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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

ARCHIVIST

The headnote of paragraph (a) (4) and paragraph (a) (4) (i) of § 24.36 and paragraph (a) of § 24.60 are amended as set out below.

§ 24.36 *Junior Professional Assistant*—(a) *Educational requirement.* * * *

(4) *Archivist, GS–1420–5.* * * *

(i) A full 4-year course, in a college or university of recognized standing, including or supplemented by 12 semester hours in U. S. History and 18 semester hours in any one or in any combination of the following: (*a*) History; (*b*) political science; (*c*) sociology; (*d*) economics; (*e*) public administration; or

§ 24.60 *Archivist, GS–1420–7–13 (positions involving specialized archival work of highly technical character)*—(a) *Educational requirement.* Applicants must have successfully completed a full 4-year course in a college or university of recognized standing, including or supplemented by 12 semester hours in U. S. History and 18 semester hours in any one or any combination of history, political science, sociology, economics, public administration.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 56–5660; Filed, July 13, 1956; 8:55 a. m.]

Chapter V—The International Organizations Employees Loyalty Board

PART 501—OPERATIONS OF THE INTERNATIONAL ORGANIZATIONS EMPLOYEES LOYALTY BOARD

CONDUCT OF HEARINGS

Paragraph (g) is added to § 501.13 as set out below.

§ 501.13 *Conduct of hearings.* * * *

(g) Applicants and employees must pay their own travel and subsistence expenses incident to attendance at hearings, except that the Board may authorize the payment of travel and subsistence expenses to applicants or employees when the hearing is held at a place other than the place outside the continental limits of the United States where the employee works, or the applicant resides, and such payment is considered in the interest of good administration and funds are available for this purpose.

(E. O. 10422, 18 F. R. 239, 3183; 3 CFR, 1953 Supp.)

INTERNATIONAL ORGANIZATIONS EMPLOYEES LOYALTY BOARD, UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HENRY S. WALDMAN,
Chairman.

[F. R. Doc. 56–5661; Filed, July 13, 1956; 8:55 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 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF AND UNITED STATES CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

MISCELLANEOUS AMENDMENTS

Notice of a proposed amendment to the regulations governing the grading and inspection of poultry and edible products thereof and United States classes, standards, and grades with respect thereto (7 CFR Part 70) was published in the FEDERAL REGISTER on May 4, 1956 (21 F. R. 2985). The amendment hereinafter promulgated is pursuant to authority contained in the Agricultural Marketing Act of 1956 (60 Stat. 1087; 7 U. S. C. 1621 et seq.).

The amendment changes the identification mark permitted to be used on bulk packages of dressed poultry processed under the sanitation program; establishes, as a prerequisite to using the in-

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FEDERAL REGISTER

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spection mark, a minimum meat content of poultry pies; provides a new definition for poultry labeled as "Rock Cornish game hens"; deletes a provision under inspection charges to eliminate any implication that transfers of inspectors will be made at the request of an applicant for the service; and changes the application form for grading services by incorporating most of the provisions now contained in the application into Subpart A of the regulations under the general heading of fees and charges. The proposal to prescribe limitations pertaining to the use of grade terminology on packages bearing the inspection mark, when the products are not officially graded, is not being adopted in order to afford opportunity for further consideration of views and arguments submitted thereon.

After consideration of all relevant material presented, the amendment hereinafter set forth is promulgated to become effective upon publication in the FEDERAL REGISTER.

It is hereby found that good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER for the reason that: (1) The changes will improve the grading and inspection program; (2) it will preclude new firms applying for the service from making two applications within a 30-day period; (3) the major portion of this amendment changes the form of application for service and changes, effective December 31, 1956, a form of official identification. Other provisions are in the nature of clarifying amendments or relieving restrictions; and (4) no additional time is required by interested persons to prepare for this amendment.

The amendment is as follows:

1. Delete the word "contract" in the definition of "Grading or grading service" in § 70.1 *Definitions*, and substitute in lieu thereof the word "resident".

