovery procedures and prescribed instrument approach procedures at Boise Air Terminal. The Ontario control area extension would be included within the Boise control area extension for simplification of description.

If these actions are taken, the Ontario, Oreg., control area extension (§ 601.1167) would be revoked. The Boise, Idaho, control area extension would be designated within a 25-mile radius of the Boise, Idaho, VORTAC extending clockwise from the 320° True radial to the 129° True radial of the Boise VORTAC, within a 40-mile radius of the Boise VORTAC extending clockwise from the 129° True radial to the 320° True radial of the Boise VORTAC, within 5 miles either side of the 291° True radial of the Boise VORTAC, extending from the VORTAC to 67 miles northwest, and within a 10-mile radius of the Ontario, Oreg., Airport (latitude 44°01'15" N., longitude 117°00'43" W.), excluding the portion which would coincide with the Mountain Home, Idaho, control area extension.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5894; Filed, June 27, 1960;  
8:46 a.m.]

#### [ 14 CFR Part 601 ]

[Airspace Docket No. 60-LA-28]

### CONTROL AREAS

#### Modification of Extension

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 § 601.1432 of the regulations of the Administrator, the substance of which is stated below.

The Billings, Mont., control area extension is designated within a 25-mile radius of the Billings VOR extending from the northern boundary of VOR Federal airway No. 2 west of Billings, clockwise to the northeastern boundary of VOR Federal airway No. 19 southeast of Billings. The Federal Aviation Agency has under consideration modification of this control area extension by the addition of an extension northwest of Billings, within a 35-mile radius of the VOR extending clockwise from Victor 2 to Victor 19-W and the addition of an extension southeast of Billings within a 30-mile radius of the VOR extending clockwise from Victor 19 to VOR Federal airway No. 187. This would protect aircraft executing high altitude holding procedures and jet penetrations at Billings Airport.

If this action is taken, the Billings, Mont., control area extension would be designated within a 35-mile radius of the Billings VOR extending clockwise from VOR Federal airway No. 2, west of Billings, to VOR Federal airway No. 19-

W, north of Billings, within a 25-mile radius of the Billings VOR extending clockwise from Victor 19, north of Billings to Victor 19, southeast of Billings and within a 30-mile radius of the Billings VOR, extending clockwise from Victor 19, southeast of Billings to VOR Federal airway No. 187, south of Billings.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5895; Filed, June 27, 1960;  
8:46 a.m.]

#### [ 14 CFR Part 601 ]

[Airspace Docket No. 60-FW-34]

### CONTROL ZONES

#### 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 § 601.2033 of the regulations of the Administrator, the substance of which is stated below.

The Little Rock, Ark., control zone is presently designated within a 5-mile radius of Adams Field and extending 2 miles either side of the southeast course of the Little Rock radio range to the Keo fan marker. The Federal Aviation Agency has under consideration modi-

fication of the Little Rock control zone by redesignating the southeast extension and providing an additional extension to the southwest. The southeast extension would be based on the Little Rock VOR and would be designated within 2 miles either side of the Little Rock VOR 141° True radial extending from the 5-mile radius zone to 12 miles southeast of the VOR. This would provide protection for aircraft conducting prescribed ADF and VOR instrument approach procedures to Adams Field, Little Rock, Ark. It is also proposed to designate a control zone extension based on the Little Rock ILS localizer southwest course extending from the 5-mile radius zone to the ILS outer marker to provide protection for aircraft conducting ILS approach procedures based on the ILS localizer southwest course.

If this action is taken, the Little Rock, Ark., control zone would be designated within a 5-mile radius of Adams Field, Little Rock, Ark. (latitude 34°43'45" N., longitude 92°13'45" W.), within 2 miles either side of the Little Rock VOR 141° True radial extending from the 5-mile radius zone to 12 miles southeast of the VOR and within 2 miles either side of the Little Rock ILS localizer southwest course extending from the 5-mile radius zone to the ILS outer marker.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5900; Filed June 27, 1960;  
8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 60-WA-120]

**CONTROL ZONES****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 § 601.2038 of the regulations of the Administrator, the substance of which is stated below.

The Shreveport, La., control zone is presently designated within a 5-mile radius of Shreveport Downtown Airport, within 5 miles either side of the northwest course of the Shreveport radio range extending from the radio range station to a point 10 miles northwest, within a 7-mile radius of Barksdale Air Force Base and within 5 miles either side of the southeast course of the Barksdale AFB radio range extending from the Air Force Base to the Elm Grove radio-beacon. The Federal Aviation Agency is considering modifying the Shreveport control zone, by reducing the Barksdale AFB 7-mile radius zone; reducing the width of the control zone extensions to the northwest and southeast; redesignating the southeast control zone extension by basing it on the Barksdale terminal VOR and designating an additional control zone extension based on the Shreveport VOR.

A review of the requirements for aircraft operations at Barksdale AFB indicates that a 7-mile radius zone is in excess of that required for the protection of aircraft operations at Barksdale AFB, and it is proposed to reduce this to a 5-mile radius zone. A review of the instrument approach procedures for Shreveport Downtown Airport and Barksdale AFB indicates that the presently designated northwest and southeast control zone extensions exceed the control zone requirements for aircraft conducting radio range approaches to Shreveport Downtown Airport from the northwest and ADF and terminal VOR approaches to Barksdale AFB from the southeast. The Barksdale AFB radio range is now used as a nondirectional radiobeacon only. Therefore, it is proposed to redesignate the southeast extension, which is presently based on the Barksdale radio range, by basing it on the Barksdale terminal VOR and to reduce the southeast control zone extension to include the airspace within 2 miles either side of the 332° True radial of the Barksdale terminal VOR extending from the 5-mile radius zone to the terminal VOR. It is also proposed to reduce the size of the northwest extension by redesignating it to include the airspace within 2 miles either side of the northwest course of the Shreveport radio range extending from the Shreveport Downtown Airport 5-mile radius zone to 12 miles northwest of the radio range station. In addition, it is proposed to designate a control zone extension within 2 miles either side of the Shreveport VOR 155° True radial extending from the Barksdale proposed 5-mile radius zone

to the VOR. This would provide protection for aircraft executing the jet approach procedure based on the Shreveport VOR. This modification would also eliminate the overlap of the Shreveport Downtown Airport and the Barksdale AFB control zone with the Greater Shreveport Airport, La., 5-mile radius control zone.

If these actions are taken, the Shreveport, La., control zone would be redesignated within a 5-mile radius of the Shreveport Downtown Airport (latitude 32°32'25" N., longitude 93°44'40" W.), excluding the portion which coincides with the Greater Shreveport control zone (§ 601.2377), within 2 miles either side of the northwest course of the Shreveport radio range extending from the Downtown Airport 5-mile radius zone to 12 miles northwest of the radio range, within a 5-mile radius of the Barksdale, La., AFB (latitude 32°30'05" N., longitude 93°39'45" W.), and within 2 miles either side of the Shreveport VOR 155° True radial extending from the Barksdale 5-mile radius zone to the VOR and within 2 miles either side of the 332° True radial of the Barksdale terminal VOR extending from the 5-mile radius zone to the terminal VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
Acting Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-5897; Filed, June 27, 1960; 8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 60-NY-45]

**CONTROL ZONES****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 § 601.2082 of the regulations of the Administrator, the substance of which is stated below.

The Akron, Ohio, control zone is presently designated within a 5-mile radius of the Akron Municipal Airport extending 2 miles either side of the southwest course of the Akron, Ohio, radio range to a point 10 miles southwest of the radio range station, including a 5-mile radius of the Akron-Canton County Airport extending 2 miles either side of the Akron-Canton ILS localizer to a point 10 miles south of the outer marker and within 2 miles either side of the west course of the Akron radio range extending from the radio range station to a point 10 miles west. The Federal Aviation Agency has under consideration modification of this control zone by revoking the control zone extensions. The instrument approach procedures based on the Akron radio range have been cancelled. The ADF standard instrument approach procedure based on the Akron-Canton County Airport ILS outer marker compass locator has been modified to require aircraft to cross the outer marker on final approach at an altitude of 2,300 feet MSL. Therefore, the presently designated extensions would no longer be required for the protection of aircraft executing instrument approaches.

If this action is taken, the Akron, Ohio, control zone would be designated within a 5-mile radius of the Akron Municipal Airport (latitude 41°02'15" N., longitude 81°28'05" W.) and within a 5-mile radius of the Akron-Canton County Airport (latitude 40°54'59" N., longitude 81°26'32" W.).

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5899; Filed, June 27, 1960;  
8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 60-KC-32]

### CONTROL ZONES

#### 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 § 601.2084 of the regulations of the Administrator, the substance of which is stated below.

The Battle Creek, Mich., control zone is presently designated within a 5-mile radius of Kellogg Field; within 2 miles either side of the south course of the Battle Creek radio range extending 10 miles south of the radio range; and within 2 miles either side of the 018°, 051°, 115°, 157°, 215°, 258° and 317° True radials of the Battle Creek VOR extending to points 12 nautical miles from the VOR. The Federal Aviation Agency has under consideration the following modifications of the Battle Creek control zone:

1. Revoke the present control zone extensions based on the Battle Creek VOR. The prescribed instrument approach procedures based on the VOR are being revised which will eliminate the requirement for the present control zone extensions.

2. Designate a new control zone extension within two miles either side of the Battle Creek VOR 050° True radial extending from the 5-mile radius zone to 12 miles northeast of the VOR to provide protection for aircraft executing instrument approaches based on the 050° True radial of the VOR.

3. Lengthen the control zone extension based on the south course of the Battle Creek radio range to 12 miles south of the radio range to provide protection for aircraft executing instrument approaches based on the south course of the radio range.

If these actions are taken, the Battle Creek, Mich., control zone would be redesignated within a 5-mile radius of Kellogg Field, Battle Creek (latitude 42°18'31" N., longitude 85°14'57" W.), within 2 miles either side of the south course of the Battle Creek radio range extending from the 5-mile radius zone to

12 miles south of the radio range, and within 2 miles either side of the Battle Creek VOR 050° True radial extending from the 5-mile radius zone to 12 miles northeast of the VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5906; Filed, June 27, 1960;  
8:47 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 60-FW-28]

### CONTROL ZONES

#### 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 § 601.2145 of the regulations of the Administrator, the substance of which is stated below.

