

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52169]

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

RETENTION OF IN-TRANSIT GOODS ON DOCK

Collectors of customs authorized to permit in-transit merchandise to remain on the dock for specified periods but not to exceed one year from the date of importation; § 18.24, Customs Regulations of 1943, amended.

The second sentence of § 18.24, Customs Regulations of 1943 (19 CFR, Cum. Supp., 18.24), is amended to read as follows: "Upon further application, additional extensions of 90 days or less, but not to exceed 1 year from the date of importation, may likewise be granted by the collector."

(Sec. 553, 46 Stat. 742, sec. 21, 52 Stat. 1087, sec. 624, 46 Stat. 759; 19 U. S. C. 1553, 1624)

[SEAL] FRANK DOW,
Acting Commissioner of Customs.

Approved: March 9, 1949.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 49-1995; Filed, Mar. 15, 1949;
8:50 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 170—ENFORCEMENT OF THE FEDERAL TEA ACT

TEA STANDARDS

Pursuant to sections 2 and 3 of the Federal Tea Act (29 Stat. 604, as amended by 35 Stat. 163 and 41 Stat. 712; 21 U. S. C., 41 et seq.), the following standards prepared and submitted by the Board of Tea Experts are fixed and established as standards under the Tea Act for the year beginning May 1, 1949, and ending April 30, 1950. Section 170.19 (b) is amended to read as follows:

§ 170.19 Tea standards. * * *

(b) The following standards prepared and submitted by the Board of Tea Experts are hereby fixed and established as standards under the Tea Act for the year beginning May 1, 1949, and ending April 30, 1950.

- (1) Formosa Oolong.
- (2) Congou.
- (3) India.
- (4) Formosa Black (to be used for Formosa and Japan Blacks).
- (5) Japan Green.
- (6) Gunpowder.
- (7) Scented Canton.
- (8) Canton Oolong.

These standards apply to tea shipped from abroad on or after May 1, 1949. Tea shipped prior to May 1, 1949, will be governed by the Standards which became effective May 1, 1948 (13 F. R. 1453).

Notice and public procedure are not necessary prerequisites to the promulga-

tion of this order, and I so find, since it is based upon the recommendation of the Board of Tea Experts, which is comprised of experts in teas drawn from the tea trade and the Food and Drug Administration so as to be representative of that trade as a whole.

(29 Stat. 607; 21 U. S. C. 50)

Dated: March 10, 1949.

[SEAL] J. DONALD KINGSLEY,
Acting Administrator.

[F. R. Doc. 49-1990; Filed, Mar. 15, 1949;
8:55 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter V—Department of the Army

JOINT PROCUREMENT REGULATIONS

MISCELLANEOUS AMENDMENTS

The Joint Procurement Regulations, formerly published as Parts 801 to 813, inclusive, of Chapter VIII, Title 10, are amended by revision of §§ 804.104, 804.104-1, 804.104-2, 804.104-3, and 809.1202-34, by addition of §§ 804.104-4 and 804.301-1, and by rescinding § 809.1202-13, as follows:

§ 804.104 Purchases not in excess of \$1,000.

§ 804.104-1 Authorization. Purchases and contracts may be negotiated without formal advertising if the aggregate amount involved does not exceed \$1,000.

§ 804.104-2 Application. This authorization does not modify in any respect the fundamental principle that supplies and nonpersonal services will be obtained as the result of competition and, in general, at least two informal quotations of prices will be requested from regular dealers in, or manufacturers of, the articles desired. Where circumstances permit, quotations will be solicited from all such qualified sources as are deemed necessary by the contracting officer to assure full and free competition consistent with the procurement. The order then will be placed with that responsible supplier whose quotation, price and other facts considered, will be most advantageous to the Government. The authorization contained in this section will be availed of in case of purchases aggregating \$1,000 or less rather than any of the other authorizations contained in §§ 804.100 through 804.119. For example: A purchase of medical supplies aggregating \$1,000 or less will be made under this section rather than under § 804.108. The absence of competition in any particular case will be explained fully and made of record in the retained files of the contracting officer. Likewise, such a record also will be maintained of any verbal or telephonic quotations that may be received in connection with purchases made under authorization of this section.

§ 804.104-3 Limitations. (a) If the aggregate amount required does not exceed \$1,000, advantage may be taken of this authorization, or purchase may be

made after formal advertising, in the discretion of the contracting officer.

