

MISSISSIPPI—continued

County—Continued	Average value
Claiborne	\$15,000
Clarke	15,000
Clay	15,000
Coahoma	18,000
Copiah	15,000
Covington	15,000
De Soto	15,000
Forrest	15,000
Franklin	15,000
George	15,000
Greene	15,000
Grenada	15,000
Hancock	15,000
Harrison	15,000
Hinds	15,000
Holmes	18,000
Humphreys	18,000
Issaquena	18,000
Itawamba	15,000
Jackson	15,000
Jasper	15,000
Jefferson	15,000
Jefferson Davis	15,000
Jones	15,000
Kemper	15,000
Lafayette	15,000
Lamar	15,000
Lauderdale	15,000
Lawrence	15,000
Leake	15,000
Lee	15,000
Leflore	18,000
Lincoln	15,000
Lowndes	15,000
Madison	15,000
Marion	15,000
Marshall	15,000
Monroe	15,000
Montgomery	15,000
Neshoba	15,000
Newton	15,000
Noxubee	15,000
Oktibbeha	15,000
Panola	18,000
Pearl River	15,000
Perry	15,000
Pike	15,000
Pontotoc	15,000
Prentiss	15,000
Quitman	18,000
Rankin	15,000
Scott	15,000
Sharkey	18,000
Simpson	15,000
Smith	15,000
Stone	15,000
Sunflower	18,000
Tallahatchie	18,000
Tate	15,000
Tippah	15,000
Tishomingo	15,000
Tunica	18,000
Union	15,000
Walthall	15,000
Warren	18,000
Washington	18,000
Wayne	15,000
Webster	15,000
Wilkinson	15,000
Winston	15,000
Yalobusha	15,000
Yazoo	18,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1).
Applies sec. 3 (a), 60 Stat. 1074; 7 U. S. C.
1003 (a))

Dated this 9th day of June 1955.

[SEAL] H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 55-4752; Filed, June 14, 1955;
8:48 a. m.]

[FHA Instruction 401.2]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

REVOCATION OF LISTING IN SOUTH DAKOTA

Armstrong County in South Dakota was merged with Dewey County by action of the State legislature of South Dakota. The listing for Armstrong County in § 311.29, Title 6, Code of Federal Regulations is hereby revoked. The average values of farms in the area formerly included in Armstrong County will be the same as the values appearing for Dewey County.

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1))

Dated this 9th day of June 1955.

[SEAL] H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 55-4753; Filed, June 14, 1955;
8:48 a. m.]

Subchapter E—Account Servicing

[FHA Instruction 451.4]

PART 366—PAYMENT-IN-FULL

SUBPART A—DIRECT FARM OWNERSHIP, OTHER REAL ESTATE, AND FARM HOUSING ACCOUNTS

The title to Subpart A is revised to read as set forth above and Subpart A, Title 6, Code of Federal Regulations (20 F. R. 321), is revised to incorporate reference to servicing for other real estate accounts and to read as follows:

Sec.

366.1 General.

366.2 Authorization.

366.3 Determining balance to be collected.

366.4 Delivery of satisfactions, notes and other documents.

366.5 Property insurance.

AUTHORITY: §§ 366.1 to 366.5 issued under sec. 41 (1), 60 Stat. 1066, sec. 510 (g), 63 Stat. 438; 7 U. S. C. 1015 (1), 42 U. S. C. 1480 (g). Interpret or apply secs. 3 (b) (6), 41 (h), 60 Stat. 1074, 1066, sec. 510 (d), 63 Stat. 437; 7 U. S. C. 1003 (b) (6), 1015 (h), 42 U. S. C. 1480 (d).

§ 366.1 *General.* Sections 366.1 to 366.5 set forth the authorizations, policies, and procedures for processing final payments on direct Farm Ownership, Other Real Estate, and Farm Housing accounts which are paid in full at any time after loan closing. In every case where a loan has been closed, including those where the entire principal of the loan is refunded before any of it has been previously disbursed from the supervised bank account, the borrower will be required to pay interest from the date of the note to the date final payment is received by the County Supervisor.

§ 366.2 *Authorization.* (a) The County Supervisor is authorized to accept final payment on a direct Farm Ownership, Other Real Estate, or Farm Housing account (except direct Farm Ownership accounts repaid in less than five years by sale of the farm when profit making seems to be the only significant

motive for the sale) and to execute the necessary releases and satisfactions in connection with the indebtedness. When a borrower who has not had his loan five years proposes to sell his farm and pay the Farm Ownership loan in full, and profit making seems to be the only significant motive for the sale, the County Supervisor will advise the State Director of the circumstances. The State Director is authorized to approve or disapprove the transaction and will inform the County Supervisor of the action to be taken.

(b) The State Director, with the assistance of the representative of the Office of the General Counsel, will issue a State Instruction which will instruct County Supervisors regarding the release or satisfaction of Farm Ownership, Other Real Estate, and Farm Housing mortgages when the loan is paid in full.

§ 366.3 *Determining balance to be collected.* (a) When a borrower has indicated his desire to pay his direct Farm Ownership, Other Real Estate, or Farm Housing account in full, the County Supervisor will prepare and forward to the Finance Office Form FHA-995, "Request for Certified Statement of Account," in order to obtain the unpaid balance of principal and interest on the borrower's account and the daily rate of accrual of interest.

(b) Upon receipt of Form FHA-835, "Certified Statement of Account," from the Finance Office, the County Supervisor will notify the borrower that he is prepared to accept final payment.

§ 366.4 *Delivery of satisfactions, notes, and other documents.* Usually, the County Supervisor will transmit the final payment to the Finance Office with a request for the return of the promissory note for delivery to the borrower; however, if circumstances require delivery of the note at the time final payment is received by the County Supervisor, he will request the Finance Office to forward the note along with the statement of account on Form FHA-835.

(a) Delivery of documents after notes stamped "paid-in-full" are received from the Finance Office: The Finance Office, upon receipt of Form FHA-144, "Summary of Remittances," covering the remittance which paid the account in full, will forward to the County Office the note stamped with a paid-in-full legend, provided the final payment as received from the borrower was in the form of currency and coin, U. S. Treasury check, cashier's or certified check, bank draft, or money order. If the final payment was in the form of an uncertified check drawn on a personal account, the note will be held in the Finance Office for 15 days after the remittance has been deposited in the Deposit Fund Account, before being forwarded to the County Office. Upon receipt of the note, the County Supervisor will deliver the stamped note(s), any property insurance policies, and the original mortgage to the borrower. The original satisfaction executed in accordance with the State Instruction will be delivered to the borrower for recording if desired.

(b) Delivery of documents at the time final payment is made: If the circumstances require the delivery of the promissory note and the satisfaction of the Farm Ownership, Other Real Estate, or Farm Housing mortgage at the time final payment is made, the County Supervisor will prepare the satisfaction, mark the original note with a paid-in-full legend, and will deliver the original note, the original satisfaction, any insurance policies, and the original mortgage to the borrower only upon receipt of full payment of the unpaid balance of principal and interest, computed as of the date final payment is received, and only when such payment is made in the form of currency and coin, U. S. Treasury Check, cashier's, or certified check, bank draft, or money order.

(c) If state law requires recording or filing of the satisfaction by the mortgagee, two executed copies of the satisfaction will be prepared and the additional copy will be recorded or filed by the County Supervisor with the proper recording official.

§ 366.5 *Property insurance.* The County Supervisor will advise the borrower regarding the manner in which property insurance will be canceled or release of mortgage interest executed.

Dated this 9th day of June 1955.

[SEAL]

H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 55-4754; Filed, June 14, 1955;
8:43 a. m.]