The Greenville, S.C., control zone presently extends within a 5-mile radius of the Greenville Airport and within 2 miles either side of the south course of the Greenville radio range, extending 10 miles south of the radio range station. The Federal Aviation Agency has under consideration the modification of the Greenville, S.C., control zone by designating a 5-mile radius zone at the Donaldson, S.C., Air Force Base; revoking the present control zone extension to the south and designating a control zone ex-

tension to the southwest. The designation of a 5-mile radius zone at Donaldson AFB and the designation of a control zone extension within 2 miles either side of the 219° True bearing from the Greenville ILS outer marker extending from the Donaldson AFB 5-mile radius zone to 12 miles southwest of the Greenville ILS outer marker would provide protection for aircraft conducting ADF approaches to Donaldson AFB. The ADF instrument approach procedure to Greenville Airport based on the Greenville ILS outer marker is being revised by raising the final approach altitude over the outer marker to 2,000 feet MSL, thereby eliminating the requirement for the present Greenville control zone extension to the south.

If this action is taken, the Greenville, S.C., control zone would be designated within a 5-mile radius of Greenville, S.C., Airport (latitude 34°50'50" N., longitude 82°21'05" W.), within a 5-mile radius of Donaldson Air Force Base, Greenville, S.C. (latitude 34°45'00" N., longitude 82°22'00" W.), and within 2 miles either side of the 219° True bearing from the Greenville ILS outer marker extending from the Donaldson AFB 5-mile radius zone to 12 miles southwest of the Greenville outer marker.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5902; Filed, June 27, 1960;  
8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 60-LA-56]

**CONTROL ZONES****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 § 601.2178 of the regulations of the Administrator, the substance of which is stated below.

The Long Beach, Calif., control zone is designated as the airspace within a 5-mile radius of Long Beach Municipal Airport, including the airspace within a 5-mile radius of NAS Los Alamitos, Calif., and the airspace within 2 miles either side of the southeast course of the Long Beach radio range extending from the radio range to a point 14 miles southeast, excluding the portion in conflict with El Toro MCAF control zone. The Federal Aviation Agency has under consideration modification of this control zone by revocation of the extension predicated on the southeast course of the Long Beach radio range.

All published instrument and jet approach procedures to both the Long Beach Municipal Airport and NAS Los Alamitos are afforded adequate protection by the 5-mile radius zones. Therefore, the control zone extension is no longer required and it appears that revocation thereof would be in the public interest. The Long Beach High Density Air Traffic Zone is so designated that no amendment relating to high density air traffic zones would be necessary.

If this action is taken, the Long Beach, Calif., control zone would be designated within a 5-mile radius of the Long Beach, Calif., Municipal Airport (latitude 33°49'07" N., longitude 118°09'04" W.) and within a 5-mile radius of the NAS Los Alamitos, Calif. (latitude 33°47'25" N., longitude 118°03'00" W.).

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5904; Filed, June 27, 1960;  
8:47 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 60-LA-32]

**CONTROL ZONES****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 § 601.2179 of the regulations of the Administrator, the substance of which is stated below.

The Los Angeles, Calif., control zone is designated within the circumference of a 5-mile radius circle centered on the Los Angeles International Airport excluding the portion subtended by a chord drawn between points of intersection of this circumference with the circumference of the Santa Monica, Calif., control zone (§ 601.2420); within 2 miles either side of the Los Angeles ILS localizer east course extending from the localizer to a point 6 miles east of the airport, and within 2 miles either side of a line bearing 338° True from the Los Angeles non-directional radio beacon extending to the Burbank, Calif., control zone. The Federal Aviation Agency has under consideration modification of this control zone by revocation of the extension between the Los Angeles and Burbank control zones and by termination of the eastern extension at the ILS outer marker. The extension between the Los Angeles and Burbank control zones is no longer used for air traffic management and may be revoked. Aircraft executing instrument approaches to the Los Angeles International Airport from the east, do not descend below 1,000 feet above the surface until after passing the ILS outer marker. Therefore, the eastern extension to the control zone may be terminated at the outer marker.

The portion of the Los Angeles High Density Air Traffic Zone which is associated with the Los Angeles control zone would automatically conform to the modified control zone. Accordingly, no amendment relating to the High Density Air Traffic Zone would be necessary.

If this action is taken, the Los Angeles, Calif., control zone would be designated within a 5-mile radius of the Los Angeles International Airport (latitude 33°56'18" N., longitude 118°24'25" W.), excluding the portion north of a line between the points of intersection of the circumference of this control zone and the circumference of the Santa Monica,

Calif., control zone (§ 601.2420); within 2 miles either side of the Los Angeles ILS localizer east course extending from the 5-mile radius zone to the ILS outer marker.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5903; Filed, June 27, 1960;  
8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 60-WA-70]

**CONTROL ZONES****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 § 601.2293 of the regulations of the Administrator, the substance of which is stated below.

The Chicago, Ill., control zone is presently designated within a 5-mile radius of the Chicago O'Hare International Airport extending 2 miles either side of the O'Hare ILS localizer course to a point 10 miles northwest of the O'Hare outer marker and within 2 miles either side of the 332° radial of the Chicago-O'Hare VOR extending from the VOR to a point 12 miles northwest. The Federal Aviation Agency is considering modifying the Chicago control zone by increasing the radius to six miles, revoking the present

control zone extension, based on the Chicago-O'Hare ILS localizer course, re-aligning and reducing the present control zone extension based on the Chicago-O'Hare VOR 332° True radial, and designating a control zone extension to be based on the Chicago-O'Hare runway 14-R ILS localizer course.

The Chicago (O'Hare) control zone would be increased to a 6-mile radius zone to provide protection, during the departure climb-phase for heavy, high-speed type aircraft. This addition would also provide protection for aircraft executing VOR and back course ILS instrument approaches to Chicago-O'Hare runway 32-R.

Revision of the prescribed instrument approach procedures, based on the Chicago-O'Hare VOR for approaches from the northwest, indicate that the portion of the control zone extension northwest of the Arlington, Ill., intersection (intersection of the Northbrook, Ill., VOR 195° and the Chicago-O'Hare VOR 331° True radials) is no longer required for the protection of aircraft executing this approach. In addition, the revised instrument approach procedure indicates that a one degree change in the alignment of the extension would be necessary. Accordingly, this control zone extension would be redesignated within two miles either side of the Chicago-O'Hare VOR 331° True radial extending from the proposed 6-mile radius zone to the Arlington intersection.

There are presently two ILS systems in operation at the Chicago-O'Hare International Airport. The present description of the control zone, containing an extension based on a single Chicago-O'Hare ILS localizer course, no longer accurately describes the specific extent of the airspace required for the protection of aircraft executing ILS instrument approaches. Accordingly, this control zone extension would be revoked, and an extension would be designated within two miles either side of the Chicago-O'Hare runway 14-R ILS localizer course extending from the proposed 6-mile radius zone to the runway 14-R outer marker. Protection for aircraft executing runway 14-L ILS approaches would be provided by the combination of the control zone extension based on the runway 14-R ILS localizer course, and the extension based on the Chicago-O'Hare VOR 331° True radial. Therefore, an additional control zone extension for the approach to runway 14-L would not be necessary.

In addition, the caption of § 601.2293 would be changed to, Chicago (O'Hare) control zone, to more accurately identify the location of the control zone.

If these actions are taken, the Chicago O'Hare, Ill., control zone would be redesignated within a 6-mile radius of the Chicago-O'Hare International Airport (latitude 41°59'10" N., longitude 87°54'28" W.), within two miles either side of the Chicago-O'Hare VOR 331° True radial extending from the 6-mile radius zone to the Arlington, Ill., intersection (intersection of the Northbrook, Ill., VOR 195° and the Chicago-O'Hare VOR 331° True radials), and within two miles either side of the Chicago-O'Hare

runway 14-R ILS localizer course extending from the 6-mile radius zone to the runway 14-R outer marker.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5901; Filed, June 27, 1960;  
8:46 a.m.]

#### [ 14 CFR Part 601 ]

[Airspace Docket No. 60-NY-61]

### CONTROL ZONES

#### 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 § 601.2371 of the regulations of the Administrator, the substance of which is stated below.

The Plattsburgh, N.Y., control zone is presently designated within a 5-mile radius of Plattsburgh Air Force Base, within 2 miles either side of a line bearing 335° True extending from the Air Force Base to a point 14 miles northwest, and within 2 miles either side of the 195° and 015° True radials of the Plattsburgh VOR extending from the Plattsburgh AFB to a point 5 miles northeast of the VOR. The Federal Aviation Agency has under consideration modification of this control zone by revoking the present extensions to the northwest and northeast; and including in the designation a 5-mile radius of the Plattsburgh Muni-

pal Airport and extensions within 2 miles either side of the 338° True radial of the Plattsburgh AFB TACAN (latitude 44°36'30" N., longitude 73°26'35" W.) from the Plattsburgh Municipal Airport 5-mile radius zone to 12 miles northwest of the TACAN and within 2 miles either side of the 213° True radial of the Plattsburgh VOR from the Plattsburgh Municipal Airport 5-mile radius zone to the VOR. The presently designated extensions to the northwest and northeast are no longer required for the protection of IFR aircraft operations. The designation of the 5-mile radius zone around the Plattsburgh Municipal Airport and the extensions based on the 338° True radial of the Plattsburgh TACAN and the 213° True radial of the Plattsburgh VOR would provide protection for aircraft executing standard instrument approach procedures to the Air Force Base and Municipal Airport.

If this action is taken, the Plattsburgh, N.Y., control zone would be designated within a 5-mile radius of the Plattsburgh AFB (latitude 44°39'05" N., longitude 73°28'10" W.); within a 5-mile radius of the Plattsburgh Municipal Airport (latitude 44°41'10" N., longitude 73°31'10" W.), within 2 miles either side of the 338° True radial of the Plattsburgh AFB TACAN extending from the Plattsburgh Municipal Airport 5-mile radius zone to 12 miles north of the TACAN, and within 2 miles either side of the 213° True radial of the Plattsburgh VOR extending from the Plattsburgh Municipal Airport 5-mile radius zone to the VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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).

## PROPOSED RULE MAKING

Issued in Washington, D.C., on June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5905; Filed, June 27, 1960;  
8:47 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 59-WA-102]

## CONTROL ZONES

## Modification of Proposal

In a notice of proposed rule making published in the FEDERAL REGISTER on March 2, 1960 as Airspace Docket No. 59-WA-102, it was stated that the Federal Aviation Agency proposes to designate a control zone within a 5-mile radius of the Marquette County Airport, Marquette, Mich. In view of the fact that no public standard instrument approach to the Marquette County Airport will be available until the Marquette VORTAC is installed approximately December 14, 1960, at latitude 46°32'10" N., longitude 87°33'38" W., the designation of the Marquette control zone would be deferred until that time. It is also necessary to modify the proposal to include the area within 2 miles either side of the Marquette VORTAC 083° True radial extending from the 5-mile radius zone to 9 miles east of the VORTAC, and within two miles either side of the 249° True radial of the Marquette VORTAC extending from the 5-mile radius zone to 12 miles southwest of the VORTAC, in order to provide protection for aircraft executing VOR standard instrument approaches.