2. Change the definition of "Potable water" in § 70.1 *Definitions*, to read as follows:

"Potable water" means water that has been approved by the State health authority as safe for drinking and suitable for food processing.

3. Add a new definition in § 70.1 *Definitions*, which reads as follows:

"Rock Cornish game hen" or "Cornish game hen" means a young immature chicken (usually 5 to 8 weeks of age) weighing not more than 2 pounds ready-to-cook weight, which was prepared from a Cornish chicken or a Cornish chicken crossed with other breeds of chickens.

4. Add a new § 70.19 which reads as follows:

§ 70.19 *Processing poultry for export.* With respect to processed poultry that will be exported, the Administrator is authorized to waive any particular provision of the regulations that conflicts with the contract specifications of the foreign importer. Any poultry which was prepared for export on the basis of waived provisions pursuant to this section and which for some reason is not exported shall have all official marks removed therefrom and from the containers thereof prior to sale for domestic consumption.

5. Change paragraph (b) of § 70.48 *Suspension of plant approval*, to read as follows:

(b) During such period of suspension, inspection and grading service shall not be rendered. However, the other provisions of the regulations pertaining to providing service on a resident basis will remain in effect unless such service is terminated in accordance with the provisions of this part. If the plant facilities or methods of operation are not brought into compliance within a reasonable period of time, to be specified by the Administrator, the service shall be terminated. Upon termination of inspection or grading service in an official plant pursuant to the regulations in this part, the plant approval shall also become terminated, and all labels, seals, tags or packaging material bearing official identification shall, under the supervision of a person designated by the Service, either be destroyed, or the official identification completely obliterated, or sealed in a manner acceptable to the Service.

6. Change paragraph (b) *Wording on labels*, of § 70.93 *Marking inspected products*, to read as follows:

(b) *Wording on labels.* Each trade label approved for use on an immediate container pursuant to §§ 70.90 to 70.94 with respect to any graded or inspected and certified edible product, shall bear the following information:

(1) The common or usual name of the edible product;

(2) The name and address of the packer or distributor, and when the name of the distributor is shown, it shall be qualified by such term as "packed for," "distributed by," or "distributors";

(3) A statement of the net contents;

(4) The inspection mark, or grade mark, or the combined inspection and grade mark;

(5) The plant number, if any, of the official plant in which the product was inspected and certified or graded; and

(6) A statement of ingredients, if the edible product is made up of two or more ingredients; such ingredients shall be listed by their common or usual names in the order of descending proportion. For the purpose of this paragraph, the term "chicken meat" is construed to mean deboned white and dark meat; whereas, the term "chicken" includes other edible parts such as skin and giblets not in excess of their natural proportions, in addition to the chicken meat. If the term "chicken meat" is listed and the product also contains skin, giblets, or fat, it is necessary to also list them in the ingredient statement. This terminology shall apply to edible products prepared from other kinds of poultry where applicable.

7. Redesignate paragraphs (d), (e), and (f) of § 70.93 as paragraphs (e), (f), and (g) respectively, and add a new paragraph (d) which reads as follows:

(d) *Meat content of poultry pies.* On and after September 1, 1956, poultry pies, or pot pies, which are to bear the inspection mark and which are prepared from cooked meat shall contain a minimum of 14 percent (1¾ ounces per 8-ounce pie) of cooked deboned poultry meat. Poultry pies, or pot pies, prepared with raw meat shall contain a minimum of 25 percent (2 ounces per 8-ounce pie) of raw deboned poultry meat. Both percentages shall be exclusive of any skin, giblets, or fat which may be included in the product.

8. Change § 70.132 *Fees for appeal grading*, to read as follows:

§ 70.132 *Fees for appeal grading.* The fees to be charged for any appeal grading shall be double the fee specified in the grading certificate from which the appeal is taken: *Provided*, That the fee for any appeal grading requested by the United States, or any agency or instrumentality thereof, shall be not more than that set forth in the grading certificate from which the appeal is taken. If the fee on the certificate from which the appeal is taken is based on the provisions of § 70.138, then the fee for such appeal grading shall be double the amount specified in § 70.133 for the applicable volume of product appeal graded. If the result of any appeal grading discloses that a material error was made in the grading appealed from, no fee shall be required.