(b) The words "aggregate amount involved" do not require that the purchase should be limited to any particular period of time, as a day, month, or year, or limited to purchases made from a single firm. The aggregate should include all supplies which are grouped together properly in a single transaction and which would be included in a single advertisement for bids if advertising were resorted to. Purchases arising from the same need of the same articles of subsistence stores should not be made more frequently than the necessities of the service require, in order to limit the aggregate in each case to \$1,000, and supplies which are usually purchased together should not be divided simply for the purpose of avoiding advertising for the same. If the character of the supplies is such that good administration would require their purchase in quantities sufficient to last a month, purchases should not be made weekly or daily for the purpose of bringing the amount within the limit authorized. Subject to the above considerations, the matter is one depending upon the sound discretion of the contracting officer.

(3) The purchase of similar articles at the same time from different firms or on different dates from the same or different firms when the purchases should have been combined and the aggregate is in excess of \$1,000 is not authorized. Hence, when the articles purchased or the amounts of purchases are such that, without explanation, it is not readily discernible why the purchases were not combined, a statement that the contracting officer could not have foreseen and combined the requirements in sufficient time to permit advertising will be filed in the files of the contracting officer pertaining to such transactions.

§ 804.104-4 Other instructions. Instructions covering small purchases procedure by use of WD Form 383 (Purchase Order or Delivery Order and Vouchers for Purchases and Services Other Than Personal) are contained, for the Department of the Army, in Memorandum 734-5-10, and for the Department of the Air Force, in letter directives from Air Materiel Command to Air Force commands in continental United States and Overseas commands, December 8, 1948, subject: Small Purchases Procedure.

§ 804.301-1 Price revision (or escalation) articles. When procurement is effected by formal advertising, price revision (or escalation) articles will not be inserted in the invitation for bids or in any contracts resulting therefrom.

§ 809.1202-13 Leather, leather trimmed, and sheepskin garments industry. [Rescinded]

§ 809.1202-34 Uniform and clothing industry—(a) Suit and coat branch. The suit and coat branch of the uniform and clothing industry is that branch which manufactures men's civilian suits and overcoats, tailored-to-measure uniforms,

tailored-to-measure trousers, uniform overcoats, and uniform coats, including tailored short jackets designed to take the place of Regular Army issue coats, e. g., the Eisenhower jacket.

Date effective: May 8, 1948.

Wage: 85 cents an hour or \$34 per week of 40 hours, arrived at either upon a time or piecework basis.

(b) *Heavy outerwear branch.* (This is a new branch resulting from consolidation of the definitions of the Leather and Sheeplined Jackets Industry and the outdoor jackets branch of the Uniform and Clothing Industry.) The heavy outerwear branch of the Uniform and Clothing Industry is that branch which manufactures leather, leather-trimmed, and sheeplined garments and wool and wool-lined jackets, whether or not such jackets are properly described as mackinaws, field jackets, windbreakers, lumber jackets, pea jackets, wool jumpers or middies, blanket-lined or similar coats, or by any other similar designation.

Date effective: January 1, 1949.

Wage: 85 cents an hour or \$34 per week of 40 hours, arrived at either upon a time or piecework basis.

(c) *Wool trousers branch.* The wool trousers branch of the uniform and clothing industry is that branch which manufactures wool or part-wool trousers or breeches, including uniform trousers or breeches, except tailored-to-measure.

Date effective: January 1, 1949.

Wage: 75 cents an hour or \$30 per week of 40 hours, arrived at either upon a time or piecework basis.

(d) *Auxiliary workers.* Auxiliary workers may be employed in the Uniform and Clothing Industry. "Auxiliary workers" shall include those employees engaged in the following occupations as defined in the regulations of the Secretary of Labor: Position marking, shade and size numbering, bundle tying, bundle ticketing, matching and pairing, basting pulling, hand-trimming, cleaning, turning, floor boys and girls, porter, and examiner's helper.

Wage: 65 cents an hour or \$26 per week of 40 hours, arrived at either upon a time or piecework basis.