TITLE 7—AGRICULTURE

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

Subchapter C—Regulations and Standards Under the Farm Products Inspection Act

PART 56—GRADING AND INSPECTION OF SHELL EGGS AND UNITED STATES STANDARDS, GRADES, AND WEIGHT CLASSES FOR SHELL EGGS

SUSPENSION OF EFFECTIVE DATE OF CERTAIN PROVISIONS

The regulations governing the grading and inspection of shell eggs and United States standards, grades and weight classes for shell eggs (7 CFR Part 56) were revised and published in the FEDERAL REGISTER on February 1 and 4, 1955 (20 F. R. 667, 757). Most of the provisions of the revised regulations became effective on March 1, 1955. However, the changes which were made in the weight classes for shell eggs were not to become effective until January 1, 1956. Since the issuance of the revised regulations and their wide distribution to members of the trade and other interested persons, the Department has received from producers, handlers and other interested persons, many additional views and arguments with respect to the adverse effect such changes in the weight classes for shell eggs might have on the industry as a whole. Further, some segments of the industry, who formerly

avored the changes and submitted views in support thereof, subsequently have reconsidered the matter and have submitted additional information opposing such changes.

In view of the additional information submitted by many segments of the industry, further study and consideration of these provisions should be made. Therefore, the dates set forth in §§ 56.218 (c), 56.223 (b), and 56.228 (b) of the aforesaid regulations, on which changes in weight classes were to become effective, are hereby suspended. This action is taken pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.).

It is hereby found that it would be impractical, unnecessary, and contrary to the public interest to engage in public rule making procedures with respect to this suspension or to postpone the effective date thereof until thirty (30) days after publication in the FEDERAL REGISTER for the reasons that (1) the changes in the weight classes are not now in effect and will not require any preparation on the part of industry; (2) the additional information received indicates that it would be in the public interest to give this matter further study; and (3) the industry should be advised of this suspension as soon as possible in order that it may plan for future contractual obligations.

Therefore, good cause exists for making this suspension effective upon its publication in the FEDERAL REGISTER.

(Sec. 205, 60 Stat. 1090; 7 U. S. C. 1624)

Issued this 10th day of June 1955, to become effective upon publication in the FEDERAL REGISTER.

[SEAL]

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 55-4780; Filed, June 14, 1955;
8:55 a. m.]

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

PART 931—MILK IN CEDAR RAPIDS-IOWA CITY, IOWA MARKETING AREA

ORDER TERMINATING CERTAIN PROVISION OF ORDER, AS AMENDED, REGULATING HANDLING

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act" and of the order, as amended (7 CFR Part 931), regulating the handling of milk in the Cedar Rapids-Iowa City, Iowa marketing area, hereinafter referred to as the "order" it is hereby found and determined that:

a. In § 931.50 (c) (2) of the order the provision "in barrels" as it appears in each of two places does not tend to effectuate the declared policy of the act;

b. Notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that (1) the information on

which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this termination order effective as set forth below is necessary to reflect current marketing conditions and facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area; (3) on April 8, 1955, the Market News Service of the Department of Agriculture stopped reporting Chicago price quotations for spray and roller process nonfat dry milk solids for human consumption in drums and barrels. This was done because too few sales were being made in drums and barrels to report such prices. Most price quotations now relate to sales in bags and this series is being continued by the Market News Service.

It is therefore ordered, That in § 931.50 (c) (2) the provision "in barrels" as it appears in each of two places be and hereby is terminated effective immediately.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 10th day of June 1955.

[SEAL]

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4776; Filed, June 14, 1955;
8:54 a. m.]

PART 956—MILK IN THE SIOUX FALLS-MITCHELL, SOUTH DAKOTA, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 1940 ed. 601 et seq.), hereinafter referred to as the "act", and of the order, as amended, regulating the handling of milk in the Sioux Falls-Mitchell, South Dakota, marketing area, it is hereby found and determined that the provisions of § 956.61 (c) and (d) of the order, do no longer tend to effectuate the declared policy of the act.

It is hereby found and determined that notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that (1) the information upon which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this suspension order effective as set forth below; is necessary to reflect current marketing conditions and to facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area; and (3) this action will affect only the seasonality of returns to producers and will in no way affect the obligations of handlers subject to the order. The changes caused by this suspension order do not require of persons affected any preparation prior to its effective date.

It is therefore ordered, That the following provisions of the order be and

are hereby suspended: § 956.61 (c) and (d).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608e)

Done at Washington, D. C., this 10th day of June 1955, to be effective June 10, 1955.

[SEAL]

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4779; Filed, June 14, 1955;
8:55 a. m.]

PART 969—AVOCADOS GROWN IN SOUTH
FLORIDA

ORDER AMENDING ORDER REGULATING
HANDLING

§ 969.0 *Findings and determinations.* The findings and determinations herein after set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of this order; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to 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 (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900; 19 F. R. 57), a public hearing was held at Homestead (Modello), Florida, on February 28, 1955, upon proposed amendments to Marketing Agreement No. 121 and Order No. 69 (7 CFR Part 969; 19 F. R. 3439) regulating the handling of avocados grown in South Florida. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The said order as hereby amended regulates the handling of avocados grown in South Florida in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activities specified in, the amended marketing agreement and order upon which hearings have been held;

(3) The said order as hereby amended prescribes, so far as practicable, such different terms applicable to different parts of the production area, as are necessary to give due recognition to differences in the production and marketing of the avocados covered thereby;

(4) The said order as hereby amended is limited in its application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act; and

(5) All handling of avocados which are grown in the production area is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found and determined on the basis hereinafter indicated that good cause exists for making the provisions of this order effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (60 Stat. 237; 5 U. S. C. 1001 et seq.). The 1955-56 marketing season for avocados will begin shortly after the first of June. To be of maximum benefits during this season, it is necessary that the provisions of these amendments be made effective as soon as possible. One of the amendments extends the production area to two additional counties and it is particularly desirable that this amendment be made effective before avocados start moving in volume from this area. Likewise it is desirable that the provision for regulating containers be made effective as early as possible in the season so that shippers may be advised of containers in which avocados shall be permitted to be shipped and act accordingly in placing orders for such containers. The provisions of this order are well known to handlers. The public hearing in connection therewith was held at Homestead (Modello), Florida on February 28, 1955, and the recommended decision and the final decision were published in the FEDERAL REGISTER on April 19, 1955 (20 F. R. 2587) and May 13, 1955 (20 F. R. 3259) respectively. Copies of the regulatory provisions of this order were made available to all known interested parties, and compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant hereto.

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

(1) The agreement amending the marketing agreement regulating the handling of avocados grown in Florida, upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the avocados covered by this order) who, during the period April 1, 1954, through March 31, 1955, handled not less than 50 percent of the volume of avocados covered by this order;

(2) The issuance of this order amending the aforesaid order, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (April 1, 1954, through March 31, 1955), were engaged, within the production area specified in this order, in the production of avocados for market; such producers having also produced for market at least two-thirds of the volume of avocados represented in such referendum.

It is therefore ordered, That, on and after the effective date hereof, all han-

dling of avocados grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order as hereby amended as follows:

1. Immediately preceding the closing of the parenthesis at the end of § 969.2 Act insert the following: "; 68 Stat. 906, 1047".

2. Revise § 969.4 *Production area* to read as follows:

§ 969.4 *Production area.* "Production area" means the counties of Brevard, Orange, Lake, Polk, Hillsborough, and Pinellas in the State of Florida, and all of the counties of that State situated south of such counties.

