THE NATIONAL ARCHIVES OF THE UNITED STATES
LITTERA SCRIPTA MANET
1934

FEDERAL REGISTER

VOLUME 16 NUMBER 156

Washington, Saturday, August 11, 1951

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10278

WITHDRAWING FROM APPROPRIATION THE PHOSPHATE RESERVED TO THE UNITED STATES IN CERTAIN PATENTED LANDS AND TRANSFERRING THE USE, POSSESSION, AND CONTROL THEREOF TO THE TENNESSEE VALLEY AUTHORITY

FLORIDA

By virtue of the authority vested in me by section 7 of the act of May 18, 1933, 48 Stat. 63 (16 U. S. C. 831f), and as President of the United States, it is ordered as follows:

Subject to valid existing rights, the phosphate reserved to the United States in the following-described patented lands in Florida is hereby withdrawn from appropriation under the mineral-leasing laws, and the use, possession, and control thereof are transferred to the Tennessee Valley Authority for use in connection with its fertilizer research and development program:

TALLAHASSEE MERIDIAN

T. 32 S., R. 26 E.,
Sec. 9, SE¼SW¼;
Sec. 10, SW¼;
Sec. 19, lot 1 of SW¼, lot 3, and NW¼ SE¼;
Sec. 30, N½ of lot 1 of NW¼, lot 2 of NW¼, lot 1 of SW¼, and N½ of lot 2 of SW¼.

The areas described aggregate 599.68 acres.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 9, 1951.

[F. R. Doc. 51-9581; Filed, Aug. 9, 1951; 8:57 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART A—GENERAL

Sections 311.1 through 311.7, Title 6, Code of Federal Regulations (13 F. R. 9378), are amended and republished to read as herein set forth in order (1) to prescribe the facilities and improvements which may be obtained with a Farm Ownership loan, (2) state the policy with respect to making Water Facilities loans and Farm Housing loans to Farm Ownership loan applicants or borrowers, and (3) to delete reference to Form FHA-362, as all borrowers whose loans were approved prior to June 19, 1948, have executed the supplementary agreement, Form FHA-362.

DERIVATION: §§ 311.1 to 311.5 contained in FHA Instruction 401.1. §§ 311.6 and 311.7 contained in Order, Sec. Agric., Jan. 31, 1942.

§ 311.1 *General.* (a) The word "farm" as used in procedure relating to Farm Ownership loans includes the land, buildings, fences, water appurtenances, and other improvement items generally considered a part of a farm. Funds for such items, as needed, should be provided in Farm Ownership loans. In some States, certain improvement items or appurtenances which ordinarily would be considered a part of the real estate may, by agreement between the owner of the land and the person furnishing or using such appurtenances, remain personal property. In some areas, facilities or improvement items not generally considered to be a part of the real estate do, however, ordinarily pass with the land when such a farm changes ownership. If it is administratively determined that certain such items do customarily pass with the land, Farm Ownership loan funds may be included for the purchase of such items necessary to the efficient operation of the farm. Where such facilities or improvement items do not commonly pass with the land when such a farm changes ownership, Farm Ownership loan funds will not be used for acquisition of the facilities even though such facilities may be necessary to the efficient operation of the farm.

(b) The term "mortgage" as used in procedure relating to Farm Ownership loans includes real estate mortgage, deed of trust, deed to secure debt, or other form of security instrument.

(Continued on p. 7919)

CONTENTS

THE PRESIDENT

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

CONTENTS—Continued

JCTIONS

the Government Printing Office for binding. It does not take the Requisitions, signed by the proper authority, should be sent to companied by Binding Instructions, should be sent to the Central artment name and requisition number.

SED ON FACE OF THIS FORM

, but may differ in other localities

Remove wire staples.—All stitches and staples except those in binding edge of a wire-stitched pamphlet. (These are included in basic binding operations.)

Smooth out wrinkled sheets.—Straighten out any sheets which are wrinkled or crumpled. Usually involves dampening and pressing the sheets.

Straighten folded corners.—"Dog ears," corners folded in, will be straightened.

ADDITIONAL INSTRUCTIONS

Use this space for any items not otherwise provided for or for which more space is needed, such as special arrangement, division sheets, raised bands, or special binding.

STYLE OF BINDING

Full.—Book covered with one piece of material. Recommended for all cased, elite, and laced bindings when buckram, fabrikoid, or cloth is used.

Half.—Back and corners covered with the principal binding material. Sides covered with another, usually cheaper material. Normally recommended only for leather binding or for large volumes, such as newspapers.

Quarter.—A narrow strip of material on the backbone of book. Usually used only on cut-flush books.

Cut flush, flat back.—Not rounded or backed; cover flush with text, binding material not turned in. This style with quarter buckram or cloth is commonly known as Library of Congress style.

Cased.—Rounded and backed; cover extended beyond trimmed edge of text, binding material turned in on all sides. Muslin joints, pasted waste leaves. Recommended for light weight books and those which will not receive hard usage.

Elite.—A recently developed style similar to cased but stronger and more durable because of stronger backlining materials and superior adhesives. Recommended for all full cloth, fabrikoid, or buckram books where strength and durability are desired. All elite books more than 2-inches thick will be reinforced with cord in the heads.

Laced.—The conventional "law-book" binding, boards laced or crashed on with visible cloth joints. Otherwise similar in appearance to cased or elite binding. Recommended for half or full leather.

Flexible.—Used principally for full leather de luxe bindings.

Make pocket.—For maps or other insertions.

Replace in old cover.—Use only when present cover is in good condition.

Make box if too old to bind.—When paper in books is old and too brittle to bind, a box covered with binding material and suitably lettered will protect the volume and present a good appearance.