If this action is taken, the Marquette, Mich., control zone would be designated within a 5-mile radius of the Marquette County Airport (latitude 46°32'03.3" N., longitude 87°33'34.6" W.); within two miles either side of the 083° True radial of the Marquette VORTAC extending from the 5-mile radius zone to 9 miles east of the VORTAC; and within two miles either side of the 249° True radial of the Marquette VORTAC, extending from the 5-mile radius zone to 12 miles southwest of the VORTAC. The Marquette control zone would be designated concurrently with the commissioning of the Marquette VORTAC.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the closing date for filing such material will be extended to July 12, 1960.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), I hereby give notice that the time within which comments will be received for consideration on Airspace Docket No. 59-WA-102 is extended to July 12, 1960. Communications should be submitted in triplicate to the Chief,

Air Traffic Management Field Division, 4825 Troost Avenue, Kansas City 10, Missouri.

Sections 304(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 479, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D. C., on June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5898; Filed, June 27, 1960;  
8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 59-WA-282]

## CONTROL AREAS

## Withdrawal of Proposal To Designate an Extension

In a notice of proposed rule making published in the FEDERAL REGISTER (24 F.R. 9241) as Airspace Docket No. 59-WA-282 on November 13, 1959, it was stated that the Federal Aviation Agency proposed to designate a control area extension at Stevens Point, Wis., within a 15-mile radius of the Stevens Point VOR. Subsequent to the Notice, it was determined that weather reporting and ground/air communications services would not be available at Stevens Point Airport for some time. Instrument departure and arrival procedures for the Stevens Point Airport will not be established until these services are available. Therefore, the control area extension is not required at this time.

In consideration of the foregoing, the notice of proposed rule making contained in Airspace Docket No. 59-WA-282 is hereby withdrawn.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5892; Filed, June 27, 1960;  
8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 59-WA-290]

## CONTROL AREAS

## Withdrawal of Proposal To Designate an Extension

In a notice of proposed rule making published in the FEDERAL REGISTER (24 F.R. 9241) as Airspace Docket No. 59-WA-290 on November 13, 1959, it was stated that the Federal Aviation Agency proposed to designate a control area extension at Rhinelander, Wis., within a 15-mile radius of the Rhinelander VOR. Subsequent to the Notice, it was determined that weather reporting and ground/air communications services

would not be available at Oneida Airport, Rhinelander, Wis., for some time. Instrument approach for the Oneida Airport will not be prescribed until these services are available. Therefore, the control area extension is not required at this time.

In consideration of the foregoing, the notice of proposed rule making contained in Airspace Docket No. 59-WA-290 is hereby withdrawn.

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 June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5893; Filed, June 27, 1960;  
8:46 a.m.]

## [ 14 CFR Part 608 ]

[Airspace Docket No. 59-WA-378A]

## RESTRICTED AREAS

## Withdrawal of Proposal of Revocation

In a notice of proposed rule making published in the FEDERAL REGISTER on November 11, 1959, as Airspace Docket No. 59-WA-378 (24 F.R. 9173) and re-assigned as Airspace Docket No. 59-WA-378A in the FEDERAL REGISTER on January 15, 1960 (25 F.R. 337), the Federal Aviation Agency proposed the revocation of the Nafatan Rock, Guam, Restricted Area (R-478). Subsequent to the publication of this proposal in the FEDERAL REGISTER, the Department of the Navy has submitted data which supports the requirement for continued designation of this Restricted Area and its retention is deemed to be within the public interest. Therefore, the proposal to revoke the Nafatan Rock, Guam, Restricted Area (R-478) is being withdrawn.

In consideration of the foregoing, the notice of proposed rule making contained in Airspace Docket No. 59-WA-378A is hereby withdrawn.

Sections 307(a) and 313(a) of the Federal Aviation Act of 1958, 172 Stat. 749, 752; 49 U.S.C. 1348, 1354.

Issued in Washington, D.C., on June 17, 1960.

CHARLES W. CARMODY,  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5912; Filed, June 27, 1960;  
8:47 a.m.]

## [ 14 CFR Part 618 ]

[Airspace Docket No. 59-WA-14]

## HIGH DENSITY AIR TRAFFIC ZONES AND AIRPORTS

## Withdrawal of Proposal for Designation

In a notice of proposed rule making published in the FEDERAL REGISTER as

Airspace Docket No. 59-WA-14 on March 26, 1960, (25 F.R. 2594), it was proposed to designate a high density air traffic zone at St. Louis, Mo., and designate the Lambert-St. Louis Municipal Airport, St. Louis, Mo., as a high density airport. Subsequent to publication of the notice, a reevaluation of the high density air traffic zone concept has been undertaken by the Federal Aviation Agency. Action on the designation of high density air traffic zones and airports is suspended pending the results of this evaluation. Therefore, this notice of proposed rule making is being withdrawn.

In consideration of the foregoing, the Notice of Proposed Rule Making contained in Airspace Docket No. 59-WA-14 is hereby withdrawn.

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 June 17, 1960.

**CHARLES W. CARMODY,**  
*Acting Director, Bureau of  
Air Traffic Management.*

[F.R. Doc. 60-5911; Filed, June 27, 1960;  
8:47 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[ 17 CFR Part 274 ]

### REPORT FORM FOR SMALL BUSINESS INVESTMENT COMPANIES

#### Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed form for annual reports filed with the Commission by small business investment companies licensed under the Small Business Investment Act of 1958 (Form N-5R, § 274.5R).

Small business investment companies registered under the Investment Company Act of 1940 are required by section 30(a) of that Act to file annual reports with the Commission. Any such company which has securities listed and registered on a national securities exchange or which has registered a certain amount of securities under the Securities Act of 1933 is required to file similar annual reports pursuant to section 13 or 15(d) of the Securities Exchange Act of 1934. The proposed form is a combination form which would enable a small business investment company to file with

the Commission a single annual report which would meet all of the above mentioned annual reporting requirements. This form would permit such companies to meet the Commission's requirements as to financial statements by filing copies of the Company's annual financial report to the Small Business Administration pursuant to the Small Business Investment Act of 1958.

The proposed form, a copy of which is attached hereto,<sup>1</sup> would be adopted pursuant to the Investment Company Act of 1940, particularly section 38(a) thereof, and the Securities Exchange Act of 1934, particularly section 23(a) thereof.

All interested persons are invited to submit their views and comments on the proposed form, in writing, to the Securities and Exchange Commission, Washington 25, D.C., on or before July 18, 1960. All such communications will be available for public inspection.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
*Secretary.*

JUNE 22, 1960.

[F.R. Doc. 60-5929; Filed, June 27, 1960;  
8:49 a.m.]

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

# Notices

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Notice 9]

### ALASKA

#### Notice of Filing of Protraction Diagrams, Fairbanks Land District

JUNE 21, 1960.

Notice is hereby given that the following protraction diagrams have been officially filed of record in the Fairbanks Land Office, 516 Second Avenue, Fairbanks, Alaska. In accordance with 43 CFR 192.42a(c) (24 F.R. 4140, May 22, 1959) oil and gas offers to lease lands shown in these protracted surveys, filed 30 days after publication of this notice in the FEDERAL REGISTER, must describe the lands only according to the Section, Township, and Range shown on the approved protracted surveys. The protraction diagrams are also applicable for all other authorized uses.

ALASKA PROTRACTION DIAGRAMS (UNSURVEYED)

KATEEL RIVER MERIDIAN—FOLIO NO. 9

Sheet  
No.

1. Ts. 13 thru 16 N., Rs. 25 thru 27 E.
2. Ts. 13 thru 16 N., Rs. 21 thru 24 E.
3. Ts. 13 thru 16 N., Rs. 17 thru 20 E.
4. Ts. 9 thru 12 N., Rs. 17 thru 20 E.
5. Ts. 9 thru 12 N., Rs. 21 thru 24 E.
6. Ts. 9 thru 12 N., Rs. 25 thru 27 E.
7. Ts. 5 thru 8 N., Rs. 25 thru 28 E.
8. Ts. 5 thru 8 N., Rs. 21 thru 24 E.
9. Ts. 5 thru 8 N., Rs. 17 thru 20 E.
10. Ts. 1 thru 4 N., Rs. 17 thru 20 E.
11. Ts. 1 thru 4 N., Rs. 21 thru 24 E.
12. Ts. 1 thru 4 N., Rs. 25 thru 28 E.

Cover sheet showing location map and index.

Copies of these diagrams are for sale at one dollar (\$1.00) per sheet and may be obtained from the Fairbanks Land Office, Bureau of Land Management, mailing address: 516 Second Avenue, Fairbanks, Alaska.

DANIEL A. JONES,  
Manager.

[F.R. Doc. 60-5936; Filed, June 27, 1960;  
8:49 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 27-20]

### OCEAN TRANSPORT CO.

#### Notice of Proposed Amendment of By-product, Source and Special Nuclear Material License

Take notice that Ocean Transport Company, holder of License No. 4-5668-1, which authorizes the receipt and storage of prepackaged waste source, byproduct and special nuclear materials at South Fourth Street and Wright Avenue, Inner Harbor, Richmond, California, for

5950

disposal in the Pacific Ocean, has applied for a license amendment which would:

1. Authorize an increase in the possession limit from 750 curies of byproduct material, 2,000 pounds of source material and four grams of special nuclear material to 2,500 curies of byproduct material, 4,000 pounds of source material and 300 grams of special nuclear material; and

2. Authorize the packaging of waste source, byproduct, and special nuclear materials by the licensee in precast concrete blocks, 55 gallon steel drums, and solidified liquid waste disposal units for disposal at sea.

The AEC has reviewed the application for amendment and proposes to grant the amendment subject to appropriate limitations, including limiting the possession limit to 1,000 curies of byproduct material, unless within 15 days after filing of this notice with the Federal Register Division, a petition to intervene and a request for a formal hearing is filed with the Commission in the manner prescribed in Title 10, Code of Federal Regulations, Chapter 1, Part 2, rules of practice.

The application for license amendment and a hazards analysis thereof prepared by the Division of Licensing and Regulation are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C.