3. Delete from the first sentence of § 969.10 *Handle* the words "in the continental United States and Canada."

4. Add, after § 969.42 *Accounting* the following new section; preceded by a main heading entitled "Research and Development":

§ 969.45 *Marketing research and development.* The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of avocados. The expense of such projects shall be paid from funds collected pursuant to § 969.41.

5. Delete the word "and" appearing at the end of subparagraph (1) of paragraph (a) of § 969.51 *Issuance of regulations* and insert the word "and" at the end of subparagraph (2) of such section after changing the period to a semicolon.

6. Add, after subparagraph (2) of paragraph (a) of § 969.51 *Issuance of regulations* the following new subparagraph:

(3) Fix the size, capacity, weight, dimensions, or pack of the container or containers which may be used in the packaging, and the transportation, sale, shipment or other handling of avocados.

7. Delete paragraph (c) from § 969.55 *Avocados not subject to regulation* and redesignate paragraphs (d) and (e) as paragraphs (c) and (d), respectively.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608e)

Done at Washington, D. C., this 10th day of June 1955, to become effective upon publication in the FEDERAL REGISTER.

[SEAL]

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4777; Filed, June 14, 1955;
8:54 a. m.]

[Avocado Order 8]

PART 969—AVOCADOS GROWN IN SOUTH
FLORIDA

MATURITY REGULATION

§ 969.308 *Avocado Order 8—(a) Findings.* (1) Pursuant to the marketing agreement and Order No. 69 (Part 969; 19 F. R. 3439) regulating the handling of avocados grown in South Florida, effective under the applicable provisions

of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, 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 regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 16, 1955. A reasonable determination as to the time of maturity of avocados must await the development of the crop thereof, and adequate information thereon was not available to the Avocado Administrative Committee until June 7, 1955; determinations as to the time of maturity of the varieties of avocados covered by this section were made at the meeting of said committee on June 7, 1955, after consideration of all available information relative to the time of bloom and growing conditions for such avocados, at which time the recommendations and supporting information for maturity regulation was submitted to the Department; such meeting was held to consider recommendation for such regulation after giving due notice thereof, and interested parties were afforded an opportunity to submit their views at this meeting; the provisions of this section are identical with the aforesaid recommendations of the committee and information concerning such provisions has been disseminated among the handlers of avocados; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) Order. (1) After the effective time of this section no handler shall handle any variety of avocados listed in column 1 of the following table prior to 12:01 a. m., e. s. t., of the date listed for the respective variety in column 2 of such table;

(2) During the period from 12:01 a. m., e. s. t., of the date listed for the respective variety in column 2 of such table and 12:01 a. m., e. s. t., of the date listed for the respective variety in column 4 of such table, no handler shall handle any avocados unless the individual fruit weighs at least the ounces specified for the respective variety in column 3 of such table;

(3) During the period from 12:01 a. m., e. s. t., of the date listed for the respective variety in column 4 of such table and 12:01 a. m., e. s. t., of the date listed for the respective variety in column 6 of such table, no handler shall handle any avocados unless the individual fruit weighs at least the ounces specified for the respective variety in column 5 of such table;

(4) During the period from 12:01 a. m., e. s. t., of the date listed for the respective variety in column 6 of such table and 12:01 a. m., e. s. t., of the date listed for the respective variety in column 8 of such table, no handler shall handle any avocados unless the individual fruit weighs at least the ounces specified for the respective variety in column 7 of such table;

(5) Notwithstanding the provisions of subparagraphs (1) through (4) of this paragraph regarding the minimum weight for individual fruit, up to 10 percent, by count, of the individual fruit contained in each lot may weigh not to exceed two ounces less than the applicable specified weight for the particular variety in column 3, 5, or 7 of such table, such tolerance to be on a lot basis but not to exceed double such tolerance percentage shall be permitted for an individual container in a lot, and in addition, when minimum diameters are specified for a variety in such table, any avocados of that variety in a lot may weigh not to exceed two ounces less than the applicable weight specified for such variety in column 3, 5, or 7 of such table provided they measure at least the applicable diameter so specified for that variety;