Trim—Do not trim.—Normally, all library bindings should be trimmed lightly except books which have narrow margins or special edges which the library wishes to preserve. If neither item is marked, GPO judgment will prevail.

Make dummy.—To show style for future bindings.

MATERIALS

Refer to GPO sample book of binding materials. Please give both color and property number to avoid errors even if dummy or sample is furnished.

EDGING

Edges will be left plain if no edging is specified.

16—54876-2 U. S. GOVERNMENT PRINTING OFFICE

Standard Form 1a
Promulgated by Bureau of the Budget Circular A-6 Revised, May 1948

BINDING INSTRUCTIONS

See Reverse for Explanations

PRELIMINARY WORK TO BE PERFORMED IN GPO

☐ Class A ☐ Class B ☒ Class C

SPECIFIC PRELIMINARY WORK

PREPARATORY

☐ Collate ☐ Fold; maps, etc. ☐ Guard or stub ☐ Hinge sheets
☐ Join sheets ☐ Trim (to equalize varying sizes) ☐ Pad out
Mount (on): ☐ Muslin ☐ Paper ☐ Tissue

ARRANGEMENT

☒ Bind as arranged ☐ Rearrange as indicated ☐ Covers and ads as they are
☐ Remove covers ☐ Remove ads ☐ Save covers and ads ☐ Bind covers and ads in back

REPAIRING

☐ Tip loose leaves ☐ Mend torn leaves ☐ Replace missing parts of leaves
☐ Reinforce sheet edges ☐ Remove cellulose tape ☒ Remove wire staples
☐ Smooth out wrinkled sheets ☐ Straighten folded corners

ADDITIONAL INSTRUCTIONS

Sample furnished: FEDERAL REGISTER
1936
VOLUME 1
PAGES 1-970
MAR 14-JULY 17

STYLE OF BINDING

☐ Full ☐ Half ☐ Quarter ☐ Cut flush, Flat back ☐ ____________
☐ Cased ☐ Elite ☐ Laced ☐ Flexible ☐ Make pocket ☐ Replace in old cover
☐ Make box if too old to bind ☐ Trim ☐ Do not trim ☐ Make dummy

MATERIALS

☐ Cloth ☐ Fabrikoid ☒ Buckram ☐ Duck ☐ Sheep ☐ Cowhide ☐ Morocco
Color blue Prop. No. ________ Side material ______________ Prop. No. ________
☐ Match sample ☐ Match dummy ☐ Old covers pasted on board

EDGING

☐ All sides ☐ Top only ☐ Solid color ☐ Sprinkle ☐ Sponge Color ____________
Marble: ☐ Agate ☐ Comb ☐ Italian ☐ ____________ ☐ Gold ☐ Burnish

(See other side)

DEPARTMENT OR GOVERNMENT ESTABLISHMENT		DEPARTMENT REQ. NO.
National Archives & Records Serv.		GSA-263
BUREAU OR OFFICE: Federal Register	LIBRARY	FOR GPO USE: 978001
LOT NO.	ITEM NO.: 5	VOLS. ON THIS ITEM: 1

LETTERING

- [x] Back
- [ ] Side
- [ ] See additional copy attached
- [x] Gold
- [ ] Ink or foil—Color ----------
- [ ] No lettering
- [ ] Leather labels
- [x] See sample
- [ ] See dummy
- [ ] See ruboff

HORIZONTAL TITLES

FEDERAL REGISTER

1951

VOLUME 16

PAGES 7917-8997

AUG 11-SEPT 5

(Lengthwise titles will be placed on book in same direction as typed or written in this space)

16—54876-2

INST

This form in duplicate is to accompany each book submitte place of Standard Form 1, Requisition for Printing and Bind the Division of Planning Service, GPO. Books to be bound, Receiving Section, GPO. Each package should be identified by

EXPLANATION OF TERMS

Terms used are common in G

PRELIMINARY WORK TO BE PERFORMED IN GPO

Class A.—All work necessary to perform a first-class job. Any operat marked under Specific Preliminary Work will be performed in addition to repairs sidered necessary by GPO. Arrangement should be indicated.

Class B.—Specific preliminary work.—Only such items as are chec under Repairing, Preparatory, and Arrangement will be performed.

Class C.—Bind "as is." No repairs; no rearrangement. Resew only if necess

PREPARATORY

Collate.—Check the book to see that all pages are included and in sequence.

Fold: Maps, etc.—Either tipped in or inserted in pockets or e require refolding to fit pocket or book. Narrow-margin sheets: Wh trimmed any leaves with narrow margins should be folded in to avoid printing. Extended sheets: Leaves extending beyond trimmed edge c folded in slightly smaller than size of book. Explain under "Addition

Guard or stub.—Additional paper in the form of narrow stri binding edge of the book to compensate for extra thickness caused pockets, irregular sizes, additional sheets to be inserted later, etc.

Hinge sheets.—Attach a cloth or paper strip to the binding ma form a hinge. Advisable when sheet is very stiff or has insufficient bi

Join sheets.—Tip sheets together to make one sheet for folding

Trim (to equalize varying sizes).—This can only be done of larger sizes permit trimming to the smaller size.

Pad out (to increase thickness of books with blank paper).—Make a t volume thick enough to be lettered on the back (usually about ¼ inch is sufficie

Mount (to add strength).—Muslin or paper is used for maps which are be folded, bound into books, or rolled. Tissue is used for covering brittle lea which otherwise could not be bound or would stand little handling. If lamination w cellulose acetate or crepeline is desired, specify under "Additional Instructions."

ARRANGEMENT

Bind as arranged.—Indicates that material is in proper sequence.

Rearrange as indicated.—Indicate under "Additional Instructions."

Covers and ads as they are.—Self-explanatory.