9. Delete § 70.138 and substitute therefor the following:

§ 70.138 *Grading performed on a resident grading basis.* Fees to be charged and collected for any grading service, other than for an appeal grading, on a resident grading basis, shall be those provided in this section. The fees to be charged for any appeal grading shall be as provided in § 70.132.

(a) *Charges.* The charges for grading of poultry and edible products thereof shall be paid by the applicant for the service and shall include such of the items listed in this section as are applicable. Payment for the full cost of the grading service rendered to the applicant shall be made by the applicant to the Agricultural Marketing Service, U. S. Department of Agriculture (hereinafter referred to as "AMS") not later than fifteen (15) days from the date of billing. Such full costs shall comprise such of the items listed in this section as may be due and may be included, from time to time, in the bill or bills covering the period or periods during which the grading service may be rendered. A charge

will be made by AMS in the amount of one (1) percent per month or fraction thereof of any amounts remaining unpaid after thirty (30) days from the date of bill.

(1) A charge of $75 for the initial survey and examination of blue prints of the designated plant and its premises prior to the performance by AMS of grading service provided that when the plant is approved for inspection of dressed poultry the charge shall be as provided in subparagraph (10) of this paragraph;

(2) A charge of $100 for the final survey and inauguration of the grading service including the assignment of one grader and one alternate grader provided they are installed at the same time;

(3) A charge of $50 for each additional grader or replacement of a previously assigned grader to the designated plant provided that at the sole discretion of the Service no such charge will be made for a replacement when such replacement is made by the use of a regular employee of the Service or when the replacement is made necessary by the transfer of an employee of the Service for the sole benefit of the Service;

(4) A charge equal to the salary costs paid to each grader assigned to the applicant's plant by AMS including an amount for annual leave and sick leave: *Provided*, That, no charge is to be made for salary costs of any assigned grader of the designated plant while temporarily reassigned by AMS to perform grading service for other than the applicant except when the assigned grader is performing service for the Department of Defense on products for delivery by the applicant to the Department of Defense, in which case the applicant will be given credit for the service rendered, based on a formula concurred in jointly by the Departments of Defense and Agriculture.

(5) A charge equal to the salary costs, travel expenses, and per diem paid by AMS to any grader whose services are required for relief purposes when regular graders are on annual or sick leave;

(6) A charge for the actual cost to AMS of any travel and per diem incurred by each grader assigned to the plant while in the performance of grading service for the applicant;

(7) A charge, at the sole discretion of AMS, of an amount not in excess of the actual cost to AMS of the travel (including the cost of movement of household goods and dependents) and per diem with respect to each grader who is transferred from an official station to the designated plant;

(8) A charge included in salary costs equal to the Employer's tax imposed under the United States Internal Revenue Code (26 U. S. C.) for Old Age and Survivor's benefits under the Social Security System and an amount equal to the cost to AMS for insurance as provided in the Federal Employees Group Life Insurance Act of 1954.

(9) An administrative service charge based upon the aggregate weight of the total monthly volume of all poultry handled in the plant, and computed in accordance with the following table:

COMPUTATION OF ADMINISTRATIVE SERVICE CHARGES

0 to 20,000 pounds	$25.00
20,001 to 100,000 pounds	38.00
100,001 to 150,000 pounds	42.75
150,001 to 200,000 pounds	47.50
200,001 to 250,000 pounds	52.25
250,001 to 300,000 pounds	57.00
300,001 to 400,000 pounds	61.75
400,001 to 500,000 pounds	66.50
500,001 to 600,000 pounds	71.25
600,001 to 700,000 pounds	76.00
700,001 to 800,000 pounds	80.75
800,001 to 900,000 pounds	85.50
900,001 to 1,000,000 pounds	90.25
1,000,001 pounds or more	95.00

(10) A charge of $5 per hour plus actual costs to AMS for per diem and travel costs incurred in rendering service not specifically covered in this section; such as, surveys in addition to the initial and final.