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Fuchs	June 20, 1955	14 oz.	July 4, 1955	12 oz.	July 18, 1955	7 oz.	Aug. 1, 1955
Pollock	July 4, 1955	16 oz.	July 18, 1955	14 oz.	Aug. 1, 1955	9 oz.	Aug. 22, 1955
Simmonds	July 4, 1955	16 oz.	July 18, 1955	14 oz.	Aug. 1, 1955	9 oz.	Aug. 22, 1955
Trapp	July 25, 1955	14 oz.	Aug. 8, 1955	12 oz.	Aug. 22, 1955	8 oz.	Sept. 12, 1955
		3 3/4 in.		3 3/4 in.		3 in.	
Waldin	Aug. 1, 1955	16 oz.	Aug. 15, 1955	14 oz.	Aug. 29, 1955	8 oz.	Sept. 17, 1955
		3 3/4 in.		3 3/4 in.		3 in.	
Tonnage	Aug. 22, 1955	14 oz.	Aug. 29, 1955	12 oz.	Sept. 5, 1955	8 oz.	Sept. 26, 1955
Booth 8	Sept. 19, 1955	14 oz.	Oct. 3, 1955	12 oz.	Oct. 17, 1955	7 oz.	Nov. 7, 1955
		3 3/4 in.		3 3/4 in.		2 3/4 in.	
Lula	Oct. 3, 1955	20 oz.	Oct. 17, 1955	16 oz.	Oct. 31, 1955	14 oz.	Nov. 14, 1955
		3 3/4 in.		3 3/4 in.		3 3/4 in.	
Booth 7	Oct. 10, 1955	16 oz.	Oct. 24, 1955	14 oz.	Nov. 7, 1955	8 oz.	Nov. 21, 1955
		3 3/4 in.		3 3/4 in.		7 in.	
Hickson	Oct. 17, 1955	14 oz.	Oct. 31, 1955	10 oz.	Nov. 14, 1955	7 oz.	Dec. 5, 1955
		3 3/4 in.		3 3/4 in.		2 3/4 in.	
Collinson	Oct. 17, 1955	16 oz.	Oct. 31, 1955	14 oz.	Nov. 14, 1955	8 oz.	Dec. 5, 1955
Hall	Oct. 24, 1955	18 oz.	Nov. 7, 1955	16 oz.	Nov. 21, 1955	9 oz.	Dec. 19, 1955
		3 3/4 in.		3 3/4 in.		3 in.	
Herman	Oct. 31, 1955	16 oz.	Nov. 14, 1955	14 oz.	Nov. 28, 1955	8 oz.	Dec. 19, 1955
Winslowson	Nov. 7, 1955	16 oz.	Nov. 21, 1955	14 oz.	Dec. 5, 1955	8 oz.	Dec. 26, 1955
Booth 3	Nov. 14, 1955	16 oz.	Nov. 28, 1955	14 oz.	Dec. 12, 1955	8 oz.	Dec. 26, 1955
		3 3/4 in.		3 3/4 in.		3 in.	
Booth 1	Nov. 21, 1955	16 oz.	Dec. 5, 1955	14 oz.	Dec. 19, 1955	8 oz.	Jan. 2, 1956
		3 3/4 in.		3 3/4 in.		3 3/4 in.	
Monroe	Nov. 21, 1955	24 oz.	Dec. 5, 1955	20 oz.	Dec. 19, 1955	14 oz.	Jan. 2, 1956
		4 in.		3 3/4 in.		3 3/4 in.	
Choquette	Nov. 21, 1955	24 oz.	Dec. 5, 1955	20 oz.	Dec. 19, 1955	14 oz.	Jan. 2, 1956
		4 in.		3 3/4 in.		3 3/4 in.	
Taylor	Nov. 21, 1955	12 oz.	Dec. 5, 1955	10 oz.	Dec. 19, 1955	7 oz.	Jan. 2, 1956
		3 3/4 in.		3 3/4 in.		2 3/4 in.	
Linda	Dec. 5, 1955	16 oz.	Dec. 19, 1955	14 oz.	Jan. 2, 1956	9 oz.	Jan. 16, 1956
Wagner	Dec. 19, 1955	12 oz.	Jan. 2, 1956	10 oz.	Jan. 16, 1956	6 oz.	Jan. 30, 1956
		3 3/4 in.		3 3/4 in.		2 3/4 in.	
Nesbitt	June 27, 1955	16 oz.	July 11, 1955	14 oz.	July 25, 1955	8 oz.	Aug. 15, 1955
Nadir	June 27, 1955	12 oz.	July 11, 1955	10 oz.	July 25, 1955	7 oz.	Aug. 15, 1955
Hardee	July 4, 1955	16 oz.	July 18, 1955	14 oz.	Aug. 1, 1955	9 oz.	Aug. 22, 1955
Calusa	July 4, 1955	16 oz.	July 18, 1955	14 oz.	Aug. 1, 1955	9 oz.	Aug. 22, 1955
Petersen	Aug. 8, 1955	12 oz.	Aug. 15, 1955	10 oz.	Aug. 22, 1955	7 oz.	Sept. 5, 1955
Edmunds	Aug. 15, 1955	16 oz.	Aug. 29, 1955	14 oz.	Sept. 12, 1955	8 oz.	Oct. 3, 1955
Pinelli	Aug. 22, 1955	18 oz.	Aug. 29, 1955	16 oz.	Sept. 5, 1955	10 oz.	Oct. 19, 1955
Fairchild	Sept. 5, 1955	16 oz.	Sept. 12, 1955	14 oz.	Sept. 19, 1955	8 oz.	Sept. 26, 1955
		3 3/4 in.		3 3/4 in.		3 in.	
Niroyd	Sept. 19, 1955	18 oz.	Sept. 26, 1955	16 oz.	Oct. 10, 1955	10 oz.	Nov. 7, 1955
		3 3/4 in.		3 3/4 in.		3 3/4 in.	
Simpson	Sept. 26, 1955	16 oz.	Oct. 3, 1955	14 oz.	Oct. 17, 1955	8 oz.	Nov. 7, 1955
Vaca	Oct. 3, 1955	16 oz.	Oct. 17, 1955	14 oz.	Oct. 31, 1955	8 oz.	Nov. 21, 1955
		3 3/4 in.		3 3/4 in.		3 in.	
Sherman	Oct. 3, 1955	16 oz.	Oct. 17, 1955	14 oz.	Oct. 31, 1955	8 oz.	Nov. 21, 1955
Black Prince	Oct. 3, 1955	16 oz.	Oct. 17, 1955	14 oz.	Oct. 31, 1955	8 oz.	Nov. 21, 1955
Collins	Oct. 10, 1955	16 oz.	Oct. 24, 1955	14 oz.	Nov. 7, 1955	8 oz.	Nov. 21, 1955
Pumpkin	Oct. 10, 1955	32 oz.	Nov. 21, 1955				
Booth 5	Oct. 17, 1955	16 oz.	Oct. 31, 1955	14 oz.	Nov. 14, 1955	8 oz.	Dec. 12, 1955
Blair	Oct. 17, 1955	16 oz.	Oct. 31, 1955	14 oz.	Nov. 14, 1955	8 oz.	Dec. 12, 1955
Nelson	Oct. 24, 1955	16 oz.	Nov. 7, 1955	14 oz.	Nov. 21, 1955	8 oz.	Dec. 19, 1955
		3 3/4 in.		3 3/4 in.		3 in.	
Rue	Oct. 24, 1955	20 oz.	Nov. 7, 1955	16 oz.	Nov. 21, 1955	12 oz.	Dec. 19, 1955
Avon	Oct. 10, 1955	12 oz.	Oct. 24, 1955	10 oz.	Nov. 7, 1955	7 oz.	Nov. 21, 1955
Booth 10	Oct. 31, 1955	16 oz.	Nov. 14, 1955	14 oz.	Nov. 28, 1955	8 oz.	Dec. 26, 1955
Booth 11	Oct. 31, 1955	16 oz.	Nov. 14, 1955	14 oz.	Nov. 28, 1955	8 oz.	Dec. 26, 1955
Yon	Oct. 31, 1955	28 oz.	Dec. 26, 1955				
Alax	Nov. 7, 1955	16 oz.	Nov. 21, 1955	14 oz.	Dec. 5, 1955	8 oz.	Dec. 26, 1955
Booth 7-B	Nov. 7, 1955	16 oz.	Nov. 21, 1955	14 oz.	Dec. 5, 1955	8 oz.	Dec. 26, 1955
Lunedin	Nov. 14, 1955	16 oz.	Nov. 28, 1955	14 oz.	Dec. 12, 1955	8 oz.	Dec. 26, 1955
		3 3/4 in.		3 3/4 in.		3 in.	
Blakeman	Nov. 21, 1955	14 oz.	Dec. 5, 1955	12 oz.	Dec. 19, 1955	8 oz.	Jan. 2, 1956
Byars #1	Dec. 5, 1955	16 oz.	Dec. 19, 1955	14 oz.	Jan. 2, 1956	8 oz.	Jan. 16, 1956
Nabal	Dec. 12, 1955	14 oz.	Dec. 26, 1955	12 oz.	Jan. 9, 1956	7 oz.	Jan. 23, 1956
		3 3/4 in.		3 3/4 in.		3 in.	
Eagle Rock	Jan. 2, 1956	16 oz.	Jan. 16, 1956	14 oz.	Jan. 30, 1956		
Colla	Jan. 16, 1956	14 oz.	Jan. 30, 1956	12 oz.	Feb. 13, 1956		
Schmidt	Jan. 30, 1956	16 oz.	Feb. 13, 1956	14 oz.	Feb. 27, 1956		
McDonald	Feb. 13, 1956						
Itzamma	Feb. 27, 1956						

(6) During the period from 12:01 a. m., e. s. t., November 14, 1955, and 12:01 a. m., e. s. t., December 5, 1955, no handler shall handle any Lula variety of avocados unless the individual fruit weighs at least nine ounces: *Provided*, That (i) up to 10 percent, by count, of the individual fruit contained in each lot may weigh less than nine ounces but not less than seven ounces, but not more than double such tolerance percentage shall be permitted for any individual container in such lot; and (ii) the remainder of the avocados in such lot may weigh less than nine ounces but not less than seven ounces if such avocados also measure at least three inches in diameter;

(7) The provisions of paragraph (b) (2) and (3) of § 969.306 (Avocado Order 6; 20 F. R. 3427) shall not apply to the varieties of avocados named in the foregoing table; and

(8) As used in this section, the term "diameter" means the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit.

(c) *Effective time.* The provisions of this section shall become effective at 12:01 a. m., e. s. t., June 16, 1955.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: June 13, 1955.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[F. R. Doc. 55-4811; Filed, June 14, 1955;
8:57 a. m.]