Remove covers.—Applies to covers on individual sections to be bound toget

Remove ads.—If this is checked, all ads not appearing on the same pages w text matter will be thrown away unless the following box is also checked.

Save covers and ads.—Will be removed and returned to ordering agency.

Bind covers and ads in back.—Strike out either word if not applicable.

REPAIRING

Tip loose leaves.—Leaves which have been torn out or which are about to out will be tipped in. Other tears will be ignored.

Mend torn leaves.—Does not include filling in missing portions of leaves.

Replace missing parts of leaves.—Missing parts filled in with blank pa

Reinforce sheet edges.—When leaves are brittle and beginning to tear, th can sometimes be preserved by stripping the edges with paper or cloth.

Remove cellulose tape.—Cellulose tape is not recommended for repair books. Its removal is a tedious, expensive operation.

Books for binding should be handled carefully, not placed in mail bags.

CONTENTS—Continued

CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

(c) When a Farm Ownership applicant has funds of his own to apply toward the purchase, enlargement, or development of a farm, such funds will be deposited in a supervised bank account as soon as possible but not later than the time of loan closing. Such funds will not be held back for making additional and unapproved expenditures.

(d) Any existing liens on a farm which is to be enlarged or developed will be paid off with the proceeds of a Farm Enlargement or Farm Development loan, so that there will be no liens on the farm other than the first mortgage securing the loan.

(e) Except as otherwise authorized by the Administrator, arrangements will not be made with sellers to construct new or repair old buildings in order to comply with the anticipated needs of Farm Ownership applicants. Construction work will be financed with the proceeds of Farm Ownership loans and will be subject to established Farm Ownership regulations.

(f) Since provision of essential water facilities and the construction and repair of essential farm buildings is a proper element of farm development and thus may be provided with Farm Ownership funds, a Water Facilities loan to an individual or a Farm Housing loan will not be made in connection with the extension of an initial Farm Ownership loan. In special cases where funds are required by a Farm Ownership borrower for water facilities or essential farm buildings and the need cannot be met with a subsequent Farm Ownership loan, an exception may be made by the Administrator, upon proper justification, to permit making a Water Facilities or Farm Housing loan to a Farm Ownership borrower.

(g) Each Farm Ownership applicant will be advised that, if at any time it shall appear that he is able to refinance his loan with a responsible cooperative or private credit source at a rate of interest not in excess of five percent (5%) per annum, and on terms for loans for similar periods of time and purposes prevailing in the area in which the loan is to be made he must, upon request of the Government, apply for and accept such refinancing.

(h) There may be included in each Farm Ownership loan a service fee in an amount sufficient to pay for (1) recordation of the deed and mortgage, (2) any portion of the expense of title examination and title insurance chargeable to the borrower, (3) bank charges for handling deposits in connection with the loan, (4) an appraisal fee of twent dollars ($20) for an insured loan borrower, and (5) other expenses necessary in connection with the acquisition of the land and the closing of the loan. Approximately five dollars ($5) will be added to the sum of these charges to cover possible underestimates.

(i) Promptly after completion of the planned expenditures, any unexpended Farm Ownership balance in the supervised bank account will be applied on the borrower's Farm Ownership loan account as a refund.

(j) No Farm Ownership loan will be made unless it has been determined, after representation by the applicant on Form FHA-5, "Loan Voucher," for a direct loan, or on Form FHA-359, "Borrower-Insurer-Lender Triple Agreement," for an insured loan, and certification to such effect by the County Committee on Form FHA-491, "County Committee Certification," that credit sufficient in amount to finance the actual needs of the applicant is not available to him, at a rate of interest not exceeding five percent (5%) per annum and on terms prevailing in the community, in or near which the applicant resides, for loans of similar size and character from commercial banks, cooperative lending agencies, or from any other responsible source.

(Secs. 1, 3, 12, 44, 60 Stat. 1072, 1074, 1076, 1068, 1069; 7 U. S. C. 1001, 1003, 1005b, 1018)

§ 311.2 *Restrictions on loans.* Farm Ownership loans will not be made to: (a) Any corporation, partnership, or cooperative association.

(b) Carry on any operations in collective farming or cooperative farming.

(c) Carry on any Government land-purchase or land-leasing program, or to organize, promote, or manage homestead associations, land-purchasing associations, or cooperative land-purchasing for colonies of rehabilitants and tenant purchasers.

(d) Purchase or refinance indebtedness against machinery, tools, equipment, livestock, and similar items legally not considered a part of a farm. A Production and Subsistence loan will not be made to pay the principal or interest or a mortgage insurance charge on a Farm Ownership loan.

(e) Finance any farm development not located on the property covered by the mortgage.

(f) Pay real property insurance premiums.

(g) Pay mortgage insurance charges on insured loans.

(h) Purchase a building located on an outside tract to be moved to a Farm Ownership farm, unless an exception is made in a particular case by the State

Director. Such an exception will be granted by the State Director only upon condition that the building purchased is released properly from any liens or mortgages outstanding against the property on which it is located, and the further condition that it definitely is more advantageous to the borrower to purchase and move a building to a Farm Ownership farm than it is to construct or repair a building on the Farm Ownership farm.

(Secs. 1, 3, 44, 60 Stat. 1072, 1074, 1068, 1069; 7 U. S. C. 1001, 1003, 1018)

§ 311.3 *Disabled veterans.* No Farm Ownership loan will be made to a disabled veteran with a pensionable disability to enable him to acquire, enlarge, or improve a farm which is less than an efficient family-type farm unless the unit as acquired, enlarged, or improved is of sufficient size and character to meet the farming capabilities of such a veteran and will afford him an income which, together with his pension, will enable him to meet his living and operating expenses and repay the loan.

