



# FEDERAL REGISTER

VOLUME 27 NUMBER 17

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# Presidential Documents

## Title 3—THE PRESIDENT

### Executive Order 10989

#### AMENDMENT OF EXECUTIVE ORDER NO. 10168<sup>1</sup> OF OCTOBER 11, 1950, AS AMENDED, PRESCRIBING REGULATIONS RELATING TO THE RIGHT OF ENLISTED MEMBERS OF THE UNIFORMED SERVICES TO ADDITIONAL PAY FOR SEA AND FOREIGN DUTY

By virtue of the authority vested in me by section 206 of the Career Compensation Act of 1949, as amended (37 U.S.C. 237), and as President of the United States and Commander in Chief of the armed forces of the United States, it is ordered that Executive Order No. 10168 of October 11, 1950, as amended, be further amended as follows:

1. Section 2(a) is amended by adding the following new clauses at the end thereof:

“(5) While assigned to an artificial island (such as a Texas Tower) located on the outer Continental Shelf outside the territorial waters of the United States pursuant to orders issued by competent authority, including periods not in excess of fifteen consecutive days each while on duty ashore or temporarily based ashore.

“(6) While on an artificial island (such as a Texas Tower) located on the outer Continental Shelf outside the territorial waters of the United States pursuant to orders issued by competent authority although based or stationed ashore, but only when such duty is eight consecutive days or more in duration in each case.”

2. Section 3 is amended by striking out the words “and (3)” and inserting the words “, (3), (5), and (6)” in place thereof.

The amendments made by this order shall be effective as of the first day of the first month after the month in which this order is issued.

JOHN F. KENNEDY

THE WHITE HOUSE,  
January 22, 1962.

[F.R. Doc. 62-883; Filed, Jan. 23, 1962; 12:39 p.m.]

<sup>1</sup> 15 F.R. 6877; 3 CFR, 1949-1953 Comp., p. 1071.

# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### Department of Commerce

Effective upon publication in the FEDERAL REGISTER, § 6.212(a) (1) is added to Part 6 as set out below.

##### § 6.212 Department of Commerce.

(a) *Area Redevelopment Administration.* (1) Not to exceed January 31, 1963, one position of staff assistant to the Assistant Administrator for Area Operations.

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

UNITED STATES CIVIL SERVICE  
COMMISSION,

[SEAL] MARY V. WENZEL,  
*Executive Assistant  
to the Commissioners.*

[F.R. Doc. 62-851; Filed Jan. 24, 1962;  
8:53 a.m.]

## Title 7—AGRICULTURE

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

#### SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

##### PART 29—TOBACCO INSPECTION

##### Subpart C—Standards

A notice of proposed rule making to amend the Tentative Standard Grades for Puerto Rican Cigar-filler Tobacco, U.S. Type 46, was published in the FEDERAL REGISTER of December 28, 1961 (26 F.R. 12577). Interested persons were given 15 days following publication of the notice in the FEDERAL REGISTER in which to submit written data, views, or arguments with respect to the proposed amendment.

After consideration of the data, views, and arguments presented, the amended standards, as so published, are hereby adopted without change.

It is hereby found that good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER for the reason that the Puerto Rican tobacco sales of the 1961 crop will begin about February 1, 1962, and it is necessary that this amendment be effective prior to the marketing season, for utilization in the official inspection of the tobacco. Therefore, the earliest possible effective date will be beneficial to the industry and to the inspection service in that greater time will be afforded for the

study of the amended standards to assure uniform application.

The amendment is set forth below.

Done at Washington, D.C., this 19th day of January 1962, to become effective on the date of publication in the FEDERAL REGISTER.

G. R. GRANGE,  
*Deputy Administrator,  
Marketing Services.*

1. Designate §§ 29.9101-29.9999 as Subpart F—Tentative Standards.

2. Insert in Subpart F of Part 29 these tentative standards to be codified as follows:

TENTATIVE STANDARD GRADES FOR PUERTO RICAN CIGAR-FILLER TOBACCO (U.S. TYPE 46)

##### DEFINITIONS

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29.9301	Definitions.
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29.9303	Body.
29.9304	Class.
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29.9306	Condition.
29.9307	Crude.
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29.9320	Maturity.
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29.9323	Offtype.
29.9324	Order (case).
29.9325	Package.
29.9326	Packing.
29.9327	Quality.
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29.9329	Side.
29.9330	Sound.
29.9331	Stained (S).
29.9332	Stem.
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29.9335	Sweated.
29.9336	Sweating.
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##### GRADES

29.9381	Strippers (C Group).
29.9382	Grinders (X Group).
29.9383	Nondescript (N Group).
29.9384	Scrap (S Group).

##### SUMMARY OF STANDARD GRADES

29.9391 Summary of standard grades.

##### KEY TO STANDARD GRADEMARKS

29.9396 Key to standard grademarks.

AUTHORITY: §§ 29.9301 to 29.9396 issued under sec. 14, 49 Stat. 734, 7 U.S.C. 511m.

##### DEFINITIONS

##### § 29.9301 Definitions.

As used in these standards, the words and phrases hereinafter defined shall have the indicated meanings so assigned.

##### § 29.9302 Air-cured.

Tobacco cured under natural atmospheric conditions. Artificial heat is sometimes used to control excess humidity during the curing period to prevent pole-sweat, pole-burn, and shed-burn in damp weather. Air-cured tobacco should not carry the odor of smoke or fumes resulting from the application of artificial heat.

##### § 29.9303 Body.

The thickness and density of a leaf or the weight per unit of surface.

##### § 29.9304 Class.

A major division of tobacco based on method of cure or principal usage.

##### § 29.9305 Clean.

Tobacco is described as clean when it contains only a normal amount of sand or soil particles. Leaves grown on the lower portion of the stalk normally contain more dirt or sand than those from higher stalk positions. (See rule 4.)

##### § 29.9306 Condition.

The state of tobacco which results from the method or preparation or from the degree of fermentation. Words used to describe the condition of tobacco are: Undried, air-dried, steam-dried, sweating, sweated, and aged.

##### § 29.9307 Crude.

A subdegree of maturity. Any leaf which is crude to the extent of 20 percent of its surface may be described as crude. (See rule 14.)

##### § 29.9308 Cured.

Tobacco dried of its sap by either natural or artificial processes.

##### § 29.9309 Damage.

The effect of mold, must, rot, black rot, or other fungus or bacterial diseases which attack tobacco in its cured state. Tobacco having the odor of mold, must,

or rot is considered damaged. (See Non-descript (N Group).)

§ 29.9310 Dirty.

The state of tobacco containing an abnormal amount of dirt or sand. (See rule 15.)

§ 29.9311 Foreign matter.

Any extraneous substance or material such as stalks, straw, or abnormal amounts of dirt or sand. (See rule 15.)

§ 29.9312 Form.

The stage of preparation of tobacco such as stemmed or unstemmed.

§ 29.9313 Grade.

A subdivision of a type according to group and quality and to other characteristics when they are of sufficient importance to be treated separately.

§ 29.9314 Grademark.

A grademark normally consists of three symbols. A letter is used to indicate group and a number to indicate quality. In Type 46 the third factor denotes: P, heavy body; F, thin to medium body; T, second crop; and S, stained. For example, CIP means Strippers, first quality, heavy body.

§ 29.9315 Group.

A type division consisting of one or more grades. Groups in Type 46 are: Strippers (C), Grinders (X), Nondescript (N), and Scrap (S).

§ 29.9316 Injury.

Hurt or impairment from any cause except the fungus or bacterial diseases which attack tobacco in its cured state. (See definition of Damage.) Injury to tobacco may be caused by field diseases, insects, or weather conditions; insecticides, fungicides, or cell growth inhibitors; nutritional deficiencies or excesses; or improper fertilizing, harvesting, curing, or handling. Injured tobacco includes dead, burnt, hail-cut, torn, broken, ragged, sunburned, sunscalded, scorched, fire-killed, bulk-burnt, pole-burnt, barn-burnt, house-burnt, bleached, bruised, blackened, discolored, or deformed leaves; or tobacco affected by wildfire, rust, frog-eye, mosaic, root rot, wilt, black shank, or other diseases. (See rule 12.)

§ 29.9317 Leaf scrap.

A byproduct of unstemmed tobacco. Leaf scrap results from handling unstemmed tobacco and consists of loose and tangled whole or broken leaves.

§ 29.9318 Length.

The linear measurement of cured tobacco leaves from the butt of the midrib to the extreme tip.

§ 29.9319 Lot.

A pile, basket, bulk, or more than one bale, case, hogshead, tierce, package, or other definite package unit.

§ 29.9320 Maturity.

The degree of ripeness. Tobacco is mature when it reaches its prime state of development.

§ 29.9321 Nested.

Any tobacco which has been loaded, packed, or arranged to conceal foreign

matter or tobacco of inferior grade, quality, or condition. Nested includes any lot of tobacco which contains foreign matter or damaged, injured, tangled, or other inferior tobacco, any of which cannot be readily detected upon inspection because of the way the lot is packed or arranged. (See rule 15.)

§ 29.9322 No Grade.

A designation applied to a lot of tobacco classified as nested, offtype, semicured, or wet, tobacco that is abnormally dirty or improperly baled, contains foreign matter, or has an odor foreign to the type. (See rules 3 and 15.)

§ 29.9323 Offtype.

Tobacco of distinctly different characteristics which cannot be classified in the grades of the type. (See rule 15.)

§ 29.9324 Order (case).

The state of tobacco with respect to its moisture content.

§ 29.9325 Package.

A bundle, bale, case, or other securely enclosed parcel.

§ 29.9326 Packing.

A lot of tobacco consisting of a number of packages submitted as one definite unit for sampling or inspecting. It is represented to contain the same kind of tobacco and has a common identification number or mark on each package.

§ 29.9327 Quality.

A division of a group or the second factor of a grade based upon the stated specifications.

§ 29.9328 Semicured.

Tobacco in the process of being cured or which is partially but not thoroughly cured. Semicured includes tobacco which contains fat stems, wet butts, or tobacco that has not been thoroughly dried in the curing process. (See definition of No Grade and rule 15.)

§ 29.9329 Side.

A certain phase of quality as contrasted with some other phase of quality, or any peculiar characteristic of tobacco.

§ 29.9330 Sound.

Free of damage.

§ 29.9331 Stained (S).

A term applied to tobacco that is blackened, bruised, or discolored by excessive moisture. Any leaf affected 10 percent or more by any of these conditions may be described as stained. (See rule 13.)

§ 29.9332 Stem.

The midrib or large central vein of a tobacco leaf.

§ 29.9333 Stemmed.

A form of tobacco, including strips and strip scrap, from which the stems or midribs have been removed.

§ 29.9334 Strips.

The sides of tobacco leaves from which the stems have been removed or a lot of tobacco composed of strips.

§ 29.9335 Sweated.

The condition of tobacco which has passed through one or more fermentations natural to tobacco packed with a normal percentage of moisture. This condition is sometimes described as fermented.

§ 29.9336 Sweating.

The condition of tobacco in the process of fermentation.

§ 29.9337 Tobacco.

Tobacco as it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating, and conditioning are not regarded as manufacturing processes. Tobacco, as used in these standards, does not include manufactured or semimanufactured products, stems, cuttings, clippings, trimmings, siftings, or dust.

§ 29.9338 Tobacco products.

Manufactured tobacco, including cigarettes, cigars, smoking tobacco, chewing tobacco, and snuff, which is subject to Internal Revenue tax.

§ 29.9339 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths is classified as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 29.9340 Type 46.

That type of cigar-leaf tobacco, commonly known as Puerto Rican filler, produced principally in the inland and semi-coastal areas of Puerto Rico.

§ 29.9341 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

§ 29.9342 Uniformity.

A grade requirement designating the percentage of a lot which must meet the stated specifications. (See rule 11.)

§ 29.9343 Unstemmed.

A form of tobacco, including whole leaf and leaf scrap, from which the stems or midribs have not been removed.

§ 29.9344 Unsweated.

The condition of cured tobacco which has not been sweated.

§ 29.9345 Wet (high-case).

Any sound tobacco containing excessive moisture to the extent that it is in unsafe or doubtful-keeping order. Wet applies to any tobacco which is not damaged but which is likely to damage if treated in the customary manner. (See rule 15.)

RULES

§ 29.9356 Rules.

The application of these standard grades shall be in accordance with the following rules.

## § 29.9357 Rule 1.

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate, the type also shall be stated.

## § 29.9358 Rule 2.

The determination of a grade shall be based upon a thorough examination of a lot of tobacco or a representative sample of a lot.

## § 29.9359 Rule 3.

Tobacco leaves shall be placed straight in bundles or bales of normal weight, size, and shape with the butts out and tips overlapping sufficiently to make a level, solid, and uniform pack. The sides of the bundles or bales shall be completely covered with burlap or other suitable protective material. Improperly packed tobacco shall be designated as "No-G."

## § 29.9360 Rule 4.

All standard grades must be clean.

## § 29.9361 Rule 5.

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned, it shall not thereafter be represented as such grade.

## § 29.9362 Rule 6.

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

## § 29.9363 Rule 7.

A lot of tobacco meets the specifications of a grade when it is not lower in any degree than the minimum specifications of such grade.

## § 29.9364 Rule 8.

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Irregularities which do not affect over one percent of the tobacco shall be overlooked.

## § 29.9365 Rule 9.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards Branch and approved by the Director.

## § 29.9366 Rule 10.

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

## § 29.9367 Rule 11.

Uniformity shall be expressed in terms of percentages. These percentages shall govern the portion of a lot which must meet each specification of the grade. The remaining portion must be closely

related. These percentages shall not affect limitations established by other rules.

## § 29.9368 Rule 12.

Injury tolerance shall be expressed in terms of a percentage. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury.

## § 29.9369 Rule 13.

First quality tobacco stained 30 percent or less shall be graded X1S. Any tobacco stained over 30 percent and under 75 percent shall be graded X2S. Tobacco stained over 75 percent shall be graded "N."

## § 29.9370 Rule 14.

Any lot containing 20 percent or more of crude tobacco shall be designated by the symbol "N."

## § 29.9371 Rule 15.

Tobacco shall be designated as No Grade, using the grademark "No-G," when it is abnormally dirty, improperly baled, nested, offtype, semicured, wet, contains foreign matter, or has an odor foreign to the type.

## GRADES

## § 29.9381 Strippers (C Group).

Tobacco that is free of stain and is of long filler stemming quality.

U.S. grades Grade names and specifications

C1P First Quality Strippers  
Eighty-five percent must be heavy bodied, mature, and 13 inches or over in length. Injury tolerance, 15 percent.

C1F First Quality Strippers  
Eighty-five percent must be thin to medium bodied, mature, and 13 inches or over in length. Injury tolerance, 15 percent.

## § 29.9382 Grinders (X Group).

Short fillers or grinders.

U.S. grades Grade names and specifications

X1P First Quality Grinders  
Seventy percent must be heavy bodied, mature, and 8 inches or over in length. Injury tolerance, 30 percent.

X2P Second Quality Grinders  
Heavy bodied and over 30 percent injury tolerance; any hard or woody tobacco.

X1F First Quality Grinders  
Seventy percent must be thin to medium bodied, mature, and 8 inches or over in length. Injury tolerance, 30 percent.

X2F Second Quality Grinders  
Thin to medium bodied and over 30 percent injury tolerance; any yellow tobacco; or tobacco pole-burnt over 30 percent.

X2T Second Quality Second Crop Grinders  
Heavy bodied and over 30 percent injury tolerance.

X1S First Quality Stained Grinders  
Seventy percent must be thin to heavy bodied, mature, and 8 inches or over in length. Injury tolerance, 30 percent.

X2S Second Quality Stained Grinders  
Thin to heavy bodied and over 30 percent injury tolerance.

## § 29.9383 Nondescript (N Group).

U.S. grade Grade name and specifications  
N Nondescript  
Moldy, musty, or otherwise damaged tobacco; or tobacco bruised, blackened, stained, or injured over 75 percent.

## § 29.9384 Scrap (S Group).

U.S. grade Grade name and specifications  
S Scrap  
Loose, tangled, whole or broken leaves, or the web portions of leaves reduced to scrap by any process. Scrap is free of strings, paper, excessive dirt, and other foreign matter.

## SUMMARY OF STANDARD GRADES

## § 29.9391 Summary of standard grades.

## 2 Grades of Strippers

C1P C1F

## 7 Grades of Grinders

X1P X1F X1S  
X2P X2F X2T X2S

## 1 Grade of Nondescript

N

## 1 Grade of Scrap

S

Tobacco not covered by standard grades is designated as "No-G."

## KEY TO STANDARD GRADEMARKS

## § 29.9396 Key to standard grade marks.

## Groups

C—Strippers.  
X—Grinders.  
N—Nondescript.  
S—Scrap.

## Qualities

1—First.  
2—Second.

## Third Factors

P—Heavy body.  
F—Thin to medium body.  
T—Second crop.  
S—Stained.

[F.R. Doc. 62-835; Filed, Jan. 24, 1962; 8:50 a.m.]

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

[Grapefruit Reg. 2]

## PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

## Limitation of Shipments; Termination of Grapefruit Regulation 1

## § 906.305 Grapefruit Regulation 2.

(a) Findings. (1) Pursuant to the marketing agreement and Order No. 906 (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation of the Texas Valley Citrus Committee established under the aforesaid marketing agreement and

order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, 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 section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; and this regulation relieves restrictions on the handling of grapefruit grown in the Lower Rio Grande Valley in Texas.

(b) *Order.* (1) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; and terms relating to grade and diameter when used herein shall have the same meaning as is given to the respective term in the United States Standards for Grapefruit (Texas and States other than Florida, California, and Arizona) (§§ 51.620-51.658 of this title).

(2) Grapefruit Regulation 1 (§ 906.302; 27 F.R. 86) is hereby terminated effective at 12:01 a.m., c.s.t., January 19, 1962.

(3) During the period beginning at 12:01 a.m., c.s.t., January 19, 1962, and ending at 12:01 a.m., c.s.t., July 1, 1962, no handler shall, except as otherwise provided, handle:

(i) Any grapefruit of any variety, grown in the production area, which are of a size smaller than 3 inches in diameter, except that not more than 10 percent, by count, of such grapefruit in any lot of containers, and not more than 15 percent, by count, of such grapefruit in any individual container in such lot, may be of a size smaller than 3 inches in diameter;

(ii) Any grapefruit of any variety, grown as aforesaid, in any box or carton having inside dimensions other than those specified in subdivision (iii) of this subparagraph unless (a) the grapefruit are packed in accordance with the requirements of standard pack; or (b) are of a diameter within the diameter limits specified for the following pack size except that not more than 10 percent, by count, of the grapefruit in such container may be outside of such diameter limits:

Pack size	Diameter limits in inches	
	Minimum	Maximum
46.....	4 <sup>3</sup> / <sub>16</sub>	5

(iii) Any grapefruit of any variety, grown as aforesaid, in a container having inside dimensions of 19<sup>3</sup>/<sub>4</sub> x 13<sup>1</sup>/<sub>2</sub> x 13<sup>1</sup>/<sub>2</sub> inches unless such container is packed in accordance with one of the following

pack sizes and contain the applicable number of grapefruit that are within the diameter limits specified for the particular pack sizes, except that not more than 10 percent, by count, of such grapefruit in such container may be outside such diameter limits:

Pack size:	Number of grapefruit
46 .....	48
54 or 56.....	56
64 .....	64
70 or 72.....	72
80 .....	80
96 .....	96
112 or 118.....	112
125 or 126.....	125

(iv) Any grapefruit of any variety, grown as aforesaid, for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto not more than 48 hours prior to the time of shipment.

(v) The provisions of subdivisions (ii) and (iii) of this subparagraph shall not apply to the grapefruit in any gift package of fruit.

All grapefruit of any variety, grown as aforesaid, handled during the period specified in this section are subject to all applicable container regulations which are in effect pursuant to the aforesaid marketing agreement and order during such period.

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

Dated: January 19, 1962.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-833; Filed, Jan. 24, 1962; 8:50 a.m.]

[Orange Reg. 3]

**PART 906—ORANGES AND GRAPEFRUIT GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS**

**Limitation of Shipments; Termination of Orange Regulation 2**

**§ 906.304 Orange Regulation 3.**

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 906 (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation of the Texas Valley Citrus Committee established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, 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 section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C.

1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; and this regulation relieves restrictions on the handling of oranges grown in the Lower Rio Grande Valley in Texas.

(b) *Order.* (1) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; and terms relating to grade and diameter, when used herein, shall have the same meaning as is given to the respective term in the United States Standards for Oranges (Texas and States other than Florida, California, and Arizona) (§§ 51.680-51.712 of this title).

(2) Orange Regulation 2 (§ 906.303; 27 F.R. 457) is hereby terminated effective at 12:01 a.m., c.s.t., January 19, 1962.

(3) During the period beginning at 12:01 a.m., c.s.t., January 19, 1962, and ending at 12:01 a.m., c.s.t., July 1, 1962, no handler shall handle:

(i) Any oranges of any variety, grown as aforesaid, which are of a size smaller than 2<sup>3</sup>/<sub>16</sub> inches in diameter, except that not more than ten (10) percent, by count, of such oranges in any lot of containers, and not more than fifteen (15) percent, by count, of such oranges in any individual container in such lot may be of a size smaller than 2<sup>3</sup>/<sub>16</sub> inches in diameter;

(ii) Any oranges of any variety, grown as aforesaid, packed in any box or carton of inside dimensions other than those specified in subdivision (iii) of this subparagraph, unless the oranges are of a size within the diameter limits specified for one of the following pack sizes and otherwise are packed in accordance with the requirements of standard pack, except that not to exceed a total of 10 percent, by count, of the oranges in any such container may be outside such diameter limits:

Pack sizes	Diameter limits in inches	
	Minimum	Maximum
100.....	3 <sup>7</sup> / <sub>16</sub>	3 <sup>13</sup> / <sub>16</sub>
125.....	3 <sup>3</sup> / <sub>16</sub>	3 <sup>9</sup> / <sub>16</sub>
163.....	2 <sup>1</sup> / <sub>16</sub>	3 <sup>1</sup> / <sub>16</sub>
200.....	2 <sup>1</sup> / <sub>16</sub>	3 <sup>1</sup> / <sub>16</sub>
252.....	2 <sup>7</sup> / <sub>16</sub>	2 <sup>13</sup> / <sub>16</sub>
324.....	2 <sup>3</sup> / <sub>16</sub>	2 <sup>9</sup> / <sub>16</sub>

(iii) Any oranges of any variety, grown as aforesaid, packed in a box or carton having inside dimensions of 19<sup>3</sup>/<sub>4</sub> x 13<sup>1</sup>/<sub>2</sub> x 13<sup>1</sup>/<sub>2</sub> inches, unless such container is packed in accordance with one of the following pack sizes and contains the applicable number of oranges specified for the pack size: *Provided*, Such oranges are within the diameter limits specified in subdivision (ii) of this subparagraph for the particular pack size, except that not to exceed a total of 10 percent, by count, of the oranges in any such container may be outside such diameter limits:

Pack sizes:	Number of oranges
100	100
125	125
163	163
200	198
252	252
324	319

(iv) Any oranges of any variety, grown as aforesaid, for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto not more than 48 hours prior to the time of shipment.

(v) The provisions of subdivisions (ii) and (iii) of this subparagraph shall not apply to the oranges in any gift package of fruit.

All oranges of any variety, grown as aforesaid, handled during the period specified in this section are subject to all applicable container regulations which are in effect pursuant to the aforesaid marketing agreement and order during such period.