(e) *Learners.* Learners may be employed in the Uniform and Clothing Industry in the nonauxiliary occupations of machine operating (except cutting), pressing, and hand-sewing as prescribed in the regulations of the Secretary of Labor, at a wage rate of not less than 65 cents an hour for not longer than 240 hours, in the suit and coat branch; and at wage rates of not less than 60 cents an hour for the first 240 hours and 65 cents an hour for the second 240 hours of a 480-hour learning period, in the heavy outerwear and wool trousers branches, unless experienced workers in the same occupation are paid on a piece-rate basis amounting to earnings in excess of the authorized minimum rate, in which event learners must be paid the same piece-rate.

[Proc. Cir. 5 and 6, 1949] (Pub. Law 413, 80th Cong.)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-1985; Filed, Mar. 15, 1949; 8:48 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 1—GENERAL PROVISIONS

INSPECTION AND INVESTIGATION SERVICE

New §§ 1.450 through 1.455 are added to Part 1 to read as follows:

Sec.

1.450 Jurisdiction and responsibility for inspection and investigation.

1.451 Functions of inspection and investigation service.

1.452 Authorizations for investigations, surveys, special studies, and inspections.

1.453 Cooperation of all officials on inspection-investigation.

1.454 All testimony confidential in investigations.

1.455 Witness required to read and sign transcript.

AUTHORITY: §§ 1.450 to 1.455 issued under secs. 1, 5, 43 Stat. 607, 608, secs. 1, 2, 46 Stat. 1016; 38 U. S. C. 2, 11, 11a, 421, 426. Interpret sec. 7, 48 Stat. 9; 38 U. S. C. 707.

§ 1.450 *Jurisdiction and responsibility for inspection and investigation.* The inspection and investigation service of central office will have jurisdiction and be responsible for the making of administrative and other investigations, surveys, special studies, and inspections at all levels and in all activities of the Veterans' Administration, as well as of those organizations, associations, or individuals having official dealings or relationships with the Veterans' Administration, as set forth in and authorized by §§ 1.451 and 1.452.

§ 1.451 *Functions of inspection and investigation service.* In performing its functions the inspection and investigation service will be guided by the following:

There will be assigned in central office an adequate number of inspector-investigators, including specialists, who will conduct, under the direction and supervision of the director, inspection and investigation service, properly authorized investigations and perform other related duties arising therefrom or ancillary thereto. Administrative investigations will be accomplished when the occasion demands and where it is necessary to develop the evidence on a given subject through the taking of testimony and procurement of documentary evidence in connection with alleged irregularities, maladministration involving violation of Federal statutes, regulations, instructions, or Veterans' Administration policies. Surveys, special studies, and inspections may be conducted when the occasion arises.

§ 1.452 *Authorizations for investigations, surveys, special studies, and inspections—(a) Central office.* The Administrator or his designate may authorize investigations, surveys, special studies, and inspections of any nature involving central office, district offices, regional offices, Veterans' Administration offices, hospitals, centers, forms and supply depots, record centers, or any activity of the Veterans' Administration concerning the following:

(1) Matters involving internal administration and functioning of any office or activity.

(2) Matters involving conduct of an officer or employee of the Veterans' Administration.

(3) Matters involving cooperating agencies, organizations, associations or individuals having official dealings or relationships with the Veterans' Administration.

(4) Such matters involving alleged irregularities, maladministration, violation of Federal statutes, regulations, instructions, and Veterans' Administration policies, and attempts to defraud the Government by any person within or without the Veterans' Administration.

(5) Cases of claimants involving administrative irregularities, or the conduct of an officer or employee of the Veterans' Administration incident thereto.

(6) Cases of claimants which are of a nature sufficiently serious or complex, and could not otherwise be satisfactorily investigated.

(7) Such other matters as in the judgment of the Administrator or his designate require investigation, survey, special studies, or inspection.

(b) *Field stations.* Managers of district offices, regional offices, hospitals and centers, depots or other offices shall have authority to order or approve investigations on matters involving complaints and infractions of regulations or law subject to the following: Loss or theft of funds or personal property, etc.; assaults upon, injuries to, and elopement of beneficiaries; and field examinations conducted by representatives from the office of the chief attorney, in accordance with the provisions of §§ 1.450 to 1.454 of this chapter. On serious matters, and those set forth in paragraph (a) (1) through (7) of this section, a preliminary report will be forwarded for consideration of the director, inspection and investigation service, with appropriate comment and recommendation. In any instance where the situation is of such gravity or so far-reaching that central office assistance or guidance is needed, or in matters of emergent character involving potential adverse publicity and matters involving public policy or widespread public interest, the Administrator will be immediately informed by the most rapid means of communication with an outline of the full facts and recommendations of the field station official.