(Sec. 1, 60 Stat. 1073; 7 U. S. C. 1001)

§ 311.4 *Additional limitations for farm enlargement and farm development loans.* (a) No farm enlargement or farm development loan will be made if the indebtedness to be refinanced exceeds the maximum refinancing price as determined by the County Committee on Form FHA-493, "Equity Determination and Tract Valuation." No farm enlargement loan will be made if the price for any tract to be added exceeds the maximum purchase price as determined by the County Committee on Form FHA-493.

(b) With the exception of farm development loans to disabled veterans as provided in § 311.3, no farm development loan will be made except for improving a farm of such size that it can be developed into an efficient family-type farm and for refinancing such indebtedness as is necessary against such a farm.

(Secs. 1, 44, 60 Stat. 1072, 1073, 1069; 7 U. S. C. 1001, 1018)

§ 311.5 *Terms of loans*—(a) *Amortization period.* Farm Ownership loans will be amortized over a period not to exceed forty years.

(b) *Interest rates.* (1) For direct Farm Ownership loans, the interest rates per annum on the unpaid principal are as follows:

(i) Three percent (3%) on loans approved prior to November 1, 1946.

(ii) Three and one-half percent (3½%) on loans approved subsequent to October 31, 1946, and prior to June 19, 1948.

(iii) Four percent (4%) on loans approved subsequent to June 18, 1948.

(2) For insured Farm Ownership loans, the interest rates per annum on the unpaid principal are as follows:

(i) Two and one-half percent (2½%) on loans approved prior to June 19, 1948.

(ii) Three percent (3%) on loans approved subsequent to June 18, 1948.

(c) *Mortgage insurance charge.* Each insured loan borrower will pay a mortgage insurance charge in addition to principal and interest payments on his loan.

(1) *Initial mortgage insurance charge.* Each insured loan borrower will pay on the date of loan closing an initial mortgage insurance charge, computed at the rate of one percent (1%) of the principal obligation of the mortgage, covering the period from the date of loan closing to the next March 31.

(2) *Annual mortgage insurance charge.* Each insured loan borrower will pay an annual mortgage insurance charge of one percent (1%) of the actual principal obligation remaining unpaid as of March 31 each year. The first annual mortgage insurance charge will be computed on the basis of the principal obligation remaining unpaid as of the March 31 on which the first installment on the note is due, and will be paid on or before the following March 31. Each succeeding annual mortgage insurance charge will be computed on the basis of the principal obligation remaining unpaid as of March 31 each year thereafter, and will be paid on or before the following March 31. Annual mortgage insurance charges will continue until the mortgage is paid in full or the mortgaged property is acquired by the Government, or until the contract of insurance is otherwise terminated.

(d) *Security instrument.* Farm Ownership loans will be secured by a first mortgage on the farm. The mortgage securing the debt will specify the terms and conditions under which the funds were advanced to the borrower. In addition, to the repayment period and the interest rate, as indicated, in paragraphs (a) and (b) of this section, such instruments will provide, among other conditions, that:

(1) The borrower will repay the unpaid balance of the loan, with interest, in installments based upon prescribed amortization schedules.

(2) The borrower will keep the property insured against loss by fire or other casualty, and will pay taxes, assessments, and other charges against the farm to the proper taxing authorities.

(3) The borrower personally and continuously will use the property as a farm and for no other purpose.

(4) The farm will be maintained in good condition; waste and exhaustion of the property will be prevented; required repairs will be made; and farming conservation practices as prescribed by the Secretary of Agriculture will be carried out.

(5) Final payment on the loan will not be accepted in less than five (5) years, without written consent of the Farmers Home Administration. If an insured loan is paid in full in less than five years, the borrower may be required to pay an additional charge equal to the annual mortgage insurance charge for the year in which the loan is repaid in full.

(6) The entire amount due on the loan, for violation of certain agreements, may be declared immediately due and payable. The Secretary of Agriculture may require assignment to the Government of the insured mortgage of a borrower who violates certain agreements.

(7) The borrower will apply for and accept a refinancing loan from a responsible cooperative or private credit source, if at any time it shall appear to the Secretary of Agriculture that the borrower is able to obtain such a loan at a rate of interest not in excess of five percent (5%) per annum and on terms for loans for similar periods of time and purposes prevailing in the area in which the loan is made.

(8) Each insured loan borrower will pay to the Farmers Home Administration, as collection agent for the mortgagee, amounts payable to the mortgagee under the mortgage.

(9) The holder of an insured mortgage will accept the benefits of the insurance furnished by the Government in lieu of any right of foreclosure which the mortgagee may have against the mortgaged property and any right to a deficiency judgment against the mortgagee on account of the mortgage.

(e) *Sale of nondelinquent insured mortgages to the Government.* Any holder of an insured mortgage may, at his option, within a period of one year beginning after the expiration of seven (7) years from the date of the mortgage, have the mortgage purchased by the Government even though the mortgage is not then in default. If the holder exercises such option, the Government will purchase the mortgage and pay the holder in cash an amount equal to the value of the mortgage. For such purpose, the value of the mortgage will be determined by adding to the then outstanding unpaid principal, the amount of any unpaid interest and the unpaid amount of any advances made by a holder for property insurance premiums, taxes, assessments, water charges, and other payments in discharge of liens which are prior to the mortgage. If the holder of the mortgage does not exercise the above-mentioned option, he may accept any new agreement which may be offered by the Government to purchase the mortgage, or the holder may retain the mortgage until it is paid in full, refinanced, or assigned to another lender.