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

Dated: January 19, 1962.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-834; Filed, Jan. 24, 1962; 8:50 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter 1—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

#### PART 74—SCABIES IN SHEEP

##### Interstate Movement

Pursuant to the provisions of sections 1 through 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), §§ 74.2 and 74.3 of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, are hereby amended to read respectively, as follows:

##### § 74.2 Designation of free and infected areas.

(a) Notice is hereby given that sheep in the following States, Territories, and District, or parts thereof as specified, are not known to be infected with scabies and such States, Territories, District, and parts thereof, are hereby designated as free areas:

(1) Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Louisiana, Maine, Massachusetts, Mississippi, Montana, Nevada, New Hampshire, North Carolina, Oregon, Puerto Rico, Rhode Island, South Carolina, Texas, Utah, Vermont, Washington, and Wyoming;

(2) That portion of South Dakota lying west of the Missouri River;

(3) The following Counties in Nebraska: Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Sheridan, Sioux, and Scottsbluff;

(4) That portion of McKinley and San Juan Counties in New Mexico, occupied by the Navajo Indian Reservation;

(5) All of that area of the State of North Dakota lying west of the Missouri River and State Highway No. 8, beginning at a point where said river intersects the South Dakota boundary line and continuing along said river to a point on the Garrison Dam Reservoir directly south of the intersection of State Highways Nos. 23 and 8; thence, directly north to the intersection of State Highways Nos. 23 and 8; thence, north along State Highway No. 8 to the North Dakota-Canadian boundary; and

(6) The following Counties in Kansas: Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, and Comanche, and all Counties in the State of Kansas lying west thereof.

(b) Notice is hereby given also that sheep scabies exists in all States and Territories and parts of States not designated as free areas in paragraph (a) of this section, and they are hereby designated as infected areas.

##### § 74.3 Designation of eradication areas.

(a) Notice is hereby given that sheep in the following States, Territories, or parts thereof as specified, are being handled systematically to eradicate scabies in sheep and such States, Territories, and parts thereof, are hereby designated as eradication areas:

(1) Hawaii, Illinois, New Jersey, New York, Tennessee, and Wisconsin;

(2) That portion of South Dakota lying east of the Missouri River;

(3) The following Counties in Kansas: Barber, Barton, Cloud, Ellsworth, Harper, Harvey, Kingman, Lincoln, McPherson, Mitchell, Osborne, Ottawa, Pratt, Reno, Republic, Rice, Russell, Sedgwick, Smith, Stafford, and Sumner Counties;

(4) All Counties in Nebraska except Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Sheridan, Sioux, and Scottsbluff;

(5) All Counties in New Mexico except that portion of McKinley and San Juan Counties occupied by the Navajo Indian Reservation;

(6) All of the State of North Dakota except that area lying west of the Missouri River and State Highway No. 8, beginning at a point where said river intersects the South Dakota boundary line and continuing along said river to a point on the Garrison Dam Reservoir directly south of the intersection of State Highways Nos. 23 and 8; thence, directly north to the intersection of State Highways Nos. 23 and 8; thence, north along State Highway No. 8 to the North Dakota-Canadian boundary; and

(7) The following Counties in Michigan: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft Counties.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 19 F.R. 74, as amended)

*Effective date.* The foregoing amendments shall become effective upon issuance.

The amendments add the State of Arkansas to the list of free areas and delete this State from the list of infected and eradication areas as sheep scabies is no longer known to exist in this State. Hereafter, the restrictions pertaining to the interstate movement of sheep from or into infected and eradication areas as contained in the regulations in 9 CFR Part 74, as amended, will not apply to this State. However, the restrictions in said Part 74 pertaining to the interstate movement of sheep from or into free areas will apply thereto.

The amendments relieve certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and the amendments may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of January 1962.

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

[F.R. Doc. 62-848; Filed, Jan. 24, 1962; 8:52 a.m.]

## Title 13—BUSINESS CREDIT AND ASSISTANCE

### Chapter 1—Small Business Administration

[Amdt. 3 (Rev. 1)]

#### PART 108—LOANS TO STATE AND LOCAL DEVELOPMENT COMPANIES

##### Miscellaneous Amendments

The Loans to State and Local Development Companies Regulation (Revision 1, 26 F.R. 1822) is hereby amended by:

1. Deleting the figure "\$250,000" each time it appears in paragraph (d) of § 108.502-1 and inserting in lieu thereof the figure "\$350,000". As amended, paragraph (d) reads as follows:

(d) *Loan amount.* (1) Loans made by SBA under this section shall be limited to \$350,000 for each identifiable small-business concern. The total unpaid amount of any such SBA loan or loans in aid of a particular small-business concern shall never exceed \$350,000. (2) Development companies may be eligible to be considered for such additional loans of not more than \$350,000 each, as there may be additional identifiable small-business concerns to be assisted.

2. Deleting the word "ten" each time it appears in paragraph (i) of § 108.502-1 and inserting in lieu thereof the word "Twenty-five". As amended paragraph (i) reads as follows:

(i) *Loan maturity.* The maturity of any loan under this section may not exceed twenty-five years plus such additional period as is estimated may be required to complete construction, conversion or expansion. It shall be the policy of SBA generally, in the case of a lease agreement between a local development company and an identifiable small-business concern, to require that the term of the lease shall be not less than the term of the loan. It shall also be the policy of SBA generally to require repayment of the loan in equal periodic installments. Extensions or renewals of loans for an additional period not to exceed twenty-five years beyond the stated maturity may be granted by SBA only if such extensions or renewals will aid in the orderly liquidation of such loans.

Dated: January 17, 1962.

JOHN E. HORNE,  
*Administrator.*

[F.R. Doc. 62-846; Filed, Jan. 24, 1962;  
8:52 a.m.]

**PART 122—BUSINESS LOANS**

**Foreclosure of Collateral**

Section 122.7-21 of Part 122, Chapter I, Title 13 of the Code of Federal Regulations is revised to read as follows:

**§ 122.7-21 Foreclosure of collateral.**

Real and personal property, including contracts and claims, hypothecated as security for the payment of a loan which is in default may be sold in accordance with the provisions of the pledge or security instrument whereby such property was hypothecated.

Effective date: This revision shall become effective upon publication in the FEDERAL REGISTER.

Dated: January 19, 1962.

JOHN E. HORNE,  
*Administrator.*

[F.R. Doc. 62-845; Filed, Jan. 24, 1962;  
8:52 a.m.]

**Title 14—AERONAUTICS AND SPACE**

**Chapter II—Civil Aeronautics Board**

**SUBCHAPTER A—ECONOMIC REGULATIONS**

[Reg. No. ER-348]

**PART 205—INAUGURATION AND TEMPORARY SUSPENSION OF SCHEDULED ROUTE SERVICE AUTHORIZED BY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY**

JANUARY 19, 1962.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of January 1962.

No. 17—2

On July 25, 1961, the Board issued a notice of proposed rule making, Docket 12854, EDR-30, 26 F.R. 6855, proposing a revision of Part 205 to clarify procedures for obtaining Board authorization for delays of inauguration of authorized service and temporary suspension of service authorized and required pursuant to a certificate of public convenience and necessity, and to provide for notice to the Board of involuntary interruptions of such service. Notice was also given that the Board had under consideration a concurrent amendment to § 231.6 of Part 231 to require immediate notice to the Board and the filing of new schedule pages when such service is interrupted by a strike, and upon the resumption of service following a strike.

In response to this notice many air carriers submitted comments and suggested various changes to the proposed Part 205. All of the comments opposed the proposed addition of § 231.6 to Part 231.

The Board, after consideration of the comments received has decided to adopt revised Part 205 as proposed except for a number of modifications and changes suggested largely in the comments. Further, the Board has decided not to adopt the proposed amendment to Part 231.

The more significant changes from the provisions of the notice made in finalizing Part 205 are as follows:

1. Deleting the requirement with respect to the filing of an affidavit with answers in opposition to or in support of an application made pursuant to § 205.3 of the part (§ 205.4).

2. Adding a requirement that a petition for reconsideration be served on any person who has filed an answer in opposition to the original application (§ 205.7).

3. Deleting the requirement that the holder of a certificate give notice to the chief executive of any city, in cases of delayed inauguration or an interruption of service caused by a strike (§ 205.8 (b), and (c)).

4. Adding a new § 205.12 which will require an air carrier to submit a report, summarizing all flights that were canceled, the date they were canceled, and the date service was restored. Such report will be submitted in lieu of the proposed § 205.8 (b) and (c), and § 231.6 of Part 231 which would have required air carriers to submit revised schedule pages showing a cessation of service, and restoration of service during a strike.

In addition, many changes of a clarifying and editorial nature have been made in Part 205.

In adopting the revised Part 205 we have rejected the suggestion that § 205.4 be changed to reduce the time for filing answers from 20 days to 10 days. It is the view of the Board that a 10-day period would not provide sufficient time for cities or other public bodies to prepare an adequate answer to an application. We have also rejected the suggestion that replies to answers be permitted. The Board is of the view that the addition of this procedural step would result in an undue delay in the processing of applications and is not required if applicants exercise diligence in

the preparation of their initial applications.

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

Accordingly, the Board hereby adopts revised Part 205, effective February 24, 1962, to read as follows:

- Sec. 205.1 Applicability.
- 205.2 Board authorization required for delayed inauguration or temporary suspensions of service.
- 205.3 Applications pursuant to § 205.2.
- 205.4 Answers by interested persons.
- 205.5 Service.
- 205.6 Disposition.
- 205.7 Petition for reconsideration.
- 205.8 Automatic suspension authority for involuntary postponement of inauguration or involuntary interruption of service.
- 205.9 Re-examination of suspension authority.
- 205.10 Effect of failure to provide service.
- 205.11 Institution of service after suspension or postponement of inauguration: notice to the Board.
- 205.12 Strikes; report to be filed.

AUTHORITY: §§ 205.1 to 205.12 issued under sec. 205(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 401, 72 Stat. 754; 49 U.S.C. 1371.

**§ 205.1 Applicability.**

(a) This part shall apply to all air carriers holding currently effective certificates of public convenience and necessity authorizing scheduled route service between designated points (hereinafter referred to as certificates) issued by the Board pursuant to section 401 of the Act with respect to:

(1) Inauguration of new service pursuant to certificate awards;

(2) Applications to the Board for authority to temporarily suspend service to or from any point named in a certificate or included in an approved service plan designating points which may be served in a general area named in such certificate;

(3) Notice to the Board when all service to or from a point, pursuant to a certificate, shall have been interrupted or inauguration delayed because of circumstances or events beyond the carrier's control as provided in § 205.8(a); and

(4) Termination of suspension of service.

(b) Sections 205.2(a) and 205.10 shall not apply to the operations of certificated air carriers to or from points authorized for service in their certificates pursuant to section 401(e) of the Civil Aeronautics Act of 1938, 49 U.S.C. 481, but never regularly served. This part does not relieve any carriers from the obligation to file schedules pursuant to the requirements of Part 231 of this chapter.

**§ 205.2 Board authorization required for delayed inauguration or temporary suspensions of service.**

(a) *Inauguration of service.* Any service authorized by a certificate shall be inaugurated within 90 days after the effective date of the new or amended certificate unless the Board has fixed a longer period. If the recipient of a certificate award authorizing scheduled

route service between designated points desires to postpone inauguration of service to any such point or points beyond the 90-day period or such other period as the Board may have fixed, he shall, not later than 45 days prior to expiration of such period, file an application for postponement of the date of required inauguration of service.

(b) *Temporary suspension of service.* Service to or from any point, authorized in a certificate or included in an approved service plan, shall not be suspended by an air carrier except in accordance with the provisions of this part.

#### § 205.3 Applications pursuant to § 205.2.

The application shall contain a specific statement of the relief requested and of the facts relied upon to establish that there is good cause for the postponement of inauguration or that the temporary suspension of service for which application is made is in the public interest, with a statement of economic data or other matters which it is desired that the Board officially notice. The application shall also contain a list of the persons upon whom copies thereof were served and a statement that any interested person may file an answer in opposition to or in support of the application within twenty (20) days after the filing of the application. An executed original and 19 copies of such application shall be filed with the Docket Section of the Civil Aeronautics Board, Washington 25, D.C. Applications which are incomplete or which fail to comply with the requirements of this part will be dismissed.

#### § 205.4 Answers by interested persons.

Any interested person may file with the Board and serve upon the applicant a written answer in opposition to or in support of, an application made pursuant to § 205.3 within twenty (20) days of the filing thereof. Such answer shall set forth in detail the reasons why the postponement of inauguration of service or temporary suspension of service should be denied or authorized, with a statement of economic data and other matters which it is desired that the Board shall officially notice. An executed original and 19 copies of such answer shall be filed with the Docket Section. Unless ordered by the Board upon application or upon its own motion, further pleadings will not be entertained.

#### § 205.5 Service.

(a) A copy of each application made and each answer addressed thereto pursuant to §§ 205.3 and 205.4 shall be served personally or by registered or certified mail upon such persons as the Board may designate in a particular case, and shall be served upon the following persons in all cases:

(1) Each certificated route air carrier which serves any point for which postponement of inauguration or suspension of service is sought, or its designated agent.

(2) The chief executive of the city, town or other unit or local government at any such point located in the United States or any possession thereof;

(3) The State commission or agency having jurisdiction of transportation by air in the State wherein any such point is located, or if there is no such commission or agency, the chief executive of such State;

(4) The Secretary of State (marked for the attention of Chief, Aviation Division) if such point is not located in the United States or any possession thereof;

(5) The Postmaster General (marked for the attention of the Assistant Postmaster General—Bureau of Transportation) if the applicant's certificate authorizes the transportation of United States mail to or from such point;

(6) In cases involving an application for suspension of service at a point located in the United States or any possession thereof, the manager or other individual having direct supervision over and responsibility for the management of the airport being used to serve such point at the time the application is filed.

(b) Local service carriers shall serve such applications also on each certificated route air carrier which provides or is authorized to provide nonstop service between points between which the applicant could provide nonstop service if the application were granted.

#### § 205.6 Disposition.

An order may be issued authorizing such postponement or temporary suspension for such term and upon such conditions as the Board may find to be in the public interest. Where the public interest so requires, the Board may act on applications without waiting for answers thereto.

#### § 205.7 Petition for reconsideration.

A petition for reconsideration of the Board's determination under § 205.6 may be filed by any interested person within twenty (20) days after the date of service thereof. Except for the time of filing, such petitions shall conform to the provisions of section 37 of Part 302 of the Procedural Regulations. Any interested person may file an answer in opposition to, or in support of, the petition within ten (10) days after it is filed. An executed original and 19 copies of such petition for reconsideration or answer shall be filed with the Docket Section, and copies thereof shall be served upon the persons described in § 205.5, the applicant and any person who filed an answer in opposition to the original application.

#### § 205.8 Automatic suspension authority for involuntary postponement of inauguration or involuntary interruption of service.

(a) The holder of a certificate shall not be required to file an application under § 205.2 if the postponement of inauguration of new service or interruption of service to or from a point named in a certificate, or included in the holder's approved service plan is caused by conditions or events which the holder cannot reasonably be expected to foresee or control, such as rules, standards or other action or inaction of the Administrator of the Federal Aviation Agency or of a foreign government, emergency measures, strikes, weather conditions, construction work on airports, or disasters: *Provided*, That the provisions of

this paragraph shall apply to interruptions due to airport inadequacies only if the holder is unable to serve the certificated point through any airport convenient thereto with the type of equipment last regularly used to serve such point.

(b) In the case of delayed inauguration or an interruption of service caused by a strike, the holder shall give immediate notice of such interruption to the Board (marked for the attention of the Chief, Routes and Agreements Division, Bureau of Economic Regulation).

(c) If service at a point is interrupted or inauguration delayed for more than three (3) consecutive days for reasons beyond the certificate holder's control other than a strike, the holder shall give notice to the Board (marked for the attention of Chief, Routes and Agreements Division, Bureau of Economic Regulation) within three (3) days following the date of required inauguration of service or suspension, setting forth the date of suspension, the actual or estimated duration of delay of service or suspension, and a full and complete statement of the reasons therefor.

*NOTE:* See also the reporting requirements of § 241.24 of this chapter, Schedule P-2(d) of Part 241 of the Board's regulations.

#### § 205.9 Re-examination of suspension authority.

Authority to postpone inauguration or to suspend service, granted pursuant to § 205.6 or § 205.8, may be modified, conditioned or terminated by the Board at any time upon notice but without hearing where the public interest so requires.

#### § 205.10 Effect of failure to provide service.

In the absence of circumstances excusing involuntary postponement or suspension of service (§ 205.8), if for a period of ninety (90) days (or such longer specific period as may have been designated by the Board) any service authorized by a certificate has not been inaugurated, or if for a period of 90 days such a service has not been operated, the Board may direct the carrier to inaugurate or resume service or may, as authorized by section 401(f) of the Act, by order entered after notice and hearing, direct that the holder's certificate shall cease to be effective to the extent of such service.

#### § 205.11 Institution of service after suspension or postponement of inauguration: notice to the Board.

When service is inaugurated following postponement of inauguration, or resumed following suspension under either express or automatic authority, immediate notice thereof shall be given to the Board (marked for attention of the Chief, Routes and Agreements Division, Bureau of Economic Regulation), stating the time when service was inaugurated or resumed.

#### § 205.12 Strikes; report to be filed

Within fifteen (15) days following resumption of service after a strike an air carrier shall file a report with the Board (marked for the attention of the Chief, Routes and Agreements Division, Bureau of Economic Regulation) containing a

list of all flights that were canceled, the date they were canceled, and the date service was restored.

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

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 62-850; Filed, Jan. 24, 1962;  
8:52 a.m.]

### Chapter III—Federal Aviation Agency

#### SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-FW-88]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Alteration

On October 13, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 9681), stating that the Federal Aviation Agency proposed to alter low altitude VOR Federal airway No. 154 by redesignating the south alternate from Montgomery, Ala., to Columbus, Ga., via the intersection of the Montgomery VORTAC 090° and the Columbus VOR 219° radials.

No adverse comments were received to the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

In the text of § 600.6154 (14 CFR 600.6154) "including a south alternate from the Montgomery VORTAC to the Columbus VOR via the INT of the Montgomery VORTAC 088° True radial and the Columbus VOR direct radial to the Eufaula, Ala., VOR;" is deleted and "including a S alternate from the Montgomery VORTAC to the Columbus VOR via the INT of the Montgomery VORTAC 090° and the Columbus VOR 219° radials;" is substituted therefor.

These amendments shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 19, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-805; Filed, Jan. 24, 1962;  
8:46 a.m.]

[Airspace Docket No. 61-NY-107]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Alteration

The purpose of these amendments to §§ 600.6839 and 600.6881 of the regula-

tions of the Administrator is to redesignate portions of low altitude VOR Federal airways Nos. 839 and 881 in the Cleveland, Ohio, terminal area.

Victor 839 will be realigned, in part, from the Navarre, Ohio, VORTAC direct to the Cleveland VORTAC. Victor 881 will be realigned in part from the Cleveland VORTAC direct to the Tiverton, Ohio, VOR.

The realignment of Victor 839 and 881 is part of a plan to facilitate the flow of air traffic in the Cleveland terminal area.

Since these amendments impose no additional burden on any person, and do not involve the designation of additional controlled airspace, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) the following actions are taken:

1. In the text of § 600.6839 (26 F.R. 8169) "INT of the Navarre VORTAC 352° and the Akron, Ohio, VOR 298° radials; INT of the Akron VOR 298° and the Cleveland, Ohio, VORTAC 091° radials;" is deleted.

2. In the text of § 600.6881 (26 F.R. 8169) "From the Cleveland, Ohio, VORTAC via the INT of the Cleveland VORTAC 138° and the Tiverton, Ohio, VOR 017° radials; Tiverton VOR;" is deleted and "From the Cleveland, Ohio, VORTAC via the Tiverton, Ohio, VOR" is substituted therefor.

These amendments shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 19, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-806; Filed, Jan. 24, 1962;  
8:47 a.m.]

[Airspace Docket No. 61-SW-106]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Alteration

The purpose of these amendments to §§ 600.6054 and 600.6176 of the regulations of the Administrator is to alter the segments of low altitude VOR Federal airways No. 54 south alternate and No. 176 south alternate between Holly Springs, Miss., and Memphis, Tenn.

Victor 54 south alternate and Victor 176 south alternate extend in part from the Holly Springs VOR to the Memphis VORTAC via the intersection of the Holly Springs VOR 294° and the Memphis VORTAC 168° True radials. Action is taken herein to realign these airway segments from the Holly Springs VOR to the Memphis VORTAC via the intersection of the Holly Springs VOR 281° and the Memphis VORTAC 168°

True radials (Miller Intersection). This intersection is a clearance limit for aircraft arriving Memphis from over Holly Springs. Since these segments are not used for the routing of overflying aircraft, their realignment via the Miller Intersection will improve air traffic service by providing an airway routing for air traffic inbound to Memphis from Holly Springs. The control areas associated with these segments of Victor 54/176 south alternates are so designated that they will automatically conform to the realigned airways. Furthermore, no additional controlled airspace is necessary as the realignment will be contained within existing control area. Accordingly, no amendments relating to such control areas are necessary. The vertical extent of these control areas will remain as designated pending review of the adjacent airspace. Separate action will be initiated to implement on an area basis Amendment 60-21 to Part 60 of the Civil Air Regulations.

Since these amendments will not involve the designation of additional airspace and will impose no additional burden on the public, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following actions are taken:

1. The text of § 600.6054 (14 CFR 600.6054) is amended to read:

§ 600.6054 VOR Federal airway No. 54  
(Quitman, Tex., to Pinehurst, N.C.).

From the Quitman, Texas, VOR via the Texarkana, Ark., VORTAC; INT of the Texarkana VORTAC 052° and the Little Rock, Ark., VORTAC 235° radials; Little Rock VORTAC, including a N alternate via the INT of the Texarkana VORTAC 033° and the Little Rock VORTAC 255° radials; INT of the Little Rock VORTAC 077° and the Memphis, Tenn., VORTAC 261° radials; Memphis VORTAC, including a N alternate via the INT of the Little Rock VORTAC 062° and the Memphis VORTAC 276° radials; Muscle Shoals, Ala., VOR; including a N alternate via the INT of the Memphis VORTAC 081° and the Muscle Shoals VOR 297° radials, and also a S alternate from the Memphis VORTAC to the Muscle Shoals VOR via the INT of the Memphis VORTAC 168° and the Holly Springs, Miss., VOR 281° radials; Holly Springs VOR; INT of the Holly Springs VOR 099° and the Muscle Shoals VOR 255° radials; Huntsville, Ala., VOR; Chattanooga, Tenn., VORTAC, including a N alternate via the INT of the Muscle Shoals VOR 067° and the Chattanooga VORTAC 282° radials; Spartanburg, S.C. VORTAC; Fort Mill, S.C., VOR; INT of the Fort Mill VOR 069° and the Pinehurst, N.C., VOR 281° radials; to the Pinehurst VOR.

2. The text of § 600.6176 (14 CFR 600.6176) is amended to read:

§ 600.6176 VOR Federal airway No. 176 (Memphis, Tenn., to Birmingham, Ala.).

From the Memphis, Tenn., VORTAC via the Holly Springs, Miss., VOR including a S alternate via the INT of the Memphis VORTAC 168° and the Holly Springs VOR 281° radials; to the Birmingham, Ala., VORTAC, including a N alternate via the INT of the Holly Springs VOR 099° and the Birmingham VORTAC 313° radials.

These amendments shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 18, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-807; Filed, Jan. 24, 1962; 8:47 a.m.]

[Airspace Docket No. 62-WA-1]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### Alteration

The purpose of this amendment to § 600.621 of the regulations of the Administrator is to alter low altitude Blue Federal airway No. 21.