(11) A charge equal to 7 percent of the salary paid by AMS to each grader exclusive of one regular grader whose salary is paid by AMS.

(b) *Other provisions.* (1) The applicant shall designate in writing the employees of the applicant who will be required and authorized to furnish each grader with such information as may be necessary for the performance of the grading service.

(2) AMS will provide as available an adequate number of graders to perform the grading service.

(3) At the sole discretion of AMS graders may be either Federal or State employees or licensed employees of the applicant.

(4) The grading service shall be provided at the designated plant and shall be continued until the service is suspended, withdrawn, or terminated by:

(i) Mutual consent;

(ii) Thirty (30) days' written notice by either the applicant or AMS specifying the date of suspension, withdrawal, or termination;

(iii) One (1) day's written notice by AMS to the applicant, if the applicant fails to honor any invoice within thirty (30) days after date of invoice covering the cost of the grading service; or

(iv) Termination of the services pursuant to the provisions of subdivision (v) of this subparagraph;

(v) Grading service shall be terminated by AMS at any time AMS, acting pursuant to any applicable laws, rules, and regulations, debars the applicant from receiving any further benefits of the service.

(5) Federally employed graders will be required to confine their activities to those duties necessary in the rendering of grading service and such closely related activities as may be approved by AMS: *Provided*, That, in no instance will the Federally employed grader assume the duties of management.

9a. Change subparagraph (8) of paragraph (a) *Charges* of § 70.141 *Inspection performed on a resident inspection basis*, to read as follows:

(8) A charge of $250.00 to cover the average cost of travel per diem and movement of household goods of an inspector and his dependents whose travel headquarters is changed, when the assignment is made for the purpose of (i) installation of service, or (ii) when an additional inspector is assigned to the plant to handle increased workload: *Provided*, That, no charge shall be made when the assignment of an inspector is made at the sole discretion of AMS to replace an inspector who has resigned, retired, died, or otherwise become unable to perform the inspection work, or if his services are no longer required in the plant due to a decrease in the volume of work or the cancellation of the inspection service by the applicant, or for other administrative reasons.

10. Change paragraph (a) of § 70.201 *Issuance and disposition*, to read as follows:

(a) Each grader shall issue a grading certificate covering each product graded, except that with respect to products graded on a resident grading basis, certificates will be issued upon a request therefor by the applicant or the Service.

11. Change the first sentence of § 70.384 *Identification of dressed poultry processed under sanitary standards only*, to read as follows: "With respect to dressed poultry which has been graded or inspected for condition pursuant to § 70.16, the form of identification approved for use shall contain the wording 'Dressed Poultry—Eligible for Further Processing in U. S. Department of Agriculture Official Plants.' Identification labels approved prior to the effective date of this amendment may continue to be used until January 1, 1957."

12. Change the illustration in Figure 5 of § 70.384 as follows:

DRESSED POULTRY

ELIGIBLE FOR FURTHER PROCESSING

In U. S. Dept. of Agri. Official Plants

Plant No. 000. Lot 000

13. Change the title and provisions of § 70.410 to read as follows:

§ 70.410 *Application for grading service with respect to poultry.*

Application is hereby made, in accordance with the applicable provisions of the regulations (7 CFR Part 70) governing the grading and inspection of poultry and edible products thereof and United States classes, standards and grades with respect thereto, for poultry grading service at the following designated plant:

Name of plant _____

Street address _____

City and State _____

In making this application, the applicant agrees to comply with the terms and conditions of the aforesaid regulations (including but not being limited to, such instructions governing the grading of products as may be issued, from time to time, by the Administrator). This application is made for grading service to be performed on a resident grading basis pursuant to § 70.138 and such other

provisions of the aforesaid regulations which are applicable.