(Sec. 3, 50 Stat. 523, secs. 3, 12, 13, 44, 60 Stat. 1074, 1076, 1078, 1069, secs. 1, 2, 3, 5, 62 Stat. 534, 535, 536; 7 U. S. C. 1003, 1005b, 1005c, 1018)

§ 311.6 *Side agreements prohibited.* The full purchase price of all farms purchased in connection with the Farm Ownership program must be named in the option between prospective borrowers and their vendors. Side agreements between prospective borrowers and their vendors upon a purchase price greater or less than the option price shall not be permitted. Agreements to give second mortgages, mortgages on chattels, mortgages on other property, or other liens, notes, or the payment of any cash consideration, other than the cash consideration named in the option price, are included within this prohibition, but it is not to be construed as limited to the side agreements herein specified. Such action shall be deemed grounds for the cancellation of the loan, or for declaring the amount unpaid immediately due and payable, or for the cancellation of the side agreement, regardless of its nature, and for the return to the prospective borrower, by the vendor of any amount paid in pursuance to the side agreement. (See also § 321.24 of this chapter.)

(Sec. 44, 60 Stat. 1069; 7 U. S. C. 1018)

§ 311.7 *Loan funds impressed with trust.* The proceeds of loans made pursuant to Title I of the Bankhead-Jones Farm Tenant Act, as amended, shall be impressed with a trust for the purposes for which loans may be made under that title, and may be used only for the purposes stated in the application therefor, and such trust shall continue, and the proceeds shall be free from garnishment, attachment, or the levy of an execution, until such proceeds have been used by the borrower for such purposes. Failure of the borrower to use the proceeds of such loans for such purposes, and in accordance with the purposes stated in the application therefor, shall be deemed grounds for the cancellation of the loan or for declaring the amount unpaid immediately due and payable.

(Sec. 44, 60 Stat. 1069; 7 U. S. C. 1018)

(Sec. 41, 60 Stat. 1066; 7 U. S. C. 1015. Statutory provisions interpreted or applied are cited to text in parentheses)

DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

[F. R. Doc. 51-9473; Filed, Aug. 10, 1951; 8:47 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1950 C. C. C. Grain Price Support Bulletin 1, Amdt. 1 to Supp. 2, Corn]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1950-CROP CORN RESEAL LOAN PROGRAM

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration, published in 16 F. R. 5917, and containing the requirements for the 1950-Crop Corn Reseal Loan Program are hereby amended as follows:

Under § 601.122 *Availability,* paragraph (b) *Time,* the date in the third sentence should be corrected to July 31, 1951.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1421, 1441)

Issued this 8th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9554; Filed, Aug. 10, 1951; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1023 (Fire, Air, and Sun-52)-3]

PART 726—FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1952-53 MARKETING YEAR

AUTHORITY: §§ 726.311 to 726.329 issued under sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interpret or apply secs. 301, 313, 363, 52 Stat. 38, 47, 63, as amended; 7 U. S. C. 1301, 1313, 1363.

GENERAL

§ 726.311 *Basis and purpose.* The regulations contained in §§ 726.311 to 726.329, are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1952 farm acreage allotments and normal yields for fire-cured, dark air-cured, and Virginia sun-cured tobacco. The purpose of the regulations in §§ 726.311 to 726.329 is to provide the procedure for allocating, on an acreage basis, the national marketing quota for fire-cured, dark air-cured, and Virginia sun-cured tobacco for the 1952-53 marketing year among farms and for determining normal yields. Prior to preparing the regulations in §§ 726.311 to 726.329, public notice (16 F. R. 6625) (16 F. R. 6777) was given in accordance with the Administrative Procedure Act (60 Stat. 237). The data, views, and recommendations pertaining to the regulations in §§ 726.311 to 726.329 which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 726.312 *Definitions.* As used in §§ 726.311 to 726.329, and in all instructions, forms, and documents in connection therewith the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) *Committees.* (1) "Community committee" means the group of persons elected within a community as the community committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the community.

(2) "County committee" means the group of persons elected within a county as the county committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration Programs within the county.

(3) "State committee" means the group of persons designated as the State committee of the Production and Marketing Administration, charged with the responsibility of administering Production and Marketing Administration programs within the State.

(b) *Farm.* "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Assistant Administrator for Production, Production and Marketing Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that of any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) *New farm.* "New farm" means a farm on which tobacco will be produced in 1952 for the first time since 1946.

(d) *Old farm.* "Old farm" means a farm on which tobacco was produced in one or more of the five years 1947 through 1951.

(e) *Cropland.* "Cropland" means farm land which in 1951 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable noncrop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind erosion hazard to the community.

(f) *Community cropland factor.* "Community cropland factor" means that percentage determined by dividing the total cropland for all old farms in the community in 1951 into the total of the 1951 tobacco acreage allotment for such old farms: *Provided,* That (1) if it is determined that the cropland factors for all communities in the county are substantially the same, the county committee, with the approval of the State committee, may consider the entire county as one community, and (2) if there is only one farm in the county on which tobacco is grown, the community cropland factor of the nearest community in which tobacco is grown shall be used in determining the acreage indicated by cropland.

(g) *Acreage indicated by cropland.* "Acreage indicated by cropland" means that acreage determined by multiplying the number of acres of cropland in the farm by the community cropland factor.

(h) *Operator.* "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(i) *Person.* "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity, and whenever applicable, a State, a political subdivision of a State, or any agency thereof.

(j) *Tobacco.* "Tobacco" means each one of the kinds of tobacco listed below comprising the types specified, as classified in Service and Regulatory Announcements No. 118 (7 CFR Part 30) of the Bureau of Agricultural Economics of the United States Department of Agriculture:

Fire-cured tobacco, comprising types 21, 22, 23, and 24;
Dark air-cured tobacco, comprising types 35 and 36;
Virginia sun-cured tobacco, comprising type 37.