Blue 21 is designated from the intersection of the southeast course of the Andrews, Md., radio range and the south course of the Baltimore, Md., radio range to the Baltimore radio range station and it is reduced in part to a width of two miles on the east side of the centerline to avoid the Chesapeake Bay, Md., Restricted Area R-4004. In Airspace Docket No. 60-WA-233 published in the FEDERAL REGISTER on September 6, 1961 (26 F.R. 8377), Restricted Area R-4004 was revoked effective on the date of publication. Accordingly, action is taken herein to alter Blue 21 by increasing the reduced portion to a standard 10-mile wide airway. Action is also taken herein to exclude the portion of Blue 21 which lies within R-4007 since the airway overlaps this restricted area to a slight degree.

The control areas associated with Blue 21 are so designated that they will automatically conform to the altered airway. The vertical extent of these control areas will remain as designated pending review of the adjacent airspace. Separate actions will be initiated to implement on an area basis Amendment 60-21 to Part 60 of the Civil Air Regulations.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

The text of § 600.621 (14 CFR 600.621, 26 F.R. 8375) is amended to read:

§ 600.621 Blue Federal airway No. 21 (Coles Point, Va., to Baltimore, Md.).

From the INT of the SE course of the Andrews, Md., RR and the S course of the Baltimore, Md., RR to the Baltimore RR, excluding the airspace that lies within R-4007. The portion which lies within R-4003 shall be used only after obtaining prior approval from the appropriate authority.

This amendment shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 19, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-808; Filed, Jan. 24, 1962; 8:47 a.m.]

[Airspace Docket No. 61-KC-35]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

##### Designation of Federal Airways and Associated Control Areas

On August 25, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 7971), stating that the Federal Aviation Agency proposed to designate low altitude VOR Federal airway No. 430 and its associated control areas from Williston, N. Dak., to Minot, N. Dak., and to designate intermediate altitude VOR Federal airway No. 1766 from Williston to Minot, to overlie the proposed Victor 430.

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 (25 F.R. 12582) and for the reasons stated in the notice, Parts 600 and 601 (14 CFR Parts 600, 601) are amended by adding the following sections:

§ 600.6430 VOR Federal airway No. 430 (Williston, N. Dak., to Minot, N. Dak.).

From the Williston, N. Dak., VOR to the Minot, N. Dak., VOR.

§ 601.6430 VOR Federal airway No. 430 control areas (Williston, N. Dak., to Minot, N. Dak.).

All of VOR Federal airway No. 430.

§ 600.1766 VOR Federal airway No. 1766 (Williston, N. Dak., to Minot, N. Dak.).

From the Williston, N. Dak., VOR to the Minot, N. Dak., VOR.

These amendments shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 19, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-809; Filed, Jan. 24, 1962; 8:47 a.m.]

[Airspace Docket No. 61-KC-39]

### PART 600—DESIGNATION OF FEDERAL AIRWAYS

#### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

##### Alteration of Federal Airways and Associated Control Areas

On October 7, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 9515), stating that the Federal Aviation Agency proposed to extend low altitude VOR Federal airway No. 97 and its associated control areas from Janesville, Wis., to Lakewood, Ill. It was also stated that the Federal Aviation Agency proposed to realign and extend low altitude VOR Federal airway No. 429 and its associated control areas from Joliet, Ill., to Milwaukee, Wis.

The Air Transport Association of America endorsed the proposed amendments. The Department of the Air Force offered no objection. No other comments were received.

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 (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

##### § 600.6097 [Amendment]

1. In § 600.6097 (14 CFR 600.6097, 26 F.R. 8246) the following changes are made:

a. In the caption "(Miami, Fla., to Lake City, Minn.)" is deleted and "(Miami, Fla., to Chicago Heights, Ill., and Lakewood, Ill., to Lake City, Minn.)" is substituted therefor.

b. In the text, "From the Janesville, Wis., VOR via the" is deleted and "From the INT of the Northbrook, Ill., VORTAC 273° and the Naperville, Ill., VOR 340° radials via the INT of the Naperville VOR 340° and the Janesville, Wis., VOR 111° radials; Janesville VOR;" is substituted therefor.

##### § 601.6097 [Amendment]

2. In the caption of § 601.6097 (14 CFR 601.6097) "(Miami, Fla., to Lake City, Minn.)" is deleted and "(Miami, Fla., to Chicago Heights, Ill., and Lakewood, Ill., to Lake City, Minn.)" is substituted therefor.

3. Section 600.6429 (14 CFR 600.6429) is amended to read:

§ 600.6429 VOR Federal airway No. 429 (Decatur, Ill., to Milwaukee, Wis.).

From the Decatur, Ill., VOR; via the Champaign, Ill., VOR; Roberts, Ill., VORTAC; Joliet, Ill., VORTAC; INT of the Joliet VORTAC 008° and the Naperville, Ill., VOR 340° radials; INT of the Naperville VOR 340° and the Milwaukee, Wis., VORTAC 198° radials; to the Milwaukee VORTAC.

§ 601.6429 [Amendment]

4. In the caption of § 601.6429 (14 CFR 601.6429) "Janesville, Wis." is deleted and "Milwaukee, Wis." is substituted therefor.

These amendments shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 18, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-810; Filed, Jan. 24, 1962; 8:47 a.m.]

[Airspace Docket No. 61-NY-4]

## PART 600—DESIGNATION OF FEDERAL AIRWAYS

### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

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

On June 14, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 5327), stating that the Federal Aviation Agency proposed to designate low altitude VOR Federal airway No. 511 and its associated control areas from the Akron, Ohio, VOR to the Windsor, Ontario, Canada, VOR. Subsequent to publication of the notice, it was determined that it would be more practical to extend low altitude VOR Federal airway No. 103 from Akron to Windsor rather than designate a new airway Victor 511. Accordingly, on October 13, 1961, there was published in the FEDERAL REGISTER (26 F.R. 9681), a supplemental notice of proposed rule making which altered the original notice by proposing that the segment of Victor 103 from Cleveland, Ohio, to Navarre, Ohio, be revoked and that a new segment of Victor 103 be designated from Akron to Windsor, excluding the 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 (25 F.R. 12582) and for the reasons stated in the notice and the supplemental notice, the following actions are taken:

1. Section 600.6103 (14 CFR 600.6103, 26 F.R. 3771) is amended to read:

§ 600.6103 VOR Federal airway No. 103 (Greensboro, N.C., to Navarre, Ohio, and Akron, Ohio, to United States/Canadian Border.).

From the Greensboro, N.C., VOR via the Roanoke, Va., VORTAC; Elkins, W. Va., VORTAC; Clarksburg, W. Va., VORTAC; Wheeling, W. Va., VOR; to the Navarre, Ohio, VORTAC. From the Akron, Ohio, VOR via the INT of the Akron VOR 319° and the Windsor, Ontario, Canada, VOR 121° radials; to the Windsor VOR, excluding the portion outside of the United States.

2. The caption of § 601.6103, (14 CFR 601.6103, 26 F.R. 3771) is amended to read:

§ 601.6103 VOR Federal airway No. 103 control areas (Greensboro, N.C., to Navarre, Ohio, and Akron, Ohio, to United States/Canadian Border.).

These amendments shall become effective 0001 e.s.t., March 8, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 18, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-811; Filed, Jan. 24, 1962; 8:47 a.m.]

[Airspace Docket No. 61-WA-202]

### PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

#### Correction

On November 10, 1961, there was published in the FEDERAL REGISTER (26 F.R. 10589) amendments to §§ 601.7001 and 601.7003 revoking, designating and modifying designated reporting points. One of these amendments (§ 601.7003), referred to the Elmira, N.Y., intersection as the intersection of the Wellsville, N.Y., VOR 089° and the Syracuse, N.Y., VOR 211° radials. The correct reference should be to the intersection of the Wellsville, N.Y., VOR 090° and the Syracuse VOR 210° radials. Therefore, action is taken herein to effect these changes.

Since this correction is editorial in nature and imposes no additional burden on any person, this change is in compliance with section 4 of the Administrative Procedure Act.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

In § 601.7003 (26 F.R. 10589) the Elmira, N.Y., intersection is amended to read:

Elmira, N.Y., INT: INT of the Wellsville, N.Y., VOR 090° and the Syracuse, N.Y., VOR 210° radials.

This amendment shall become effective upon the day of publication.

(307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 18, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-815; Filed, Jan. 24, 1962; 8:48 a.m.]

[Airspace Docket No. 61-WA-168]

## PART 602—DESIGNATION OF JET ROUTES; JET ADVISORY AREAS AND HIGH ALTITUDE NAVIGATIONAL AIDS

### Designation of Jet Advisory Area

On October 17, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 9753), stating that the Federal Aviation Agency proposed to designate a nonradar jet advisory area from 75 nautical miles west of the Whitehall, Mont., VOR to 97 nautical miles east of Whitehall.

No 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.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

In § 602.200 *Enroute jet advisory areas* (26 F.R. 7083) Jet Route No. 16 jet advisory area is amended to read:

Jet Route No. 16 jet advisory area. Radar—Portland, Oreg., to Boston, Mass., excluding the portion below FL 310 from 75 NMI W of Whitehall, Mont., to 97 NMI E of Whitehall. Nonradar—From 75 NMI W of Whitehall, Mont., to 97 NMI E of Whitehall, FL 270 to FL 300 inclusive.

This amendment shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 18, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-812; Filed, Jan. 24, 1962; 8:47 a.m.]

[Airspace Docket No. 61-WA-170]

## PART 602—DESIGNATION OF JET ROUTES; JET ADVISORY AREAS AND HIGH ALTITUDE NAVIGATIONAL AIDS

### Designation of Jet Advisory Areas

On October 7, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 9517), stating that the Federal Aviation Agency proposed to designate a terminal radar jet advisory area for an instrument departure route from the Salt Lake City, Utah, terminal area.

The Department of the Air Force interposed no objection, but recommended that the area be redefined to exclude Restricted Areas R-6402, R-6405, and R-6406. By definition radar jet advisory areas include only areas within the continental control area. The restricted areas of concern to the Air Force are not a part of the continental control area and are therefore excluded by the action taken herein. No other 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.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for reasons stated in the notice, the following action is taken:

In § 602.300 *Terminal jet advisory areas* (26 F.R. 7079) under Salt Lake City, Utah, jet advisory area—Radar the following is added:

1. INT of Ogdan, Utah, 212° and Salt Lake City, Utah, 265° radials, via INT Delta, Utah, 004° and Provo, Utah, 257° radials; to Delta.

This amendment shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 18, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-813; Filed, Jan. 24, 1962;  
8:47 a.m.]

[Airspace Docket No. 61-WA-201]

## PART 602—DESIGNATION OF JET ROUTES, JET ADVISORY AREAS AND HIGH ALTITUDE NAVIGATIONAL AIDS

### Alteration of Jet Route

On November 18, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 10809), stating that the Federal Aviation Agency proposed to alter and extend Jet Route No. 35 between St. Louis, Mo., and Northbrook, Ill.

No 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.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

In § 602.100 *Jet routes* (26 F.R. 7081, 26 F.R. 10724), Jet Route No. 35 is amended to read:

Jet Route No. 35 (New Orleans, La., to Northbrook, Ill.). From New Orleans, La., via Jackson, Miss.; Greenwood, Miss.; Memphis, Tenn.; St. Louis, Mo.; Springfield, Ill.; the INT of the Springfield 036° and the Joliet, Ill., 204° radials; Joliet; to Northbrook, Ill.

This amendment shall become effective 0001 e.s.t., April 5, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D. C., on January 18, 1962.

D. D. THOMAS,  
Director, Air Traffic Service.

[F.R. Doc. 62-814; Filed, Jan. 24, 1962;  
8:47 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 8214 c.o.]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Seymour Lustig

Subpart—Discriminating in price under section 2, Clayton Act—Payment or acceptance of commission, brokerage, or other compensation under 2(c) : § 13.800 *Buyers' agents*; § 13.820 *Direct buyers*; § 13.822 *Lowered price to buyers*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 2, 49 Stat. 1527; 15 U.S.C. 13) [Cease and desist order, Seymour Lustig, Orlando, Fla., Docket 8214, Oct. 10, 1961]

*In the Matter of Seymour Lustig, an Individual Doing Business as Seymour Lustig*

Consent order requiring an Orlando, Fla., distributor-broker of citrus fruit and produce to cease violating section 2(c) of the Clayton Act by unlawfully receiving brokerage or discounts in lieu of brokerage from various packers or sellers on purchases for his own account for resale, receiving a lower net price which reflected an allowance of brokerage, and receiving brokerage as the buyer's representative in numerous transactions.

The order to cease and desist is as follows, including the further order requiring report of compliance therewith:

*It is ordered*, That respondent Seymour Lustig, individually and doing business as Seymour Lustig, and respondent's agents, representatives, and employees, directly or through any corporate, partnership, sole proprietorship, or other device, in connection with the purchase of citrus fruit or produce in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from: Receiving or accepting, directly or indirectly, from any seller, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any purchase of citrus fruit or produce for respondent's own account, or where respondent is the agent, representative, or other intermediary acting for or in behalf, or is subject to the direct or indirect control, of any buyer.

*It is further 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 this order.

Issued: October 10, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 62-821; Filed, Jan. 24, 1962;  
8:48 a.m.]

[Docket 8407 c.o.]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Surgical Appliance Industries, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.130 *Manufacture or preparation*. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*. Subpart—Misbranding or mislabeling: § 13.1255 *Manufacture or preparation*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Surgical Appliance Industries, Inc., et al., Cincinnati, Ohio, Docket 8407, Oct. 5, 1961]

*In the Matter of Surgical Appliance Industries, Inc., a Corporation, and William A. Pease, Isaac M. Pease and Walter J. Gruber, Individually and as Officers of Said Corporation*

Consent order requiring Cincinnati, Ohio, distributors of women's nylon elastic hosiery to retailers, to cease representing falsely in catalogs, in advertising mats supplied to customers, on boxes in which the hose was sold and on folders enclosed therein, that the hosiery was "70 gauge", when it was substantially less than 70 gauge.

The order to cease and desist is as follows:

*It is ordered*, That Respondents Surgical Appliance Industries, Inc., a corporation, and its officers, and Respondents William A. Pease and Isaac M. Pease, individually and as officers of said corporation, and Walter J. Gruber, individually, 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 elastic hosiery, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Misrepresenting, directly or indirectly, the gauge of said hosiery;

2. Representing directly or indirectly that hosiery knit on a circular knitting machine is of a stated gauge unless the term "gauge" denotes the number of needles employed per 1½ inches of the knitting circle of said machine;

3. Furnishing or otherwise placing in the hands of others the means and instrumentalities by and through which they may mislead and deceive the public in the manner or as to the things hereinabove inhibited.

*It is further ordered*, That the complaint be, and the same hereby is, dismissed as to Respondent Walter J. Gru-

ber as an officer of Respondent corporation.

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

*It is ordered*, That respondents Surgical Appliance Industries, Inc., a corporation, William A. Pease and Isaac M. Pease, individually and as officers of said corporation; and Walter J. Gruber, individually, 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: September 25, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 62-822; Filed, Jan. 24, 1962;  
8:48 a.m.]

[Docket 8278 c.o.]

### PART 13—PROHIBITED TRADE PRACTICES

#### Tile and Appliance Mart, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*: § 13.155-40 *Exaggerated as regular and customary*; § 13.155-70 *Percentage savings*; § 13.155-100 *Usual as reduced, special, etc.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Tile and Appliance Mart, Inc. (Wheeling, W. Va.), et al., Docket 8278, Oct. 9, 1961]

*In the Matter of Tile and Appliance Mart, Inc., and Tile Mart, Inc., of Youngstown, Corporations, and Irving M. Molever, Individually and as an Officer of Said Corporations*

Consent order requiring two associated concerns—in Wheeling, W. Va., and Youngstown, Ohio, respectively—and their common officer, to cease deceptive pricing of their products through representing falsely in newspaper advertising—by such statements as "Armstrong Woodgrain Floor Tile Reg. 15¢ 10¢", "100 Blocks Asphalt Tile Reg. Value \$7.00 \$4.88"—that the higher prices following "Reg." or "Regularly" or "Reg. Value" were the usual retail prices and purchasers would save the difference between these and the lower "sale" prices; by statements "Save 62% and more", "Everything . . . sold at approximately 80% off", that prices had been reduced by the given percentage; and through use of the terms "Clearance Sale" and "Warehouse clearance Tile sale" that customary retail prices were reduced.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Tile and Appliance Mart, Inc., and Tile Mart, Inc., of Youngstown, corporations, and their officers, and Irving Molever, as an officer of said corporations, and the respondents' representatives, agents and employees, directly or through any cor-

porate or other device, in connection with the offering for sale, sale or distribution of tile and other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that any amount is respondents' usual and customary retail price of merchandise when it is in excess of the price at which such merchandise is usually and customarily sold by respondents at retail in the recent regular course of business.

2. Using the word "Reg." or "Regularly" to describe or refer to the retail price of merchandise when such amount is not the price at which the merchandise has been usually and customarily sold by respondents at retail in the recent, regular course of business.

3. Representing, directly or by implication, that any amount is the price at which merchandise is usually and customarily sold at retail in the trade area, or areas, where the representation is made, when it is in excess of such price.

4. Using the words "Reg. value", "Value" or "Elsewhere" to describe or refer to the retail price of merchandise when such amount is not the price at which the merchandise has been usually and customarily sold at retail in the trade area, or areas, where the representation is made.

5. Representing, directly or by implication, that any savings are afforded from respondents' usual and customary retail prices in the purchase of merchandise unless the price at which the merchandise is offered constitutes a reduction from the price at which it has been sold by respondents at retail in the recent, regular course of business.

6. Representing, directly or by implication, that any saving is afforded in the purchase of merchandise from the price at which said merchandise is usually and customarily sold at retail in the trade area, or areas, where the representation is made unless the price at which it is offered constitutes a reduction from such price.

7. Using percentage savings claims to represent that merchandise is offered at a reduction from respondents' usual and customary retail price unless the price of such merchandise has been reduced in direct proportion to the percentage stated from respondents' usual and customary price in the recent, regular course of business.

8. Using the word "Sale" to represent, directly or by implication, that merchandise is offered at a reduction from respondents' usual and customary retail price in the recent, regular course of business, unless such is the fact.

9. Misrepresenting in any manner the amount of savings available to purchasers of respondents' merchandise, or the amount by which the price of said merchandise is reduced from the price at which it is usually and customarily sold by respondents in the recent, regular course of their business, or from the price at which said merchandise is usually and customarily sold in the trade area, or areas, where the representation is made.

*It is further ordered*, That the complaint herein be, and the same hereby is, dismissed as to respondent Irving M. Molever in his individual capacity.

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

Issued: October 9, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 62-823; Filed, Jan. 24, 1962;  
8:49 a.m.]

## Title 19—CUSTOMS DUTIES

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

[T.D. 55552]

#### PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

##### Release of Merchandise Under Special Permits.

Experience has demonstrated that where merchandise released under a special permit allowing immediate delivery is examined and notations as to value and classification are made on an invoice which is returned to the importer or broker who uses it as the regular entry invoice, a great reduction is made in the number of increases or refunds of duty upon liquidation of the entries. The values, etc., indicated by the examining officers are not binding on customs, but in the ordinary course of events final appraisal and subsequent liquidation will be in agreement with the notations made by the examiner.

However, the examination process and forwarding of documents is time consuming and can result in a failure of the importer to file an entry within the time limits presently prescribed in § 8.59(g), Customs Regulations.

Consequently, for use in conjunction with the above procedure only, the Bureau has decided to permit a four day extension to the basic two day period within which importers are ordinarily required to file an entry in support of a special permit for immediate delivery.

Therefore, § 8.59(g) of the Customs Regulations is amended by adding the following at the end thereof: "Where merchandise to be released on an immediate delivery permit is examined and notations as to value and classification are made on an invoice which is then filed by the importer as part of the entry, the collector may extend the period for filing entry and depositing duties for not to exceed 4 additional days, allowing 6 days in all, but the limitations set forth above on merchandise subject to quota will be observed. This privilege may be granted for individual entries or for special permits granted for a period not to exceed 1 year."

The citation of authority for § 8.59 is amended to read:

(Secs. 448, 484, 558, 46 Stat. 714, 722, as amended, 744, as amended; 19 U.S.C. 1448, 1484, 1558)

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

[SEAL] PHILIP NICHOLS, Jr.,  
Commissioner of Customs.

Approved: January 16, 1962.

JAMES A. REED,  
Assistant Secretary of the  
Treasury.

[F.R. Doc. 62-843; Filed, Jan. 24, 1962;  
8:52 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 37—FISH; DEFINITIONS AND STANDARDS OF FILL OF CONTAINER

##### Fish Flour; Identity

In the FEDERAL REGISTER of September 15, 1961 (26 F.R. 8641), there was published a proposal for a standard of identity for fish protein concentrate, whole fish flour as submitted by Mr. Harold Putnam of Washington, D.C.

During the 60-day period thereafter, the Hearing Clerk of the Department of Health, Education, and Welfare received over 1,800 comments on the published proposal. Of the several hundred received from individual consumers who were opposed to the proposal as published, many specifically stated that they would class the article as filthy because of the use of the entire fish. In addition to comments from consumers and groups representing consumer interests, views were received from many connected with various food industries. A great many communications came from firms and individuals identified as being associated with the fishery industry and, with few exceptions, these favored the adoption of the standard as proposed. The view was repeatedly expressed that the adoption of the standard would be economically helpful to the fishing industry. Many of the comments favoring the proposal did so on the basis of the view that the nutritive value of the article described was such that it should be made available to those individuals in other countries suffering from a deficiency of protein in their diet. Only a few letters suggested or implied that the diet of the American public, generally, is deficient in protein or needs supplementation with a whole fish flour.

Officials charged with the enforcement of 21 State food laws opposed the proposed standard on the grounds that such a product would be in conflict with the laws of the States because of the inclusion of filth; some also stated that, in their view, such a product should be classed as adulterated under the Federal Food, Drug, and Cosmetic Act.

Bakery groups, a number of individual bakers, and some other food manufacturers opposed the proposal as pub-

lished on several grounds. They referred to the high standards of cleanliness in their industries, their use of clean, sound, wholesome ingredients and expressed the view that any official authorization of a whole fish flour, which they regarded as filthy, would have an adverse effect on public confidence in commercially prepared foods, and would significantly defeat effective law enforcement, local, State and Federal, in preventing the marketing of filthy foods and foods prepared under insanitary conditions.

Comments received came from more than half of the 50 States. In addition to firms in the United States indicating interest in manufacturing such a product, one comment was received from a producer of whole fish flour in Sweden stating that the firm has marketed most of its output principally for inclusion in a Swedish type of enriched bread. That firm contemplated that if the standard is adopted, it would be interested in marketing the product in the United States.

A few comments, including the one from the Swedish manufacturer, suggested some changes in the specifications of the proposed standard. These dealt with proposals to increase the moisture content, increase or decrease the protein content, increase or decrease the permitted ash content, and increase the bacteria limit. However, these comments furnished insufficient data to demonstrate that the changes advocated would promote the interests of consumers.

In view of section 402(a)(3) of the Federal Food, Drug, and Cosmetic Act, which states "A food shall be deemed to be adulterated if \* \* \* it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for food," the Commissioner was particularly interested in learning the views of those who commented on the question of whether they would be willing to eat foods containing a whole fish flour so manufactured.

Seven hundred and thirty six of the comments clearly opposed establishment of the proposed standard. One hundred and sixty-six of these specifically referred to their objection to the inclusion of viscera, heads, intestinal contents, etc., on the basis that they would regard the finished product as filthy. Of the 1,036 comments in favor of the standard as proposed, including the many duplicates signed by different individuals, only 17 specifically stated or strongly implied that they would be willing to eat such a product.