(Applicant) [1]
By ---

(Street)
--- ---
(City) (State)

(Date)

Application granted:

(Date)

(Title)

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

Issued at Washington, D. C., this 11th day of July 1956.

[SEAL] FRANK E. BLOOD,
Acting Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 56-5611; Filed, July 13, 1956; 8:49 a. m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter G—Determination of Proportionate Shares

[Sugar Determination 850.30, Supp. 1]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

COLORADO PROPORTIONATE SHARE AREAS AND FARM PROPORTIONATE SHARES FOR 1956 CROP

Pursuant to the provisions of the Determination of Proportionate Shares for Farms in the Domestic Beet Sugar Area, 1956 Crop (20 F. R. 7159) as amended (20 F. R. 8772; 21 F. R. 986, 3670), the Agricultural Stabilization and Conservation Colorado State Committee has issued the bases and procedures for dividing the State into proportionate share areas and establishing individual farm proportionate shares from the allocation of 131,591 acres established for Colorado by the Determination. Copies of these bases and procedures are available for public inspection at the office of such Committee at the New Custom House, Denver, Colorado, and at the offices of the Agricultural Stabilization and Conservation Committees in the sugar beet producing counties of Colorado. These bases and procedures incorporate the following:

§ 850.31 *Colorado*—(a) *Proportionate share area.* Colorado shall be divided into three proportionate share areas comprising the parts of the State included in the factory districts of the Great Western Sugar Company, the Rocky Ford-Sugar City-Swink factory districts, and the Delta factory district. These areas shall be designated Northern Area, Southern Area, and Western Area, respectively. Acreage allotments for these areas shall be computed by applying to the planted sugar beet acreage record for each area a weighting of 75 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production", and a weighting of 25 percent to the largest acreage of any of the crops of 1950 through 1954, as a measure of "ability to produce" with a reduction to 98.5 percent of the result of such weightings for each area in which 1955-crop plantings were less than 95 percent of the 1955-crop area allotment and with pro rata adjustments to a total of 131,591 acres. Acreage allotments computed as aforestated are established as follows: Northern Area—107,754 acres; Southern Area—18,867 acres; and Western Area—4,970 acres.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from area allotments as follows: Northern Area—1,078 acres for new producers, and 1,078 acres for appeals; Southern Area—189 acres for new producers, 189 acres for appeals and 950 acres for adjustments in initial shares; and Western Area—50 acres for new producers, 50 acres for appeals and 1,230 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm proportionate share shall be filed at the local ASC County Office on Form SU-100, Request for Sugar Beet Proportionate Share. The request shall be signed by the farm operator or owner (or legal representative) and shall be filed on or before the closing date for such filling, as provided in § 850.30.

(d) *Establishment of individual farm proportionate shares*—(1) *For new producers.* Within the acreage set aside for new producers in each proportionate share area, proportionate shares shall be established in an equitable manner for farms to be operated during the 1956-crop year by new producers (as defined in § 850.30) by taking into consideration the availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(2) *For second-year producers.* For each farm operated in the 1956-crop year by a second-year producer (as defined in § 850.30), an initial proportionate share shall be established equal to the initial 1955-crop share established for such farm.

(3) *For old producers*—(i) *Farm bases.* For each farm operated by an old producer (any producer except a new producer or a second-year producer) in the Southern or Western Area, the farm base shall be computed from the planted sugar beet acreage record of the farm by giving a weighting of 75 percent to the average acreage for the crops of 1950 through 1954, as a measure of "past production," and a weighting of 25 percent to the average acreage of the crops of 1953 and 1954, as a measure of "ability to produce." For each farm operated by an old producer in the Northern Area the factors "past production" and "ability to produce" shall be measured by establishing a farm base computed by multiplying the average planted sugar beet acreage for the farm for the crops of 1950 through 1954 (total planted acreage divided by the number of crops for which beets were actually planted) by the percentage shown for the category applicable to the farm as follows:

	Percent
Planted acreage for all 5 crops	96
Planted acreage only for last 4 crops	83
Planted acreage only for 4 crops other than last 4 consecutive crops	75
Planted acreage only for last 3 crops	66
Planted acreage only for 3 crops other than last 3 consecutive crops	54
Planted acreage only for last 2 crops	46
Planted acreage only for 2 crops other than last 2 consecutive crops	31
Planted acreage only for 1954 crop	24
Planted acreage only for 1 crop other than 1954 crop	16

(ii) *Initial proportionate shares.* Initial proportionate shares shall be established from farm bases in each area on a pro rata basis so that the total of the farm shares equals the area allotment less the prescribed set-asides and the initial shares of second-year producers.