Dated at Germantown, Md., this 23d day of June 1960.

For the Atomic Energy Commission,

H. L. PRICE,  
Director,  
Licensing and Regulation.

[F.R. Doc. 60-5950; Filed, June 27, 1960;  
8:51 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket 10607]

### LAS VEGAS HACIENDA, INC., AND HENRY F. PRICE; ENFORCEMENT PROCEEDING

#### Notice of Oral Argument

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be held on July 20, 1960, at 10.00 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., June 20, 1960.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 60-5959; Filed, June 27, 1960;  
8:52 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-4554]

### LOVE ME LITTLE CO.

#### Order Vacating Order of Suspension

JUNE 22, 1960.

In the matter of Alexander H. Cohen as: "Love Me Little Company", File No. 24NY-4554.

Alexander H. Cohen, 40 West 55th Street, New York, N.Y. as "Love Me Little Company", 40 West 55th Street, New York, N.Y., filed with the Commission on August 15, 1957 a notification on Form 1-A and an offering circular relating to a proposed offering of preformation limited partnership interests in the aggregate amount of \$180,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

The Commission on May 13, 1960 ordered, pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A sought for the offering be temporarily suspended on the grounds that the terms and conditions of Regulation A had not been complied with in that the issuer had failed to file a definitive offering circular as required by Rule 256(f); had failed to file an accurate report of sales on Form 2-A as required by Rule 260; had failed to cooperate with the Commission in making an investigation in connection with the offering; and had made sales in jurisdictions which were not disclosed in the notification.

Subsequent to the Commission's action temporarily suspending the exemption, copies of definitive offering circulars were filed with the Commission and an accurate report of sales on Form 2-A was filed with the Commission. No further offering is being made.

It appearing to the Commission that a hearing is not necessary or appropriate in the public interest for the protection of investors,

It is ordered, Pursuant to Rule 261(b) of the general rules and regulations under the Securities Act of 1933, as amended, that said temporary order of suspension be, and hereby is, vacated.

By the Commission,

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 60-5927; Filed, June 27, 1960;  
8:49 a.m.]

[File No. 24NY-4715]

**SATELLITE TIME CORP.**

**Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing**

JUNE 22, 1960.

I. Satellite Time Corporation (issuer), a New York corporation, filed with the Commission on August 1, 1958 a notification on Form 1-A and an offering circular relating to a proposed public offering of 4,950,000 shares of its 1 cent par value common stock at 1 cent per share, 50,000 warrants to purchase 100 shares of common stock at 1 cent per warrant and 5,000,000 shares of common stock to be issued at 1 cent per share upon the exercise of the warrants for an aggregate offering of \$100,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that:

A. The exemption under Regulation A is unavailable in that an undisclosed affiliate and promoter is subject to an injunction from a court of competent jurisdiction enjoining such person from further violations of the registration and anti-fraud provisions of the Securities Act of 1933, as amended.

B. The terms and conditions of Regulation A have not been complied with in that:

1. The notification fails to set forth the full name and complete address of each affiliate of the issuer as required by Item 2(b) thereof;

2. The notification fails to set forth the full name and complete address of each promoter as required by Item 3(c) thereof.

C. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The failure to disclose the name and address of a promoter and controlling stockholder of the issuer;

2. The failure to disclose the direct and indirect interests of each officer, director, affiliate and promoter of the issuer and material transactions between such persons and the issuer.

D. The offering was made in violation of section 17 of the Securities Act of 1933.

III. *It is ordered*, Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under regulation be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within

thirty days herefrom; that within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 60-5928; Filed, June 27, 1960; 8:49 a.m.]

**FEDERAL COMMUNICATIONS COMMISSION**

[Docket Nos. 13423, 13424; FCC 60M-1075]

**INDEPENDENT BROADCASTING CO., INC., AND HIGH FIDELITY MUSIC CO.**

**Order Scheduling Hearing**

In re applications of Independent Broadcasting Company, Inc., Darien, Connecticut, Docket No. 13423, File No. BPH-2588; John R. Rieger, Jr., tr/as High Fidelity Music Co., Port Jefferson, New York, Docket No. 13424, File No. BPH-2622; for construction permits.

Pursuant to the agreement of all parties reached in the prehearing conference held herein on June 21, 1960, with the exception that the hour for the commencement of the proceeding is modified to permit appearance in another proceeding pending before the Commission by counsel for Interstate Broadcasting Company, Inc.;

*It is ordered*, That the hearing in the above-entitled proceeding is scheduled for July 13, 1960, commencing at 11:00 a.m. in the offices of the Commission at Washington, D.C.

Dated: June 22, 1960.

Released: June 23, 1960.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] BEN F. WAPLE,  
Acting Secretary.

[F.R. Doc. 60-5951; Filed, June 27, 1960; 8:51 a.m.]

[Docket No. 13593; FCC 60M-1064]

**MARK TWAIN BROADCASTING CO.**

**Notice of Prehearing Conference**

In re application of Mark Twain Broadcasting Co., Hannibal, Missouri, Docket No. 13593, File No. BR-1141; for renewal of license of station KHMO.

There will be a prehearing conference, under Rule 1.111, on Thursday, July 14, 1960, at 10 a.m., in the offices of the Commission, Washington, D.C.

Dated: June 20, 1960.

Released: June 21, 1960.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] BEN F. WAPLE,  
Acting Secretary.

[F.R. Doc. 60-5952; Filed, June 27, 1960; 8:51 a.m.]

[Docket No. 13472; FCC 60M-1063]

**PIONEER BROADCASTING CO. (KNOW)**

**Order Continuing Hearing**

In re application of Pioneer Broadcasting Company (KNOW), Austin, Texas, Docket No. 13472, File No. BP-12736; for construction permit.

Pursuant to procedures agreed upon at the prehearing conference held on this day, which agreements are hereby approved,

*It is ordered*, This 20th day of June, 1960, that commencement of the hearing is continued to a date to be fixed by subsequent order upon petition of the applicant.

Released: June 21, 1960.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] BEN F. WAPLE,  
Acting Secretary.

[F.R. Doc. 60-5953; Filed, June 27, 1960; 8:51 a.m.]

[Docket No. 13591; FCC 60M-1070]

**STORER BROADCASTING CO. (WWVA-FM)**

**Order Scheduling Prehearing Conference**

In re application of Storer Broadcasting Company (WWVA-FM), Wheeling, West Virginia, Docket No. 13591, File No. BPH-2956; for construction permit.

The Hearing Examiner having under consideration the above-entitled proceeding;

*It is ordered*, This 22d day of June 1960, that all parties, or their attorneys, who desire to participate in the proceeding, are directed to appear for a prehearing conference, pursuant to the provisions of § 1.111 of the Commission's rules, at the Commission's offices in Washington, D.C., at 2:00 p.m., July 21, 1960.

Released: June 22, 1960.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] BEN F. WAPLE,  
Acting Secretary.

[F.R. Doc. 60-5954; Filed, June 27, 1960; 8:51 a.m.]

[Docket Nos. 13436-13438; FCC 60M-1073]

**TOT INDUSTRIES, INC., ET AL.****Order Continuing Hearing**

In re applications of TOT Industries, Inc., Medford, Oregon, Docket No. 13436, File No. BPCT-2641; Radio Medford, Inc., Medford, Oregon, Docket No. 13437, File No. BPCT-2655; Medford Telecasting Corporation, Medford, Oregon, Docket No. 13438, File No. BPCT-2697; for construction permits for new television broadcast stations (Channel 10).

The Hearing Examiner having under consideration a petition filed by TOT Industries, Inc., on June 16, 1960, requesting a continuance to a date early in September;

It appearing that because of other commitments counsel for the petitioner would be unable to meet the currently scheduled hearing date of July 12 and that the Hearing Examiner is unable to give the parties any other date in July because of his own schedule; and

It further appearing that counsel for the other parties have indicated no objection to the requested continuance;

It is ordered, This 22d day of June 1960, that the petition for continuance is granted and the hearing is continued from July 12 to September 13, 1960, at 10:00 a.m.

Released: June 23, 1960.

FEDERAL COMMUNICATIONS  
COMMISSION,[SEAL] BEN F. WAPLE,  
Acting Secretary.[F.R. Doc. 60-5955; Filed, June 27, 1960;  
8:51 a.m.]

[Docket Nos. 13211, 13212; FCC 60M-1060]

**ZEPHYR BROADCASTING CORP. AND  
MYRON A. RECK (WTRR)****Memorandum Opinion and Order  
Scheduling Hearing**

In re applications of Zephyr Broadcasting Corp., Zephyrhills, Florida, Docket No. 13211, File No. BP-12291; Myron A. Reck (WTRR), Sanford, Florida, Docket No. 13212, File No. BP-12900; for construction permits.

1. The Hearing Examiner entered an order in this proceeding dated May 17, 1960, continuing the hearing to a date to be hereinafter determined. The hearing had originally been scheduled for May 24, 1960. The reason for the continuance was set out in said order.

2. In an order released June 17, 1960, the Commission denied the motion to delete issues and leave to file affidavits, filed April 11, 1960, by Zephyr Broadcasting Corporation. In view of that order which has disposed of the motion of Zephyr, it is deemed appropriate now to set the matter for a hearing.

Accordingly, it is ordered, This 20th day of June 1960, that the hearing in this proceeding will commence July 19,

1960, at 10:00 a.m. at the Commission offices, Washington, D.C.

Released: June 20, 1960.

FEDERAL COMMUNICATIONS  
COMMISSION,  
BEN F. WAPLE,  
Acting Secretary.[F.R. Doc. 60-5966; Filed, June 27, 1960;  
8:51 a.m.]**FEDERAL DEPOSIT INSURANCE  
CORPORATION****INSURED MUTUAL SAVINGS BANKS  
NOT MEMBERS OF FEDERAL RE-  
SERVE SYSTEM****Call for Report of Condition**

Each insured mutual savings bank not a member of the Federal Reserve System is requested, pursuant to the provisions of section 10(e) of the Federal Deposit Insurance Act, to send to the Federal Deposit Insurance Corporation within ten days after receipt of this notice a Report of Condition as of the close of business Wednesday, June 15, 1960, on Form 64 (Savings).<sup>1</sup>

Said Report of Condition shall be prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 (Savings) and Report of Income and Dividends on Form 73 (Savings)", dated June 1951.