Therefore, on the basis of the information before him, the Commissioner finds:

1. That consumers in the United States generally would regard the product described in the proposal as filthy. Thus, such a product would be in conflict with section 402(a)(3) of the Federal Food, Drug, and Cosmetic Act.

2. That it would not promote honesty and fair dealing in the interest of consumers to establish a standard of identity for a whole fish flour containing those portions of the fish which would be regarded as filthy by American consumers generally.

3. That it is apparent from the information available that many persons who advocate the establishment of the proposed standard are concerned with the reported need for a source of good protein by people in underdeveloped countries of the world where local food supplies and raw materials are inadequate to supply that need. To the extent that such a need for a product as described in the proposal exists in countries other than the United States, section 801(d) of the Federal Food, Drug, and Cosmetic Act provides for the manufacture of such a product in the United States for export to any other country of the world, the laws of which do not prohibit that article.

4. That even though there is no evidence that there is a deficiency of protein in the diet of the people of the United States, a factor which would have no bearing on whether or not certain parts of fish in a ground product constitute filth, there appears to be a reasonable basis for establishing a standard of identity for fish flour prepared from properly cleaned and eviscerated fish.

Accordingly, it is concluded that it will promote honesty and fair dealing in the interests of consumers to establish a definition and standard of identity for fish flour, as hereinafter set forth. Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919; 21 U.S.C. 341, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625): *It is ordered*, That the following definition and standard of identity be established:

##### § 37.5 Fish flour; identity.

(a) Fish flour is the finely ground, dried product made from edible species of fish. From the time of catching until the finished article is packaged the fish are handled expeditiously and with the sanitary precautions which are recognized as proper for fish which are used in other forms for human food. Before processing, the fish are properly prepared to remove and discard the heads, fins, tails, viscera, and intestinal contents. The cleaned fish are ground and treated to reduce the fat content of the finished fish flour to less than 1 percent. The product may be deodorized. The finished fish flour shall meet all of the requirements set out in paragraph (b) of this section.

(b) (1) *Protein content.* Protein content (N×6.25), measured by methods of the Association of Official Agricultural Chemists, shall not be less than 70 percent by weight of the final product (Official Methods of Analysis, A.O.A.C., 9th Ed. secs. 22.011; ch. 22, p. 285). Biological values of the finished fish flour shall not be less than 105 percent as measured by the official A.O.A.C. method for the biological evaluation of protein quality (secs. 39.133-39.137, inclusive, ch. 39, p. 680).

(2) *Moisture, ash and fat content.* Moisture, ash and fat content shall not exceed 6 percent, 25 percent and 1 per-

cent respectively, by weight of the final product, measured by A.O.A.C. methods (secs. 22.003, 22.010, ch. 22, p. 283, 284; sec. 18.011-18.012, inclusive, ch. 18, p. 235).

(3) *Odor and taste.* The final product shall have no more than a faint fish odor and taste.

(4) *Storage stability.* Fish flour, after 6 months' storage at temperatures prevailing in areas of intended use (but not exceeding 38° C.) and when packed in metal containers or in polyethylene bags, shall show no spoilage as judged by the development of off-flavors, mold growth, production of toxic amines (histamine, tyramine), or by deterioration in protein quality.

(5) *Bacteria.* The product shall be free of *Escherichia coli*, *Salmonella*, and pathogenic anaerobes, and the total bacterial plate count shall not exceed 2,000 per gram.

(6) *Safety.* The finished product shall contain no food additive unless specifically authorized by regulation issued pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act.

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, and such objections must be 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 90 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919; 21 U.S.C. 341, 371)

Dated: January 22, 1962.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 62-839; Filed, Jan. 24, 1962;  
8:51 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

#### EPOXIDIZED LINSEED OIL

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Swift and Company, 4115 Packers Avenue, Chicago 9, Illi-

No. 17—3

nois, and other relevant material, has concluded that the following regulation should issue with respect to the food additive epoxidized linseed oil, used as a plasticizer in resinous and polymeric substances that contact food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart F the following new section:

#### § 121.2527 Epoxidized linseed oil.

Epoxidized linseed oil may be safely used as a component of articles that contact food, in accordance with the following prescribed conditions:

(a) The food additive meets the following specifications:

(1) Iodine number, maximum 5.

(2) Oxirane oxygen, minimum 9.0 percent.

(b) It is employed as a plasticizer in resinous and polymeric substances used to produce articles that contact food.

(c) The quantity used shall not exceed the least amount reasonably required to accomplish the intended technical effect, and the quantity that may become a component of food as a result of use in a resinous or polymeric substance or article shall not be intended to nor, in fact, accomplish any physical or technical effect in the food itself.

(d) The use as a plasticizer in any resinous or polymeric substance or article subject to any regulation in Subpart F of this part must comply with any specifications and limitations prescribed by such regulation for the finished form of the substance or article.

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 be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: January 18, 1962.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 62-838; Filed, Jan. 24, 1962;  
8:51 a.m.]

## Title 25—INDIANS

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

#### SUBCHAPTER R—IRRIGATION PROJECTS

#### PART 194—FLATHEAD IRRIGATION PROJECT, MONTANA

#### SUBCHAPTER T—OPERATION AND MAINTENANCE

#### PART 221—OPERATION AND MAINTENANCE CHARGES

#### Miscellaneous Amendments

There was published in the FEDERAL REGISTER on November 13, 1961 (26 F.R. 10308), a notice to amend Parts 194 and 221 of the Code of Federal Regulations, Title 25, Indians, by adding Sections 194.23 and 221.17(c) as set forth below. The purpose of the amendments is to provide for bringing lands that cannot be served by the gravity system, designated as pump lands, into the Flathead Indian Irrigation Project for service purposes and to establish assessment rates for assessing such pump lands.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received, and the proposed amendments are hereby adopted without change.

A new section is added to Part 194 to read as follows:

#### § 194.23 Pump lands.

When requested in writing to do so, by the holder of legal title to the land, the Secretary of the Interior, or his authorized representative, may designate such land lying above the gravity flow delivery point which may be susceptible of irrigation through pumping operations as a part of the project. Lands thus designated shall be subject to the payment of the pro rata per acre share of the construction, operation and maintenance costs the same as all other project lands in the same general area receiving gravity flow water. In the Mission Valley Division of the project such designated land shall be obligated to pay an additional per acre foot assessment for water delivered to the "pump land" equal to the pumping cost from Flathead Lake or Flathead River and the cost of delivering such water to the land. In the Camas Division of the project such designated land shall be obligated to pay a per acre foot assessment for water delivered to the designated "pump land," equal to the pumping costs from the Little Bitterroot Lake and the costs of delivering such water to the land. All other costs incidental to the pumping and distribution of the delivered water from the project farm unit delivery point to the "pump land" shall also be borne by the landowner. Such landowner is obligated to comply with the regulations now or hereafter adopted for the Flathead Indian Irrigation Project. At the time of filing his petition the landowner will be required in writing to request the inclusion of such "pump land" in an existing irrigation district or a district

subsequently formed pursuant to the laws of the State of Montana. No land in Indian ownership shall be included in the irrigation district as long as the title to the land remains in Indian ownership.

Paragraph (c), reading as follows, is added to § 221.17:

**§ 221.17 Charges, Mission Valley and Camas Divisions.**

(c) The annual pumping charge for water pumped from Flathead Lake or Flathead River for use on land designated as "pump land" in the Mission Valley Division of the project under 25 CFR 194.23 shall be \$2.00 per acre foot or fraction thereof until otherwise ordered. The annual charge for pumping water from the Little Bitterroot Lake for land designated as "pump land" in the Camas Division shall be \$1.00 per acre foot or fraction thereof until otherwise ordered. After the pumped land has become a part of an irrigation district the charges assessed against such pump land during the calendar year shall be included in the notice furnished to the irrigation district for the following irrigation season.

STEWART L. UDALL,  
Secretary of the Interior.

JANUARY 18, 1962.

[F.R. Doc. 62-825; Filed, Jan. 24, 1962;  
8:49 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[FCC 62-74]

#### PART 3—RADIO BROADCAST SERVICES

##### Participation by Telephone Companies

In the matter of amendment of § 3.980 to permit the rendition of free service by common carriers to the Government through interconnection of certain originating sources to the commercial radio networks for the purposes of national defense.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 17th day of January 1962;

The Commission having under consideration the provisions of section 210 (b) of the Communications Act of 1934, as amended, which permit the rendition by common carriers of free service to agencies of the Government in connection with preparation for the national defense; subject, however, to the provision that such free service may be rendered only in accordance with such rules and regulations as the Commission may prescribe therefor; and

It appearing that it is necessary and desirable that the Commission further implement the statutory provision so as to permit the rendition of such free service in connection with the Emergency Broadcast System and in furtherance of

the national defense and the Commission's obligations under Executive Order 10312; and

It further appearing that it is necessary and desirable in the public interest that such service be made available for the furtherance of the national defense without delay, and that any delay would be contrary to the public interest; and

It further appearing that the amendments adopted herein pertain to military matters, and hence that section 4 of the Administrative Procedure Act is inapplicable; and

It further appearing that authority for the amendments adopted herein is contained in sections 1, 4(i), 210(b), and 303(r) of the Communications Act of 1934, as amended;

It is ordered, Effective January 29, 1962, that § 3.980 of the Commission's rules and regulations is amended as set forth below.

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

Released: January 22, 1962.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Acting Secretary.

1. In § 3.980, the provisions of paragraph (b) are amended and a new paragraph is added. As amended, paragraphs (b) and (c) read as follows:

**§ 3.980 Participation by telephone companies.**

(b) During a CONELRAD Drill or a CONELRAD Radio Alert, telephone companies that have facilities available in place may, without charge, connect an originating source designated by a National Industry Advisory Committee order to the nearest accessible commercial radio network and, at the expiration of such drill or Radio Alert, may disconnect such authorized originating source: *Provided*, (1) That the originating point has in service a telephone company local channel from the originating point to the telephone company principal central office (toll test); and (2) That the National Industry Advisory Committee order covering this service is placed in effect.

(c) Every such carrier rendering any such free service shall make and file, in duplicate, with the Commission, on or before the 31st day of July and on or before the 31st day of January in each year, reports covering the periods of six months ending on the 30th day of June and the 31st day of December, respectively, next prior to said dates. These reports shall show the call letters and locations of the broadcast stations and/or the originating source designated by a National Industry Advisory Committee order to which free service was rendered pursuant to this rule and the charges in dollars which would have accrued to the carrier for such service rendered if charges therefor had been collected at the published tariff rates.

[F.R. Doc. 62-856; Filed, Jan. 24, 1962;  
8:53 a.m.]

[Docket No. 14052; FCC 62-78]

## PART 9—AVIATION SERVICES

### Developmental Operation

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 17th day of January 1962;

The Commission having under consideration the amendment of Part 9—Aviation Services, to include a new Subpart X to provide specific provisions for developmental operation in the Aviation Services:

It appearing that a need exists for specific provisions for developmental operation in the Aviation Services to enable the Commission to more effectively discharge its statutory responsibility to study new uses of radio and encourage the more effective use thereof in the public interest; and

It further appearing that the public interest would be served by the encouragement of developing new and more effective uses of radio; and

It further appearing that notice of proposed rule making in the above-entitled matter was released on April 24, 1961; and

It further appearing that the notice, which made provision for filing of comments by May 31, 1961 was duly published in the FEDERAL REGISTER on April 27, 1961 (26 F.R. 3614); and

It further appearing that Aerospace Flight Test Radio Coordinating Council and Lockheed Aircraft Corporation, the only respondents in this proceeding, submitted comments favoring the proposal; and

It further appearing that the rules adopted herein are the same as proposed with the exception of certain editorial changes made in § 9.1404; and

It further appearing, that authority for issuance of this order is contained in sections 301 and 303 (g) and (r) of the Communications Act of 1934, as amended:

It is ordered, That effective March 1, 1962, Part 9 of the Commission's Rules is amended as set forth below; and

It is further ordered, That the proceedings in Docket No. 14052 are hereby terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1082; 47 U.S.C. 301, 303)

Released: January 22, 1962.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Acting Secretary.

Part 9 is amended as follows:

1. Section 9.113 is amended to read as follows:

**§ 9.113 License period.**

(a) For all stations in the Aviation Services, except those engaged in developmental operation, the license period is normally five years.

(b) Authorization for stations engaged in developmental operation will be made upon a temporary basis for a specific period of time, but in no event to

extend beyond one year from date of grant.

2. Add new Subpart X as follows:

Subpart X—Developmental Operation

Sec.	
9.1401	Eligibility.
9.1402	Showing required.
9.1403	Limitations on use.
9.1404	Frequencies available.
9.1405	Special provisions.
9.1406	Change or cancellation of authorization without hearing.
9.1407	Report of operation.

AUTHORITY: §§ 9.1401 to 9.1407 issued under sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1082; 47 U.S.C. 301, 303.

Subpart X—Developmental Operation

§ 9.1401 Eligibility.

An authorization for developmental operation in any of the services in this part will be issued only to those applicants who are eligible to operate stations in those services on a regular basis.

§ 9.1402 Showing required.

(a) Except as provided in paragraph (b) of this section, each application for developmental operation shall be accompanied by a showing that:

(1) The applicant has an organized plan of development leading to a specific objective;

(2) A point has been reached in the program where actual transmission by radio is essential to the further progress thereof;

(3) The program has reasonable promise of substantial contribution to the expansion or extension of the radio art, or is along lines not already investigated;

(4) The program will be conducted by qualified personnel;

(5) The applicant is legally and financially qualified, and possesses adequate technical facilities for conduct of the program as proposed; and

(6) The public interest, convenience or necessity will be served by the proposed operation.

(b) The showing under paragraph (a) of this section may not be required when an application is made for developmental operation solely for the reason that the frequency requested is restricted to such developmental use.

§ 9.1403 Limitations on use.

(a) Stations used for developmental operation shall be constructed and used in such a manner as to conform with all of the technical and operating requirements of this part, unless deviation therefrom is specifically provided for in the station authorization.

(b) All developmental operation shall be subject to the condition that no harmful interference is caused to the operation of stations licensed on a regular basis under any part of this chapter.

§ 9.1404 Frequencies available.

The frequency or frequencies assigned will be from those available for the service in which operation is proposed, ex-

cept that in individual cases the Commission may, without rulemaking proceedings, authorize on a temporary basis only, the use of frequencies not in accordance with the Table of Frequency Allocations for projects of short duration or emergencies where the Commission finds that important or exceptional circumstances require such utilization: *Provided*, That such authorizations are not intended to develop a service to be operated on frequencies other than those allocated such service.

§ 9.1405 Special provisions.

(a) The developmental program described in the application shall be substantially followed except as modified by the terms of an authorization which may be issued under this part.

(b) Where some phases of the developmental program are not covered by the provisions of this chapter, the authorization may specify supplemental or additional requirements or conditions in each case, as deemed necessary in the public interest, convenience, or necessity.

(c) From time to time, a station engaged in developmental work may be required, by modification of the instrument of authorization, to conduct special tests which are reasonable and desirable to the authorized developmental program.

§ 9.1406 Change or cancellation of authorization without hearing.

Every application for authority to engage in developmental operation shall be accompanied by a statement signed by the applicant in which it is agreed that any authorization issued pursuant thereto will be accepted with the expressed understanding of the applicant that it is subject to change in any of its terms or to cancellation in its entirety at any time, upon reasonable notice but without a hearing, if, in the opinion of the Commission, circumstances should so require.

§ 9.1407 Report of operation.

A report on the results of the developmental program shall be filed with and made a part of each application for renewal of authorization, or in cases where no renewal is requested, such report shall be filed within 60 days preceding the expiration of such authorization. In addition, interim reports may be required in certain instances. Matters which the applicant does not wish to disclose publicly may be so labeled; they will be used solely for the Commission's information, and will not be publicly disclosed without permission of the applicant. The report or reports shall include comprehensive and detailed information on at least the following:

- (a) The final objective;
- (b) Results of operation to date;
- (c) Analysis of the results obtained;
- (d) Copies of any published reports;
- (e) Need for continuation of the program; and
- (f) Such other information as may be specified in the instrument of authorization.

[F.R. Doc. 62-853; Filed, Jan. 24, 1962; 8:53 a.m.]

[Docket No. 13971 (RM-217); FCC 62-79]

PART 10—PUBLIC SAFETY RADIO SERVICES

Frequencies Available to the Local Government Radio Service

In the matter of amendment of Part 10 of the Commission's rules to make the frequency 39.06 Mc/s available to the Local Government Radio Service for control of traffic lights by mobile units installed in emergency vehicles, Docket No. 13971 (RM-217).

1. The Commission issued a notice of proposed rule making in the above-entitled matter (26 F.R. 2002, March 8, 1961) in response to a petition filed by the City of Erie, Pennsylvania. Subsequently, the petitioner requested that action be deferred on this notice to enable it to conduct tests looking toward a possible modification of its original proposal. This was granted by the Commission in a Report and Order, adopted June 28, 1961. Shortly thereafter, a petition for modification of notice of proposed rule making was submitted by the City of Erie in which it contended that the results of its tests indicated that its mobile radio traffic signal control system could operate efficiently with a bandwidth of 20 kc/s rather than the 32 kc/s originally requested. Since this would result in the occupancy of less frequency space and thus met one of the major objections which the original petition had induced, the Commission granted the request for modification and adopted a further notice of proposed rule making in accordance therewith.

2. This latter notice was duly published in the FEDERAL REGISTER (26 F.R. 6656, July 26, 1961) inviting comments on or before September 15, 1961, either in favor of or in opposition to the proposed rule amendments. All such timely filed comments have been considered by the Commission in reaching its determinations herein.

3. The original proposal sought these rule changes: (a) Amendment of § 10.104(b) to permit A9 emission and to allow a bandwidth of 32 kc/s on the frequency 39.06 Mc/s, (b) Amendment of § 10.555 to make the frequency 39.06 Mc/s available to the Local Government Radio Service as well as to the Police Radio Service and to permit an applicant in the former Service to obtain this frequency without regard to paragraph (d) which limits licensees in this Service to two frequencies. The comments in opposition attacked the proposal in part on the grounds that the excessive bandwidth requested would impair the usage of the frequencies adjacent to 39.06 Mc/s. However, since the present notice of proposed rule making "cured" this by proposing a bandwidth of 20 kc/s and since the comments in response thereto did not raise the question of bandwidth, it may be assumed that this is no longer an issue. As usage of this frequency is restricted to a power of 3 watts, the Commission is of the opinion that such operation utilizing A9 emission with a bandwidth of 39.06 Mc/s would present no serious problem.

4. The specific usage sought for this frequency is to enable mobile units to control traffic signals in times of emergency. While these mobile units will be installed primarily in police and fire vehicles, they may also be utilized by other emergency vehicles under the control of the licensed governmental entity. The Local Government Radio Service is the only public safety radio service which can provide this broad diversity of usage. There appears little doubt that this mode of controlling traffic lights in emergency situations is desirable. Even those who submitted comments opposing the proposal conceded that the idea had merit and that at some future time provision for its usage should be made in the Commission's rules. In fact, the Associated Public Communications Officers, Inc. (APCO), the principle objector, recommended alternative frequencies for this operation and suggested that rule making be initiated toward that end. It is, of course, the petitioner's contention that the need for its system is immediate and pressing, and that it should be permitted at once.

5. Those filing comments in opposition are of the opinion that the Police Radio Service "is still lacking in adequate frequency space." APCO also makes the following arguments:

a. \* \* \* the frequency 39.06 Mc/s is ideally suited for certain types of police activity such as surveillance work involving low power equipment and there is now a limitation with respect to the power permissible on that frequency."

b. There are other frequencies available for the purposes desired by the petitioner. APCO suggests that the frequency 45.44 Mc/s, now available to the Local Government Radio Service, could be redesignated as a low-power frequency for the control of traffic signals by emergency vehicles. Alternatively, APCO suggests that rule making proceedings be instituted to make the frequency 46.56 Mc/s available to Local Government Radio users.

c. In a service (Police) so vital to public safety, the loss of frequency space should not be permitted upon the basis of one-channel-at-a-time scrutiny such as that proposed here.

The position of APCO is supported by the International Municipal Signal Association (IMSA) and International Association of Fire Chiefs (IAFC) which also suggests 45.44 Mc/s as an alternative for the City of Erie and other potential users.

6. The proposal received support from a considerable number of cities and towns throughout most areas of the country. They had evidently seen the system demonstrated, and their comments indicate that should the frequency 39.06 Mc/s be made available for the control of traffic signals from emergency mobile units they would be interested in installing such systems. Since the City of Erie is the only governmental entity holding a developmental authorization permitting this operation, its comments naturally contain the only real substantive evidence in support of the proposal. Its engineering data concerning its actual tests both under controlled conditions and while in use on a regular day-by-day basis in Erie lead to two conclusions. First, predicated on the low

power which must be used on this frequency, the system does not receive interference from other units operating on this frequency, nor does it appear likely that it will cause such interference to other systems. Secondly, based on its observations of how its system has worked during emergencies in the City of Erie itself, this mode of traffic signal control by appropriate vehicles seems to be a valid aid in enabling these vehicles to reach the scene of the emergency more rapidly with less danger to themselves and to other traffic and pedestrians.

7. The City of Erie also refuted the contention of APCO that this proposal would result in the "piecemeal" loss of a police radio frequency; "\* \* \* authorizing the 39.06 Mc/s emergency traffic light control device operation does not constitute a 'loss' of the frequency to the police. In fact, insofar as installation of the device in police cars would assist the police in arriving at the scene of crime or disaster, it would seem to constitute an augmentation of radio use for the police rather than a loss." The City defended its request to use the frequency 39.06 Mc/s on the grounds that it is being sparsely used by police licenses now and that it contains a 3 watt power limitation, thus making it ideal from an interference standpoint. Finally, Erie insists that the need for vehicular control of traffic signals is immediate and hence resists the APCO suggestion that alternative frequencies for this purpose be explored. It contends that this is unnecessary and will result in needless time-wasting.

8. Since, as was stated previously, there is unanimity that the proposal has merit, the sole question is whether provision for this type of operation should be made immediately by making the frequency 39.06 Mc/s available to the Local Government Radio Service, so that a device capable of controlling traffic signals can be installed in emergency vehicles. Alternatively, another frequency could be selected and appropriate rule making procedures initiated. The Commission is persuaded that the frequency 39.06 Mc/s should be made available for this purpose immediately. It should be emphasized that the Police Radio Service is not losing a frequency; licensees thereunder can continue their surveillance operations. It must also be recognized that heretofore police users have made extremely limited usage of this frequency, and, even conceding APCO's contention that this situation is due to change, all available evidence indicates that both functions can be accommodated on the same frequency compatibly. Further, even assuming arguendo that in a given locale the police needs on the frequency 39.06 Mc/s preclude sharing with emergency vehicles, the governmental entity licensee can simply elect not to so equip the emergency vehicles thus enabling its police department to use this frequency unilaterally.

9. It is, of course, possible to institute "substitute" rule making to make a different frequency available to the Local Government Radio Service for the purposes under consideration herein in lieu

of the frequency 39.06 Mc/s. In view of the Commission's outstanding notice of proposed rule making in docket No. 14356 which would make the frequencies 46.54, 46.56, 46.58, and 46.60 Mc/s available to the Local Government Radio Service, this alternative may seem superficially attractive. However, there is a current shortage of available Local Government frequencies. To place a power restriction on one of these frequencies (which is necessary if the traffic control system proposed is to operate properly) and thus severely limit its use would not represent efficient frequency utilization. Similarly, amending the Rules to adopt one of the existing Local Government frequencies for vehicular traffic signal control would unnecessarily reduce the number of base-mobile frequencies available to this service and would undoubtedly require some present licensees to shift frequencies. Hence, selecting a substitute frequency for this purpose does not appear to be feasible.

