

Color	Maximum by weight (percent)
Thompson Seedless:	
Sulfur bleached and golden:	
Well-bleached (Extra Fancy).....	1
Reasonably well-bleached (Fancy).....	3
Fairly well-bleached (Extra Choice).....	6
Sulfur bleached: Bleached (Choice).....	15
Golden: Bleached (Choice).....	20
Grade A.....	10
Muscad: Soda dipped unseeded and seeded:	
Grade B.....	15
Grade C.....	20
Grade.....	

¹ Not applicable to layer (or cluster) or uncapstemed muscad raisins.

The United States Standards for Grades of Processed Raisins (which is the fifth issue) contained in this subpart shall become effective on September 1, 1956 and thereupon will supersede the United States Standards for Grades of Processed Raisins (§§ 52.1841 to 52.1851) which have been in effect since August 26, 1955.

Dated: August 23, 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 56-6940; Filed, Aug. 30, 1956;
8:45 a. m.]

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

[Docket No. AO-10-A21]

PART 903—MILK IN ST. LOUIS, MO. MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 903.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and of the previously issued amendments thereto; and all 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 the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend

to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) Additional findings. It is necessary, in the public interest, to make this order amending the order, as amended, effective not later than September 1, 1956, so as to reflect current marketing conditions. Any delay beyond September 1, 1956, in the effective date of this order amending the order, as amended, will impair the orderly marketing of milk in the St. Louis, Missouri, marketing area. The changes effected by this order amending the order, as amended, do not require of persons affected, substantial or extensive preparation prior to the effective date.

In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effective September 1, 1956, and that it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order 30 days after its publication in the FEDERAL REGISTER (sec. 4 (c), Administrative Procedure Act, 5 U. S. C. 1001 et seq.).

(c) Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the St. Louis, Missouri, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (June 1956), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the St. Louis, Missouri, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

In § 903.51 (a) (2) delete the proviso and substitute therefor the following: "Provided, That for the months of September, October, and November, 1956 such rate shall be five cents and the maximum amount shall be plus or minus 45 cents."

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

Issued at Washington, D. C., this 29th day of August 1956, to be effective on and after September 1, 1956.

[SEAL] EARL L. BUTZ,
Acting Secretary.

[F. R. Doc. 56-7037; Filed, Aug. 30, 1956;
8:55 a. m.]

[Docket No. AO-249-A2]

PART 919—MILK IN SOUTHWEST KANSAS MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 919.0 Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and of the previously issued amendments thereto; and all 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 the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Southwest Kansas marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make this order amending the order, as amended, effective not later than September 1, 1956, so as to reflect current marketing conditions. Any delay beyond September 1, 1956, in the effective date of this order amending the order, as amended, will impair the orderly marketing of milk in the Southwest Kansas, marketing area. The changes effected by this order amending the order, as amended, do not require of persons affected, substantial or extensive preparation prior to the effective date.

In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effective September 1, 1956, and that it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order 30 days after its publication in the FEDERAL REGISTER (sec. 4 (c), Administrative Procedure Act, 5 U. S. C. 1001 et seq.).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the Southwest Kansas, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of the order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is

produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (June 1956), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Southwest Kansas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

Change the period at the end of § 919.51 (a) to a colon and add the following: "Provided, That during each of the months of September, October, and November 1956, such price should be increased by 25 cents per hundred-weight."

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

Issued at Washington, D. C., this 29th day of August 1956, to be effective on and after September 1, 1956.

[SEAL]

EARL L. BUTZ,
Acting Secretary.

[F. R. Doc. 56-7038; Filed, Aug. 30, 1956; 8:55 a. m.]