§ 1.453 *Cooperation of all officials on inspection-investigation.* Managers as well as other officials and employees of district offices, regional offices, hospitals and centers, depots or other offices, will at all times render every assistance and cooperation to inspection-investigation officers or inspector-investigators of central office. This cooperation will include the temporary transfer of any claims, insurance, clinical, correspondence, or other records upon a statement of the reason therefor. Such stenographic and other necessary services as may be requested at such times and points as desired will be furnished by managers and other comparable officials without regard for territorial limitations. This section will be cited as the authority for such action. Travel orders is-

sued under this authority will be encumbered against station allotments but, if necessary, request may be made immediately upon the director, budget service, for funds to compensate station budget.

§ 1.454 *All testimony confidential in investigations.* All testimony given in an investigation is confidential and for the use of central office officials only, except in those cases contemplated by § 1.452 (b). In order that investigations may not interrupt the normal functions of a station, all employees are instructed to refrain from discussing matters under investigation, during the investigation or after its completion. Particularly those employees called upon to testify will refrain from discussing their testimony, except with an inspector-investigator.

§ 1.455 *Witness required to read and sign transcript.* In all instances where verbatim testimony is taken and transcribed the witness will be afforded an opportunity to read and sign the transcription, unless it is not feasible to do so, and in such cases a statement of the reason for the witness failing to sign will be appended to the transcription, together with certification by the stenographer that it is a true and accurate transcription of the notes, or, when, under unusual circumstances, sound recording equipment is used and it is impracticable for the investigator to await the return of transcribed testimony, in which event certification will be made by the inspector-investigator as to the circumstances.

[SEAL] O. W. CLARK,
Executive Assistant Administrator.

[F. R. Doc. 49-1993; Filed, Mar. 15, 1949;
8:50 a. m.]

**PART 21—VOCATIONAL REHABILITATION
AND EDUCATION**
**REGISTRATION AND RESEARCH; PROVISIONAL
REGULATIONS**

In § 21.186, paragraph (e) is amended to read as follows:

§ 21.186 *Policy governing withdrawals from education or training under Part VIII prior to the completion of a period of instruction.* * * *

(e) *Payment of subsistence allowance in any case of withdrawal.* When a veteran in receipt of regular monthly payments of subsistence allowance withdraws—without giving prior notice to the Veterans' Administration—from either institutional or on-the-job training prior to the end of the course or the end of the certified period of enrollment, the authorization action will extend the

No. 50—2

training status and subsistence allowance to the end of the month in which the withdrawal, interruption, or discontinuance occurred: *Provided, however,* That in any case where an ending date has been previously fixed within the month in which the withdrawal, interruption, or discontinuance occurred, there will be no extension beyond such ending date. These provisions will be complied with without election or choice upon the part of the veteran and without regard to policy now in effect concerning accrual and granting of leave upon application by the veteran. (It will be understood that this procedure does not modify leave policy presently effective in the cases of veterans who continue in a training status to the end of a scheduled period of instruction.) This paragraph will in no event be given retroactive effect, except that in the cases of deceased veterans who had withdrawn from, or interrupted training status as defined herein, and prior to the effective date of this instruction subsistence allowance was paid to the end of the month in which such withdrawal or interruption occurred, this paragraph will be given effect, thus eliminating overpayment in the subsistence allowance account which would otherwise stand against the estate of the decedent.

(Instr. 10-A, Title II, Pub. Law 346, 78th Cong.; 58 Stat. 287-291; 38 U. S. C. 701, ch. 12 note)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.
[F. R. Doc. 49-1992; Filed, Mar. 15, 1949;
8:49 a. m.]

**PART 21—VOCATIONAL REHABILITATION
AND EDUCATION**
**REGISTRATION AND RESEARCH; PROVISIONAL
REGULATIONS**

In § 21.187, paragraph (d) is added to read as follows:

§ 21.187 *Payment of book, supply, and equipment charges for United States veterans enrolled in courses of education under Public Law 346, 78th Congress, as amended, in Veterans' Administration-approved foreign educational institutions.* * * *

(d) In the event that any veteran should file a claim for reimbursement for tuition, book, supply and equipment charges expended by him during the period from September 1, 1947, to December 31, 1948, inclusive, the claim will be processed in accordance with the procedures set forth in Veterans' Administration vocational rehabilitation and education procedure, which was in effect prior to January 1, 1949.