10. In summary, the Commission concludes that there is a demonstrable immediate need for the control of traffic signals in emergencies by emergency vehicles using low power equipment. Further, in view of the fact that the frequency 39.06 Mc/s now contains a 3 watt power limitation and has been sparsely used by the Police Radio Service, it appears that shared usage by that service and the Local Government Radio Service—both consisting solely of governmental entities—is feasible and in terms of frequency utilization is desirable.

Therefore, it is ordered, This 17th day of January 1962, that effective February 26, 1962, Part 10 be amended as set forth below.

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

Released: January 22, 1962.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Acting Secretary.

Part 10 of the rules is amended as follows:

Section 10.555, paragraph (d) is amended, the frequency table in paragraph (f) is amended by adding in numerical sequence a new entry for the frequency 39.06 Mc/s, and paragraph (g) is amended by the addition of a new subparagraph (7).

§ 10.555 Frequencies available to the Local Government Radio Service.

(d) Normally, no more than two frequencies will be assigned unless a request therefor is adequately supported by a satisfactory showing of need, provided that request for operation on the frequency 39.06 Mc/s will be approved upon satisfactory showing of a need even though the licensee already has been assigned two other frequencies or provided that an applicant who obtains authorization to operate on the frequency 39.06 Mc/s shall still be allowed to request and obtain two other frequency assignments in this service.

(f) \* \* \*

Frequency or band	Class of station(s)	Limitations
39.06-----	Mobile-----	7

(g) \* \* \*

(7) Available for assignment: *Provided*, That the maximum plate input power to the final radio frequency stage of any transmitter authorized to operate on this frequency shall not exceed 3 watts.

[F.R. Doc. 62-855; Filed, Jan. 24, 1962; 8:53 a.m.]

[Docket No. 14253; FCC 62-73]

**PART 11—INDUSTRIAL RADIO SERVICES**

**Available Frequencies**

In the matter of amendment of Parts 2 and 11 of the Commission's rules and regulations to substitute frequencies in the 406-420 Mc/s band available for assignment to non-Government stations transmitting hydrological and meteorological data in cooperation with agencies of the Federal Government, Docket No. 14253.

The Commission having under consideration the amendment of Parts 2 and 11 in the above-captioned matter;

It appearing that notice of proposed rule making in the above-entitled matter was adopted on September 13, 1961; and

It further appearing that notice of proposed rule making, which made provision for filing comments by October 27, 1961, and comments in reply by November 7, 1961, was duly published in the FEDERAL REGISTER on September 20, 1961 (26 F.R. 8854); and

It further appearing that no comments or reply comments were received in this proceeding; and

It further appearing that no reason appears why the amendments should not be adopted as proposed and that the public interest would be served thereby; and

It further appearing that subsequent to the adoption and release of our notice of proposed rule making in this proceeding, the rules format of one of the radio services affected, the Forest Products Radio Service, was substantially revised by Commission Order (26 F.R. 9033, September 26, 1961, and Erratum 26 F.R. 9816, October 19, 1961). Because of this change in the rules format, the material below will reflect an amendment to the Forest Products Radio Service rules which is different, both in numerical designation and in form, from that which appeared in our original notice. The substance, however, of the amendment proposed and the amendment ordered is the same.

It further appearing that the amendments to Footnote US25 proposed in the notice of September 13, 1961, were inadvertently included, with US25 renumbered as US13, with changes made by the Second Memorandum Opinion and Order in Docket No. 13928, released Oc-

tober 25, 1961 (FCC61-1235), published in the FEDERAL REGISTER of November 15, 1961 (26 F.R. 10655), and that no further amendment of this Footnote is necessary at this time with respect to the 406 and 412 Mc frequencies; and

It further appearing that the authority for the issuance of this Order is contained in section 303 (c), (f), and (r) of the Communications Act of 1934, as amended;

It is ordered, That Part 11 of the Commission's rules be amended effective February 26, 1962, as set forth below.

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

Adopted: January 17, 1962.

Released: January 22, 1962.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, Acting Secretary.

1. Section 11.254(a) of the Commission's rules and regulations is amended by deleting from the tabulation of frequencies, entries beginning 406.050 Mc/s and ending 412.750 Mc/s and substituting the following:

Frequency or band	Class of station(s)	Limitations
406.025-----	Operational fixed-----	4, 6
406.075-----	do-----	4, 6
406.125-----	do-----	4, 6
406.175-----	do-----	4, 6
412.625-----	do-----	4, 6
412.675-----	do-----	4, 6
412.725-----	do-----	4, 6
412.775-----	do-----	4, 6

2. Section 11.304(a) of the Commission's rules and regulations is amended by deleting from the tabulation of frequencies, entries beginning 406.050 Mc/s and ending 412.750 Mc/s and substituting the following:

Frequency or band	Class of station(s)	Limitations
406.025-----	Operational fixed-----	2, 4
406.075-----	do-----	2, 4
406.125-----	do-----	2, 4
406.175-----	do-----	2, 4
412.625-----	do-----	2, 4
412.675-----	do-----	2, 4
412.725-----	do-----	2, 4
412.775-----	do-----	2, 4

3. Section 11.354(a) of the Commission's rules and regulations is amended by deleting from the tabulation of frequencies, entries beginning 406.050 Mc/s and ending 412.750 Mc/s and substituting the following:

Frequency or band	Class of station(s)	Limitations
406.025-----	Operational fixed-----	2, 4
406.075-----	do-----	2, 4
406.125-----	do-----	2, 4
406.175-----	do-----	2, 4
412.625-----	do-----	2, 4
412.675-----	do-----	2, 4
412.725-----	do-----	2, 4
412.775-----	do-----	2, 4

4. Section 11.504(a) of the Commission's rules and regulations is amended by deleting from the tabulation of frequencies, entries beginning 406.050 Mc/s

and ending 412.750 Mc/s and substituting the following:

Frequency or band	Class of stations	General reference	Limitations
406.025-----	Operational fixed-----	Hydrological-----	4, 6
406.075-----	do-----	do-----	4, 6
406.125-----	do-----	do-----	4, 6
406.175-----	do-----	do-----	4, 6
412.625-----	do-----	do-----	4, 6
412.675-----	do-----	do-----	4, 6
412.725-----	do-----	do-----	4, 6
412.775-----	do-----	do-----	4, 6

5. Section 11.554(a) of the Commission's rules and regulations is amended by deleting from the tabulation of frequencies, entries beginning 406.050 Mc/s and ending 412.750 Mc/s and substituting the following:

Frequency or band	Class of stations	General reference	Limitations
406.025-----	Operational fixed-----	Hydrological-----	4, 6
406.075-----	do-----	do-----	4, 6
406.125-----	do-----	do-----	4, 6
406.175-----	do-----	do-----	4, 6
412.625-----	do-----	do-----	4, 6
412.675-----	do-----	do-----	4, 6
412.725-----	do-----	do-----	4, 6
412.775-----	do-----	do-----	4, 6

[F.R. Doc. 62-854; Filed, Jan. 24, 1962; 8:53 a.m.]

**Title 49—TRANSPORTATION**

**Chapter I—Interstate Commerce Commission**

**SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES  
PART 205—REPORTS OF MOTOR CARRIERS**

**Motor Carrier Annual Report Form E (Other Than Class I Carriers of Passengers)<sup>1</sup>**

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 29th day of November A.D. 1961.

It appearing that the matter of annual reports of motor carriers of passengers other than Class I carriers being under further consideration, and the changes to be made by this order being minor changes in the data to be furnished, rule making procedures under section 4(a) of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

It is ordered, That § 205.4 of the order dated June 23, 1960, in the matter of *Motor Carrier Annual Report Form E (Other than Class I Carriers of Passengers)* be, and it is hereby, modified and amended, with respect to annual reports for the year ended December 31, 1961, and subsequent years to read as shown below.

It is further ordered, That 49 CFR 205.4 be, and it is hereby, modified and amended to read as follows:

**§ 205.4 Annual reports of carriers of passengers other than Class I carriers.**

Commencing with the year ended December 31, 1961, and for subsequent

<sup>1</sup> Form filed as part of original document.

years thereafter, until further order, all motor carriers of passengers other than Class I carriers, as defined in § 181.02-1 of this chapter, viz., carriers having gross operating revenues (including interstate and intrastate) of less than \$200,000 annually from passenger motor carrier operations, are required to file annual reports in accordance with Motor Carrier Annual Report Form E (passenger), which is attached to and made a part of this section.<sup>1</sup> Such report shall be filed in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D.C., on or before April 30 of the year following the year to which it relates.

(Sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304. Interpret or apply sec. 220, 49 Stat. 563, as amended; 49 U.S.C. 320)

*And it is further ordered,* That a copy of this order and of motor carrier annual report Form E (passenger) shall be served on all motor carriers of passengers (other than Class I carriers of passengers) and upon every trustee, receiver, executor, administrator, or assignee of any such motor carrier, and that notice of this order shall be given to the general public by posting a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 62-842; Filed, Jan. 24, 1962;  
8:51 a.m.]

[Ex Parte No. MC-43]

## PART 207—LEASE AND INTER- CHANGE OF VEHICLES

### Augmenting Equipment

At a session of the Interstate Commerce Commission, Motor Carrier Board No. 3, held at its office in Washington, D.C., on the 10th day of January A.D. 1962.

Upon consideration of the record in the above-entitled proceeding, and of:

<sup>1</sup> Form filed as part of original document.

(1) Petition of National Tank Truck Carriers, Inc., filed August 25, 1961, seeking modification of § 207.4(a) (3) (ii) of this part (49 CFR 207.4(a) (3) (ii)) with respect to vehicles of tank truck carriers used in the transportation of dry commodities in bulk; and

(2) Reply filed October 2, 1961, by Class I Railroads; and

It appearing that it will be consistent with the purposes of the regulations prescribed in this part to grant the relief sought, and good cause appearing therefor; and

It further appearing that the modification requested will provide a limited exemption from certain general requirements heretofore applicable, and for good cause it is found that notice and public procedure pursuant to section 4 of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003) is unnecessary:

*It is ordered,* That § 207.4(a) (3) (ii) be, and it is hereby, amended to read as follows:

#### § 207.4 Augmenting equipment.

(a) \* \* \*

(3) \* \* \*

(ii) *Automobile and tank truck carriers.* That equipment owned by an automobile carrier or tank truck carrier or held by such authorized carriers under lawful leases and used in the transportation of motor vehicles or commodities in bulk, respectively, may be leased or subleased to other such authorized carriers.

(Sec. 204, 49 Stat. 546, as amended, 49 U.S.C. 304)

*It is further ordered,* That this order shall become effective February 9, 1962, and shall continue in effect until the further order of the Commission.

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

By the Commission, Motor Carrier Board No. 3.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 62-841; Filed, Jan. 24, 1962;  
8:51 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

National Park Service

[ 36 CFR Part 7 ]

### DINOSAUR NATIONAL MONUMENT, UTAH-COLORADO

#### Proposed Stock Grazing

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), Department Order 2640 (16 F.R. 5846), National Park Service Order No. 14 (19 F.R. 8824), Regional Director, Region Two, Order No. 3 (21 F.R. 1494), as amended, it is proposed to amend Title 36 CFR 7 as set forth below. The purpose of this amendment is to establish suitable and reasonable stock grazing regulations in accordance with the Act of September 8, 1960 (74 Stat. 857, Public Law 86-729), to administer the grazing activities within the boundaries of Dinosaur National Monument.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Superintendent, Dinosaur National Monument, 91 West Main, Room 12, Cooper Building, Vernal, Utah, within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Paragraph (b) is added to the new § 7.63 of Part 7 to read as follows:

#### § 7.63 Dinosaur National Monument.

\* \* \* \* \*

(b) *Stock grazing.* (1) Privileges for the grazing of domestic livestock based on authorized used of certain areas at the time of approval of the act of September 8, 1960 (74 Stat. 857, Public Law 86-729), shall continue in effect or shall be renewed from time to time, except for failure to comply with such terms and conditions as may be prescribed by the Superintendent in these regulations and after reasonable notice of default and subject to the following provisions of tenure:

(i) Grazing privileges appurtenant to privately owned lands located within the Monument shall not be withdrawn until title to the lands to which such privileges are appurtenant shall have vested in the United States except for failure to comply with the regulations applicable thereto after reasonable notice of default.

(ii) Grazing privileges appurtenant to privately owned lands located outside the Monument shall not be withdrawn for a period of twenty-five years after September 8, 1960, and thereafter shall continue during the lifetime of the original permittee and his heirs if they were

members of his immediate family as described herein except for failure to comply with the regulations applicable thereto after reasonable notice of default.

(iii) Members of the immediate family are those persons who are related to and directly dependent upon a person or persons, living on or conducting grazing operations from lands, as of September 8, 1960, which the National Park Service recognized as base lands appurtenant to grazing privileges in the monument. Such interpretation excludes mature children who, as of that date, were established in their own households and were not directly dependent upon the base lands and appurtenant grazing recognized by the National Park Service.

(iv) If title to base lands lying outside the monument is conveyed, or such base lands are leased to someone other than a member of the immediate family of the permittee as of September 8, 1960, the grazing preference shall be recognized only for a period of twenty-five years from September 8, 1960.

(v) If title to a portion or part of the base land either outside or inside the monument is conveyed or such base lands are leased, the new owner or lessee will take with the land so acquired or leased after September 8, 1960, such proportion of the entire grazing privileges as the grazing capacity in animal unit months of the tract conveyed or leased bears to the original area to which a grazing privilege was appurtenant and recognized. Conveyance or lease of all such base lands will automatically convey all grazing privileges appurtenant thereto.

(vi) Grazing privileges which are appurtenant to base lands located either inside or outside the monument as of September 8, 1960, shall not be conveyed separately therefrom.

(2) Where no reasonable ingress or egress is available to permittees or non-permittees who must cross monument lands to reach grazing allotments or non-Federal lands within the exterior boundary of the monument or adjacent thereto, the Superintendent will grant, upon request, a temporary nonfee annual permit to herd stock on a designated driveway which shall specify the time to be consumed in each single drive.

(3) After September 8, 1960, no increase in the number of animal unit months will be allowed on Federal lands in the monument.

(4) (i) A permittee whose privileges are appurtenant to base lands either inside or outside the monument may be granted total nonuse on a year to year basis not to exceed three consecutive years. Total nonuse beyond this time may be granted if necessitated for reasons clearly outside the control of the permittee. Total unauthorized nonuse beyond three consecutive years will result in the termination and loss of all grazing privileges.

(ii) Whenever partial or total non-use is desired an application must be made in writing to the Superintendent.

(5) Grazing fees shall be the same as those approved for the Bureau of Land Management and will be adjusted accordingly.

(6) Permittees or nonpermittees who have stock on Federal lands within the monument at any time or place, when or where herding or grazing is unauthorized may be assessed fifty cents per day per cow or horse and ten cents per day per sheep as damages.

(7) The Superintendent may accept a written relinquishment or waiver of any privileges; however, no such relinquishment or waiver will be effective without the written consent of the owner or owners of the base lands.

(8) *Permits: Terms and conditions:* The issuance and continued effectiveness of all permits will be subject, in addition to mandatory provisions required by Executive Order or law, to the following terms and conditions:

(i) The permittee and his employees shall use all possible care in preventing forest and range fires, and shall assist in the extinguishing of forest and range fires on, or within, the vicinity of the land described in the permit, as well as in the preservation of good order within the boundaries of the Monument.

(ii) The Superintendent may require the permittee before driving livestock to or from the grazing allotment to gather his livestock at a designated time and place for the purpose of counting the same.

(iii) Stock will be allowed to graze only on the allotment designated in the permit.

(iv) The permittee shall file with the Superintendent a copy of his stock brand or other mark.

(v) The permittee shall, upon notice from the Superintendent that the allotment designated in the permit is not ready to be grazed at the beginning of the designated grazing season, place no livestock on the allotment for such a period as may be determined by the Superintendent as necessary to avoid damage to the range. All, or a portion of the livestock shall be removed from the area before the expiration of the designated grazing season if the Superintendent determines further grazing would be detrimental to the range. The number of stock and the grazing period may be adjusted by the Superintendent at any time when such action is deemed necessary for the protection of the range.

(vi) No permit shall be issued or renewed until payment of all fees and other amounts due the National Park Service has been made. Fees for permits are due the National Park Service and must be paid at least 15 days in advance of the grazing period. No permit shall be effective to authorize grazing use thereunder until all fees and other

amounts due the National Park Service have been paid. A pro rata adjustment of fees will be made in the event of reduction of grazing privileges granted in the permit, except that not more than 50 percent of the total annual grazing fee will be refunded in the event reduced grazing benefits are taken at the election of the permittee after his stock are on the range.

(vii) No building or other structure shall be erected nor shall physical improvements of any kind be established under the permit except upon plans and specifications approved by the National Park Service. Any such facilities, structures, or buildings may be removed or disposed of to a successor permittee within three months following the termination of the permit; otherwise they shall become the property of the United States without compensation therefor.

(viii) The permittee shall utilize the lands covered by the permit in a manner approved and directed by the Superintendent which will prevent soil erosion thereon and on lands adjoining same.

(ix) The right is reserved to adjust the fees specified in the permit at any time to conform with the fees approved for the Bureau of Land Management, and the permittee shall be furnished a notice of any change of fees.

(x) All livestock are considered as mature animals at 6 months of age and are so counted in determining animal unit months and numbers of animals.

(xi) The Superintendent may prescribe additional terms and conditions to meet individual cases.

(9) The breach of any of the terms or conditions of the permit shall be grounds for termination, suspension, or reduction of grazing privileges.

(10) Appeals from the decision of the Superintendent to the Regional Director, and from the Regional Director to the Director shall be made in accordance with National Park Service Order No. 14, as amended (19 F.R. 8824) and Regional Director, Region Two Order No. 3, as amended (21 F.R. 1494).

(11) Nothing in these regulations shall be construed as to prevent the enforcement of the provisions of the General Rules and Regulations and the Special Rules and Regulations of the National Park Service or of any other provisions of said rules and regulations applicable to stock grazing.

EARL M. SEMINGSEN,  
*Superintendent,  
Dinosaur National Monument.*

[F.R. Doc. 62-860; Filed, Jan. 24, 1962;  
8:54 a.m.]

## 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 (FAP 673) has been filed by Merck and Company, Inc., Rahway, New Jersey, proposing the issuance of a regulation to provide for the safe use of disodium inosinate in food as a flavor-enhancer and modifier.

Dated: January 18, 1962.

J. K. KIRK,  
*Assistant Commissioner  
of Food and Drugs.*

[F.R. Doc. 62-837; Filed, Jan. 24, 1962;  
8:50 a.m.]

## DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[ 9 CFR Part 17 ]

LABELING

Notice of Additional Time for Submitting Comments on Proposed Amendment Relating to Barbecued Meats

On December 21, 1961, there was published in the FEDERAL REGISTER (26 F.R. 12222) a notice of a proposed amendment of § 17.8 of the Meat Inspection Regulations (9 CFR 17.8), relating to barbecued meats, pursuant to the authority of the Meat Inspection Act (21 U.S.C. 71 et seq.) and section 306(b) of the Tariff Act of 1930 (19 U.S.C. 1306 (b)). Interested persons were allowed 30 days to submit written data, views or arguments concerning the proposed amendment.

It has been determined that additional time should be allowed for submitting comments on the proposal. Therefore, any person who wishes to submit written data, views or arguments concerning the proposed amendment may do so by filing them with the Director, Meat Inspection Division, Agricultural Research Service, U.S. Department of Agriculture, Washington 25, D.C., within 30 days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 22d day of January 1962.

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

[F.R. Doc. 62-847; Filed, Jan. 24, 1962;  
8:52 a.m.]

Agricultural Stabilization and Conservation Service

[ 17 CFR Part 1039 ]

[Docket No. AO-212-A11]

MILK IN MILWAUKEE, WISCONSIN MARKETING AREA

Notice of Extension of Time for Filing Exceptions to Recommended Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of

1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Milwaukee, Wisconsin marketing area, which was issued December 22, 1961 (26 F.R. 12580) is hereby extended to February 3, 1962.

Signed at Washington, D.C., on January 22, 1962.

JAMES T. RALPH,  
*Assistant Secretary.*

[F.R. Doc. 62-836; Filed, Jan. 24, 1962;  
8:50 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Parts 1, 6, 7, 8, 43 ]

[Reg. Docket No. 1040; Draft Release  
No. 62-2]

APPROVAL AND OPERATION OF ROTORCRAFT WITH EXTERNAL LOADS

Proposed Special Civil Air Regulation

Pursuant to the authority delegated to me by the Administrator (14 CFR 405.27), notice is hereby given that there is under consideration a proposed Special Civil Air Regulation concerning approval for rotorcraft to operate with external loads.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before March 26, 1962, will be considered by the Administrator before taking action upon the proposed rules. The proposals contained in this notice may be changed in the light of the comments received. All comments submitted will be available in the Docket Section for examination by interested persons when the prescribed date for return of comments has expired.

In contrast to fixed-wing aircraft, rotorcraft have the unique ability to raise, lower, and transport external loads (for example, by means of a cable and hoist) and to tow objects on the surface. A considerable number of civil rotorcraft are now being used in such operations, and large "flying crane" helicopters are being designed.

While rotorcraft have been approved for use in the carriage of external cargo and the towing of objects on land or water surfaces in the restricted category under Part 8 of the Civil Air Regulations, this part does not permit the use of rotorcraft in operations for compensation or hire. Furthermore, approval under the standard certification requirements for rotorcraft in the configurations required for the carriage of

all kinds of external cargo or for towing has not been accomplished primarily because of the difficulties encountered in showing full compliance with these requirements. Operations with external loads and the problems associated therewith were not considered at the time of the promulgation of either Part 6 or 7 of the Civil Air Regulations. Therefore, under the provision of Parts 6 and 7 compliance with the numerous flight characteristics requirements in those parts would have to be demonstrated for each anticipated external load configuration, resulting in a flight test program too burdensome and expensive to be considered by manufacturers of rotorcraft.

In view of the foregoing, the Agency considers it appropriate and in the public interest to permit a greater utilization of rotorcraft for the carriage of external cargo and towing under regulations which will insure that an adequate level of safety is maintained in such operations. Therefore, it is proposed to adopt a Special Civil Air Regulation containing provisions governing the approval of rotorcraft for use in the carriage of external cargo and in towing operations for compensation or hire and setting forth appropriate operating limitations applicable thereto.

The special regulation proposed herein establishes the specific requirements and operating limitations applicable to rotorcraft for which application has been made for the approval of such rotorcraft for use in operations involving the carriage of external cargo or the towing of objects on land or water surfaces. Such rotorcraft would be required to be certificated under Part 6 or 7 of the Civil Air Regulations. The rotorcraft would be limited to the certificated weights in operations conducted under the provisions of this regulation, except that a rotorcraft certificated under Category A of Part 7 could be approved for operation with a weight at which it could be shown to comply with the performance requirements of Category B of Part 7 and with the requirements of this regulation.

The applicant would define particular or representative external load weights and configurations for which he would be required to demonstrate compliance with specific strength and flight characteristics requirements. In addition, the proposed regulation would require demonstration that the rotorcraft is safely controllable while carrying the defined external loads. The results of these tests would be used to establish operating limitations for external loads, cargo configurations, weights, and airspeeds.