PART 958—IRISH POTATOES GROWN IN COLORADO

LIMITATION OF SHIPMENTS

§ 958.323 Limitation of shipments—

(a) *Findings.* (1) Pursuant to Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958), regulating the handling of Irish potatoes grown in the State of Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et. seq.), and upon the basis of the recommendation and information submitted by the area committee for Area No. 1, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby 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 (5 U. S. C. 1001 et seq.) in that (i) 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, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (iii) compliance with this section will not require any prepara-

tion on the part of handlers which cannot be completed by the effective date, (iv) a reasonable time is permitted under the circumstances, for such preparation, and (v) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period from September 3, 1956, through May 31, 1957, no handler shall ship any potatoes of the round varieties grown in Area No. 1 unless such potatoes meet the requirements of the U. S. No. 2, or better, grade, and are of a size not less than 2 inches minimum diameter, as such terms are defined in the United States Standards for Potatoes (§§ 51.1540 to 51.1559 of this title), including the tolerances set forth therein.

(2) During the period from September 3, 1956, through November 1, 1956, and subject to the requirements set forth in subparagraph (1) of this paragraph, no handler shall ship any lot of potatoes of the round varieties grown in Area No. 1 if such potatoes are more than "slightly skinned," as such term is defined in said United States Standards, which means that not more than 10 percent of such potatoes have more than one-fourth of the skin missing or "feathered."

(3) Notwithstanding the restrictions of this section, any handler may ship potatoes for livestock feed only if such handler had (i) first made application to the area committee for Area No. 1 for permission to make such shipment and (ii) obtained the committee's permission to make such shipment. Such application to the committee shall be accompanied by a certification from both the handler and the consignee or buyer that the potatoes will in fact be used as livestock feed.

(4) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58.

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

Dated: August 29, 1956.

[SEAL]

G. R. GRANGE,
Acting Director,
Fruit and Vegetable Division.

[F. R. Doc. 56-7057; Filed, Aug. 30, 1956; 8:55 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter B—Economic Regulations

[Reg. ER-216]

PART 242—FILING OF REPORTS BY SUPPLEMENTAL AIR CARRIERS AND LARGE IRREGULAR AIR CARRIERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 28th day of August 1956.

In its decision in the Large Irregular Air Carrier Investigation, Docket No. 5132, et al, dated November 15, 1955, the Board adopted Order No. E-9744 creating the classification of "supplemental air carriers" and establishing certain policies with regard to the permissible

operations of these carriers. The amendments contained herein are largely designed to make Part 242 applicable to this new classification of carriers and to implement the policy determinations contained in the aforementioned order.

The revised Part 242 requires supplemental air carriers and large irregular air carriers to file flight reports monthly rather than quarterly. This revision also clarifies and expands the definitions now contained in Part 242. Inasmuch as these changes serve merely to implement the Board's order in the Large Irregular Air Carrier Investigation, cited supra, all interested parties have had notice concerning such changes. It should be noted that no objections were raised to those parts of the order upon which these modifications are predicated. Furthermore, the Board has informally requested the carriers to submit flight reports on a monthly basis and this request is currently being complied with.

The requirement of this part that the supplemental air carriers and the large irregular air carriers shall file a copy of each agreement with ticket agents is expanded herein to include cargo agents as well. The further provision is included to require these carriers to file with the Board a copy of each type of ticket sold for the transportation of persons by air, as well as the names and addresses of ticket and cargo agents with whom agreements have been concluded by the carriers. Noncertificated cargo carriers have been eliminated from the classification of carriers subject to this part.

Since these changes are relatively minor in nature, and in view of all of the foregoing circumstances, the Board finds that notice and public procedure hereon appear unnecessary and not in the public interest. However, the usual 30-day notice is being provided by making the revised Part 242 effective on October 1, 1956.

Accordingly, the Civil Aeronautics Board hereby amends Part 242 of the Economic Regulations (14 CFR, Chapter I) effective October 1, 1956, to read as follows:

Sec.
242.1 Definitions.
242.2 Statistical and flight reports required.
242.3 Filing of copies of agreements, manifests, and other flight data and publicity material.

AUTHORITY: §§ 242.1 to 242.3 issued under sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 407, 52 Stat. 1000 as amended; 49 U. S. C. 487.

§ 242.1 *Definitions.* For the purposes of this part:

(a) "Agreement" means any oral or written agreement, contract, understanding, or arrangement, and any amendment, revision, modification, renewal, extension, cancellation or termination thereof.