(Instr. 11-A, Title II, Pub. Law 346, 78th Cong.; 58 Stat. 287-291; 38 U. S. C. 701, ch. 12 note)

[SEAL] O. W. CLARK,
Executive Assistant Administrator.
[F. R. Doc. 49-1991; Filed, Mar. 15, 1949;
8:49 a. m.]

**TITLE 43—PUBLIC LANDS:
INTERIOR**

**Chapter I—Bureau of Land Management,
Department of the Interior**

Appendix—Public Land Orders

[Public Land Order 571]

ALASKA

**MODIFYING EXECUTIVE ORDER NO. 8480 OF
JULY 12, 1940, AND RESERVING CERTAIN
LANDS FOR USE OF ALASKA RAILROAD AS
RAILROAD RESERVE**

By virtue of the authority contained in the act of March 12, 1914, 38 Stat. 305, 307 (48 U. S. C. 304) and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in the Territory of Alaska reserved by Executive Order No. 8480 of July 12, 1940, for townsite purposes in connection with the construction and operation of railroad lines, are hereby set aside for the use of The Alaska Railroad as a railroad reserve:

Parcel No. 1. A tract of land 1420 feet wide and 3.30 miles long, 1320 feet on the east side of and parallel to and 100 feet on the west side of and parallel to the center line of the present main line of The Alaska Railroad between mileage 61.30 and 64.60, bounded on the south by the southerly boundary line of the Turnagain Arm Townsite Reserve, established by E. O. 8480, dated July 12, 1940, the north boundary being a line at right angles to the center line of the railroad at mileage 64.60. Parcel No. 1 as described contains 575 acres.

Parcel No. 2. A tract of land ½ mile wide and 1.81 miles long, ¼ mile on each side of and parallel to the center line of The Alaska Railroad, Passage Canal Connection, between mileage F-10.12 and F-11.93, bounded on the southeast by the easterly boundary line of the Turnagain Arm Townsite Reserve, established by E. O. 8480, dated July 12, 1940, and bounded on the northwest by the easterly boundary line of Parcel No. 1, described above. Parcel No. 2 as described contains 579 acres.

Executive Order No. 8480 is hereby modified to the extent necessary to permit the use of said lands for the purposes stated.

J. A. KRUG,
Secretary of the Interior.

MARCH 9, 1949.

[F. R. Doc. 49-1975; Filed, Mar. 15, 1949;
8:55 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 301]

JAPANESE BEETLE QUARANTINE

NOTICE OF PROPOSED RULE MAKING TO AMEND REGULATIONS

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary of Agriculture, pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), and sections 1 and 3 of the Insect Pest Act of March 3, 1905 (7 U. S. C. 141, 143), is considering amending §§ 301.48-2, 301.48-4, 301.48-5, 301.48-8 and 301.48-9 of the regulations supplemental to Quarantine No. 48 relating to the Japanese beetle (7 CFR §§ 301.48 through 301.48-10; 13 F. R. 2250), as follows:

1. Amend § 301.48-2 to include the following counties, magisterial districts, and independent cities:

Maryland. County of Garrett.
Virginia. Counties of Brunswick, Charles City, Clarke, Dinwiddie, Essex, Frederick, Gloucester, Goochland, Hanover, Isle of Wight, James City, King and Queen, Lancaster, Louisa, Mathews, Middlesex, New Kent, Northumberland, Powhatan, Prince George, Richmond, Southampton, Surry, Sussex, and York; the presently nonregulated portions of the counties of Caroline, Chesterfield, Greensville, King William, Nansemond, Orange, Rappahannock, Spotsylvania, Warren, Warwick, and Westmoreland; magisterial districts of Elton in Amherst county, Forest in Bedford county, and Brookville in Campbell county; and the independent cities of Hopewell, Lynchburg, and Williamsburg.

West Virginia. Counties of Preston and Tucker, and the presently nonregulated portion of Mineral county.