Since loads imposed during towing operations could exceed the loads imposed by the heaviest cargo that the rotorcraft is approved to carry, it is necessary to require that means be provided to avoid exceeding the load limitations of the rotorcraft. The direction at which a tow-line load is applied may be critical. If such is the case, this limitation would also be established and observed.

Where necessary to enable a safe emergency landing to be accomplished, a

means for jettisoning external cargo or releasing tow lines would be required.

Certain phases of external load operations may entail more risk for the occupants of the rotorcraft than is encountered during normal operations, therefore, the proposed regulation would limit occupancy during such operations to the flight crew and personnel necessary to perform the operation.

To protect the general public, the proposal would prohibit operation over congested areas with a rotorcraft carrying an external load which could be released in flight, or dropped as a result of any single structural failure. However, when justified by circumstances, special authorization for specific operations over congested areas might be granted by the Administrator.

An amendment to the Rotorcraft Flight Manual or an approved manual for external load operations would be required to inform the flight crew of the operating limitations and other information essential for safe operation of the rotorcraft.

In consideration of the foregoing, it is proposed to promulgate the following Special Civil Air Regulation:

1. *Applicability.* This regulation prescribes the requirements for the approval and use of a rotorcraft, type certificated under Part 6 or 7 of the Civil Air Regulations, in the carriage of external cargo, or the towing of objects on land or water surfaces for compensation or hire. As used in this regulation, external cargo means the cargo carried outside of the fuselage structure of a rotorcraft, the term "sling or hoist load" means an external cargo suspended by a rope or cable attached to a shackle, hoist, or similar device which is attached to the rotorcraft, and "external load" means external cargo and towing loads.

2. *Application for approval.* Any person may apply for approval under the provisions of this regulation. The applications for approval shall be submitted to the Chief, Flight Standards Division, Federal Aviation Agency, of the Region in which the applicant is located and shall contain the information required in this regulation.

3. *Requirements for approval.* Rotorcraft may be approved for use in operations involving the carriage of external cargo or the towing of objects on land or water surfaces if:

(a) The applicant has submitted data establishing and has demonstrated that the rotorcraft complies with the requirements of sections 4 through 6 of this regulation; and

(b) The Administrator finds, upon the completion of all tests and inspections, that there is no feature, characteristic, or condition of the rotorcraft which would render it unsafe when operated in accordance with the operating limitations established in section 7 of this regulation.

4. *Flight characteristics requirements.* Compliance with the flight characteristics requirements of paragraph (c) of this section shall be demonstrated for all the load configurations and weights established in accordance with paragraphs (a) and (b) of this section.

(a) *Rotorcraft maximum weight and center of gravity limitations.* The applicant shall select the maximum weight and the center of gravity limitations for which approval for carriage of external cargo or towing operations is desired. The weight and center of gravity limitations selected shall not exceed those limitations established in the basic certification of the rotorcraft, except that, for rotorcraft certificated under Category A of Part 7 of the Civil Air Regulations, a weight may be selected at which the

rotorcraft is shown to meet the performance requirements of Category B of Part 7.

(b) *External load weights and configurations.* The applicant shall select and define the external load configurations and weights for which approval is desired. If the applicant elects not to select a particular configuration of sling and hoist loads to be carried, he shall select one or more of the representative configurations set forth in subparagraphs (1) through (3) of this paragraph. The limitations and procedures established for operation with external loads shall be based upon the characteristics of the load configuration(s) selected.

(1) A load with three dimensions of similar magnitude (high and/or low density bulky load).

(2) A load with one dimension no more than one-fifth of the smaller of the other two dimensions (flat-type load).

(3) A load with the length at least twelve times the larger of the other two dimensions or twelve times the diameter if a cylindrical load is selected (pole-type load).

(c) *Flight characteristics.* (1) It shall be possible to maintain a flight condition and to make a smooth transition from one flight condition to another without requiring an exceptional degree of skill, alertness, or strength on the part of the pilot, and without danger of exceeding the limit load factor, under all conditions of operation probable for the type of operation, including those conditions normally encountered in the event of sudden powerplant failure.

(2) The rotorcraft shall be demonstrated to be capable of safe operation on or near the ground under normal operating conditions in a 20 m.p.h. wind blowing from any direction.

(3) For each external load configuration selected in accordance with paragraph (b) of this section the flight characteristics required in subparagraph (1) of this paragraph shall be demonstrated for a speed range from hovering flight to a speed ten percent greater than the maximum allowable speed established for such external load configuration.

5. *Design requirements.* (a) The structure which supports the external load, including those portions of the airframe structure that are affected, and any mechanisms or devices which are used in the lifting and supporting of external loads shall comply with the applicable airworthiness requirements of Part 6 or 7 of the Civil Air Regulations.

(b) When external cargo that extends below the landing gear is carried by single-engine rotorcraft, or by multiengine rotorcraft that are not capable of continued hovering out of ground effect with one engine inoperative, or when an operation involving the raising or lowering by hoist or the dropping of cargo is being conducted with any rotorcraft, a means for jettisoning the cargo shall be provided. For towing operations, a means for releasing the tow line shall be provided. These means shall be demonstrated to function satisfactorily under the most critical loading condition, taking into account the direction of load application; and it shall be established that the cargo can be jettisoned in a manner such that it will not interfere with a one-engine-inoperative landing.

(c) When a means for jettisoning cargo or a tow-line release is required in compliance with paragraph (b) of this section, an emergency quick release control on the pilot's primary flight control or a manual mechanical emergency release readily accessible to the pilot shall be provided. This release control shall be clearly marked to indicate its purpose and method of operation.

(d) Means shall be provided to insure that during towing operations loading conditions on the rotorcraft which exceed the weight and center of gravity limits may be consistently avoided.

6. *Manual requirements.* (a) An approved amendment to the Rotorcraft Flight Manual or an approved manual for operation with external cargo or for towing, listing the types of such operations for which the rotorcraft is approved, shall be prepared by the applicant and shall include:

(1) The operating limitations, procedures, performance information, loading conditions, approved weights, center of gravity and cargo configurations, method of attaching and carrying all approved load configurations, towing load limitations, tow cable angle limitations, and information regarding possible critical configurations of load or manner of attaching the load; and

(2) A precautionary notice concerning hazards to personnel on the ground from static electricity.

(b) For the purpose of showing compliance with this regulation and during operations conducted in accordance with this regulation, the operating limitation established in compliance with § 7.741(f) of Part 7 of the Civil Air Regulations to outline the limiting heights and corresponding speeds for safe landing after power failure shall be classified as performance information.

7. *Operating limitations.* A rotorcraft approved under the provisions of this regulation for use in operations involving the carriage of external cargo or the towing of objects on land or water surfaces shall, when engaged in such operations, be operated in compliance with paragraphs (a) through (d) of this section.

(a) Occupancy of the rotorcraft shall be limited to the flight crew and such personnel as are necessary to carry out the operations and a placard stating this limitation shall be installed in the cockpit and/or the cabin.

(b) Operation over congested areas, towns, or settlements, or an open air assembly of persons of a rotorcraft carrying an external cargo which can be released in flight or which can drop as the result of any single likely structural failure is prohibited unless specific authority for such operation has been issued by the Administrator.

(c) Rotorcraft shall be operated in accordance with the specific airspeed limits established for operation with external cargo or for towing and the airspeed indicator markings shall include such airspeeds or a placard displaying such limitations shall be located adjacent to the airspeed indicator.

(d) Rotorcraft shall be operated only with the external load configurations and weights for which the capability of the rotorcraft has been demonstrated in accordance with this regulation and which are set forth in the required manual.

This regulation is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421).

Issued in Washington, D.C., on January 18, 1962.

GEORGE C. PRILL,  
Director,  
Flight Standards Service.

JANUARY 18, 1962.

[F.R. Doc. 62-804; Filed, Jan. 24, 1962; 8:46 a.m.]

[ 14 CFR Part 600 ]

[Airspace Docket No. 61-LA-47]

FEDERAL AIRWAYS

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the

Federal Aviation Agency is considering amendments to §§ 600.6025, 600.6027, and 600.6485 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 25 is designated in part from the Santa Barbara, Calif., VORTAC to the Los Angeles, Calif., VOR. Low altitude VOR Federal airway No. 27 is designated in part from the Gaviota, Calif., VOR to the Los Angeles, Calif., VOR. Low altitude VOR Federal airway No. 485 is designated in part from the Fellows, Calif., VOR to the Oxnard, Calif., VOR. Approval from the appropriate authority is required prior to use of the portions of these airways which lie within Restricted Areas R-2519 and R-2520. The Federal Aviation Agency has under consideration a reduction in width to a six-mile wide airway for Victor 25 and Victor 27 from the intersection of the Oxnard VOR 155° and Fillmore, Calif., VORTAC 196° True radials to the intersection of the Oxnard VOR 331° and the Fillmore VORTAC 222° True radials, and for Victor 485 from the Oxnard VOR to the intersection of the Oxnard VOR 331° and the Fillmore VORTAC 222° True radials.

The proposed reduction in airway width would permit simultaneous use of these airway segments and operations within R-2519 and R-2520. The control areas associated with these segments of Victor 25, 27, and 485 are so designated that they would automatically conform to the altered airway segments. The vertical extent of these control areas would remain as designated pending review of the adjacent airspace. Separate actions will be initiated to implement on an area basis Amendment 60-21 to Part 60 of the Civil Air Regulations.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic 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 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 C-226, 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 Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1343).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
Chief, Airspace Utilization Division.

[F.R. Doc. 62-794; Filed, Jan. 24, 1962; 8:45 a.m.]

[ 14 CFR Part 600 ]

[Airspace Docket No. 61-NY-45]

FEDERAL AIRWAYS

Proposed Designation and Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to Part 600, and §§ 600.1503 and 600.1548 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of intermediate altitude VOR Federal airway No. 1501 from the Cape Charles, Va., VOR; 8-mile wide airway to the Snow Hill, Md., VOR; thence 10-mile wide airway via the Sea Isle, N.J., VOR; intersection of the Sea Isle VOR 049° and the Hampton, N.Y., VOR 223° True radials to the Hampton VOR, including the additional airspace between lines diverging from the Sea Island VOR to points of tangency to a circle with a 9-statute mile radius centered at the intersection of the Sea Isle VOR 049° and the Hampton VOR 223° True radials; within the circumference of the circle and between lines tangent to that circle converging to the Hampton VOR. The designation of the segment of Victor 1501 between the Sea Isle VOR and the Hampton VOR where the 5° angle from the airway centerline exceeds the 10-mile airway width would assure adequate lateral protection for aircraft operating at the maximum distance from widely separated navigational aids, where minute errors, either in ground or airborne equipment, could result in more than 5 statute miles deviation from the airway centerline. The designation of Victor 1501 would provide a bypass route east of the New York terminal area for intermediate air traffic operating between southern and New England terminals. Portions of the airway would be reduced in width to provide lateral separation from Victor 1503 as proposed herein, Chincoteague Inlet, Va., Restricted Area R-6604, and Bethany Beach, Del., Restricted Area R-2801. The designation of Victor 1501 would also correspond to the alterations to low altitude VOR Federal airway No. 139 as designated in Airspace Docket No. 61-NY-50 (26 F.R. 10475), so that the offshore portion of these airways would coincide.

Intermediate altitude VOR Federal airway No. 1503 extends in part from the Salisbury, Md., VOR as a 10-mile wide airway via the intersection of the Woodstown, N.J., VOR 154° and the Coyle, N.J., VOR 203° True radials; Coyle VOR; intersection of the Coyle VOR 058° and

the Riverhead, N.Y., VOR 218° True radials; to the Riverhead VOR. It is proposed to alter this segment of Victor 1503 by realigning it from the Salisbury VOR as a 10-mile wide airway via the intersection of the Salisbury VOR 025° and the Coyle VOR 215° True radials; the Coyle VOR; intersections of the Coyle VOR 057° and the Riverhead, N.Y., VOR 218° True radials; to the Riverhead VOR. The proposed realignment of Victor 1503 would permit the designation of Victor 1501 proposed herein. The reduced airway width would provide lateral separation from the Dover, Del., Restricted Area/Military Climb Corridor R-2803, and from intermediate altitude airway No. 1501.

Intermediate altitude VOR Federal airway No. 1548 extends in part as a 10-mile wide airway from the Coyle, N.J., VOR via the intersection of the Coyle VOR 058° and the Riverhead, N.Y., VOR 218° True radials; to the Riverhead VOR. It is proposed to realign Victor 1548 from the Coyle VOR as a 10-mile wide airway via the intersection of the Coyle VOR 057° and the Riverhead, N.Y., VOR 218° True radials; to the Riverhead VOR. The minor alteration proposed to Victor 1503 and Victor 1548 north of Coyle VOR would maintain conformity with the alignment of low altitude VOR Federal airway No. 16.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic 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 C-226, 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 Division Chief.

These amendments are proposed under sections 307(a), and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510, and Executive Order 10854, 24 F.R. 9565.

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
Chief, Airspace Utilization Division.

[F.R. Doc. 62-795; Filed, Jan. 24, 1962; 8:45 a.m.]

[ 14 CFR Part 600 ]  
[Airspace Docket No. 61-NY-63]

FEDERAL AIRWAYS

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 600.1534, 600.1505, and 600.1540 of the regulations of the Administrator, the substance of which is stated below.

Intermediate altitude VOR Federal airway No. 1534 is designated in part from the Martinsburg, W. Va., VOR as a 16-mile wide airway via the intersection of the Martinsburg VOR 081° and the Pottstown, Pa., VOR 237° True radials; to the Pottstown VOR; thence as a 10-mile wide airway to the Solberg, N.J., VOR. Intermediate altitude VOR Federal airway No. 1540 is designated in part from the Herndon, Va., VOR as a 10-mile wide airway to the intersection of the Herndon VOR 038° and the Martinsburg, W. Va., VOR 081° True radials. Intermediate altitude VOR Federal airway No. 1505 is designated in part from the Pottstown, Pa., VOR as a 10-mile wide airway to the Solberg, N.J., VOR.

The Federal Aviation Agency has under consideration the following alterations to these airway segments:

1. Redesignate the Martinsburg-Solberg segment of Victor 1534 from the Martinsburg VOR as a 12-mile wide airway to the intersection of the Martinsburg VOR 058° and the Harrisburg, Pa., VOR 165° True radials; thence as a 16-mile wide airway via the intersection of the Martinsburg VOR 058° and the Pottstown VOR 260° True radials; Pottstown VOR; intersection of the Pottstown VOR 058° and the Solberg VOR 242° True radials to the Solberg VOR.

2. Extend Victor 1540 from the Herndon VOR as a 10-mile wide airway to the intersection of the Herndon VOR 038° and the West Chester, Pa., VOR 253° True radials; thence as a 12-mile wide airway to the West Chester VOR; thence as a 10-mile wide airway to the Solberg VOR.

3. Redesignate the Pottstown-Solberg segment of Victor 1505 from the Pottstown VOR via the intersection of the Pottstown VOR 058° and the Solberg VOR 242° True radials to the Solberg VOR.

These proposed actions would provide a dual intermediate altitude airway structure between Solberg and Washington, D.C., for air traffic operating between New York, N.Y./Philadelphia, Pa., and Washington. Victor 1540 would generally overlie low altitude VOR Federal airway No. 3 and Victor 1534 overlying low altitude VOR Federal airway No. 251. This conformity would permit air traffic to transition between the two airway structures.

The proposed airway width reduction to Victor 1540 and Victor 1534 would provide lateral separation between them and between Victor 1540 and other adjacent intermediate airways. The proposed realignment of Victor 1534 and Victor 1505 between the Pottstown VOR

and the Solberg VOR is necessary to provide angular separation with the proposed Victor 1540 at the Solberg VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic 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 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 C-226, 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 Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
Chief, Airspace Utilization Division.

[F.R. Doc. 62-796; Filed, Jan. 24, 1962; 8:45 a.m.]

[ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 61-KC-47]

FEDERAL AIRWAY, ASSOCIATED CONTROL AREAS AND REPORTING POINTS

Proposed Revocation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Low altitude Red Federal airway No. 23 extends from Lakehead, Ontario, Canada, to Buffalo, N.Y. The Federal Aviation Agency is considering revoking the portion of this airway within the United States. It is the policy of this Agency to revoke L/MF airways wherever adequate VOR airways are available, and it appears that the route from Lakehead to Buffalo is adequately served by a combination of low altitude VOR Federal airways Nos. 470, 462, 300, and 36. Therefore, it appears that the retention of this airway is unjustified as an as-

signment of airspace. Accordingly, the Federal Aviation Agency proposes to revoke the United States portion of Red 23, its associated control areas and reporting points. Adoption of this proposal would not result in the discontinuance of the low frequency navigational aids associated with this airway. Any proposals to discontinue one or more of these aids would be circularized separately and interested persons would be afforded an opportunity to comment.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Central Region, Attn: Chief, Air Traffic 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 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 C-226, 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 Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
Chief, Airspace Utilization Division.

[F.R. Doc. 62-797; Filed, Jan. 24, 1962;  
8:45 a.m.]

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

[Airspace Docket No. 61-LA-75]

#### FEDERAL AIRWAYS AND CONTROLLED AIRSPACE

##### Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to §§ 600.6212 and 601.6212 of the regulations of the Administrator, the substance of which is stated below.

Low altitude VOR Federal airway No. 212 extends from Ukiah, Calif., to Williams, Calif. The FAA has under consideration the revocation of this airway and its associated control areas. Two recent traffic surveys indicate no instru-

ment flight rule traffic on this airway during the area's most active periods. In addition, the area between Ukiah and Williams is apparently adequately served by VOR Federal airway No. 200. It would appear, therefore, that retention of this airway is unjustified as an assignment of controlled airspace.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic 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 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 C-226, 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 Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
Chief, Airspace Utilization Division.

[F.R. Doc. 62-798; Filed, Jan. 24, 1962;  
8:46 a.m.]

#### [ 14 CFR Part 602 ]

[Airspace Docket No. 61-WA-111]

#### JET ADVISORY AREA

##### Proposed Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.300 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of a terminal radar jet advisory area at Memphis, Tenn. The en route radar jet advisory areas which presently overlie the Memphis terminal area are not adequate for the transition of civil turbojet aircraft to and from the jet route system while arriving and departing the Memphis terminal area. Accordingly, it is proposed to designate the Memphis,

Tenn., radar terminal jet advisory area as the airspace between FL 240 and FL 390 inclusive, which lies within and 16 miles beyond the limits of the area described below:

From the Farmington, Mo., VORTAC to the Dyersburg, Tenn., VORTAC; to the Holly Springs, Miss., VOR; to the Greenwood, Miss., VOR; via the intersection of the Greenwood VOR 357° and the Pine Bluff, Ark., VOR 082° True radials to the Pine Bluff VOR; to the Little Rock, Ark., VORTAC; via the intersection of the Little Rock VORTAC 062° and the Walnut Ridge, Ark., VOR 188° True radials to the Walnut Ridge VOR; to the Farmington VORTAC.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. 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 Chief, Airspace Utilization Division. 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 C-226, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
Chief, Airspace Utilization Division.

[F.R. Doc. 62-799; Filed, Jan. 24, 1962;  
8:46 a.m.]

#### [ 14 CFR Part 602 ]

[Airspace Docket No. 61-WA-209]

#### JET ADVISORY AREA

##### Proposed Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.200 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of an en route radar jet advisory area within 16 miles either side of Jet Route No. 20 from flight level 240 to 390 between Orlando, Fla., and Jackson, Miss. By definition (§ 602.2 (26 F.R. 7079)), the jet advisory area would not occupy that airspace within restricted areas along Jet Route No. 20 which have not been

listed in § 601.7101 (26 F.R. 1399) as part of the continental control area.

The designation of this proposed en route radar jet advisory area would provide a defined area wherein jet advisory service would be provided to civil turbojet aircraft while operating on J-20 between Orlando and Jackson.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. 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 Chief, Airspace Utilization Division. 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 C-226, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
*Chief, Airspace Utilization Division.*

[F.R. Doc. 62-800; Filed, Jan. 24, 1962; 8:46 a.m.]

**[ 14 CFR Part 602 ]**

[Airspace Docket No. 61-WA-218]

**JET ADVISORY AREA**

**Proposed Alteration**

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to § 602.200 of the regulations of the Administrator, the substance of which is stated below.

Radar jet advisory service is now provided from flight level 240 to flight level 390, inclusive, on the segment of Jet Route No. 41 from the Memphis, Tenn., VORTAC to the Springfield, Mo., VORTAC. This service is provided in part by FAA personnel assigned to the Walnut Ridge, Ark., AC&W site. It has been determined that adequate radar advisory service can be provided from the Memphis and Kansas City, Mo., ARTCCs from flight level 260 to flight level 390, inclusive, on this segment of J-41.

The FAA has under consideration placing a floor of flight level 260 on the segment of J-41 between Memphis and Springfield, which will permit the withdrawal of the FAA personnel from the Walnut Ridge AC&W site.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received with 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 Chief, Airspace Utilization Division. 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 C-226, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
*Chief, Airspace Utilization Division.*

[F.R. Doc. 62-801; Filed, Jan. 24, 1962; 8:46 a.m.]

**[ 14 CFR Part 602 ]**

[Airspace Docket No. 61-WA-137]

**JET ROUTE AND JET ADVISORY AREA**

**Proposed Alteration**

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering amendments to §§ 602.100 and 602.200 of the regulations of the Administrator, the substance of which is stated below.

Jet Route No. 70 presently extends from Seattle, Wash., to Idlewild, N.Y. The Federal Aviation Agency has under consideration extension of this jet route and its associated en route radar jet advisory area from Seattle to the intersection of the Seattle VORTAC 247° and the Portland, Ore., VORTAC 318° True radials where it would join control area 1418. Aircraft presently operating between Seattle and Honolulu use the segment of Jet Route No. 93 from Seattle to Newport, Ore. (intersection of the Medford VOR 339° and the Portland, Ore., 222° True radials), when arriving and departing the Seattle terminal area. Extending Jet Route No. 70 from Seattle to the intersection of the Seattle 247° and the Portland 318° True radials would provide an arrival and departure route 46 nautical miles shorter than the present route. This would facilitate air traffic services and improve terminal area procedures. Radar advisory service would be provided civil turbojet aircraft operating on this

proposed jet route segment. This proposed jet route segment would not traverse any high altitude refueling areas.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received with 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 Chief, Airspace Utilization Division. 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 C-226, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
*Chief, Airspace Utilization Division.*

[F.R. Doc. 62-802; Filed, Jan. 24, 1962; 8:46 a.m.]

**[ 14 CFR Part 602 ]**

[Airspace Docket No. 61-WA-169]

**JET ROUTE AND JET ADVISORY AREA**

**Proposed Alteration**

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to §§ 602.100 and 602.200 of the regulations of the Administrator, the substance of which is stated below.

Jet Route No. 4 presently extends in part from Dallas, Texas, to Florence, S.C. The Federal Aviation Agency has under consideration the extension of J-4 from Florence to Wilmington, N.C., which will provide an alternate routing for jet aircraft operating between southern terminals and the New York Metropolitan area.

A radar jet advisory area presently exists on J-4 from Los Angeles, Calif., to Dallas. The FAA has under consideration the extension of this radar jet advisory area from flight level 240 to flight level 390 inclusive, within 16 miles either side of the segment of J-4 from Dallas to Wilmington.

The designation of this proposed en route radar jet advisory area would provide defined areas wherein jet advisory service would be provided to civil turbojet aircraft while operating on J-4 between Dallas and Wilmington.

## PROPOSED RULE MAKING

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. 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 Chief, Airspace Utilization Division. 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 C-226, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on January 19, 1962.