FEDERAL DEPOSIT INSURANCE  
CORPORATION,[SEAL] E. F. DOWNEY,  
Secretary.[F.R. Doc. 60-5938; Filed, June 27, 1960;  
8:50 a.m.]**INSURED STATE BANKS NOT MEM-  
BERS OF FEDERAL RESERVE SYS-  
TEM, EXCEPT BANKS IN DISTRICT  
OF COLUMBIA AND MUTUAL SAV-  
INGS BANKS****Call for Report of Condition**

Each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, is requested, pursuant to the provisions of section 10(e) of the Federal Deposit Insurance Act, to send to the Federal Deposit Insurance Corporation within ten days after receipt of this notice a Report of Condition on Form 64—Call No. 53,<sup>1</sup> and a Schedule FA,<sup>1</sup> Supplementary Data on Time Deposits of Individuals, Partnerships, and Corporations, and Maximum Interest Rates Paid on Savings and other Time Deposits, as of the close of business Wednesday, June 15, 1960.

Said Report of Condition shall be prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64", December 1959 and

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

amendment thereto, and Schedule FA shall be prepared in accordance with instructions printed on the Schedule.

FEDERAL DEPOSIT INSURANCE  
CORPORATION,[SEAL] E. F. DOWNEY,  
Secretary.[F.R. Doc. 60-5939; Filed, June 27, 1960;  
8:50 a.m.]**FEDERAL POWER COMMISSION**

[Docket No. CP60-79]

**ARKANSAS LOUISIANA GAS CO.****Notice of Application and Date of  
Hearing**

JUNE 21, 1960.

Take notice that on April 7, 1960, as supplemented on May 9, 13, 18 and 25, 1960, Arkansas Louisiana Gas Company (Applicant) filed in Docket No. CP60-79 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to acquire by merger and to operate all of the facilities of Consolidated Gas Utilities Corporation (Consolidated), to perform all acts and services now being performed by Consolidated, and to make all sales now being made by Consolidated, to the extent that such facilities, acts, services and sales are subject to the jurisdiction of the Commission, all as more fully set forth in the application and supplements which are on file with the Commission and open to public inspection.

Applicant now owns and operates a natural gas system including the purchasing, gathering, transmission, distribution and sale of natural gas in northern Louisiana, eastern Texas and southern and central Arkansas, and is actively engaged in the exploration for and production of natural gas and oil.

Consolidated owns and operates a natural gas pipeline system extending from the Texas Panhandle Field in Gray County, Texas, northeasterly through the States of Oklahoma and Kansas, and is principally engaged in the transportation, distribution and sale of natural gas to retail and wholesale customers in the States of Texas, Oklahoma and Kansas. As of October 31, 1959, Consolidated's facilities included approximately 1,181 miles of transmission lines, 1,150 miles of distribution lines, 61 miles of gathering lines, 10 compressor stations, 3 dehydration plants, distribution systems in 57 communities and two storage reservoirs, as well as certain oil and gas producing properties in Texas, Oklahoma and Kansas.

As of January 31, 1960, the total depreciated plants of Applicant and Consolidated, excluding subsidiaries, were \$96,371,815, and \$22,334,655, respectively.

It is stated that pursuant to the agreement of merger dated March 15, 1960, Applicant will issue 970,586 shares of its Cumulative Convertible Preferred Stock

to Consolidated in exchange for the same number of shares of Consolidated's common stock. Consolidated will then be merged into Applicant and all the assets, liabilities and obligations of Consolidated will become those of Applicant. Stockholders of both Applicant and Consolidated approved and adopted the proposed merger at their respective meetings on May 10, 1960.

Approval of the proposed merger by the appropriate regulatory agencies of Kansas, of Arkansas and of Oklahoma has been secured, and it is stated that application for the requisite approval of the Texas Railroad Commission will be made seasonably.

Applicant as the surviving corporation will continue all services presently being rendered by Consolidated at the effective rates in Consolidated's filed FPC gas tariffs which Applicant has formally engaged to adopt effective as of the date of issuance of certificate authorization pursuant to this application, thus there will be no interruption to or abandonment of service now being rendered by Consolidated.

The docket numbers of the certificate, exemption and abandonment authorizations heretofore granted to Consolidated by this Commission, in which Applicant's name is proposed to be substituted for

that of Consolidated, are listed in the filed application.

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 July 21, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

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

July 11, 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. 60-5914; Filed, June 27, 1960; 8:47 a.m.]

[Docket Nos. RI60-421—RI60-424]

GULF OIL CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>

JUNE 21, 1960.

Gulf Oil Corporation, Docket No. RI60-421; Socony Mobil Oil Co., Inc. (Operator), et al., Docket No. RI60-422; Skinner Corporation (Operator), et al., Docket No. RI60-423; Sohio Petroleum Company, Docket No. RI60-424.

The above-named respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Notice of change dated—	Date tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate	
RI60-421...	Gulf Oil Corp.....	189	2	Colorado Interstate Gas Co. (Hugoton Field, Kearny County, Kans.).	Undated	5-27-60	<sup>1</sup> 7-1-60	12-1-60	<sup>2</sup> 11.0	12.5	-----
RI60-422...	Socony Mobil Oil Co., Inc. (Operator), et al.	41	16	Trunkline Gas Co. (Clear Creek Field, Beauregard Parish, La.).	5-26-60	5-27-60	<sup>3</sup> 6-27-60	11-27-60	<sup>4</sup> 18.3	23.5	G-20343
RI60-423...	Skinner Corp. (Operator), et al.	8	4	Tennessee Gas Transmission Co. (Green Branch Field, McMullen, and La Salle Counties, Tex.).	Undated	5-27-60	<sup>3</sup> 6-27-60	11-27-60	<sup>2</sup> 15.0052	17.24347	G-20442
RI60-423...	do.....	9	4	Tennessee Gas Transmission Co. (Riverside O'Neil Field, Nueces County, Tex.).	...do....	5-27-60	<sup>3</sup> 6-27-60	11-27-60	<sup>2</sup> 14.87589	17.02416	G-20442
RI60-424...	Sohio Petroleum Co....	6	4	Tennessee Gas Transmission Co. (Rachal Field, Brooks County, Tex.).	...do....	5-23-60	<sup>3</sup> 6-23-60	11-23-60	<sup>2</sup> 12.12268	17.24347	-----

<sup>1</sup> The stated effective date is that requested by respondent.  
<sup>2</sup> The stated effective date is the first day after expiration of the required statutory notice.

<sup>3</sup> The pressure base is 14.65 psia.  
<sup>4</sup> The pressure base is 15.025 psia.

In support of its periodic increase, Gulf states that its contract was negotiated at arm's length. Gulf also incorporates by reference certain exhibits presented by Gulf in the section 5(a) proceedings in Docket No. G-9520, et al., which purport to show a cost of service of 28.92 cents per Mcf for Gulf's jurisdictional sales in 1957, higher exploration and development costs, and a declining production on a "per foot drilled" basis.

In support of its increased rate, Socony Mobil states that its contract was negotiated at arm's length; the gas is sold on an installment basis; gas is a commodity, the price of which should be based on the law of supply and demand; and the cost of doing business has been increasing.

In support, Skinner states that its proposed rates are below other rates approved by the Commission in Texas; the natural gas production business has been faced with increased labor, material and other costs; and the increases

are necessary to maintain exploration and drilling activities. Sohio states that its contract was negotiated at arm's length and the proposed rate is not in excess of the current commodity value of gas.

The proposed rate changes may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held

upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed changes in rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, each of the above-designated supplements is hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of, or until the periods of suspension have expired, unless otherwise ordered by the Commission.

<sup>1</sup> This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

(D) Notices of intervention 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 and 1.37(f)) on or before August 5, 1960.

By the Commission.<sup>1</sup>

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-5915; Filed, June 27, 1960;  
8:47 a.m.]

[Dockets Nos. RI60-97, RI60-426]

**W. A. RICHARDSON OIL CO. ET AL.**  
**Order Accepting Rate Tender for Filing, Providing for Hearing and Suspending Proposed Change in Rate and Terminating Proceeding, in Part**

JUNE 22, 1960.

W. A. Richardson Oil Company, et al., Docket No. RI60-97; McCarrick, Gouger & Mitchell, et al., Docket No. RI60-426.

On January 7, 1960, W. A. Richardson Oil Company, et al. (Richardson) tendered a Notice of Change to its FPC Gas Rate Schedule No. 1 which proposed to increase the level of rate from 12.12268 cents to 15.0952 cents per Mcf for natural gas produced in Seeligson Field, Jim Wells County, Texas, and sold to Tennessee Gas Transmission Company (TGT). By order issued February 3, 1960, in the proceeding in Docket No. RI60-97, said Notice was designated as Supplement No. 5 to Richardson's FPC Gas Rate Schedule No. 1 and was suspended until July 7, 1960, and thereafter until made effective in the manner prescribed by the Natural Gas Act. Said rate schedule covered natural gas produced from several interests, including that of McCarrick, Gouger & Mitchell, et al. (McCarrick).

McCarrick, now desiring to maintain his own rate schedule, on May 23, 1960, submitted a contract dated March 1, 1958, providing for a rate level of 12.12268 cents per Mcf. McCarrick concurrently submitted a Notice of Change dated May 1, 1960, increasing the level of rate by 5.12079 cents to 17.24347 cents per Mcf. As hereinafter ordered, said contract shall be designated as McCarrick, Gouger & Mitchell, et al. FPC Gas Rate Schedule No. 2 and said Notice of Change, as Supplement No. 1 to that rate schedule. This tender is intended to supersede W. A. Richardson Oil Company's FPC Gas Rate Schedule No. 1 so far but only insofar as said Rate Schedule No. 1 pertains to the interest of McCarrick.

Mr. McCarrick requests that Supplement No. 1 be permitted to become effective as of June 1, 1960. Good cause therefor not having been shown, said supplement may not be effective prior to June 23, 1960, the first day following statutory notice. In support of the proposed increased rate, McCarrick states that the contract was negotiated at

arm's length, that the proposed price does not exceed the going price in the area, and that initial rates in excess of that proposed have been certificated in the general area.

The proposed rates may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists for accepting the contract dated March 1, 1958 for filing, designating said contract as McCarrick, Gouger & Mitchell, et al. FPC Gas Rate Schedule No. 2 and permitting said rate schedule to be effective as of March 1, 1958.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Supplement No. 1 to the aforementioned Rate Schedule No. 2, and that said supplement be suspended and the use thereof deferred as hereinafter provided.

(3) Good cause exists for terminating the proceeding in Docket No. RI60-97, so far but only insofar as such pertains to the interests now covered by McCarrick's FPC Gas Rate Schedule No. 2.