2. Amend § 301.48-4 (a) to read as follows:

(a) *Certification.* Articles designated in § 301.48-3 may be moved either on direct billing, diversion or reconsignment from a regulated area to or through any point outside thereof only after a certificate or limited permit has been issued therefor in compliance with § 301.48-5, except as follows:

(1) A certificate or limited permit will not be required for the movement of regulated articles when transported via mail or by a common carrier on a through bill of lading from a regulated area through a nonregulated area to another regulated area.

(2) A certificate or limited permit will be required for the movement of any or all of the articles described in § 301.48-3 (b), (3) and (4) only when an inspector's observations in regulated areas disclose either that adult beetles have emerged in large numbers and are actively flying in such quantities that they may infest shipments of these articles to be moved from such areas to nonregulated points, or that such emergence and flight are imminent. Common carriers, shippers,

and other interested persons will be informed in advance by appropriate notice of the areas in which these conditions exist, the articles affected, the dates of the imminence or beginning and cessation of adult flights during which certificates or limited permits will be required, and the places where inspections will be made and certificates and permits issued.

3. Amend §§ 301.48-5, 301.48-8, and 301.48-9 by inserting the word "aircraft" after the words "car" or "cars" wherever these words occur in the said sections.

All persons who desire to submit written data, views, or arguments concerning the proposed amendments may do so by filing them with the Chief of the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington 25, D. C., within fifteen days after publication of this notice in the *FEDERAL REGISTER*.

(Secs. 1, 3, 33 Stat. 1269, 1270, sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 141, 143, 161; 7 CFR §§ 301.48 through 301.48-10, 13 F. R. 2250)

Done at Washington, D. C., this 11th day of March 1949. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-2006; Filed, Mar. 15, 1949; 8:58 a. m.]

Production and Marketing Administration

[7 CFR, Part 29]

TOBACCO INSPECTION

ANNOUNCEMENT OF REFERENDUM IN CONNECTION WITH PROPOSED DESIGNATION UNDER TOBACCO INSPECTION ACT OF TOBACCO AUCTION MARKET OF ELLERBE, N. C.

Pursuant to the authority vested in the Secretary of Agriculture by the Tobacco Inspection Act (49 Stat. 731; 7 U. S. C. 511 et seq.), and in accordance with the applicable regulations (13 F. R. 9474-9479) issued thereunder by the Secretary, notice is given that a referendum of tobacco growers will be conducted from March 24 through March 26, 1949, to determine whether two-thirds of the growers voting in said referendum favor the designation of the Ellerbe, North Carolina, tobacco auction market for free and mandatory inspection under the act.

Growers who sold tobacco at auction on the Ellerbe, North Carolina, market during the 1948 marketing season shall be eligible to vote in said referendum. Ballots for use in said referendum will be mailed to all eligible voters insofar as their names and addresses are known. Eligible voters who do not receive ballots by mail may obtain them from the county agent or the office of the county agricultural conservation association at

Rockingham, North Carolina; from the county agents at Troy, Wadesboro, Laurinburg, or Carthage, North Carolina; or from the representative of the Production and Marketing Administration at Town Office in Ellerbe, North Carolina.

All completed ballots shall be mailed to the Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, P. O. Box 549, Raleigh, North Carolina, and in order to be counted in said referendum, must be postmarked not later than midnight, March 26, 1949.

Issued this 11th day of March 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 49-2009; Filed, Mar. 15, 1949; 8:59 a. m.]

[7 CFR, Part 927]

HANDLING OF MILK IN NEW YORK METROPOLITAN MILK MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENT TO ORDER, AS AMENDED

Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Supps. 900.1 et seq., 13 F. R. 8585), a public hearing was held at New York City during the period September 27-October 1, 1948, continued at Utica, New York, on October 6 and 7, 1948, and was reopened at Almira, New York, during the period January 24-28, 1949 and continued at Syracuse, New York, during the period January 31-February 2, 1949, upon certain proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area.

The material issues¹ presented on the record of this hearing are concerned with the following:

1. Revision of classes of utilization by designating Class II-A as Class II, combining Classes II-B through IV-B into a new Class III, and eliminating Classes V-A and V-B (H. N. 72).

2. Establishment of pricing provisions for the new Class III and revision of the Class II pricing provisions by including therein a skim milk value (H. N. 30-47, 75, 77 and 78).

¹ The listing of each issue is followed by the numbers of the proposals (as set forth in the notice of hearing issued on September 2, 1948, and January 3, 1949) directly associated with that issue, thus: (H. N. --).