(4) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each proportionate share area, adjustments shall be made in initial farm proportionate shares for old producers and second-year producers so as to establish a proportionate share for each farm which is fair and equitable as compared with proportionate shares for all other farms in the area by taking into consideration availability and suitability of land, area of available fields, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities and the production experience of the operator.

(5) *Adjustments under appeals.* Within the acreage set aside for making adjustments under appeals and any other acreage remaining unused in each proportionate share area, adjustments shall be made in proportionate shares under appeals to establish fair and equitable farm shares in accordance with the provisions of § 850.30 applicable to appeals.

(6) *Adjustments because of unused acreage.* To the extent of acreage available within the allotment for each proportionate share area from underplanting and failure to plant, and unused acreage from set-asides and other sources, adjustments shall be made in farm proportionate shares during the 1956-crop season. Insofar as practicable, acreage remaining unused in any area shall be reallotted to the other areas wherein it may be used.

(7) *Notification of farm operators.* The farm operator shall be notified concerning the proportionate share established for his farm on form SU-103, Notice of Farm Proportionate Share—1956 Sugar Beet Crop, even if the acreage established is "none", and in each case of approved adjustment the farm operator shall be notified regarding the adjusted proportionate share on another form SU-103 if the adjustment results from an appeal, otherwise on a form SU-103-A or other similar written notice.

[1] No Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any benefit that may arise from this service unless derived through service rendered a corporation for its general benefit.

(8) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of § 850.30.

STATEMENT OF BASES AND CONSIDERATIONS

This supplement sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Colorado State Committee for determining farm proportionate shares in Colorado in accordance with the determination of proportionate shares for the 1956 crop of sugar beets, as issued by the Secretary of Agriculture.

In general, the bases and procedures specified herein are the same as those which were effective in the State for the 1955 crop. Colorado is again divided into three areas, which division is considered reasonable and appropriate considering geographical locations, the operation of sugar beet processing plants and the organization of advisory committees including grower and processor representatives. Farm proportionate shares of old producers are established under formulas which measure "past production" and "ability to produce" sugar beets. These standards are reflected in the initial farm shares established for second-year producers, which coincide with their initial 1955-crop shares, as provided under § 850.30. The procedure for establishing farm shares for new producers meets the related requirements of such section.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugar beets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. Sup. 1132)

Dated: June 18, 1956.

[SEAL] HARRY CLARK,
Chairman, Agricultural Stabilization and Conservation Colorado State Committee.

Approved: July 9, 1956.

LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F. R. Doc. 56-5616; Filed, July 13, 1956; 8:49 a. m.]

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

[Valencia Orange Reg. 77]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 922.377 *Valencia Orange Regulation 77*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922; 21 F. R. 4392), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Valencia Orange Administrative Committee held an open meeting on July 12, 1956, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) The quantity of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., July 15, 1956, and ending at 12:01 a. m., P. s. t., July 22, 1956, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 785,400 cartons;

(iii) District 3: Unlimited movement.

(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

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

Dated: July 13, 1956.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 56-5717; Filed, July 13, 1956; 11:34 a. m.]

[Plum Order 13]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.538 *Plum Order 13*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication 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 July 15, 1956. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until July 10, 1956; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on July 10, 1956, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information were submitted to the Department; shipments of the current crop of such plums are now being made and this section should be applicable, insofar as possible, to all such shipments in order to effectuate the declared policy of the act; and