Any tobacco that has the same characteristics and corresponding qualities, colors, and lengths as either fire-cured, dark air-cured or Virginia sun-cured tobacco shall be considered respectively, either fire-cured, dark air-cured, or Virginia sun-cured tobacco regardless of any factors of historical or geographical nature which cannot be determined by examination of the tobacco.

§ 726.313 *Extent of calculations and rules of fractions.* All acreage allotments shall be rounded to the nearest one-tenth acre. Fractions of fifty-one thousandths of an acre or more shall be rounded upward, and fractions of five-hundredths of an acre or less shall be dropped. For example, 1.051 would be 1.1 and 1.050 would be 1.0.

§ 726.314 *Instructions and forms.* The Director, Tobacco Branch, Production and Marketing Administration, shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions as are necessary, for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Assistant Administrator for Production, Production and Marketing Administration.

§ 726.315 *Applicability of §§ 726.311 to 726.329.* Sections 726.311 to 726.329 shall govern the establishment of farm acreage allotments and normal yields for tobacco in connection with farm marketing quotas for the marketing year beginning October 1, 1952. The applicability of §§ 726.311 to 726.329 to fire-cured tobacco and dark air-cured tobacco is contingent upon the proclamation of national marketing quotas for such kinds of tobacco by the Secretary and the approval thereof by growers voting in referenda pursuant to section 312 of the Agricultural Adjustment Act of 1938, as amended.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 726.316 *Determination of 1952 preliminary acreage allotments for old farms*—(a) *Fire-cured and dark air-cured tobacco.* The preliminary acreage allotment for an old farm shall be the 1951 allotment with the following exceptions:

(1) If the acreage of tobacco harvested on the farm in each of the three years 1949–51 was less than 75 percent of the farm acreage allotment for each of such years, the preliminary allotment shall be the larger of (i) the largest acreage of tobacco harvested on the farm in any one of such three years, or (ii) the average acreage of tobacco harvested on the farm in the five years 1947–51: *Provided,* That any such preliminary allotment shall not exceed the 1951 allotment for such farm or be less than 0.1 acre.

(2) If the county committee determines that failure to harvest as much as 75 percent of the acreage allotted to the farm during any one of the three years 1949–51 was due to service in the armed forces on the part of labor regularly engaged in producing tobacco on the farm prior to entry into the armed forces, the preliminary allotment for the farm shall be the 1951 allotment.

(3) If no 1951 allotment was established for the farm, the preliminary allotment shall be the smaller of (i) the average acreage of tobacco harvested on the farm in the five years 1947–51, or (ii) the acreage obtained by multiplying the farm's average acreage for the five years 1947–51 by the ratio of the farm's actual yield to the 1950 county average yield: *Provided,* That such preliminary allotment shall not be less than 0.1 acre.

(4) If the acreage of tobacco harvested on the farm in 1951 exceeded the 1951 allotment by more than 10 percent, the preliminary allotment shall be the 1951 allotment plus the smaller of (i) one-fifth of the excess acreage, or (ii) the acreage obtained by multiplying one-fifth of the excess acreage by the ratio of the farm's actual yield to the 1950 county average yield.

(5) The preliminary allotments determined under subparagraph (3) or (4) of this paragraph shall not exceed the smallest of (i) the acreage indicated by cropland, or (ii) the acreage capacity of curing barns located on the farm and suitable for curing tobacco: *Provided,* That no preliminary allotment shall be reduced below the 1951 allotment because of these factors or be less than 0.1 acre.

(6) The preliminary allotment shall not exceed 80 percent of the acreage of cropland on the farm.

(b) *Virginia sun-cured tobacco.* The preliminary acreage allotment for an old farm shall be the 1951 allotment with the following exceptions:

(1) If the acreage of tobacco harvested on the farm in each of the three years 1949–51 was less than 75 percent of the farm acreage allotment for the years 1950 and 1951, the preliminary allotment shall be the larger of (i) the largest acreage of tobacco harvested on the farm in any one of such three years, or (ii) the average acreage of tobacco harvested on the farm in the five years 1947–51: *Provided,* That any such preliminary allotment shall not exceed the 1951 allotment for such farm or be less than 0.1 acre.

(2) If the county committee determines that failure to harvest during any one of the three years 1949–51 as much as 75 percent of the acreage allotted to the farm for either 1950 or 1951 was due to service in the armed forces on the part of labor regularly engaged in producing tobacco on the farm prior to entry into the armed forces, the preliminary allotment for the farm shall be the 1951 allotment.

(3) If no 1951 allotment was established for the farm, the preliminary allotment shall be the smaller of (i) the average acreage of tobacco harvested on the farm in the five years 1947–51, or (ii) the acreage obtained by multiplying the farm's average acreage for the five years 1947–51 by the ratio of the farm's actual yield to the 1950 county average yield: *Provided,* That such preliminary allotment shall not be less than 0.1 acre.

(4) If the acreage of tobacco harvested on the farm in 1951 exceeded the 1951 allotment by more than 10 percent, the preliminary allotment shall be the 1951 allotment plus the smaller of (i) one-fifth of the excess acreage, or (ii) the acreage obtained by multiplying one-fifth of the excess acreage by the ratio of the farm's actual yield to the 1950 county average yield.

(5) The preliminary allotments determined under subparagraph (3) or (4) of this paragraph shall not exceed the smallest of (i) the acreage indicated by cropland, or (ii) the acreage capacity of curing barns located on the farm and suitable for curing tobacco: *Provided,* That no preliminary allotment shall be reduced below the 1951 allotment because of these factors or be less than 0.1 acre.

(6) The preliminary allotment shall not exceed 80 percent of the acreage of cropland on the farm.