PART 974—MILK IN THE COLUMBUS, OHIO, MARKETING AREA

ORDER TERMINATING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act" and of the order, as amended (7 CFR Part 974), regulating the handling of milk in the Columbus, Ohio, marketing area, hereinafter referred to as the "order" it is hereby found and determined that:

a. In §§ 974.50 (a) (2) and 974.54 (a) of the order the provision "in barrels" does not tend to effectuate the declared policy of the act;

b. Notice of proposed rule making and public procedure thereon in connection with the issuance hereof is impracticable, unnecessary and contrary to the public interest, in that (1) the information on which this action is based did not become available in sufficient time for such compliance; (2) the issuance of this termination order effective as set forth below is necessary to reflect current marketing conditions and facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area; (3) on April 8, 1955, the Market News Service of the Department of Agriculture stopped reporting Chicago price quotations for spray and roller process nonfat dry milk solids for human

consumption in drums and barrels. This was done because too few sales were being made in drums and barrels to report such prices. Most price quotations now relate to sales in bags and this series is being continued by the Market News Service.

It is therefore ordered, That in §§ 974.50 (b) (2) and 974.54 (a) the provision "in barrels" be and hereby is terminated effective immediately.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 10th day of June 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4778; Filed, June 14, 1955;
8:54 a. m.]

PART 1001—LIMES GROWN IN FLORIDA

ORDER REGULATING HANDLING

Sec. 1001.0 Findings and determinations.

DEFINITIONS

1001.1 Secretary.
1001.2 Act.
1001.3 Person.
1001.4 Production area.
1001.5 Limes.
1001.6 Fiscal year.
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1001.8 Grower.
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ADMINISTRATIVE BODY

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1001.22 Nomination.
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EXPENSES AND ASSESSMENTS

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Sec. 1001.66 Effect of termination or amendment.
1001.67 Duration of immunities.
1001.68 Agents.
1001.69 Derogation.
1001.70 Personal liability.
1001.71 Separability.

AUTHORITY: §§ 1001.0 to 1001.71 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c.

§ 1001.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and the applicable rules of practice and procedure, as amended, effective thereunder (7 CFR Part 900; 19 F. R. 57), a public hearing was held at Homestead (Modello), Florida, from March 1 to March 3, 1955, both dates inclusive, upon a proposed marketing agreement and a proposed marketing order regulating the handling of limes grown in Florida. Upon the basis of the evidence introduced at such hearing, and the record thereof, it is found that:

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

(2) The said order regulates the handling of limes grown in the designated production area in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activities specified in, the proposed marketing agreement and order upon which a hearing has been held;

(3) The said order is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of such production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of limes grown in the production area covered by the said order that make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of limes grown in the production area, as defined herein, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found and determined on the basis hereinafter indicated that good cause exists for making the provisions of this part effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (60 Stat. 237; 5 U. S. C. 1001 et seq.). As soon as practical after such effective time, it will be necessary to establish the Florida Lime Administrative Committee, the agency charged with the administration of this program, and for the Committee and the Secretary to initiate various actions of both organizational and regulatory nature, including the formulation and promulgation of rules and regulations under the program, which should

be completed as soon as practicable after the beginning of the harvesting and marketing season. Volume shipments of Florida limes normally begin during June. The time during which such actions will be concluded should be such that handlers will receive such notice thereof as will enable them reasonably and adequately to prepare for operations under the program. The provisions of the order are well known to the handlers of limes, since the public hearing in connection with the entire order was concluded March 3, 1955, and the recommended decision and final decision was published in the *FEDERAL REGISTER* on April 19, 1955 (20 F. R. 2590, 2893), and May 13, 1955 (20 F. R. 3261), respectively. Copies of the regulatory provisions of this part were made available to all known interested parties, and compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant hereto.

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

(1) The marketing agreement regulating the handling of limes grown in Florida, upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the limes covered by this order) who, during the period April 1, 1954, through March 31, 1955, handled not less than 50 percent of the volume of limes covered by this order;

(2) The issuance of this order is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (April 1, 1954, through March 31, 1955), were engaged, within the production area specified in this order, in the production of limes for market; such producers having also produced for market at least two-thirds of the volume of limes represented in such referendum.

It is therefore ordered, That, on and after the effective date hereof, the handling of limes grown in the said production area shall be in conformity to, and in compliance with, the terms and conditions of the aforesaid order; and the terms and conditions of said order are as follows:

DEFINITIONS

§ 1001.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 1001.2 *Act.* "Act" means 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 (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047).

§ 1001.3 *Person.* "Person" means an individual, partnership, corporation, association or any other business unit.

§ 1001.4 *Production area.* "Production area" means all of the State of Florida, except the area west of the Suwannee River.

§ 1001.5 *Limes.* "Limes" means all varieties and clones of acid limes, grown in the production area, classified botanically as *Citrus Aurantifolia* (Christm.) Swingle, and includes the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) and the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties).

§ 1001.6 *Fiscal year.* "Fiscal year" means the twelve-month period ending March 31 of each year.

§ 1001.7 *Committee.* "Committee" means the Florida Lime Administrative Committee established pursuant to § 1001.20.

§ 1001.8 *Grower.* "Grower" is synonymous with producer and means any person who produces limes for market and who has a proprietary interest therein.

§ 1001.9 *Handler.* "Handler" is synonymous with shipper and means any person (except a common or contract carrier transporting limes owned by another person) who handles limes or causes limes to be handled.

§ 1001.10 *Handle.* "Handle" means to sell, consign, deliver, or transport limes within the production area or between the production area and any point outside thereof: *Provided,* That such term shall not include: (a) The sale or delivery of limes to a handler, registered as such with the committee in accordance with such rules and regulations as it may prescribe with the approval of the Secretary, who has facilities within the production area for preparing limes for market; (b) the delivery of limes to such a handler solely for the purpose of having such limes prepared for market; or (c) the transportation of limes by a handler, so registered with the committee, from the grove to his packing facilities within the production area for the purpose of having such limes prepared for market. In the event a grower sells his limes to a handler who is not so registered with the committee, such grower shall be the first handler of such limes.

§ 1001.11 *District.* "District" means the applicable one of the following described subdivisions of the production area, or such other subdivisions as may be prescribed pursuant to § 1001.29 (n): (a) "District 1" shall include Dade and Monroe counties.

(b) "District 2" shall include all of the production area except Dade and Monroe counties.

ADMINISTRATIVE BODY

§ 1001.20 *Establishment and membership.* There is hereby established a Florida Lime Administrative Committee consisting of nine members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. Five of the members and their respective al-

ternates shall be growers who shall not be handlers or employees of handlers. Four of the members and their respective alternates shall be handlers or employees of handlers. The five members of the committee who shall be growers and who shall not be handlers, or employees of handlers, are hereinafter referred to as "grower" members of the committee; and the four members who shall be handlers, or employees of handlers, are hereinafter referred to as "handler" members of the committee. Four of the five grower members shall be producers of limes in District 1, and one grower member shall be a producer of limes in District 2. Three of the four handler members shall be handlers, or employees of handlers, of limes in District 1, and one handler member shall be a handler, or an employee of a handler, of limes in District 2.

§ 1001.21 *Term of office.* The term of office of each member and alternate member of the committee shall begin April 1, and shall terminate March 31 of the following year. Members and alternate members shall serve in such capacities for the portion of the term of office for which they are selected and qualify and until their respective successors are selected and have qualified. The consecutive terms of office of members shall be limited to three terms.

§ 1001.22 *Nomination—(a) Initial members.* Nominations for each of the five initial grower members and four initial handler members of the committee, together with nominations for the initial alternate members for each position, may be submitted to the Secretary by individual growers and handlers. Such nominations may be made by means of group meetings of the growers and handlers concerned in each district. Such nominations, if made, shall be filed with the Secretary no later than the effective date hereof. In the event nominations for initial members and alternate members of the committee are not filed pursuant to, and within the time specified in, this section, the Secretary may select such initial members and alternate members without regard to nominations, but selections shall be on the basis of the representation provided for in § 1001.20.