The Commission orders:

(A) The aforementioned contract dated March 1, 1958, hereby is accepted for filing, designated as McCarrick, Gouger & Mitchell, et al. FPC Gas Rate Schedule No. 2, and is declared effective as of March 1, 1958.

(B) Pursuant to the authority of the Natural Gas Act, particularly Sections 4 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act (18 CFR, Chapter 1), a public hearing be held upon a date to be fixed by the Secretary concerning the lawfulness of the proposed rate contained in Supplement No. 1 to McCarrick, Gouger & Mitchell, et al. FPC Gas Rate Schedule No. 2.

(C) Pending such hearing and decision thereon, said Supplement No. 2 is hereby suspended and its use deferred until November 23, 1960, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby, shall be changed until the proceeding in Docket No. RI60-426 has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) The proceeding in Docket No. RI60-97 is hereby terminated so far but only insofar as that proceeding relates to the interest now covered by McCarrick's FPC Gas Rate Schedule No. 2.

(F) The order issued February 3, 1960, in the proceeding in Docket No. RI60-97, as such pertains to all interests other than that of aforementioned McCarrick, shall remain in full force and effect.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-5916; Filed, June 27, 1960;  
8:47 a.m.]

**DEPARTMENT OF AGRICULTURE**

**Agricultural Research Service**

**IDENTIFICATION OF CARCASSES OF CERTAIN HUMANELY SLAUGHTERED LIVESTOCK**

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904) and the statement of policy thereunder in 9 CFR 181.1, the following table lists the establishments operated under Federal inspection under the Meat Inspection Act (21 U.S.C. 71 et seq.) which were officially reported on June 1, 1960, as humanely slaughtering and handling the species of livestock respectively designated for such establishments in the table. The establishment number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods:

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Armour & Co.....	2AD	(*)					
Do.....	2AG	(*)					
Do.....	2AN		(*)				
Do.....	2AU						
Do.....	2B	(*)					
Do.....	2C	(*)					
Do.....	2E	(*)					
Do.....	2G	(*)					
Do.....	2LT	(*)					
Do.....	2SD	(*)					
Do.....	2WN	(*)					
Swift & Co.....	3AO					(*)	
Do.....	3AE	(*)					
Do.....	3AF	(*)	(*)				
Do.....	3AN	(*)		(*)			(*)
Do.....	3AW	(*)		(*)			(*)
Do.....	3B	(*)	(*)				
Do.....	3CO	(*)	(*)	(*)			
Do.....	3D	(*)					
Do.....	3E	(*)					
Do.....	3FF	(*)	(*)	(*)			(*)
Do.....	3K	(*)	(*)				
Do.....	3L	(*)					(*)
Do.....	3N	(*)					(*)
Do.....	3NN	(*)	(*)	(*)			(*)
Do.....	3S	(*)					(*)
Do.....	3T	(*)	(*)				

<sup>1</sup> Commissioner Kline dissenting as to the suspension of the filing in Docket No. RI60-421.

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Swift & Co.	311U	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	31V	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	32	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	270	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	60	⊙⊙⊙	⊙⊙			⊙⊙	
The Cudahy Packing Co.	10	⊙⊙⊙	⊙⊙			⊙⊙	
Hygrade Food Prods. Corp.	12	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	10A	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	12A	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	12C	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	12D	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	17	⊙⊙⊙	⊙⊙			⊙⊙	
John Morrell & Co.	17A	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	19E	⊙⊙⊙	⊙⊙			⊙⊙	
Cudahy Pkg. Co., Nebr.	20A	⊙⊙⊙	⊙⊙			⊙⊙	
Wilson & Co., Inc.	20N	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	20Q	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	20Y	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	23	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	25	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	26	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	28	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	34	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	35	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	39	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	40	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	44	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	47	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	49	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	52	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	53	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	59	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	60	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	67E	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	72	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	74E	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	83E	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	86	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	89	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	90	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	92	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	93	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	97	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	100	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	101	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	102	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	103	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	104	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	111	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	117	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	119	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	122	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	125	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	126	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	128	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	139	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	153	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	158	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	166A	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	174	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	177	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	186	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	188	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	191	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	192	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	197	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	198	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	199	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	199D	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	199I	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	199N	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	201	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	202	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	203A	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	208	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	214	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	221A	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	222	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	224	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	224B	⊙⊙⊙	⊙⊙			⊙⊙	
Do.	232	⊙⊙⊙	⊙⊙			⊙⊙	

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Trenton Dressed Beef Co.	236	⊙⊙⊙	⊙⊙			⊙⊙	
Raskin Pkg. Co.	237	⊙⊙⊙	⊙⊙			⊙⊙	
P D & J Meats	240	⊙⊙⊙	⊙⊙			⊙⊙	
Swift & Co.	241	⊙⊙⊙	⊙⊙			⊙⊙	
Maurer Neurer	246	⊙⊙⊙	⊙⊙			⊙⊙	
Danahy Pkg. Co.	247	⊙⊙⊙	⊙⊙			⊙⊙	
Suber Edwards & Co.	250	⊙⊙⊙	⊙⊙			⊙⊙	
Duluth Packing Co.	259E	⊙⊙⊙	⊙⊙			⊙⊙	
Zuman Abattoir	273	⊙⊙⊙	⊙⊙			⊙⊙	
Elliott Packing Co.	274	⊙⊙⊙	⊙⊙			⊙⊙	
Wilson & Co., Inc.	275	⊙⊙⊙	⊙⊙			⊙⊙	
Solano Meat Co.	285	⊙⊙⊙	⊙⊙			⊙⊙	
Western Pkg. Co.	288	⊙⊙⊙	⊙⊙			⊙⊙	
Arbogast & Bastian Co.	289	⊙⊙⊙	⊙⊙			⊙⊙	
Sioux City Drsd. Pork	292	⊙⊙⊙	⊙⊙			⊙⊙	
S. Schweid	295	⊙⊙⊙	⊙⊙			⊙⊙	
Great Falls Meat Co.	301	⊙⊙⊙	⊙⊙			⊙⊙	
Star Packing Co.	306	⊙⊙⊙	⊙⊙			⊙⊙	
Melton Prov. Co.	311	⊙⊙⊙	⊙⊙			⊙⊙	
Ideal Pkg. Co., Inc.	312	⊙⊙⊙	⊙⊙			⊙⊙	
Furlock Meat Co.	325	⊙⊙⊙	⊙⊙			⊙⊙	
Frisco Pkg. Co.	327	⊙⊙⊙	⊙⊙			⊙⊙	
C & M Meat Pkg. Corp.	329	⊙⊙⊙	⊙⊙			⊙⊙	
Royal Pkg. Co.	331	⊙⊙⊙	⊙⊙			⊙⊙	
Sakohk Pkg. Co.	331A	⊙⊙⊙	⊙⊙			⊙⊙	
Shapiro Pkg. Co., Inc.	332	⊙⊙⊙	⊙⊙			⊙⊙	
Grt. Western Pkg. Co., Inc.	334	⊙⊙⊙	⊙⊙			⊙⊙	
Des Moines Pkg. Co.	340	⊙⊙⊙	⊙⊙			⊙⊙	
Peters Packing Co., Inc.	341	⊙⊙⊙	⊙⊙			⊙⊙	
Anza Pkg. Co.	345	⊙⊙⊙	⊙⊙			⊙⊙	
Pesno Meat Pkg. Co.	352	⊙⊙⊙	⊙⊙			⊙⊙	
Marks Meat Co.	353	⊙⊙⊙	⊙⊙			⊙⊙	
Meyers Pkg. Co.	355	⊙⊙⊙	⊙⊙			⊙⊙	
Resper Pkg. Corp.	359	⊙⊙⊙	⊙⊙			⊙⊙	
Johnson & Sons Co.	371	⊙⊙⊙	⊙⊙			⊙⊙	
John Hilberg & Sons Co.	373	⊙⊙⊙	⊙⊙			⊙⊙	
Cross Bros. Meats Co.	380	⊙⊙⊙	⊙⊙			⊙⊙	
Emge Packing Co., Inc.	382	⊙⊙⊙	⊙⊙			⊙⊙	
Smithfield Pkg. Co.	390	⊙⊙⊙	⊙⊙			⊙⊙	
Dugdale Pkg. Co.	392	⊙⊙⊙	⊙⊙			⊙⊙	
Oldham's Farm Sausage Co.	394	⊙⊙⊙	⊙⊙			⊙⊙	
Roth Pkg. Co.	395	⊙⊙⊙	⊙⊙			⊙⊙	
Northside Pkg. Co.	396	⊙⊙⊙	⊙⊙			⊙⊙	
Dubnque Packing Co.	397	⊙⊙⊙	⊙⊙			⊙⊙	
Logan Pkg. Co.	399	⊙⊙⊙	⊙⊙			⊙⊙	
Superior Pkg. Co.	400	⊙⊙⊙	⊙⊙			⊙⊙	
Los Banos Abattoir	404	⊙⊙⊙	⊙⊙			⊙⊙	
Ceebee Pkg. Co.	410	⊙⊙⊙	⊙⊙			⊙⊙	
Enolich Packing Co., Inc.	412	⊙⊙⊙	⊙⊙			⊙⊙	
Alpine Pkg. Co.	414	⊙⊙⊙	⊙⊙			⊙⊙	
Frosty Morn Meats	422	⊙⊙⊙	⊙⊙			⊙⊙	
Lamoni Dressed Beef Corp.	423	⊙⊙⊙	⊙⊙			⊙⊙	
Lone Star Packing Co.	433	⊙⊙⊙	⊙⊙			⊙⊙	
Monarch Meat Pkg. Co.	435	⊙⊙⊙	⊙⊙			⊙⊙	
Omaha Drsd. Beef Co.	441	⊙⊙⊙	⊙⊙			⊙⊙	
Prime Pkg. Co., Inc.	443	⊙⊙⊙	⊙⊙			⊙⊙	
Del Curto Meat Co.	445	⊙⊙⊙	⊙⊙			⊙⊙	
Peerless Pkg. Co., Inc.	448	⊙⊙⊙	⊙⊙			⊙⊙	
Swift & Co.	459	⊙⊙⊙	⊙⊙			⊙⊙	
Morris Rifkin & Sons	460	⊙⊙⊙	⊙⊙			⊙⊙	
Lancaster Packing Co.	462	⊙⊙⊙	⊙⊙			⊙⊙	
Litvak Meat Co.	465	⊙⊙⊙	⊙⊙			⊙⊙	
Corn Belt Packing Co.	470	⊙⊙⊙	⊙⊙			⊙⊙	
Eckert Pkg. Co.	471	⊙⊙⊙	⊙⊙			⊙⊙	
Armour & Co.	477	⊙⊙⊙	⊙⊙			⊙⊙	
Nebr. Beef Co.	489	⊙⊙⊙	⊙⊙			⊙⊙	
Goldring Pkg. Co.	490	⊙⊙⊙	⊙⊙			⊙⊙	
Roberts Pkg. Co.	495	⊙⊙⊙	⊙⊙			⊙⊙	
Triangle Meat Distrib.	497	⊙⊙⊙	⊙⊙			⊙⊙	
Greenlee Pkg. Co.	501	⊙⊙⊙	⊙⊙			⊙⊙	
Swift & Co.	505	⊙⊙⊙					