(b) "Ticket agent" means any person (other than the air carrier actually performing the direct air transportation or one of its bona fide regular employees) who for compensation or profit:

(1) Solicits, obtains, receives, or furnishes directly or indirectly passengers or groups of passengers for transporta-

tion upon the aircraft of an air carrier subject to this part, or

(2) Procures or arranges for air transportation of passengers or groups of passengers upon aircraft of an air carrier subject to this part by charter, lease, or any other arrangement.

(c) "Cargo agent" means any person (other than the air carrier actually performing the direct air transportation or one of its bona fide regular employees or an indirect air carrier lawfully engaged in air transportation under the exemption authority conferred by any applicable part of the Economic Regulations of the Board) who for compensation or profit:

(1) Solicits, obtains, receives or furnishes directly or indirectly property or consolidated shipments of property for transportation upon the aircraft of an air carrier subject to this part, or

(2) Procures or arranges for air transportation of property or consolidated shipments of property upon aircraft of an air carrier subject to this part by charter, lease, or any other arrangement.

(d) "Supplemental air carrier" means any air carrier classified and defined as such in Board Order No. E-9744, and holding an "Interim Operating Authorization" issued thereunder.

(e) "Large irregular air carrier" means any air carrier which:

(1) Directly engages in air transportation,

(2) Utilizes in such transportation one or more aircraft of more than 12,500 pounds maximum certificated take-off weight (as defined in § 42.1 of this chapter),

(3) Does not hold a certificate of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended; and

(4) Does not operate, or hold out to the public expressly or by course of conduct that it operates, one or more aircraft between designated points, or within a designated point, regularly or with a reasonable degree of regularity, upon which aircraft it accepts for transportation, for compensation or hire, such members of the public as apply therefor or such property as the public offers. No air carrier shall be deemed to be an irregular air carrier unless the air transportation services offered and performed by it are of such infrequency as to preclude an implication of a uniform pattern or normal consistency of operation between, or within, such designated points.

§ 242.2 *Statistical and flight reports required.* Each supplemental air carrier, and each large irregular air carrier, shall file with the Board monthly the prescribed number of copies of Schedule F of completed CAB Form 242, entitled "Report of Financial and Operating Statistics for Supplemental Air Carriers" and shall file all other schedules comprising CAB Form 242 in accordance with the instructions accompanying such form. Each such supplemental air carrier and large irregular air carrier shall keep all accounts, records, and memoranda (including accounts, records and memoranda of the movement of traffic as well as the receipts and expenditures of

money), which are needed in order to accomplish full compliance with the reporting requirements of this part. Such accounts, records, and memoranda as relate to statistical reports shall be preserved for three years, and such as relate to flight reports shall be preserved for one year. The reports to be filed by such carriers shall be prepared in accordance with the following provisions and shall be certified to be correct by the responsible officers of the reporting carriers.

§ 242.3 *Filing of copies of agreements, manifests, other flight data and publicity material.* (a) All supplemental air carriers and large irregular air carriers shall file with the Board, contemporaneously with filing the flight reports under Schedule F of CAB Form 242 as required by § 242.2, one copy of each of the following supplements to Schedule F:

(1) *Agreements and manifests.* All written agreements, memoranda of all oral agreements, and all passenger and cargo manifests covering flights in the following categories:

(i) Each flight on which persons, either revenue or nonrevenue (other than crew required by applicable Civil Air Regulations), were carried between a point in the United States (as defined by section 1 (33) of the Civil Aeronautics Act) and a point outside thereof.

(ii) Each flight which does not constitute common carriage.

(2) *Other flight data.* A tabulation of the following data for each flight of the categories designated under subdivisions (i) and (ii) of subparagraph (1) of this paragraph (unless the information is available from instruments filed pursuant to said subparagraph):

(i) Name and address of the person for whom the flight was operated.

(ii) Manner in which passengers and cargo transported on such flight were obtained (solicitation, advertising, circular, etc.).