§ 726.317 *1952 old farm tobacco acreage allotment.* The preliminary allotments calculated for all old farms in the State pursuant to § 726.316 shall be adjusted uniformly so that the total of such allotments plus the acreage available for adjusting acreage allotments for old farms pursuant to § 726.318 shall not exceed the State acreage allotment.

§ 726.318 *Adjustment of acreage allotments for old farms.* Notwithstanding the limitations contained in § 726.316, except paragraphs (a) (6) and (b) (6) thereof, the farm acreage allotment for an old farm may be increased if the community and county committees find that such increase is necessary to establish an allotment for such farm which is fair and equitable in relation to the allotments for other old farms in the community, on the basis of the past acreage of tobacco, making due allowances for drought, flood, hail, other abnormal weather conditions, plant bed, and other diseases; land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The acreage available for increasing allotments under this section shall not exceed one half of one percent of the total acreage allotted to all tobacco farms in the State for the 1951–52 marketing year in the case of fire-cured and dark air-cured tobacco, and two percent of the total acreage allotted to all tobacco farms in the State for the 1951–52 marketing year in the case of Virginia sun-cured tobacco.

§ 726.319 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* (a) If tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments established for both such farms for 1952 shall be reduced, as hereinafter provided, except that such reduction for any such farm shall not be made if the county committee determines that no person connected with such farm caused, aided, or acquiesced in such marketing.

(b) The operator of the farm shall furnish complete and accurate proof of the disposition of all tobacco produced on the farm at such time and in such manner as will insure payment of the penalty due at the time the tobacco is marketed and, in the event of failure for any reason to furnish such proof, the acreage allotment for the farm shall be reduced, except that if the farm operator establishes to the satisfaction of the county and State committees that failure to furnish such proof of disposition was unintentional on his part and that he could not reasonably have been expected to furnish accurate proof of disposition, reduction of the allotment will not be required if the failure to furnish proof of disposition is corrected and payment of all additional penalty is made.

(c) Any such reduction shall be made with respect to the 1952 farm acreage allotment, provided it can be made at least 30 days prior to the beginning of the normal planting season for the county in which the farm is located as determined by the State committee. If the reduction cannot be so made effective with respect to the 1952 allotment, such reduction shall be made with respect to the farm acreage allotment next established for the farm where the reduction can be made within the time specified above. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

(d) The amount of reduction in the 1952 allotment shall be that percentage which the amount of tobacco involved in the violation is of the respective farm marketing quota for the farm for the year in which the violation occurred. Where the amount of such tobacco involved in the violation equals or exceeds the amount of the farm marketing quota the amount of reduction shall be 100 percent. The amount of tobacco determined by the county committee to have been falsely identified or for which satisfactory proof of disposition has not been furnished shall be considered the amount of tobacco involved in the violation. If the actual production of tobacco on the farm is not known, the county committee shall estimate such actual production taking into consideration the condition of the tobacco crop during production, if known, and the actual yield per acre of tobacco on other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar: *Provided*, That the estimate of such actual production of tobacco on the farm shall not exceed the harvested acreage of tobacco on the farm multiplied by the average actual yield on farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar. The actual yield of tobacco on the farm as so estimated by the county committee multiplied by the farm acreage allotment shall be considered the farm marketing quota for the purposes of this section. In determining the amount of tobacco for which satisfactory proof of disposition has not been shown in case the actual production of tobacco on the farm is not known, the amount of tobacco involved in the violation shall be deemed to be the actual production of tobacco on the farm, estimated as above, less the amount of tobacco for which satisfactory proof of disposition has been shown.

(e) If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied to that portion of the allotment for which a reduction is required under paragraph (a) or (b) of this section.

(f) If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied to the allotments for the divided farms as required under paragraphs (a) and (b) of this section.

§ 726.320 *Reallocation of allotments released from farms removed from agricultural production.* The allotment determined or which would have been determined for any land which is removed from agricultural production for any purpose because of acquisition by any Federal, State, or other agency having a right of eminent domain, shall be placed in a State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farms by such agencies. Upon application to the county committee, within five years from the date of such acquisition of the farm, any owner so displaced shall be entitled to have an allotment for any other farm owned or purchased by him, equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm so acquired: *Provided*, That such allotment shall not exceed 20 percent of the acreage of cropland on the farm.

The provisions of this section shall not be applicable if (a) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal, State, or other agency; (b) any tobacco produced on such farm has not been accounted for as required by the Secretary; or (c) the allotment next to be established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 726.321 *Farms divided or combined.* (a) If land operated as a single farm in 1951 will be operated in 1952 as two or more farms, the 1952 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland available for the production of tobacco in each such tract in such year bore to the total number of acres of cropland available for the production of tobacco on the entire farm in such year, except that, upon recommendation of the county committee and with State committee approval and agreement of the interested persons in writing, the tobacco acreage allotment determined or which otherwise would have been determined for the entire farm may, if the farm to be divided for 1952 consists of two or more tracts which were separate and distinct farms before being combined within the past five years (1947–51), be apportioned among the tracts in the same proportion that each contributed to the farm acreage allotment: *Provided*, That with the recommendation of the county committee and approval of the State committee, the tobacco acreage allotment determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-tenth acre or 10 percent of the 1952 acreage allotment determined for the entire farm with corresponding increases or decreases made in the acreage allotment apportioned to the other tract or tracts.

(b) If two or more farms operated separately in 1951 are combined and operated in 1952 as a single farm, the 1952 allotment shall be the sum of the 1952 allotments determined for each of the farms composing the combination.

(c) If a farm is to be divided in 1952 in settling an estate, the allotment may be divided among the various tracts in accordance with paragraph (a) of this section, or on such other basis as the State committee determines will result in equitable allotments.