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Pepper Pckg. Co.	536	33	3	3		3	
Oscar Mayer & Co., Inc.	537A						
Do.	537C						
Midwest Pckg. Co.	538	33					
Salter Pckg. Co.	551						
Tex. Meat Packers Inc.	565	33	3				
Armour & Co.	579						
Stahl Meyer Inc.	583						
Coffeyville Packing Co.							
F. A. Ferris & Co., Inc.		33					
Swift & Co.	591						
Harmon Packing Co.	596	33					
Swift & Co.	608						
Eastern Oreg Meat Co.	611		33				
Midtown Veal and Mutton	612						
Donner Pckg. Co.	614						
Kummer Pckg. Co.	617	33					
Acme Meat Co., Inc.	618			3			
Hill Pckg. Co.	623E						3
City Pckg. Co.	625						
Big Foot Packing Co., Inc.	627	33					
E. A. Miller & Sons Pckg.	628						
General Meat Co.	632	33					
Auburn Packing Co., Inc.	636						
W. Schluderberg T. Kurdle	649	33					
John Morrel & Co.	650						
Milwaukee Drssd. Beef Co.	654						
Wilson & Co., Inc.	655	33					
Baums Bologna, Inc.	657						
South Philadelphia Willowbrook, Inc.	658						
St. Louis Drssd. Beef Co.	659	33					
Quality Meat Pckg. Co.	661						
Globe Packing Co.	663						
Scottsbluff Pckg. Co.	667						
San Joaquin Packing Co.	671						
E. S. Read & Sons, Inc.	672						
Union Pckg. Co.	673						
Theede Pckg. Co.	674						
Armour & Co.	680	33					
Cascade Meats, Inc.	681						
Haas Davis Packing Co.	682		3				
William Fockes Sons Co.	685						
Bryan Meat Co.	693						
Kramer Beef Co.	695	33					
Dana Packing Co.	706						
Cent. Neb. Pckng. Co.	713E						
Davenport Pckg. Co., Inc.	716						
Coast Pckg. Co.	724	33					
Swift & Co.	725						
The Quaker Oats Co.	734E						
Jacob Schlachters Sons	739						
Tschudi Bros.	749						
Seltz Packing Co., Inc.	750A						
Schaake Packing Co.	761						
Earl O. Gibbs, Inc.	770						
Modern Meat Pckg. Co.	774						
Atlas Pckg. Co.	775						
Cudahy Pckg. Co.	779						
John Pollak Pckg. Co.	788		33				
Baums Meat Pckg.	792						
McFarland, Inc.	811						
Henry Meyers Sons, Inc.	822						
Hibbs Packing Co.	825						
Bristol Packing Co.	828						
Berchams Meat Co.	830						
Norman Peters Pckg. Co.	834						
Maurer Neuer	836						
Frederick Co Prod., Inc.	838						
N.J. Garden States Prov.	851						
Jordan Meat Co.	858						
Wells & Davies Pckg. Co.	860						
Sierra Meat Co.	862						
J. H. Rodman Graff Corp.	863						
Christensen Meat Co.	865						
Pahler Packing Corp.	880						
William Davies Co., Inc.	888A						
Tobin Pckg. Co., Inc.	893						
Meats, Inc.	899						
National Meat Packers	917						
B. Constantino & Sons Co.	918						
Wisconsin Pckg. Co.	924						
Peoples Pckg. Co.	925						
The Kerber Pckg. Co.	929						
Tarpoff Pckg. Co.	931						
E. B. Manning & Son	934						
Volz Packing Co., Inc.	938						
Cappellino Abattoir Inc.	939						
Wilson & Co., Inc.	940						
Gentner Pckg. Co., Inc.	941						
J. Doctorman & Son Pckg.	949						
The Quaker Oats Co.	952E						
Virginia Pckg. Co.	963						
Greeley Cap Packing Co.	969						
Perlin Pckg. Co., Inc.	974						
National Food Stores	981						
The Klarer Co.	995						
Do.	995C						
Browns Pckg. House	1154						
A. F. Moyer & Sons, Inc.	1311						
McCabe Pckg. Plt.	1312						
H & H Packing Co.	1315						
MCDE Packing & Prov. Co.	1353						

Done at Washington, D.C., this 22d day of June 1960.

A. R. MILLER,  
Director, Meat Inspection Division,  
Agricultural Research Service.

[F.R. Doc. 60-5874; Filed, June 27, 1960; 8:45 a.m.]

## INTERNATIONAL COOPERATION ADMINISTRATION

### INTERNATIONAL COMMITTEE OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS

#### Register of Voluntary Foreign Aid Agencies

In accordance with the regulations of the International Cooperation Administration concerning Registration of Agencies for Voluntary Foreign Aid (I.C.A. Regulation 3) 22 CFR, Part 203, promulgated pursuant to section 521 of the Mutual Security Act of 1954, as amended, notice is hereby given that a certificate of registration as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the International Cooperation Administration to the following agency:

International Committee of Young Men's Christian Associations (Corporate Title: National Board of Young Men's Christian Associations), 291 Broadway, New York 7, N.Y.

JAMES W. RIDDLEBERGER,  
Director.

JUNE 21, 1960.

[F.R. Doc. 60-5923; Filed, June 27, 1960; 8:48 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 23, 1960.

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. 36343: *Clay—Magnet Cove and Quincy, Fla., to Fla. and Ga.* Filed by O. W. South, Jr., Agent (SFA No. A3970), for interested rail carriers. Rates on clay, kaolin or pyrophyllite, in carloads as described in the application from Magnet Cove and Quincy, Fla., and Roddenbery, Ga., to points in Florida and Georgia.

Grounds for relief: Rate relationship with Attapulgus, Ga.

Tariff: Supplement 46 to Southern Freight Association tariff I.C.C. S-40.

FSA No. 36344: *Substituted service—C&O for Midwest Haulers, Inc.* Filed by Midwest Haulers, Inc. (No. 27), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars between Chicago, Ill., and Buffalo, N.Y., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

FSA No. 36345: *Class rates—Sea-Land Service, Inc.* Filed by Sea-Land Service, Inc. (No. 24), for interested carriers. Rates on various commodities

moving on less-than-truckload class rates loaded in trailers and transported over all-water, joint motor-water, water-motor, and motor-water-motor routes of applicant motor carriers and Sea-Land Service, Inc., between points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Washington, D.C., on the one hand, and points in Louisiana and Texas, on the other.

Grounds for relief: Rail-water freight forwarder competition.

Tariff: Sea-Land Service, Inc., tariff I.C.C. 3.

By the Commission,

[SEAL]

HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 60-5937; Filed, June 27, 1960; 8:49 a.m.]

[Rev. S.O. 562, Taylor's I.C.C. Order 120]

**RAILROADS SERVING NEBRASKA**

**Diversion or Rerouting of Traffic**

In the opinion of Charles W. Taylor, Agent, railroads serving the State of Nebraska are unable to transport traffic routed over their lines, because of floods and high water.

It is ordered, That:

(a) Rerouting traffic: Railroads serving the State of Nebraska, unable to

transport traffic in accordance with shippers' routing because of floods and high water, are hereby authorized to divert such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carriers' disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipments on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements

now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with the pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 11:00 a.m., June 22, 1960.

(g) *Expiration date.* This order shall expire at 11:59 p.m., June 30, 1960, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., June 22, 1960.

INTERSTATE COMMERCE  
COMMISSION,  
CHARLES W. TAYLOR,  
Agent.

[F.R. Doc. 60-5960; Filed, June 27, 1960; 8:52 a.m.]

**CUMULATIVE CODIFICATION GUIDE—JUNE**

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during June.

3 CFR	Page	6 CFR	Page	7 CFR—Continued	Page
<b>PROCLAMATIONS:</b>		333	5075	918	4801
Mar. 1, 1907	4923	366	4789	922	4953, 5215, 5475, 5873
Feb. 15, 1909	5243	421	4856, 4894,	936	4801, 4802,
Dec. 22, 1932	5126	4895, 5132, 5215, 5263, 5319, 5563			4897, 5144, 5176, 5177, 5822-5824
3351	4947	427	4975, 5431, 5689, 5864, 5872, 5901	937	4856, 4897, 5145
3352	5171	434	4982	943	5824
3353	5373	446	4948, 5437	953	4953, 5216, 5321, 5475, 5873, 5919
<b>EXECUTIVE ORDERS:</b>		472	5872	962	5177, 5216
Dec. 17, 1878	5243	483	5807, 5816	966	5755
May 27, 1885	5243	485	5444	969	5322, 5476
July 2, 1910	4923	502	5172	970	4984
May 27, 1913	5391	517	5567, 5689	972	5756
Apr. 11, 1916	4812	<b>7 CFR</b>		973	5919
Sept. 5, 1916	4812	26	5444	980	4856
Mar. 8, 1920	5487	27	5872	982	4898
Nov. 27, 1922	5391	28	4982, 5872, 5873	998	5477
Apr. 17, 1926	4814	29	4948	1001	5377
2242	4813	46	4845	1004	5921
3406	5577	52	4949	1011	4803, 5922
5339	5126	56	5320	1015	5078
8923	5243	68	5134	1016	4803
9526	5243	301	5263, 5264	1018	5756
10127	5925	319	5907	1020	5477
10879	4893	401	5266, 5267	1021	5216
10880	5131	717	5907	1022	5078
<b>5 CFR</b>		718	5754	1067	5445
6	4845, 5075, 5215, 5431, 5563, 5689	719	5445	1070	5078
26	5374	722	5134	<b>PROPOSED RULES:</b>	
29	5215	728	5445	26	5297
30	5431	730	4983, 5267	27	4867
89	4948	900	5907	28	4867
301	5901	909	4952	51	5579
325	4948, 5807	911	4896	52	4867