(b) *Successor members.* (1) The committee shall hold or cause to be held, not later than February 15 of each year, a meeting or meetings of growers and handlers in each district for the purpose of designating nominees for successor members and alternate members of the committee. At each such meeting a chairman and a secretary shall be selected by the growers and handlers eligible to participate therein. The chairman shall announce at the meeting the number of votes cast for each person nominated for member or alternate member and shall submit promptly to the committee a complete report concerning such meeting. The committee shall, in turn, promptly submit a copy of each such report to the Secretary.

(2) Only growers who are present at such nomination meetings, or who reside outside the production area and are rep-

resented at such nomination meetings by duly authorized agents, shall participate in the nomination and election of nominees for grower members and their alternates. Each grower shall be entitled to cast only one vote for each nominee to be elected in the district in which he produces limes. No grower shall participate in the election of nominees in more than one district in any one fiscal year.

(3) Only handlers who are present at such nomination meetings, or represented at such meetings by duly authorized agents, shall participate in the nomination and election of nominees for handler members and their alternates. Each handler shall be entitled to cast only one vote for each nominee to be elected in the district in which he handles limes, which vote shall be weighted by the volume of limes shipped by such handler during the then current fiscal year. No handler shall participate in the election of nominees in more than one district in any one fiscal year.

§ 1001.23 Selection. From the nominations made pursuant to § 1001.22, or from other qualified persons, the Secretary shall select the five grower members of the committee, the four handler members of the committee, and an alternate for each such member.

§ 1001.24 Failure to nominate. If nominations are not made within the time and in the manner prescribed in § 1001.22, the Secretary may, without regard to nominations, select the members and alternate members of the committee on the basis of the representation provided for in § 1001.20.

§ 1001.25 Acceptance. Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

§ 1001.26 Vacancies. To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the committee, a successor for the unexpired term of such member or alternate member of the committee shall be nominated and selected in the manner specified in §§ 1001.22 and 1001.23. If the names of nominees to fill any such vacancy are not made available to the Secretary within fifteen days after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of representation provided for in § 1001.20.

§ 1001.27 Alternate members. An alternate member of the committee, during the absence or at the request of the member for whom he is an alternate, shall act in the place and stead of such member. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for such member is selected and has qualified.

§ 1001.28 Powers. The committee shall have the following powers:

(a) To administer the provisions of this part in accordance with its terms;

(b) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this part;

(c) To make and adopt rules and regulations to effectuate the terms and provisions of this part; and

(d) To recommend to the Secretary amendments to this part.

§ 1001.29 Duties. The committee shall have, among others, the following duties:

(a) To select a chairman and such other officers as may be necessary, and to define the duties of such officers;

(b) To appoint such employees, agents, and representatives as it may deem necessary, and to determine the compensation and to define the duties of each;

(c) To submit to the Secretary as soon as practicable after the beginning of each fiscal year a budget for such fiscal year, including a report in explanation of the items appearing therein and a recommendation as to the rate of assessment for such fiscal year;

(d) To keep minutes, books, and records which will reflect all of the acts and transactions of the committee and which shall be subject to examination by the Secretary;

(e) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to growers and handlers for examination at the office of the committee;

(f) To cause its books to be audited by a certified public accountant at least once each fiscal year, and at such other times as the Secretary may request;

(g) To act as intermediary between the Secretary and any grower or handler;

(h) To investigate and assemble data on the growing, handling, and marketing conditions with respect to limes;

(i) To submit to the Secretary such available information as he may request;

(j) To notify, as provided in this part, producers and handlers of all meetings of the committee to consider recommendations for regulation;

(k) To give the Secretary the same notice of meetings of the committee as is given to its members;

(l) To consult with such representatives of growers or groups of growers as may be deemed necessary and to pay the travel expenses incurred by such representatives in attending committee meetings at the request of the committee: *Provided*, That the committee shall not pay the travel expenses of more than three such representatives in connection with any one meeting of the committee;

(m) To investigate compliance with the provisions of this part; and

(n) With the approval of the Secretary, to redefine the districts into which the production area is divided, and to reappportion the representation of any district on the committee: *Provided*, That any such changes shall reflect, insofar as practicable, shifts in lime produc-

tion within the districts and the production area.

§ 1001.30 Procedure. (a) Six members of the committee, or alternates acting for members, shall constitute a quorum and any action of the committee shall require at least five concurring votes: *Provided*, That at least one handler member shall approve the action.

(b) The committee may vote by telegraph, telephone, or other means of communication, and any votes so cast shall be confirmed promptly in writing: *Provided*, That if an assembled meeting is held, all votes shall be cast in person.

§ 1001.31 Expenses and compensation. The members of the committee, and their respective alternates when acting as members, shall be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part and shall also receive compensation, as determined by the committee, which shall not exceed \$10.00 per day or portion thereof spent in performing such duties.

§ 1001.32 Annual report. The committee shall, prior to March 31 of each fiscal year, prepare and mail an annual report to the Secretary and to each handler and grower who requests a copy of the report. This annual report shall contain at least: (a) A complete review of the regulatory operations during the fiscal year; (b) an appraisal of the effect of such regulatory operations upon the lime industry; and (c) any recommendations for changes in the program.

EXPENSES AND ASSESSMENTS

§ 1001.40 Expenses. The committee is authorized to incur such expenses as the Secretary finds are reasonable and may be necessary to enable the committee to exercise its powers and perform its duties in accordance with the provisions of this part during each fiscal year. The funds to cover such expenses shall be acquired by the levying of assessments as provided for in § 1001.41.

§ 1001.41 Assessments. (a) Each person who first handles limes shall, with respect to the limes so handled by him, pay to the committee upon demand such person's pro rata share of the expenses which the Secretary finds will be incurred by the committee during each fiscal year. Each such person's share of such expenses shall be equal to the ratio between the total quantity of limes handled by him as the first handler thereof during the applicable fiscal year and the total quantity of limes so handled by all persons during the same fiscal year. The payment of assessments for the maintenance and functioning of the committee may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

(b) The Secretary shall fix the rate of assessment to be paid by each such person. At any time during or after the fiscal year, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any finding by the Secretary relative to the expense which may be incurred: *Provided*, That,

in no case, shall the rate of assessment exceed 10 cents per bushel, or equivalent quantity, of limes. Such increase shall be applied to all limes handled during the applicable fiscal year. In order to provide funds for the administration of the provisions of this part, the committee may accept the payment of assessments in advance, and may borrow money in any amount not to exceed 10 percent of the estimated expenses set forth in its budget for the then current fiscal year.

§ 1001.42 Accounting. (a) If, at the end of a fiscal year, the assessments collected are in excess of the expenses incurred, each person entitled to a proportionate refund of the excess assessment shall be credited with such refund against the operations of the following fiscal year. Any handler may demand payment of such a refund, and the refund shall be paid to him: *Provided*, That any sum paid by a person in excess of his pro rata share of the expenses during any fiscal year may be applied by the committee at the end of such fiscal year to any outstanding obligations due the committee from such person.

(b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purposes specified in this part, and shall be accounted for in the manner provided in this part. The Secretary may, at any time, require the committee and its members to account for all receipts and disbursements.

RESEARCH

§ 1001.45 Marketing research and development. The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of limes. The expense of such projects shall be paid from funds collected pursuant to § 1001.41.