(iii) Nature, terms, and conditions of the arrangements for such flight.

(iv) Obligations and responsibilities of the parties to the arrangement in connection with the transportation.

(v) Number of persons (other than crew required by applicable Civil Air Regulations) carried on each flight of the category designated by subdivision (i) of subparagraph (1) of this paragraph.

(3) *Agreements with ticket and cargo agents.* If it is pertinent to any of the subjects listed below in subdivision (i), (ii), (iii) or (iv) of this subparagraph, true and complete lists of the names and addresses of each ticket and cargo agent by whom agreements have been made with a supplemental or large irregular air carrier and true and complete copies of all agreements between supplemental or large irregular air carrier and any ticket or cargo agent:

(i) The furnishing of passengers, groups of passengers or cargo for transportation by air.

(ii) The making of arrangements for flights for the accommodation of passengers, groups of passengers or cargo.

(iii) The solicitation or generation of passenger or cargo traffic to be trans-

ported by the supplemental air carrier or large irregular air carrier; or

(iv) The charter or lease of aircraft.

(4) *Publicity material on supplemental air carrier and large irregular air carrier operations.* Each advertisement, circular, pamphlet, brochure, or other publicity material and each announcement or notice issued by a supplemental carrier or large irregular carrier during the preceding period and pertaining to any of its air transportation services for passengers, and information with respect to each such item showing, if published in a newspaper, magazine or other advertising medium, the place and date or dates of issue, and the name of the publication, or if distributed otherwise, (such as through circulars, bulletins, pamphlets, or brochures), the dates, manner and extent of distribution.

(5) *Tickets.* True and complete copies of each type of tickets sold for the transportation of persons by air.

(b) Data reported pursuant to paragraphs (a) (1) and (a) (2) of this section shall be available for official use on behalf of the Civil Aeronautics Board, but shall otherwise be withheld from public disclosure except as disclosure may be necessary in carrying out responsibilities under section 412 of the act.

Effective date. This part shall become effective October 1, 1956.

Note: The record keeping and reporting requirements of this amendment have been coordinated with the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 56-7040; Filed, Aug. 30, 1956;
8:55 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter B—Food and Food Products

PART 14—CACAO PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

PART 16—ALIMENTARY PASTES; DEFINITIONS AND STANDARDS OF IDENTITY

PART 17—BAKERY PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY

PART 18—MILK AND CREAM; DEFINITIONS AND STANDARDS OF IDENTITY

PART 19—CHEESE; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS; AND RELATED FOODS; DEFINITIONS AND STANDARDS OF IDENTITY

PART 45—OLEOMARGARINE, MARGARINE; DEFINITIONS AND STANDARDS OF IDENTITY

NONFAT DRY MILK

Pursuant to Public Law 646, 84th Cong., 2d Sess. (70 Stat. 486; 21 U. S. C. 321c), the name of the article previously designated "nonfat dry milk solids" or "defatted milk solids" was changed to "nonfat dry milk." Therefore, it is ordered, That the sections indicated below be

amended by changing the term "nonfat dry milk solids" or "defatted milk solids" to read "nonfat dry milk":

Section 14.6 (a) (5).

Section 14.7 (b).

Section 14.8 (a) (1).

Section 16.2 (f).

Section 17.1 (a) (2).

Section 17.3 (c).

Section 18.540: The note at the end of this section should be changed to read:

Note: 70 Stat. 486, 21 U. S. C. 321c, provides a statutory definition for this food under the name "nonfat dry milk."

Section 19.500 (e) (1) (two places).

Section 19.505 (c) (1) (two places).

Section 19.510 (c) (1) (two places).

Section 19.515 (b) (3) (two places).

Section 19.520 (b) (3) (two places).

Section 19.525 (b) (2) (two places).

Section 19.535 (c) (1) (two places).

Section 19.545 (c) (1) (two places).

Section 19.550 (c) (1) (two places).

Section 19.555 (c) (1) (two places).

Section 19.565 (c) (3) (two places).

Section 19.567 (c) (3) (two places).