7 CFR—Continued

PROPOSED RULES—Continued	
102	5581
717	4920
723	4996
725	4996
727	4996
813	5347
902	5700
904	5488
912	5396
928	5702
943	4869
944	5396
958	4815
965	5882
968	5768
973	5298
975	5772
977	5883
978	4912
980	5774
990	5488
994	4919
995	5776
996	5488
999	5488
1004	4962
1011	5303
1016	5397, 5705
1018	5093
1019	5488
1028	5153
1030	5342
1035	5778

8 CFR

245	5690
-----	------

9 CFR

14	5923
74	5446
78	5449
181	5863
PROPOSED RULES:	
27	5582
84	5434
131	4962

12 CFR

217	5923
221	5923
222	4898
224	5924

13 CFR

107	5374, 5478, 5825
108	5375
121	4985
PROPOSED RULES:	
107	5401, 5544, 5846
121	4832

14 CFR

29	5567
35	5178
40	5146
41	5146
42	5146
295	5322
301	4954
302	5279
399	5327
507	4803, 4899, 4955, 5826, 5827
600	4857-4859,
	4899, 4900, 4955, 4956, 4985, 5146,
	5147, 5178, 5179, 5328, 5329, 5377,
	5450, 5451, 5479-5481, 5568, 5569,
	5690, 5691, 5874-5876, 5924, 5925

14 CFR—Continued

601	4804, 4858-4861, 4899,
	4900, 4955, 4956, 4985, 4986, 5147,
	5179, 5180, 5224, 5329-5331, 5377,
	5378, 5450-5452, 5480-5483, 5568,
	5569, 5690-5692, 5875, 5876, 5925
602	4859, 4862, 4956,
	5332, 5333, 5452, 5483, 5692, 5693
608	5147, 5180, 5926-5930
609	5226, 5228, 5379, 5828
610	5079
PROPOSED RULES:	
29	5589
507	5106, 5786, 5787
600	4999,
	5000, 5154-5156, 5535, 5939-5941
601	4831, 4921, 4999, 5000, 5106,
	5154-5156, 5187-5189, 5306, 5307,
	5455-5457, 5535-5543, 5939-5948
602	5190, 5245, 5941
608	4832, 4921,
	5189, 5245, 5535, 5543, 5941, 5948
618	5948

15 CFR

4	5082
204	5878
230	5878

16 CFR

1	5453
13	4862-4864, 4900, 4901, 4986,
	4987, 5083, 5148, 5149, 5218-5221,
	5280-5282, 5333, 5334, 5384, 5484,
	5570, 5694, 5833-5835, 5931, 5932
92	5835

17 CFR

240	4901
PROPOSED RULES:	
274	5949

18 CFR

101	5013
157	5334
201	5615

19 CFR

8	5150
16	5222
24	5385
PROPOSED RULES:	
14	4994
24	5153

20 CFR

208	5764
237	5764
404	5181, 5182

21 CFR

120	4864,
	4902, 5335, 5453, 5877, 5878, 5933
121	5336, 5338
146c	5340
146e	5340
PROPOSED RULES:	
9	5582, 5846
29	4962
120	4920, 4963, 5588
121	4994, 5589, 5939

24 CFR

200	5863
204	5282
222	5282
277	5283
295	5283

25 CFR

88	4864
PROPOSED RULES:	
221	4994

26 (1939) CFR

PROPOSED RULES:	
16	5766
17	5767
171	4995

26 (1954) CFR

1	4988, 5183
31	5723
175	5334
182	5734
186	4903
201	5734
216	5734
220	5734
221	5734
225	5734
240	5734
245	5734
252	5734
253	5734
504	5150
PROPOSED RULES:	
1	5187
170	4995

29 CFR

616	5217
671	5385
688	5283

PROPOSED RULES:

8	5880
9	5880
608	5296
609	5296
610	5296
611	5296
612	5296

30 CFR

PROPOSED RULES:	
18	5884
301	5700

32 CFR

1	4790
3	4790
4	4790
6	4790
7	4790
10	4790
12	4790
13	4790
16	4790
30	4790
518	4800
561	5084
562	5386
574	5694
590	5485
596	5485
598	5485
602	5485
606	4990, 5485
836	5150
1009	5839
1010	5839
1011	5841
1453	4801
1455	4801, 4991
1460	4801
1464	4801
1467	4801

**32A CFR**

OCDM (Ch. D):  
 DMP 4----- 5283  
 OIA (Ch. X):  
 OI Reg. 1----- 4957  
 NSA (Ch. XVIII):  
 AGE-2----- 5387

**33 CFR**

47----- 5933  
 74----- 4961  
 202----- 5877  
 203----- 5453  
 204----- 5183, 5695  
 207----- 5183, 5376, 5877  
 401----- 5151

**35 CFR**

4----- 5184

**36 CFR**

1----- 5388  
 6----- 5388  
 7----- 4804, 4992  
 211----- 5845  
 213----- 5845

**38 CFR**

1----- 4804  
 2----- 4808  
 3----- 5879  
 5----- 5285  
 17----- 5376

**39 CFR**

4----- 4991  
 36----- 4991  
 46----- 5184  
 61----- 4991  
 63----- 4991  
 94----- 5935  
 151----- 5936  
 168----- 5184, 5937

**PROPOSED RULES:**  
 43----- 4994

**41 CFR**

1-1----- 5223  
 1-2----- 5224  
 1-3----- 5224  
 2-60----- 5151  
 5-1----- 5571  
 5-2----- 5573  
 5-3----- 5574  
 5-12----- 5575  
 5-50----- 5576  
 5-51----- 5576

**42 CFR**

21----- 5184  
 71----- 4960

**PROPOSED RULES:**  
 36----- 5589  
 73----- 5834  
 400----- 5885  
 401----- 5885

**43 CFR**

147----- 5577  
 160----- 5084  
 161----- 5084, 5085  
 192----- 4808

**43 CFR—Continued**

**PROPOSED RULES:**  
 115----- 5697  
 146----- 5396  
 415----- 5697

**PUBLIC LAND ORDERS:**  
 461----- 5243  
 576----- 5126  
 675----- 5243  
 833----- 4813  
 1519----- 5696  
 1550----- 4813  
 1615----- 5878  
 1654----- 5126  
 1989----- 4813  
 2045----- 4813  
 2048----- 4813  
 2095----- 4808  
 2096----- 4808  
 2097----- 4809  
 2098----- 4809  
 2099----- 4810  
 2100----- 4810  
 2101----- 4811  
 2102----- 4811  
 2103----- 4811  
 2104----- 4812  
 2105----- 4813  
 2106----- 4813  
 2107----- 4813  
 2108----- 4813  
 2109----- 4814  
 2110----- 5185  
 2111----- 5186  
 2112----- 5243  
 2113----- 5243  
 2114----- 5244  
 2115----- 5389  
 2116----- 5389  
 2117----- 5390  
 2118----- 5390  
 2119----- 5390  
 2120----- 5391  
 2121----- 5391  
 2122----- 5454  
 2123----- 5487  
 2124----- 5487  
 2125----- 5577  
 2126----- 5577  
 2127----- 5695  
 2128----- 5695  
 2129----- 5696  
 2130----- 5765  
 2131----- 5765  
 2132----- 5878

**45 CFR**  
 300-350----- 5285

**46 CFR**  
 146----- 5236  
 160----- 5392  
 171----- 5863  
 355----- 5293

**47 CFR**  
 1----- 5086, 5152, 5395  
 2----- 4910  
 4----- 5086, 5395, 5578  
 21----- 4910

**47 CFR—Continued**

31----- 4910  
 63----- 4992

**PROPOSED RULES:**  
 3----- 4922, 5307, 5308, 5705, 5787  
 7----- 5000  
 8----- 5000  
 17----- 5246  
 18----- 5401  
 21----- 4922

**49 CFR**

142----- 4911  
 181----- 4866  
 182----- 4866  
 192----- 4961  
 193----- 4961

**PROPOSED RULES:**  
 136----- 5246

**50 CFR**  
 6----- 5340

**PROPOSED RULES:**  
 130----- 5153

Announcement

**CFR SUPPLEMENTS**

(As of January 1, 1960)

The following Supplements are now available:

Title 7, Parts 400-899, Revised... \$5.50  
 Title 14, Parts 40-399... \$0.75

Previously announced: Title 3 (\$0.60); Titles 4-5 (\$1.00); Title 7, Parts 1-50 (\$0.45); Parts 51-52 (\$0.45); Parts 53-209 (\$0.40); Parts 210-399, Revised (\$4.00); Parts 900-959 (\$1.50); Part 960 to End (\$2.50); Title 8 (\$0.40); Title 9 (\$0.35); Titles 10-13 (\$0.50); Title 14, Parts 1-39 (\$0.65); Title 15 (\$1.25); Title 16, Revised (\$6.50); Title 17 (\$0.75); Title 18 (\$0.55); Title 19 (\$1.00); Title 20 (\$1.25); Title 21 (\$1.50); Titles 22-23 (\$0.45); Title 24 (\$0.45); Title 25 (\$0.45); Title 26 (1939), Parts 1-79 (\$0.40); Parts 80-169 (\$0.35); Parts 170-182 (\$0.35); Parts 300 to End (\$0.40); Title 26, Part 1 (§§ 1.01-1.499) (\$1.75); Parts 1 (§ 1.500 to End)-19 (\$2.25); Parts 20-169 (\$1.75); Parts 170-221 (\$2.25); Part 300 to End (\$1.25); Titles 28-29 (\$1.75); Titles 30-31 (\$0.50); Title 32, Parts 1-399 (\$2.00); Parts 400-699 (\$2.00); Parts 700-799 (\$1.00); Parts 800-999, Revised (\$3.75); Parts 1000-1099, Revised (\$6.50); Part 1100 to End (\$0.60); Title 33 (\$1.75); Title 35, Revised (\$3.50); Title 36, Revised (\$3.00); Title 37, Revised (\$3.50); Title 38 (\$1.00); Title 39 (\$1.50); Title 42, Revised (\$4.00); Title 43 (\$1.00); Title 46, Parts 1-145 (\$1.00); Parts 146-149, Revised (\$6.00); Part 150 to End (\$0.65); Title 47, Parts 1-29 (\$1.00); Part 30 to End (\$0.30); Title 49, Parts 1-70 (\$1.75); Parts 71-90 (\$1.00); Parts 91-164 (\$0.45); Part 165 to End (\$1.00); Title 50 (\$0.70).

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