REGULATIONS

§ 1001.50 Marketing policy. Each season prior to making any recommendations pursuant to § 1001.51, the committee shall submit to the Secretary a report setting forth its marketing policy for the ensuing season. Such marketing policy report shall contain information relative to (a) the estimated total production of limes within the production area; (b) the expected general quality and size of limes in the production area and in other areas, including foreign competing areas; (c) the expected demand conditions for limes in different market outlets; (d) the expected shipments of limes produced in the production area and in other areas, including foreign competing areas; (e) supplies of competing commodities; (f) trend and level of consumer income; (g) other factors having a bearing on the marketing of limes; and (h) the type of regulations expected to be recommended during the season. In the event it becomes advisable, because of changes in the supply and demand situation for limes, to modify substantially such marketing

policy, the committee shall submit to the Secretary a revised marketing policy report setting forth the information prescribed in this section. The committee shall publicly announce the contents of each marketing policy report and copies thereof shall be maintained in the offices of the committee where they shall be available for examination by growers and handlers.

§ 1001.51 Recommendations for regulation. (a) Whenever the committee deems it advisable to regulate the handling of any variety or varieties of limes in the manner provided in § 1001.52, it shall so recommend to the Secretary.

(b) In arriving at its recommendations for regulation pursuant to paragraph (a) of this section, the committee shall give consideration to current information with respect to the factors affecting the supply and demand for limes during the period or periods when it is proposed that such regulation should be made effective. With each such recommendation for regulation, the committee shall submit to the Secretary the data and information on which such recommendation is predicated, and such other available information as the Secretary may request.

(c) All meetings of the committee held for the purpose of formulating recommendations for regulations shall be open to growers and handlers. The committee shall give notice of such meetings to growers and handlers by mailing such notice to each grower and handler who has filed his address with the committee and requested such notice.

§ 1001.52 Issuance of regulations. (a) The Secretary shall regulate, in the manner specified in this section, the handling of limes whenever he finds, from the recommendations and information submitted by the committee or from other available information, that such regulations will tend to effectuate the declared policy of the act. Such regulations may:

(1) Prohibit, during any specified period or periods, the handling of any variety or varieties of limes which do not meet such grade, size, and quality (including internal quality and juice content) standards as shall be prescribed;

(2) Prescribe minimum standards of quality for any variety or varieties of limes and limit the handling thereof to those meeting such minimum standards; and

(3) Fix the size, capacity, weight, dimensions, or pack of the container or containers which may be used in the packaging, and the transportation, sale, shipment, or other handling of limes.

(b) The committee shall be informed immediately of any such regulations issued by the Secretary and the committee shall promptly give notice thereof to growers and handlers.

§ 1001.53 Modification, suspension, or termination of regulations. (a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to § 1001.52 should be modified, suspended,

or terminated, it shall so recommend to the Secretary.

(b) Whenever the Secretary finds, from the recommendations and information submitted by the committee or from other available information, that a regulation should be modified, suspended, or terminated with respect to any or all shipments of limes in order to effectuate the declared policy of the act, he shall modify, suspend, or terminate such regulation. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such modification or suspension.

§ 1001.54 Exemption certificate. In the event the handling of limes is regulated pursuant to § 1001.52, the committee shall issue one or more exemption certificates to any person who furnishes evidence satisfactory to the committee that, by reason of conditions beyond his control, he will be prevented, because of such regulation, from having as large a proportion of a particular variety of his limes handled as the average proportion of all such limes which may be handled. Such exemption certificates shall authorize the person to whom the certificates are issued to handle, or have handled, a percentage of his crop of the particular variety of limes equal to the percentage determined as aforesaid. The committee shall adopt, with the approval of the Secretary, procedural rules by which such exemption certificates will be issued and the limes covered thereunder may be handled. Exemption certificates shall be transferred to the handler of the limes covered by such certificates at the time the limes are delivered to such handler.

§ 1001.55 Inspection and certification. Whenever the handling of any variety of limes is regulated pursuant to § 1001.52, each handler who handles limes shall, prior thereto, cause each lot of limes handled to be inspected by the Federal-State Inspection Service and certified by it as meeting the applicable requirements of such regulation: *Provided*, That such inspection and certification shall be required when the limes previously have been so inspected and certified only if such limes have been regraded, resorted, or repackaged after the prior inspection and certification. Promptly thereafter, each such handler shall submit, or cause to be submitted, to the committee a copy of the certificate of inspection with respect to such handling.

§ 1001.56 Limes not subject to regulations. Except as otherwise provided in this section, any person may, without regard to the provisions of §§ 1001.41, 1001.52, and 1001.55, and the regulations issued thereunder, handle limes (a) for consumption by charitable institutions; (b) for distribution by relief agencies; (c) for commercial processing into products; or (d) in such minimum quantities or types of shipments, or for such specified purposes as the committee, with the approval of the Secretary, may prescribe. The committee shall, with the approval of the Secretary, prescribe such

rules, regulations, and safeguards as it may deem necessary to prevent limes handled under the provisions of this section from entering channels of trade for other than the specific purposes authorized by this section. Such rules, regulations, and safeguards may include the requirements that handlers shall file applications with the committee for authorization to handle limes pursuant to this section, and that such applications be accompanied by a certification by the intended purchaser or receiver that the limes will not be used for any purpose not authorized by this section.

REPORTS

§ 1001.60 *Reports.* (a) Each handler shall furnish to the committee, at such times and for such periods as the committee may designate, certified reports covering, to the extent necessary for the committee to perform its functions, the following: (1) The quantities of each variety of limes he received; (2) a complete record of the quantities disposed of by him, segregated as to varieties and as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such fruit; (4) identification of the inspection certificates and the exemption certificates, if any, pursuant to which the fruit was handled, together with the destination of each such exempted disposition, and of all fruit handled pursuant to § 1001.56; and (5) the quantity of each variety held by him at the end of the period.

(b) Upon request of the committee, made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such times as it may prescribe, such other information as may be necessary to enable the committee to perform its duties under this part.

(c) Each handler shall maintain for at least two succeeding fiscal years, such records of the limes received and disposed of by him as may be necessary to verify the reports he submits to the committee pursuant to this section.

(d) All reports and records submitted by handlers pursuant to the provisions of this section shall be received by, and at all times be in custody of, one or more designated employees of the committee. No such employee shall disclose to any person, other than the Secretary upon request therefor, data or information obtained or extracted from such reports and records which might affect the trade position, financial condition, or business operation of the particular handler from whom received: *Provided*, That such data and information may be combined, and made available to any person, in the form of general reports in which the identities of the individual handler furnishing the information is not disclosed and may be revealed to any extent necessary to effect compliance with the provisions of this part and the regulations issued thereunder.

MISCELLANEOUS PROVISIONS

§ 1001.61 *Compliance.* Except as provided in this part, no person shall handle limes, the shipment of which has

been prohibited by the Secretary in accordance with the provisions of this part; and no person shall handle limes except in conformity with the provisions of this part and the regulations issued under this part.

§ 1001.62 *Right of the Secretary.* The members of the committee (including successors and alternates), and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

§ 1001.63 *Effective time.* The provisions of this part, and of any amendment thereto, shall become effective at such time as the Secretary may declare above his signature to this part, and shall continue in force until terminated in one of the ways specified in § 1001.64.

§ 1001.64 *Termination.* (a) The Secretary may at any time terminate the provisions of this part by giving at least one day's notice by means of a press release or in any other manner in which he may determine.

(b) The Secretary shall terminate or suspend the operation of any and all of the provisions of this part whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this part at the end of any fiscal year whenever he finds that continuance is not favored by the majority of producers who, during a representative period determined by the Secretary, were engaged in the production of limes for market: *Provided*, That such termination is announced on or before March 15 of the then current fiscal year. The Secretary shall, as soon as practicable after the close of the fiscal year ending March 31, 1957, conduct a referendum of producers and a poll of handlers to determine whether the continuation of this part is favored by them. Producers entitled to vote in such referendum shall be those who, during the fiscal year ending March 31, 1957, were engaged in producing limes for market and the poll shall be confined to handlers who handled limes in that same fiscal year. If it develops from said referendum and poll that (1) less than two-thirds of the producers, by number or volume of production represented in said referendum, favor the continuance of this part, or (2) handlers representing more than one-half the volume of limes handled favor termination of this part, the Secretary shall thereupon terminate this part.