CHARLES W. CARMODY,  
*Chief, Airspace Utilization Division.*

[F.R. Doc. 62-803; Filed, Jan. 24, 1962;  
8:46 a.m.]

# Notices

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Group No. 407]

### CALIFORNIA

#### Notice of Filing of Plats of Survey

JANUARY 18, 1962.

1. Plats of survey of the lands described below will be officially filed in the Land Office, Riverside, California, effective at 10:00 a.m., January 25, 1962.

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 1 N., R. 20 E.,  
Sec. 16: All;  
Sec. 36: All.

The area described aggregates 1,280.00 acres.

T. 1 N., R. 21 E.,  
Sec. 15: All;  
Sec. 16: All;  
Sec. 22: All;  
Sec. 27: All;  
Sec. 34: N $\frac{1}{2}$ , SW $\frac{1}{4}$ .

The area described aggregates 3,040.00 acres.

T. 1 N., R. 25 E.,  
Sec. 16: Lots 5, 6, 7, 8, NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described aggregates 316.32 acres.

T. 2 N., R. 20 E.,  
Sec. 16: All;  
Sec. 36: All.

The area described aggregates 1,280.00 acres.

T. 2 N., R. 21 E.,  
Sec. 16: All;  
Sec. 22: All.

The area described aggregates 1,280.00 acres.

T. 2 N., R. 23 E.,  
Sec. 16: Lots 1, 2, 3, 4, NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 17: Lots 1 to 9 incl., SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ .

The area described aggregates 1,129.10 acres.

T. 2 N., R. 25 E.,  
Sec. 16: All;  
Sec. 36: Lot 3.

The area described aggregates 677.83 acres.

T. 3 N., R. 19 E.,  
Sec. 36: All.

The area described aggregates 640.00 acres.

T. 3 N., R. 20 E.,  
Sec. 16: All;  
Sec. 36: All.

The area described aggregates 1,280.00 acres.

T. 3 N., R. 21 E.,  
Sec. 16: All;  
Sec. 36: All.

The area described aggregates 1,280.00 acres.

T. 3 N., R. 23 E.,  
Sec. 16: All;  
Sec. 36: All.

The area described aggregates 1,280.00 acres.

T. 3 N., R. 24 E.,  
Sec. 16: All;  
Sec. 36: All.

The area described aggregates 1,280.00 acres.

T. 4 N., R. 19 E.,  
Sec. 36: All.

The area described aggregates 640.00 acres.

T. 4 N., R. 20 E.,  
Sec. 16: All;  
Sec. 36: All.

The area described aggregates 1,280.00 acres.

T. 4 N., R. 21 E.,  
Sec. 15: Lots 1 to 12 incl.;  
Sec. 16: Lots 1 to 12 incl., W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ .

The area described aggregates 1,117.78 acres.

T. 5 N., R. 19 E.,  
Sec. 36: Lots 1 to 8 incl., NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ .

The area described aggregates 734.76 acres.

T. 5 N., R. 20 E.,  
Sec. 15: Lots 1 to 4 incl., W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 16: All;  
Sec. 22: Lots 1 to 4 incl., W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 27: Lots 1 to 4 incl., W $\frac{1}{2}$ NE $\frac{1}{4}$ ; NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 34: Lots 1 and 2, NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ .

The area described aggregates 3,177.84 acres.

2. Except for and subject to valid existing rights, it is presumed that title to all of the sec. 16 and sec. 36 lands above described passed to the State of California upon acceptance of the above mentioned plats of survey.

#### 3. Land use characteristics:

SAN BERNARDINO MERIDIAN, CALIFORNIA

The lands in T. 1 N., R. 21 E., are located on the southeastern slope of the Turtle Mountains. The topography is rough and eroded; vegetation is sparse, consisting of creosote bush and annual grasses. The lands have no known use.

The land in T. 2 N., R. 21 E., is located on the northeastern slope of the Turtle Mountains. Topography is rough and eroded; vegetation is sparse, consisting of creosote bush and annual grasses. The land has no known use.

The land in T. 2 N., R. 23 E., is located on the southern edge of the Whipple Mountains. It is rough and broken; vegetation is sparse, consisting of yucca and annual grasses. The land has no known use.

The land in T. 4 N., R. 21 E., is on the northern slope of the Turtle Mountains. The land is fairly level, with an average elevation of 1600 feet. Vegetation consists of creosote bush, yucca, and annual grasses. The land has no known use.

4. The public lands affected by this order are hereby restored to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws, rules, and regulations.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their application, setting forth all facts relevant to their claims.

6. Inquiries concerning these lands should be addressed to the Manager, Land Office, Bureau of Land Management, 1414 8th Street, Riverside, California.

OLIVER W. JOHNSON, Jr.,  
*Acting Manager,*  
*Riverside Land Office.*

[F.R. Doc. 62-826; Filed, Jan. 24, 1962;  
3:49 a.m.]

### CALIFORNIA

#### Notice of Amendment and Partial Termination of Proposed Withdrawal and Reservation of Lands

JANUARY 17, 1962.

Notice of an application Serial No. Sacramento 050089, for withdrawal and reservation of lands, was published as FEDERAL REGISTER Document No. 60-10093 on pages 10323 and 10324 of the issue for October 27, 1960. The description of certain lands involved in the proposed withdrawal application is hereby amended to conform to the official survey plats to read as follows:

MOUNT DIABLO MERIDIAN

PLUMAS NATIONAL FOREST

Roadside Zone Along the U.S. Highway No. 40-A

A strip of land 200 feet on each side of the center line of the U.S. Highway No. 40-A through the following legal subdivisions:

T. 23 N., R. 5 E.,  
Sec. 28: Lots 2, 3, and 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 25 N., R. 8 E.,  
Sec. 18: Lots 2, 3, and 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 24 N., R. 10 E.,  
Sec. 22: Lots 2, 3, 4, and 5.  
T. 23 N., R. 11 E.,  
Sec. 10: Lots 5, 6, and 7.

The applicant agency has added the following lands to the application:

MOUNT DIABLO MERIDIAN

PLUMAS NATIONAL FOREST

Roadside Zone Along the Gold Lake County Road

A strip of land 200 feet wide on each side of the center line of the Gold Lake County Road through the following legal subdivisions:

T. 21 N., R. 12 E.,  
Sec. 5: Lots 1 and 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 22 N., R. 12 E.,  
Sec. 22: SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

**Roadside Zone Along the U.S. Highway No. 40-A**

A strip of land 200 feet wide on each side of the center line of the U.S. Highway No. 40-A through the following legal subdivisions:

- T. 22 N., R. 12 E.,  
 Sec. 4:  $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 14:  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}$ ,  $N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$ .  
 T. 22 N., R. 13 E.,  
 Sec. 18:  $N\frac{1}{2}NE\frac{1}{4}NW\frac{1}{4}$ .  
 T. 23 N., R. 11 E.,  
 Sec. 8:  $E\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$ ;  
 Sec. 9:  $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ .  
 T. 23 N., R. 12 E.,  
 Sec. 19: Lot 1,  $N\frac{1}{2}$  Lot 2,  $SE\frac{1}{4}NW\frac{1}{4}$ ;  
 Sec. 29:  $W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 30:  $NE\frac{1}{4}NW\frac{1}{4}$ ,  $E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 32:  $SW\frac{1}{4}NW\frac{1}{4}$ .  
 T. 24 N., R. 11 E.,  
 Sec. 30: Lot 37.

The above-described land added to the application aggregates approximately 684.16 acres of public land.

The applicant agency has cancelled its application insofar as it involved the land described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 295, such lands will be at 10:00 a.m. on February 19, 1962, relieved of the segregative effect of the above-mentioned application.

The lands terminated are:

MOUNT DIABLO MERIDIAN  
 PLUMAS NATIONAL FOREST

**Roadside Zone Along the California State Highway No. 89**

A strip of land 200 feet on each side of the center line of Highway No. 89 through the following legal subdivisions:

- T. 25 N., R. 9 E.,  
 Sec. 9: Patented  $W\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$ ,  $NW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$ ,  $NW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$ .  
 T. 21 N., R. 13 E.,  
 Sec. 4: Patented  $E\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$ ,  $E\frac{1}{2}W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$ ,  $N\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}SW\frac{1}{4}$ .  
 Sec. 5: Patented  $NW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 15: Patented  $NW\frac{1}{4}NW\frac{1}{4}$ .

**Roadside Zone Along the U.S. Highway No. 40-A**

A strip of land 200 feet on each side of the center line of the U.S. Highway No. 40-A through the following legal subdivisions:

- T. 23 N., R. 5 E.,  
 Sec. 14: Patented  $N\frac{1}{2}N\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}$ .  
 T. 25 N., R. 8 E.,  
 Sec. 14: Patented  $S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 15: Patented  $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 17: Patented  $S\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 18: That portion of patented Mineral Lot 43 and that portion of patented Mineral Survey 6231 extending into Lot 6;  
 Sec. 21: Patented  $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$ .  
 T. 24 N., R. 9 E.,  
 Sec. 2: Patented  $NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$ ,  $W\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$ ,  $E\frac{1}{2}E\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$ ;  
 Sec. 24: Patented  $N\frac{1}{2}N\frac{1}{2}$ .  
 T. 25 N., R. 9 E.,  
 Sec. 8: Patented  $SW\frac{1}{4}SE\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$ ,  $S\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 9: Patented  $W\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$ .

- Sec. 16: Patented  $N\frac{1}{2}N\frac{1}{2}$ ;  
 Sec. 22: Patented  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ;  
 Sec. 27: Patented  $NE\frac{1}{4}$ ,  $NE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}SE\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ,  $W\frac{1}{2}E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 35: Patented  $SE\frac{1}{4}NE\frac{1}{4}SW\frac{1}{4}$ .  
 T. 24 N., R. 10 E.,  
 Sec. 23: Patented  $NE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ ,  $S\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 8: Patented  $NE\frac{1}{4}NW\frac{1}{4}$ .  
 Sec. 26: Patented  $SW\frac{1}{4}NW\frac{1}{4}NE\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$ .  
 T. 23 N., R. 11 E.,  
 Sec. 8: Patented  $NE\frac{1}{4}NW\frac{1}{4}$ .  
 T. 24 N., R. 11 E.,  
 Sec. 31: Patented Lots 1, 3, 6, 7, and 8.  
 T. 22 N., R. 12 E.,  
 Sec. 4: Patented  $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 14: Patented  $N\frac{1}{2}NE\frac{1}{4}$ ,  $N\frac{1}{2}NW\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ .

WALTER E. BECK,  
 Manager, Land Office,  
 Sacramento.

[F.R. Doc. 62-827; Filed, Jan. 24, 1962; 8:49 a.m.]

**CALIFORNIA**

**Notice of Proposed Withdrawal and Reservation of Lands**

JANUARY 16, 1962.

The United States Department of Agriculture has filed an application, Serial Number Sacramento 050138 for the withdrawal of the lands described below, from prospecting location, entry, and purchase under the mining laws, subject to existing valid claims.

The applicant desires the land to protect roadside zones.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 4201, U.S. Court House and Federal Building, 650 Capitol Avenue, Sacramento 14, California.

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

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

The lands involved in the application are:

MOUNT DIABLO MERIDIAN  
 SIERRA NATIONAL FOREST

**Roadside Zone along the Mammoth Road**  
 (Forest Development Road No. 0400)

A strip of land 200 feet wide on each side of the center line of the Mammoth Road through the following subdivisions:

- T. 8 S., R. 23 E.,  
 Sec. 25:  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 26:  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 33:  $N\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 35:  $NE\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NE\frac{1}{4}$ .  
 T. 9 S., R. 23 E.,  
 Sec. 2: Lot 3,  $S\frac{1}{2}NW\frac{1}{4}$ ;  
 Sec. 3:  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ .

- T. 6 S., R. 24 E.,  
 Sec. 2:  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 3:  $SW\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 9:  $E\frac{1}{2}SE\frac{1}{4}$ ;  
 Sec. 10:  $N\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ;  
 Sec. 16:  $E\frac{1}{2}NE\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ;  
 Sec. 20:  $SE\frac{1}{4}$ ;  
 Sec. 21:  $W\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $S\frac{1}{2}SW\frac{1}{4}$ ;  
 Sec. 28:  $W\frac{1}{2}NW\frac{1}{4}$ ;  
 Sec. 29:  $N\frac{1}{2}NE\frac{1}{4}$ ,  $E\frac{1}{2}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ;  
 Sec. 30: Lots 1, 2, and 3,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 31:  $E\frac{1}{2}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$ .  
 T. 7 S., R. 24 E.,  
 Sec. 5:  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 6: Lots 1 and 2,  $S\frac{1}{2}NE\frac{1}{4}$ ,  $E\frac{1}{2}SE\frac{1}{4}$ ;  
 Sec. 8:  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $N\frac{1}{2}NW\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ;  
 Sec. 16:  $SW\frac{1}{4}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 17:  $W\frac{1}{2}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ ;  
 Sec. 21:  $E\frac{1}{2}NW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $S\frac{1}{2}SW\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 28:  $N\frac{1}{2}NE\frac{1}{4}$ ,  $NE\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 33:  $NE\frac{1}{4}NW\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $W\frac{1}{2}SW\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ .  
 T. 8 S., R. 24 E.,  
 Sec. 4: Lot 2, lot 3,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ;  
 Sec. 8:  $W\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 9:  $NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ,  $E\frac{1}{2}W\frac{1}{2}SW\frac{1}{4}$ ;  
 Sec. 16:  $W\frac{1}{2}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 17:  $E\frac{1}{2}NE\frac{1}{4}$ ;  
 Sec. 19:  $S\frac{1}{2}SE\frac{1}{4}$ ;  
 Sec. 20:  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $N\frac{1}{2}S\frac{1}{2}$ ;  
 Sec. 21:  $S\frac{1}{2}NE\frac{1}{4}$ ,  $NE\frac{1}{4}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 30: Lot 1,  $NW\frac{1}{4}NE\frac{1}{4}$ ,  $NE\frac{1}{4}NW\frac{1}{4}$ .

MOUNT DIABLO MERIDIAN

SIERRA NATIONAL FOREST

**Roadside Zone along the Forest Highway No. 74**

A strip of land 200 feet on each side of the center line of the Forest Highway No. 74 through the following legal subdivisions:

- T. 7 S., R. 22 E.,  
 Sec. 5: Lots 7, 10, and 16,  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ;  
 Sec. 35:  $W\frac{1}{2}NE\frac{1}{4}$ .  
 T. 8 S., R. 22 E.,  
 Sec. 2:  $SW\frac{1}{4}NE\frac{1}{4}$ .  
 T. 9 S., R. 22 E.,  
 Sec. 12:  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 24:  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ .  
 T. 9 S., R. 23 E.,  
 Sec. 6: Lots 3, 4, and 5,  $SE\frac{1}{4}NW\frac{1}{4}$ ;  
 Sec. 7: Lot 5;  
 Sec. 18: Lots 3, 6, 7;  
 Sec. 19: Lot 2,  $SE\frac{1}{4}NW\frac{1}{4}$ ;  
 Sec. 30: Lots 1 and 2,  $E\frac{1}{2}NW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}$ .

MOUNT DIABLO MERIDIAN

SIERRA NATIONAL FOREST

**Roadside zone along the Yosemite Highway, California State Highway No. 41**

A strip of land 200 feet on each side of the center line of the Yosemite Highway through the following legal subdivisions:

- T. 5 S., R. 21 E.,  
 Sec. 24: Lots 4 and 5,  $NW\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 26:  $S\frac{1}{2}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ ;  
 Sec. 35: Lot 1,  $NW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ .  
 T. 6 S., R. 21 E.,  
 Sec. 2:  $SW\frac{1}{4}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ ,  $W\frac{1}{2}SE\frac{1}{4}$ ;  
 Sec. 3:  $SE\frac{1}{4}NE\frac{1}{4}$ ;  
 Sec. 11:  $S\frac{1}{2}NE\frac{1}{4}$ ,  $NW\frac{1}{4}NE\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$ ,  $E\frac{1}{2}SE\frac{1}{4}SE\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 12:  $NW\frac{1}{4}SW\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ ,  $SW\frac{1}{4}SW\frac{1}{4}$ ;  
 Sec. 13: Lots 3, 4, 5, and 6,  $N\frac{1}{2}SW\frac{1}{4}$ ;  
 Sec. 24:  $W\frac{1}{2}NW\frac{1}{4}$ ,  $NW\frac{1}{4}SW\frac{1}{4}$ .

The areas described above aggregate approximately 8,252 acres of public land.

WALTER E. BECK,  
Manager, Land Office,  
Sacramento.

[F.R. Doc. 62-828; Filed, Jan. 24, 1962;  
8:49 a.m.]

[Classification No. 95]

**NEVADA**

**Small Tract Classification;  
Amendment**

1. Effective January 17, 1962, Federal Register Document 53-8583 appearing on pages 6413-14 of the issue for October 8, 1953, is revoked as to the following described public land:

MOUNT DIABLO MERIDIAN

T. 20 S., R. 60 E.,  
Sec. 10, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described aggregates 2.5 acres.

2. The land included in this amendment is located in the Las Vegas Valley within 14 miles of Las Vegas, Nevada, at an elevation of approximately 2,400 feet above sea level. The climate is dry. The area receives from 5 to 7 inches of rainfall annually. The topography of the parcel is nearly level, the soils varying from sands to gravel, to caliche.

3. The subject land affected by this order is hereby restored as of 10:00 a.m. on February 22, 1962, to the operation of the public land laws, subject to any valid existing rights, with provisions of existing withdrawals, and the requirements of applicable law, rules, and regulations.

DANIEL P. BAKER,  
Chief, Division of Lands  
and Minerals Management.

JANUARY 17, 1962.

[F.R. Doc. 62-829; Filed, Jan. 24, 1962;  
8:49 a.m.]

**National Park Service**

[Order No. 16, Amdt. 2]

**ASSISTANT DIRECTOR, RESOURCE  
PLANNING CHIEF, DIVISION OF  
COOPERATIVE SERVICES**

**Delegation of Authority with Respect  
to Functions Relating to Surplus  
Land**

Order No. 16, Amendment 1, dated March 14, 1957 (22 F.R. 1645) amended to read as follows:

(a) The Chief, Division of Cooperative Services, is authorized to determine, in accordance with subsection (h) of section 13 of the Surplus Property Act of 1944, as amended by the Act of June 10, 1948 (62 Stat. 350; 50 U.S.C. App., 1952 ed., section 1622 (h)), whether surplus land is suitable and desirable for use as a public park, public recreational area, or historic monument, for the benefit of the public, and to inform disposal agencies of such determination.

(b) The Assistant Director, Resource Planning, is authorized to determine and enforce compliance with the provisions

No. 17—5

of any instrument of transfer and take other actions necessary, including the issuance of necessary documents, pursuant to the provision of section 203(k) (2) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C., Supp. V, sec. 484(k)(2)) with respect to property transferred pursuant to the Surplus Property Act of 1944, as amended and extended (50 U.S.C., 1946 ed., Supp. V, sec. 1622(h)) to States, political subdivisions and instrumentalities thereof, and municipalities, for use as a public park, public recreational area, or historic monument for the benefit of the public.

(Sec. 13, Secretary's Order No. 2640, as amended, March 30, 1954, 19 F.R. 1937)

CONRAD L. WIRTH,  
Director, National Park Service.

[F.R. Doc. 62-858; Filed, Jan. 24, 1962;  
8:54 a.m.]

[Order No. 3, Amendment No. 9]

**SUPERVISORY ARCHEOLOGIST**

**Delegation of Authority Regarding  
Appointments to Ungraded Positions**

Sections No. 7, 8, and 9 are hereby renumbered 8, 9, and 10 respectively.

A new section, numbered 7, and reading as follows is added:

Sec. 7. *Supervisory Archeologist.* The Supervisory Archeologist of the Archeological Research Unit is authorized to make appointments and status changes involving personnel in ungraded positions. This authority may be exercised on any archeological project in Region One under the direct supervision of the Supervisory Archeologist, Archeological Research Unit.

(National Park Service Order No. 14 (19 F.R. 8824); 39 Stat. 535; 16 U.S.C., W.S.B. sec. 2. Region One Order No. 3 (21 F.R. 1493))

ELBERT COX,  
Regional Director.

OCTOBER 4, 1961.

[F.R. Doc. 62-859; Filed, Jan. 24, 1962;  
8:54 a.m.]

**DEPARTMENT OF COMMERCE**

**Bureau of International Programs**

[File 38-3]

**HYDROCARBON RESEARCH, INC.**

**Extension of Temporary Order Denying  
Certain Export Privileges**

A Temporary Order was issued in this matter on December 7, 1961, extending for 45 days the provisions of a Temporary Order of June 15, 1961. These temporary orders have been issued in connection with an investigation instituted by the Investigations Staff, Bureau of International Programs, into the possible unauthorized use by respondent Hydrocarbon Research, Inc., 115 Broadway, New York, New York, and two affiliated companies, of unpublished technical data of United States origin in the design, construction and operation of an

oil refining and petrochemical plant in a Soviet bloc country.

The Investigations Staff, Bureau of International Programs, has applied under § 382.11(b) of the Export Regulations for a further extension of the provisions of the Temporary Order of June 15, 1961, as extended, to be effective until the final disposition of any administrative compliance proceedings in the Bureau of International Programs involving these respondents.

This matter has been fully considered by the Compliance Commissioner, who, being fully advised thereof, has reported his recommendations to me that the present temporary order should be extended until the final disposition of any administrative compliance proceedings involving these respondents, since such will be in the public interest and necessary for effective enforcement of the law. I do so find. It is, therefore, ordered as follows:

(1) Hydrocarbon Research, Inc., its officers, directors, agents and employees, as well as Hydrocarbon Mineraloel, G.m.b.H., Duesseldorf, Germany, and Hydrocarbon Engineering, S.a.r.l., Paris, France, their officers, directors, agents and employees, as well as any other person, firm, corporation or business organization with which respondent may be now or hereafter related by ownership, affiliation or control, whether located in the United States or abroad, shall submit to the Bureau of International Programs full and complete documentation of the transaction and obtain the Bureau's specific written authorization therefor, prior to engaging in any manner, form or capacity in any transaction which may involve, directly or indirectly, the exportation from the United States, or the reexportation from another destination following exportation from the United States, to the Sino-Soviet bloc (including Poland) or Cuba of any commodity or of any published or unpublished technical data of U.S. origin or product thereof, as defined in the Export Regulations.

(2) No person, firm, corporation or other business organization, within the United States or elsewhere, without prior disclosure of the facts to, and specific written authorization from, the Bureau of International Programs, shall knowingly, directly or indirectly, in any manner, form or capacity, participate in any transaction within the scope of paragraph (1) of this Order in which the respondent, its related persons or firms are involved.

(3) This order shall take effect forthwith and shall remain in effect until the completion of any administrative compliance proceedings that may be initiated by the Investigations Staff, unless sooner vacated or extended.

(4) A certified copy of this Order shall be served upon the respondent and the named related firms.

Dated: January 19, 1962.

FORREST D. HOCKERSMITH,  
Acting Director,  
Office of Export Control.

[F.R. Doc. 62-824; Filed, Jan. 24, 1962;  
8:49 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14043; FCC 62M-97]

### MELODY MUSIC, INC. (WGMA)

#### Order Continuing Hearing

In re application of Melody Music, Inc. (WGMA), Hollywood, Fla., Docket No. 14043, File No. BR-2855; for renewal of license of Station WGMA, Hollywood, Fla.