§ 726.322 *Determination of normal yields.* The normal yield for any old farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the five years 1946–50, (b) the soil and other physical factors affecting the production of tobacco on the farm, and (c) the yields obtained on other farms in the locality which are similar with respect to such factors.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 726.323 *Determination of acreage allotments for new farms.* The acreage allotment, other than an allotment made under § 726.320, for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the past tobacco experience of the farm operator; the land, labor, and equipment available for the production of tobacco; crop-rotation practices, and the soil and other physical factors affecting the production of tobacco: *Provided,* That the acreage allotment so determined shall not exceed 75 percent of the allotments for old tobacco farms which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless each of the following conditions has been met:

(a) The farm operator shall have had experience in growing the kind of tobacco for which an allotment is requested either as a share cropper, tenant, or as a farm operator during two of the past five years: *Provided, however,* That a farm operator who was in the armed services during World War II shall be deemed to have met the requirements hereof if he has had experience in growing the kind of tobacco for which an allotment is requested during one year either within the five years immediately prior to his entry into the armed services or since his discharge from the armed services.

(b) The farm operator shall live on and be largely dependent for his livelihood on the farm covered by the application.

(c) The farm covered by the application shall be the only farm owned or operated by the owner or farm operator for which a fire-cured, dark air-cured or Virginia sun-cured tobacco allotment is established for the 1952–53 marketing year.

The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. One-half of one percent of the 1952 national marketing quota shall, when converted to an acreage allotment by the use of the national average yield, be available for establishing allotments for new farms. The national average yield shall be the average of the several State yields used in converting the State marketing quota into State acreage allotments.

§ 726.324 *Time for filing application.* An application for a new farm allotment shall be filed with the county committee prior to February 1, 1952, unless the farm operator was discharged from the armed services subsequent to December 31, 1951, in which case such application shall be filed within a reasonable period prior to planting tobacco on the farm.

§ 726.325 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is normal for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

MISCELLANEOUS

§ 726.326 *Determination of acreage allotments and normal yields for farms returned to agricultural production.* (a) Notwithstanding the foregoing provisions of §§ 726.311 to 726.325, the acreage allotment for any farm which was acquired by any Federal, State, or other agency having the right of eminent domain for any purpose and which is returned to agricultural production in 1952 or which was returned to agricultural production in 1951 too late for the 1951 allotment to be established, shall be determined by one of the following methods:

(1) If the land is acquired by the original owner, any part of the acreage allotment which was or could have been established for such farm prior to its retirement from agricultural production which remains in the State pool (adjusted to reflect the uniform increases and decreases in comparable old farm allotments since the farm was acquired) may be established as the 1952 allotment for such farm by transfer from the pool, and if any part of the allotment for such land was transferred by the original owner through the State pool to another farm now owned by him, such owner may elect to transfer all or any part of such allotment (as adjusted) to the farm which is returned to agricultural production.

(2) If the land is acquired by a person other than the original owner, or if all of the allotment was transferred through the State pools to another farm and the original owner does not now own the farm to which the allotment was transferred, the farm returned to agricultural production shall be regarded as a new farm.

(b) The normal yield for any such farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

§ 726.327 *Approval of determinations made under §§ 726.311 to 726.326.* The State committee will review all allotments and yields and may correct or require correction of any determinations made under §§ 726.311 to 726.326. All acreage allotments and yields shall be approved by the State committee and no official notice of acreage allotment shall be mailed to a grower until such allotment has been approved by the State committee.

§ 726.328 *Application for review.* Any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm, may, within fifteen days after mailing of the official notice of the farm acreage allotment and marketing quota, file application with the county committee to have such allotment reviewed by a review committee. The procedures governing the review of farm acreage allotments and marketing quotas are contained in the regulations issued by the Secretary (7 CFR Part 711) which are available at the office of the county committee.

§ 726.329 *Transfer of farm acreage allotments.* Notwithstanding the foregoing provisions of §§ 726.311 to 726.329 except § 726.327, the owner and operator of a farm for which both a fire-cured tobacco and a dark air-cured tobacco acreage allotment, or both a fire-cured tobacco and a Virginia sun-cured tobacco acreage allotment are established under §§ 726.311 to 726.329 may voluntarily and permanently surrender in writing to the county committee not later than March 31, 1952, either of such farm acreage allotments. The acreage surrendered for each kind of tobacco shall, upon request in writing to the county committee not later than March 31, 1952, and in the order requested, be used by the county committee for equivalent increases in the acreage allotments for other farms producing such kind of tobacco which surrendered acreage to the county committee under this section. Such increase in the acreage allotment for any farm shall not exceed the acreage surrendered from such farm to the county committee. Acreage surrendered under this section shall, to the extent that it is not transferred hereunder, be returned to the farms from which it was surrendered.

Done at Washington, D. C., this 8th day of August 1951. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 51-9555; Filed, Aug. 10, 1951; 8:52 a. m.]

[1026 (Peanuts-51)-1 Amdt. 1]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR 1951 CROP OF PEANUTS

Basis and purpose. Section 359 (a) of the Agricultural Adjustment Act of 1938, as amended, provides that the marketing of any peanuts in excess of the marketing quota for the farm on which such peanuts are produced, or the marketing of peanuts from any farm for which no acreage allotment was determined, shall be subject to a penalty at a rate equal to 50 per centum of the basic rate of the loan (calculated to the nearest tenth of a cent) for farm marketing quota peanuts for the marketing year August 1–July 31. When the Marketing Quota Regulations for the 1951 Crop of Peanuts were issued by the Secretary of Agriculture on June 12, 1951, the basic loan rate per pound of peanuts was not available and the exact rate of penalty could not be included in such regulations. Such