(d) The provisions of this part shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 1001.65 *Proceedings after termination.* (a) Upon the termination of the provisions of this part, the committee shall, for the purpose of liquidating the affairs of the committee, continue as trustees of all the funds and property then in its possession, or under its control, including claims for any funds unpaid or property not delivered at the time of such termination.

(b) The said trustees shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such persons as the Secretary may direct; and (3) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person, full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant thereto.

(c) Any person to whom funds, property, or claims have been transferred or delivered, pursuant to this section, shall be subject to the same obligation imposed upon the committee and upon the trustees.

§ 1001.66 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this part or of any regulation issued pursuant to this part, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this part or any regulation issued under this part, or (b) release or extinguish any violation of this part or of any regulation issued under this part, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

§ 1001.67 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon its termination, except with respect to acts done under and during the existence of this part.

§ 1001.68 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any agency or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this part.

§ 1001.69 *Derogation.* Nothing contained in this part is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 1001.70 *Personal liability.* No member or alternate member of the committee and no employee or agent of the committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mis-

takes, or other acts, either of commission or omission, as such member, alternate, employee, or agent, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 1001.71 *Separability*. If any provision of this part is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this part or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

Done at Washington, D. C., this 10th day of June 1955, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 55-4775; Filed, June 14, 1955;
8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Supp. 5]

PART 1—CERTIFICATION, IDENTIFICATION, AND MARKETING OF AIRCRAFT AND RE- LATED PRODUCTS

QUALITY CONTROL

The purpose of this revision is to liberalize the CAA policy relative to the weighing of aircraft for the purpose of finding the average empty weight and c. g. § 1.34-1 (h) (2) (i) and (ii), published in 19 F. R. 7078, on October 30, 1954, provided that all aircraft have identical equipment installed when weighed. The following revision to § 1.34-1 (h) (2) (i) and (ii) allows the manufacturer to have nonidentical equipment installed in the aircraft when weighed, provided appropriate adjustments are made to conform to the "standard equipment" configuration.

Section 1.34-1 (h) (2) (i) and (ii) is amended as follows:

§ 1.34-1 *Quality control (CAA policies which apply to § 1.34)*. * * *

(h) *Standard empty weight and c. g. for production aircraft*. * * *

(2) * * *

(i) Actually weigh and determine the empty c. g. of ten aircraft of a particular model as a means of establishing an average empty weight and empty c. g. Each aircraft of the model need not have identical equipment installed at time of weighing, provided the manufacturer selects a "standard" equipment configuration, and the weight and arm of the non-standard equipment items are determined. In order to compute the correct average weight and c. g. for such a model, appropriate corrections to the weight and balance data for individual aircraft should be made, where necessary, to make such data correspond to the "standard" equipment configuration.

(ii) Subsequently, with respect to production aircraft, at least each tenth aircraft should actually be weighed for the purpose of determining that the initially established empty weight and empty c. g. are being maintained. If this weighing indicates a variation in empty weight which is in excess of 1 percent of the

initially established weight, or a variation in the empty c. g. which exceeds one-half of 1 percent of the MAC, a new average weight should be established in accordance with procedures followed in establishing the initial average empty weight and c. g. conditions.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies secs. 601, 603, 52 Stat. 1007, 1009 as amended; 49 U. S. C. 551, 553)

This supplement shall become effective July 15, 1955.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-4767; Filed, June 14, 1955;
8:51 a. m.]

[Supp. 29]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

MISCELLANEOUS AMENDMENTS

The following miscellaneous amendments are made to Part 42:

(1) Section 42.32-1 is changed from an interpretation to a policy and revised to provide irregular air carriers and commercial operators with more flexibility and wider option in meeting the aircraft housing requirements of § 42.32 (a) when performing their own maintenance functions. This section formerly authorized work docks to be used where climatic conditions permitted; the section now authorizes the use of work docks appropriate to the climatic conditions which prevail at a particular maintenance base.

(2) Section 42.55-1 is not applicable since the amendments to § 42.55 (b) on December 10, 1954, and is therefore deleted.

(3) A new § 42.55-3 is added, which establishes the policy under which the Administrator will authorize irregular air carriers and commercial operators weather minimums down to the lowest minimums prescribed in Part 609 for IFR takeoffs and landings at regularly used airports, such as a main operations base.

(4) The speeds to which the Convair Model 28-5ACF and PB5-5A are accelerated, listed in the Takeoff Limitations Table of § 42.80-4, are corrected to coincide with the speeds indicated in figure 1 of this section. Since this change is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

The following amendments are hereby adopted.

1. Section 42.32-1 is revised to read as follows:

§ 42.32-1 *Facilities for the proper inspection, maintenance, overhaul, and repair (CAA policies which apply to § 42.32)*. (a) The facilities required in § 42.32 (a) of this subchapter include housing, work space, equipment, supplies, materials, tools, parts, and aircraft components in sufficient quantity and quality to assure that the needed inspection, maintenance, overhaul, and repair of the air carrier's or commercial operator's

aircraft (including airframes, powerplants, propellers, and appliances) can be satisfactorily performed at all times by either the air carrier, or commercial operator, or persons with whom arrangements have been made for the performance of such functions.

(b) Sections 52.21-1 through 52.21-3 and §§ 52.30-1 through 52.36-1 of this subchapter, outline housing, facilities, equipment and materials which constitute criteria that may be used to determine the minimum facilities required by § 42.32 (a) insofar as applicable and appropriate to the air carrier's aircraft and maintenance system: *Provided*, That a work dock may be used for the performance of airframe maintenance in lieu of a permanent hangar, if such work dock is appropriate for the proper performance of such maintenance under the climatic conditions which prevail at the particular maintenance location. When necessary, the entire airframe or portion thereof on which work is being performed should be enclosed so as to exclude rain, snow, dust, and provide reasonable protection to workers from the extremes of temperature which might impair the work being performed.

(c) When an air carrier contracts to perform inspection, maintenance, overhaul and repair on aircraft of other air carriers, the minimum facilities required by § 42.32 (a) are considered to be the same as required for a certificated repair station performing identical functions.

2. Section 42.55-1 is hereby deleted.

3. Section 42.55-3 is adopted to read as follows:

§ 42.55-3 *IFR takeoff and landing minimums (CAA policies which apply to § 42.55 (b))*. (a) The basic IFR takeoff minimums and landing minimums for each type of instrument approach procedure are prescribed in the operations specifications issued to an air carrier or commercial operator under the authority of this part. Frequently, these minimums are higher than those published in Part 609 of this title. However, by application to the local CAA Aviation Safety Agent having certificate responsibility, minimums down to the lowest minimums prescribed in Part 609 of this title for a particular airport may be authorized if such airport is regularly used by an air carrier or commercial operator (e. g., main operations base). To obtain such authorization, the air carrier or commercial operator will be required to demonstrate that its pilot training program and overall operating proficiency is adequate for the use of lower minimums. Such lower minimums, when approved, will be applicable only to those pilots-in-command who (1) have served as a pilot or as an observer member of the crew on the flight deck during operations conducted into the particular airport within the previous twelve months, (2) have been checked in accordance with § 42.44-2 of this subchapter on the type of facility for which the lower minimums are authorized, and (3) have been so certificated by a company check pilot as being qualified to operate at the lower minimums.