The Hearing Examiner having under consideration the request contained in a letter from counsel for Melody Music, Inc., dated January 16, 1962, for continuance of the hearing in the above-entitled matter now scheduled for January 22, 1962, to March 5, 1962; and

It appearing that counsel for the Broadcast Bureau has informally agreed to a waiver of the four-day requirement of § 1.43 of the Commission's rules and consented to a grant of the instant request for continuance; and good cause exists for the grant thereof;

It is ordered, This 17th day of January 1962, that the hearing in the above-entitled proceeding be and it is hereby continued to March 5, 1962, at 10:00 a.m.

Released: January 19, 1962.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Acting Secretary.

[F.R. Doc. 62-852; Filed, Jan. 24, 1962;  
8:53 a.m.]

## FEDERAL MARITIME COMMISSION

### ISTHMIAN LINES, INC., ET AL.

#### Notice of Agreements Filed For Approval

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 8638-1, between Isthmian Lines, Inc., and Alcoa Steamship Company, Inc., modifies approved Agreement 8638, which covers a through billing arrangement of the parties in the trade from Federation of Malaya, Singapore, Thailand, Indonesia, Philippines, India, Pakistan, and Ceylon to Puerto Rico, via New York or Baltimore;

Agreement 8639-1, between Isthmian Lines, Inc., and Alcoa Steamship Company, Inc., modifies approved Agreement 8639, which covers a through billing arrangement of the parties in the trade from Federation of Malaya, Singapore, Thailand, Indonesia, Philippines, India, Pakistan, and Ceylon to the Virgin Islands, via New York or Baltimore;

Agreement 8641-1, between Isthmian Lines, Inc., and Alcoa Steamship Com-

pany, Inc., modifies approved Agreement 8641, which covers a through billing arrangement of the parties in the trade from Federation of Malaya, Singapore, Thailand, Indonesia, Philippines, India, Pakistan, and Ceylon to Puerto Rico, via Mobile or New Orleans; and

Agreement 8642-1, between Isthmian Lines, Inc., and Waterman Steamship Corporation of Puerto Rico, modifies approved Agreement 8642, which covers a through billing arrangement of the parties in the trade from Federation of Malaya, Singapore, Thailand, Indonesia, Philippines, India, Pakistan, and Ceylon to Puerto Rico, via Mobile or New Orleans.

These similar modifications provide for the inclusion of ports in the Persian Gulf, Red Sea and Gulf of Aden, Egypt, Cambodia, and Vietnam as ports of origin within the scope of the respective agreements.

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

Dated: January 22, 1962.

By order of the Federal Maritime  
Commission.

THOMAS LIST,  
Secretary.

[F.R. Doc. 62-857; Filed, Jan. 24, 1962;  
8:53 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. CP62-71]

### CENTRAL NATURAL GAS CO.

#### Notice of Application

JANUARY 19, 1962

Take notice that on September 20, 1961, as supplemented on December 8, 1961, Central Natural Gas Company (Applicant), 201 East Main Street, Vermillion, South Dakota, filed in Docket No. CP62-71 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Northern Natural Gas Company (Northern) to establish physical connection of its facilities with those which Applicant proposes to construct and operate, and to sell and deliver to Applicant natural gas for resale and distribution in the Villages of Afton, Lakeland, Lakeland Shores, Lake St. Croix Beach and St. Mary's Point; in Washington County, Minnesota, all as more fully set forth in the application, as supplemented, which is on file with the Commission and open to public inspection.

Applicant proposes to construct regulator stations at Afton, Lakeland and

Lake St. Croix Beach, and distribution systems in all five of the communities named above, which communities have granted franchises for the proposed service. The estimated total investment in the subject facilities at the end of the third year of operation is \$99,940, which Applicant proposes to finance through a temporary bank loan and the subsequent issue of bonds and preferred stock.

The estimated natural gas requirements of the communities involved herein are:

	1st year	2d year	3d year
Annual (Mcf).....	34,200	43,720	51,600
Peak day (Mcf).....	288	382	460

Northern Natural Gas Company filed its answer to the subject application on October 23, 1961, stating that it does not oppose said application and is willing to render service for the five proposed communities.

Protests, requests for hearing or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 9, 1962.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 62-817; Filed, Jan. 24, 1962;  
8:48 a.m.]

[Docket Nos. CP62-106, G-18615]

### HOUSTON TEXAS GAS AND OIL CORP.

#### Notice of Application and Date of Hearing and Notice of Application for Amendment

JANUARY 19, 1962.

Take notice that on October 23, 1961, Houston Texas Gas and Oil Corporation (Applicant), Post Office Box 10400, St. Petersburg 33, Florida, filed in Docket No. CP62-106 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities to enable Applicant to provide interruptible natural gas service to two direct industrial customers, Swift and Company (Swift), near Agricola, Florida, and Armour and Company (Armour), near the City of Fort Meade, Florida, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant has entered into contracts with Armour and Swift, dated September 15, 1961, and April 21, 1961, respectively, providing for the direct sale of maximum annual estimated natural gas volumes of 1,225,000 Mcf per year to Armour and 208,000 Mcf per year to Swift, both on an intermediate interruptible basis.

Gas will be sold to both customers at a rate of 35 cents per Mcf.

Applicant also requests that the Commission amend its order issued August 9, 1961, in Docket No. G-18615, as amended, wherein Applicant was authorized, among other things, to construct and operate 12.0 miles of 2-inch lateral transmission pipeline extending from its existing 3-inch line at Agricola, Florida, to Ft. Meade and to sell and deliver natural gas for resale in and around Ft. Meade. Applicant requests authorization to construct and operate 8.78 miles of 2- and 6-inch pipeline between Ft. Meade and Agricola in lieu of the 12.0 miles of 2-inch line authorized in the order of August 9, 1961. The proposed amendment requires a relocation of the previously authorized lateral in order to enable Applicant to render the proposed service to the two industrial customers in Docket No. CP62-106.

Armour and Swift will use the natural gas in the production of fertilizer materials.

The total estimated cost of the proposed facilities in both dockets is \$220,000 which is \$37,200 greater than the estimated cost of the similar facilities authorized in Docket No. G-18615. The increased cost of construction will be financed from a contingency fund.

These related matters 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 February 26, 1962, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by the application in Docket No. CP62-106: *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, requests for hearing or petitions to intervene in either Docket Nos. CP62-106 or G-18615 may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 12, 1962. Failure of any party to appear at and participate in the hearing in Docket No. CP62-106 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. 62-818; Filed, Jan. 24, 1962; 8:48 a.m.]

[Docket Nos. RI62-301—RI62-306]

**SHELL OIL CO. ET AL.**

**Order Providing for Hearings on and Suspension of Proposed Changes in Rates <sup>1</sup>**

JANUARY 19, 1962.

Shell Oil Company, Docket No. RI62-301; The Shamrock Oil and Gas Corporation, Docket No. RI62-302; N. Bruce and Curtis E. Calder, Jr., d/b/a Horizon Oil & Gas Company, Docket No. RI62-303; J. M. Huber Corporation, Docket No. RI62-304; Columbian Fuel Corporation, Docket No. RI62-305; Humble Oil & Refining Company, Docket No. RI62-306.

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. All rates referred to herein are at a pressure measurement base of 14.65 psia. The proposed changes are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing 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	
RI62-301...	Shell Oil Co., 70 West 50th Street, New York 20, N.Y.	5	16	Texas Eastern Transmission Corp. (Gohlke Field, Dewitt and Victoria Counties, Tex.) (R.R. Dist. No. 2).	\$7,660	12-22-61	<sup>1</sup> 2-1-62	7-1-62	<sup>2</sup> 16.1111	<sup>3</sup> 16.4444	RI61-329
RI62-301...	Shell Oil Co.	4	18	do.	1,404	12-22-61	<sup>1</sup> 2-1-62	7-1-62	<sup>2</sup> 16.1111	<sup>3</sup> 16.4444	RI61-339
RI62-302...	The Shamrock Oil and Gas Corp., P.O. Box 631, Amarillo, Tex.	32	2	Panhandle Eastern Pipe Line Co. (Panhandle Field, Moore and Sherman Counties, Tex.) (R.R. Dist. No. 10).	111,415	12-26-61	<sup>1</sup> 2-1-62	7-1-62	11.0	<sup>3</sup> 11.5	
RI62-303...	N. Bruce and Curtis E. Calder, Jr., d/b/a Horizon Oil & Gas Co., Republic National Bank Building, Dallas 1, Tex.	9	4	Northern Natural Gas Co. (Perryton Field, Ochiltree County, Tex.) (R.R. Dist. No. 10).	600	12-26-61	<sup>1</sup> 2-1-62	7-1-62	<sup>6</sup> 15.5	<sup>7</sup> 16.5	
RI62-304...	J. M. Huber Corp., 2401 East Second Avenue, Denver 6, Colo.	23	1	Natural Gas Pipeline Co. of America (Milton Field, Harris County, Tex.) (R.R. Dist. No. 3).	3,401	12-26-61	<sup>1</sup> 2-1-62	7-1-62	<sup>6</sup> 15.0	<sup>6</sup> 16.5	
RI62-305...	Columbian Fuel Corp., 380 Madison Avenue, New York 17, N.Y.	23	1	do.	3,238	12-26-61	<sup>1</sup> 2-1-62	7-1-62	<sup>6</sup> 15.0	<sup>6</sup> 16.5	
RI62-306...	Humble Oil & Refining Co., P.O. Box 2180, Houston 1, Tex.	190	5	Natural Gas Pipeline Co. of America (Texas County, Okla.).	( <sup>9</sup> )	12-27-61	<sup>8</sup> 1-27-62	6-27-62	17.0	<sup>7</sup> 17.2	RI61-392

<sup>1</sup> The stated effective date is the effective date proposed by respondent.  
<sup>2</sup> Includes 0.5 cents per Mcf for dehydration and central point, delivery paid by buyer.  
<sup>3</sup> Redetermined rate increase.  
<sup>4</sup> Increase for acreage other than acreage dedicated under Supplement No. 9.  
<sup>5</sup> Rate increase due to compression charge of 0.5 cent per Mcf as provided in contract.

<sup>6</sup> Subject to downward Btu adjustment.  
<sup>7</sup> Periodic rate increase.  
<sup>8</sup> The stated effective date is the first day after expiration of the required statutory notice.  
<sup>9</sup> Annual amount is \$0.42.

The proposed increased rates exceed the applicable area price levels set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

The proposed changed rates and charges 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 notice from the Secretary concerning the lawfulness of the several proposed increased

rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are 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 they are made effective

<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.

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.

(D) Notices of intervention or petition 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 March 5, 1962.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 62-820; Filed, Jan. 24, 1962;  
8:48 a.m.]

[Docket Nos. CP60-84, CP62-7]

## KANSAS-NEBRASKA NATURAL GAS CO., INC.

### Notice of Applications and Date of Hearing

JANUARY 19, 1962.

Take notice that on April 22, 1960, as supplemented on May 20, 1960, Kansas-Nebraska Natural Gas Company, Inc. (Applicant), Hastings, Nebraska, filed in Docket No. CP60-84 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of transmission facilities extending from Alliance, Nebraska, to the communities of Chadron, Crawford, Gordon, Hay Springs, Hemingford and Rushville, all in Nebraska, and authorizing the sale and delivery of natural gas to Western Gas Fuel Company (Western) for resale and distribution in said communities, all as more fully set forth in the application, as supplemented, on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate the following facilities: approximately 17 miles of 8-inch pipeline south of Alliance replacing an equal amount of 6-inch pipeline which will be salvaged; about 126 miles of 2 to 6-inch lines from Alliance to the six towns;<sup>1</sup> and approximately 24 miles of 8-inch pipeline extending from an existing 10-inch line in the vicinity of Sidney, Nebraska, to Applicant's existing 11 miles of 10-inch line leased to North Central Gas Company (North Central) south of Northport, Nebraska.

The application shows that gas is presently brought to the Alliance area from the Sidney area through partially looped lines extending from Sidney to Northport. One of these parallel lines is owned and operated by North Central and the other is the aforementioned 10-inch line owned by Applicant and leased to North Central. North Central presently transports gas for Applicant through this leased line. Originally Applicant sought herein to abandon the

<sup>1</sup> Applicant will also build town border stations for the six communities.

transportation agreement and to assume operation of the leased line itself. However, by its amendment to its application in the subject proceeding, filed September 7, 1961, Applicant requests deletion of requested authorization to construct and operate the 24 miles of 8-inch line to have been constructed from the vicinity of Sidney to Applicant's line leased to North Central. The amendment shows that North Central will continue the transportation service for Applicant and that Applicant will install three 125 horsepower compressor units at Northport rather than the originally proposed 24 miles of 8-inch line to be constructed between Sidney and Northport.

The application shows the following estimated natural gas requirements of Western for the areas proposed to be served:

Annual	Volumes—Mcf @ 14.73 psia		
	1st year	2d year	3d year
Total firm requirements.....	94,700	355,400	533,000
Total interruptible industrial requirements.....	14,000	33,000	38,000
Total.....	108,700	388,400	571,000
Peak day			
Total firm requirements.....	2,200	3,950	4,445

<sup>1</sup> The industrial gas would be used at Nebraska State College for boiler fuel.

On July 14, 1961, as supplemented on August 2, 1961, Applicant filed in Docket No. CP62-7 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to remove three 125 horsepower compressor units from its Holdrege compressor station and to reinstall said units at a new station at Northport, all as more fully set forth in the application, as supplemented, on file with the Commission and open to public inspection.

As set forth above, Applicant in Docket No. CP60-84 proposes, among other things, to construct and operate 24 miles of 8-inch pipeline between Sidney and Northport to help serve six new communities north of Alliance. Applicant states that the 1960-1961 peak demand of Alliance and the six new communities was met without the construction of the 8-inch line, and, therefore Applicant has decided to postpone installation of said line.<sup>2</sup>

Applicant states that it is currently completing contracts for purchase of new gas supplies in Wyoming which will probably require a change in its present operations between Sidney and Northport. Applicant further states that this contemplated change might enable it to provide service to the Alliance-Chadron area more economically than previously contemplated, and, therefore,

<sup>2</sup> Applicant was granted temporary authorization by letter, dated July 8, 1960, to construct and operate facilities and to sell natural gas as proposed in Docket No. CP60-84.

rather than construct the subject Sidney-Northport 8-inch line, which may not be properly sized to handle the future Wyoming gas, Applicant proposes to relocate the three 125 horsepower units from Holdrege to Northport in order to meet the future increased requirements of the Alliance-Chadron area.

The total estimated cost of constructing the proposed facilities in Docket No. CP60-84 is \$1,347,200, which estimate does not include the cost of constructing the postponed 8-inch Sidney-Northport line. The estimated net cost of relocating the facilities in Docket No. CP62-7 is \$48,000. Applicant will finance the estimated costs in both dockets from current working capital.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 21, 1962, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 12, 1962. 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. 62-819; Filed, Jan. 24, 1962;  
8:48 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 13340]

### KINGSTON FLYING CLUB

#### Notice of Hearing

In the matter of the application of Kingston Flying Club for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional or infrequent nature, in common carriage, into the United States.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the

above-entitled proceeding is assigned to be held on February 6, 1962, at 10 a.m., e.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., January 22, 1962.

[SEAL] FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 62-849; Filed, Jan. 24, 1962; 8:52 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4007]

### APPALACHIAN POWER CO.

#### Notice of Proposed Issuance of Notes to Banks

JANUARY 18, 1962.

Notice is hereby given that Appalachian Power Company ("Appalachian"), 40 Franklin Road, Roanoke, Virginia, an electric utility company and a subsidiary company of American Electric Power Company, Inc., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6 thereof as applicable to the proposed transaction.

All interested persons are referred to the application, on file at the office of the Commission, for a statement of the transaction therein proposed which is summarized below.

Appalachian proposes to issue to a group of ten banks, from time to time prior to December 31, 1962, up to an aggregate of \$42,000,000 of promissory notes. The notes will be dated in each case as of the date of the borrowings and will mature not more than 270 days after the date of issuance. They will bear interest from the date thereof at the then current prime credit rate (presently 4½ percent per annum) and are prepayable at any time, in whole or in part, without penalty or premium.

The proposed notes aggregate approximately 10 percent of the company's other securities outstanding, and the amount in excess of 5 percent may be exempted only pursuant to an order under section 6(b) of the Act. The filing requests the Commission's approval for the issuance of such excess amount.

The aggregate line of credit established with each of the ten banking institutions is as follows:

Irving Trust Co., New York, N.Y.-----	\$6,300,000
Mellon National Bank & Trust Co., Pittsburgh, Pa.-----	4,200,000
Chase Manhattan Bank, New York, N.Y.-----	4,200,000
First National City Bank of New York, New York, N.Y.-----	6,300,000
Manufacturers Hanover Trust Co., New York, N.Y.-----	5,040,000

Morgan Guaranty Trust Co. of New York, New York, N.Y.-----	\$4,620,000
Continental Illinois National Bank and Trust Co. of Chicago, Chicago, Ill.-----	5,040,000
Bankers Trust Co., New York, N.Y.-----	2,100,000
Chemical Bank New York Trust Co., New York, N.Y.-----	2,100,000
The Northern Trust Co., Chicago, Ill.-----	2,100,000
Total-----	42,000,000

The proceeds from the issuance of the notes will be used by Appalachian to pay part of the cost of its construction program which, it is presently estimated, will amount to approximately \$55,000,000 in 1962. During 1961, \$20,000,000 of short-term notes were issued for construction purposes, and an additional \$22,000,000 is proposed to be issued during 1962. The balance, it is estimated, will be obtained from internal sources. All of the notes outstanding at the time of Appalachian's permanent financing, which is expected to be carried out before the end of 1962 and which will be subject to a further proceeding before this Commission, will be paid from the proceeds of such financing.

The application states that expenses incident to the proposed transaction are estimated not to exceed \$200. It is also stated that the proposed transaction will be expressly authorized by the Virginia State Corporation Commission, the State commission of the State in which Appalachian is organized and doing business, and that no other State commission and no Federal commission, other than this Commission, has jurisdiction thereover.

Notice is further given that any interested person may, not later than February 5, 1962, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 62-830; Filed, Jan. 24, 1962; 8:50 a.m.]

[File No. 812-1474]

### EMPIRE FUND, INC.

#### Notice of Application

JANUARY 18, 1962.

Notice is hereby given that Empire Fund, Inc. ("Applicant"), of Boston, Massachusetts (44 School St., Boston, Mass.), a Maryland corporation, and an open-end, diversified management investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order of the Commission exempting Applicant from compliance with the provisions of section 14(a) of the Act.

Applicant has filed a registration statement under the Securities Act of 1933 for 1,250,000 shares of common stock, \$1 par value, to be offered to investors in exchange for such investors' securities. Such registration statement has not yet become effective. The purpose of the Fund is to provide investors holding securities at relatively low tax bases with a means of exchanging such securities for shares of the Fund, thereby obtaining diversification without incurring any Federal capital gains tax liability at the time of such exchange. A. G. Becker & Co., Incorporated, the dealer manager, and a group of securities dealers which it will form and manage intend to solicit deposits of securities, to be held by a depository in safekeeping for the separate account of each investor for a period ending not later than three months from the effective date of the Applicant's registration statement under the Securities Act of 1933. At all times during the solicitation period, the depositing investor will retain all incidents of ownership to the securities deposited, with the right to withdraw such securities from the depository without charge.

The minimum deposit to be accepted from any investor is to be securities having a market value of \$20,000, and the exchange will not be consummated unless the market value of the deposited securities as at the effective date of the planned exchange aggregates a minimum of \$10,000,000. In the event that such value is not then realized, the deposited securities will be returned to investors without charge to them. If such value is obtained upon the termination of the solicitation period, a report describing the deposited securities, including their respective market values determined as at the end of the solicitation period and their bases for Federal income taxation, will be mailed to all depositing investors, who have the right to withdraw any or all of their deposited securities at any time prior to the mailing of the report to investors and during a period of twenty days thereafter. During this period Applicant may require any investor to withdraw any or all of his deposited securities, in which event such investor will have the right to withdraw any or all of his remaining securities from deposit. Also Applicant will

have the right to reject securities on deposit for a period of up to ten days after the end of the period during which the investor may withdraw. The total fair market value of securities to be deposited will not exceed \$100,000,000. All of Applicant's shares which are issued in exchange for securities will be issued simultaneously on the effective date of the exchange. Each depositing investor is to represent that he will acquire shares of Applicant issued to him in the planned exchange without any intention of distributing them to the public.

Section 14(a) of the Act provides, in pertinent part, that no registered investment company shall make a public offering of its securities unless such company has a net worth of at least \$100,000 or unless provision is made as a condition of the registration of its securities under the Securities Act which, in the opinion of the Commission, adequately insures (A) that, after the effective date of such registration statement, it will not issue any security or receive any proceeds of any subscription until no more than 25 responsible persons have made firm agreements to purchase securities in an aggregate net amount which will give the company a net worth of at least \$100,000; (B) that said amount will be paid in to such company before subscriptions will be accepted from any persons in excess of 25; and (C) that arrangements will be made whereby any amounts so paid in, plus any sales load, will be refunded to any subscriber on demand in the event the net proceeds so received do not result in the company's having a net worth of at least \$100,000 within ninety days after such registration statement becomes effective. Applicant presently has one outstanding share of capital stock, nominal assets, and no liabilities, and anticipates that it will have only one such outstanding share, nominal assets, and no liabilities prior to the planned exchange if the exemption sought in the instant application is obtained. The terms of the offering provide that unless the aggregate market value of all securities deposited by investors is \$10,000,000 or more on the 31st day following the mailing of the report to investors the exchange will not be consummated. Accordingly the Applicant will be assured of commencing business as an investment company with assets substantially in excess of the \$100,000 required by section 14(a) of the Act. Applicant submits that under the circumstances described the exemption sought would be consistent with the purposes intended to be served by section 14(a).

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 5, 1962, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) should be filed contemporaneously with the request. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 62-831; Filed, Jan. 24, 1962;  
8:50 a.m.]

[File No. 811-477]

#### GRAHAM-NEWMAN CORP.

#### Notice of Application for Order Declaring That Company Has Ceased To Be an Investment Company

JANUARY 18, 1962.

Notice is hereby given that an application has been filed pursuant to section 8(f) of the Investment Company Act of 1940 for an order of the Commission declaring that the Graham-Newman Corporation ("Applicant") (New York, N.Y.), a registered management open-end investment company, has ceased to be an investment company.

The application represents that, pursuant to shareholder approval given on August 20, 1956, applicant was dissolved on September 30, 1957 upon the issuance of a Certificate of Dissolution by the Secretary of State of the State of New York. The application further represents that all assets available after satisfying applicants' liabilities have been distributed to the shareholders.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 5, 1962 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by

a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) should be filed contemporaneously with the request. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 62-832; Filed, Jan. 24, 1962;  
8:50 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 22, 1962.

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. 37521: *Iron or steel scrap to Calvert, Ky.* Filed by Traffic Executive Association-Eastern Railroads, Agent (ER No. 2597), for interested rail carriers. Rates on iron or steel scrap, in carloads, from Natrona and Washington, Pa., also Warwood, W. Va., to Calvert, Ky.

Grounds for relief: Market competition.

Tariff: Supplement 220 to Traffic Executive Association-Eastern Railroads tariff I.C.C. A-1079 (Boin series).

FSA No. 37522: *Cement from Waukegan, Ill.* Filed by Western Trunk Line Committee, Agent (No. A-2221), for interested rail carriers. Rates on cement and related articles, in carloads, from Waukegan, Ill., to specified points in Illinois Freight Association territory.

Grounds for relief: Market competition.

Tariff: Supplement 49 to Western Trunk Line Committee tariff I.C.C. A-4308.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 62-840; Filed, Jan. 24, 1962;  
8:51 a.m.]

CUMULATIVE CODIFICATION GUIDE—JANUARY

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