Section 19.569 (c) (two places).

Section 19.575 (c) (1) (two places).

Section 19.580 (c) (1) (two places).

Section 19.590 (c) (1) (two places).

Section 19.591 (c).

Section 19.595 (c) (two places).

Section 19.610 (c).

Section 19.615 (c) (two places).

Section 19.635 (c) (two places).

Section 19.650 (c) (1).

Section 19.655 (c) (1).

Section 19.660 (c) (1).

Section 19.665 (c) (1).

Section 19.670 (c) (1).

Section 19.680 (c).

Section 19.685 (c) (two places).

Section 45.1 (a) (2) (iv) (two places).

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701 (a), 52 Stat. 1055; 21 U. S. C. 371 (a)) and delegated to the Commissioner of Food and Drugs by the Secretary (20 F. R. 1996).

Notice and public procedure are unnecessary, since the amendments are necessitated by the terms of Public Law 646, 84th Cong., 2d Sess.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 201c, 58 Stat. 108, as amended 70 Stat. 486; 21 U. S. C. 321c)

Dated: August 24, 1956.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F. R. Doc. 56-6993; Filed, Aug. 30, 1956;
8:46 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

CUMBERLAND RIVER, TENNESSEE

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.560 governing the operation of drawbridges across the Mississippi River and tributaries where constant attendance of draw tenders is not required

is amended by revision of paragraph (g) (4), governing the operation of the Louisville and Nashville Railroad Company bridge across the Cumberland River at Clarksville, Tennessee, to permit operation of the bridge on advance notice when the existing stage is below 35 feet, as follows:

§ 203.560 *Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.* * * *

(g) *Ohio River and Upper Mississippi River.* * * *

(4) *Cumberland River, Tenn.* Louisville and Nashville Railroad Company bridge at Clarksville. When the river stage is below 35 feet on the United States Weather Bureau gage at Clarksville, at least 2 hours' advance notice required. Copies of the notice posted in accordance with paragraph (d) of this section shall also be conspicuously posted on Locks B and C, Cumberland River. The owner of or agency controlling the bridge shall arrange for ready telephonic communication with its authorized representative at any time from the bridge or its immediate vicinity, and from Lock B and Lock C.

[Regs. August 10, 1956, 823.01 (Cumberland River, Tenn.)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U. S. C. 499)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 56-6991; Filed, Aug. 30, 1956;
8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 1331]

[1783616]

IDAHO

PARTIALLY REVOKING EXECUTIVE ORDER NO. 8397 OF APRIL 23, 1940, WHICH WITHDREW LANDS FOR CLASSIFICATION

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Order No. 8397 of April 23, 1940, so far as it withdrew the public lands in the following-described areas in Idaho (exclusive of the lands described in paragraph 2 of this order) for classification and in aid of pending legislation, is hereby revoked:

BOISE MERIDIAN

T. 46 N., R. 1 E.

Secs. 1 to 18, inclusive;

Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, lots 1, 2, 3, and 4;

Sec. 20, N $\frac{1}{2}$ N $\frac{1}{2}$, lots 1, 2, 3, 4, 7, and 10;

Sec. 21, N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, lots 1, 2, 3, 4, and 5;

Sec. 22, N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, lots 1, 2, 6, and 7;

Sec. 23, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, lots 1, 2, 3, 6, 8, and 9;

Sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$, lots 1, 2, 3, 7, and 8;
 Sec. 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$, lots 1, 4, 5, and 8.
 T. 47 N., R. 1 E.,
 Secs. 19 to 36, inclusive.
 T. 46 N., R. 2 E.,
 Secs. 1 to 30, inclusive;
 Sec. 31, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, lots 1, 4, 5, and 9;
 Secs. 32 to 36, inclusive.
 T. 47 N., R. 2 E.,
 Secs. 19 to 36, inclusive.
 T. 46 N., R. 1 W.,
 Secs. 1 to 6, inclusive;
 Sec. 7, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
 lots 1, 2, 3, 4, and 6;
 Sec. 8, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, lots 1, 2,
 and 3;
 Sec. 9, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, lots 1 and 2;
 Sec. 10, 11, and 12;
 Sec. 13, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, lots 1, 2,
 and 3;
 Sec. 14, N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, lots 1, 2, 3, and 7;
 Sec. 15, N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, lots 1, 2,
 5, and 6;
 Sec. 16, lots 1, 5, 6, 7, 11, and 12;
 Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$, lots 1, 2, 5, 6, 7, and 8;
 Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$, lots 1, 2, and 7;
 Sec. 22, lot 2;
 Sec. 24, lot 1.
 T. 47 N., R. 1 W.,
 Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, lots 5, 6, 7, and 8;
 Secs. 21 to 28, inclusive;
 Sec. 29, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
 lot 2;
 Sec. 30, SE $\frac{1}{4}$ SE $\frac{1}{4}$, lots 9, 10, and 11;
 Sec. 31, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, lots 5,
 6, 7, 8, 9, 10, and 11;
 Secs. 32 to 36, inclusive.
 T. 46 N., R. 2 W.,
 Sec. 1, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, lots 1, 2, 3,
 and 4;
 Sec. 12, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
 N $\frac{1}{2}$ SE $\frac{1}{4}$, lots 1, 2, and 3;
 Sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$, lots 2, 3, 4, 5, and 6.
 T. 47 N., R. 2 W.,
 Sec. 36, lot 2.

The areas described aggregate 80,274.76 acres of which approximately 46,800 acres have been patented.

2. The following-described lands withdrawn by Executive Order No. 8397 shall remain within the withdrawal created by that order:

BOISE MERIDIAN

T. 46 N., R. 1 W.,
 Sec. 1, lot 2 and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 2, lots 1, 2, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
 and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 3, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 4, lot 2.
 T. 47 N., R. 1 W.,
 Sec. 22, SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 23, S $\frac{1}{2}$;
 Sec. 24, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 25, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26;
 Sec. 27;
 Sec. 33, E $\frac{1}{2}$;
 Sec. 34;
 Sec. 35, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and
 NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36, lots 1, 2, 3, and 4.

The areas described aggregate 4,470.67 acres.

3. Approximately 16,040 acres of the released lands are within the Saint Joe National Forest and shall be opened, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, to such applications, selections, and locations as are permitted on national forest lands effective at 10:00 a. m. on September 29, 1956.

4. The restored lands are located in the general locality of Saint Maries,

Idaho. They are mainly of rough and mountainous topography and are valuable for timber production.

5. No application for the restored lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

6. Subject to any valid existing rights and the requirements of applicable law, the restored lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on September 29, 1956 will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on December 29, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on December 29, 1956 will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to applications and offers under the mineral-leasing laws and to location for metalliferous minerals. They will be open to location for non-metalliferous minerals under the United States mining laws beginning at 10:00 a. m. on December 29, 1956.

7. Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equita-

ble claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

FRED G. AANBAHL,
 Acting Secretary of the Interior.

AUGUST 24, 1956.

[F. R. Doc. 56-6995; Filed, Aug. 30, 1956;
 8:46 a. m.]

[Public Land Order 1332]

[Misc. 68155]

OREGON

POWER SITE RESTORATION NO. 516; PARTIALLY REVOKING THE EXECUTIVE ORDER OF JULY 2, 1910, SO FAR AS IT CREATED POWER SITE RESERVE NO. 126

By virtue of the authority contained in section 1 of the act of June 25, 1910, c. 421 (36 Stat. 847; 43 U. S. C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The Executive order of July 2, 1910, so far as it withdrew the following-described lands as Power Site Reserve No. 126, is hereby revoked:

WILLAMETTE MERIDIAN

T. 14 S., R. 42 E.,
 Sec. 19, S $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 20, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 21, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 28, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 34, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$.
 T. 15 S., R. 42 E.,
 Sec. 2, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$.

The areas described aggregate 1,720 acres.

The lands are grazing lands located in the northeast corner of Malheur County, Oregon, within the boundaries of Oregon Grazing District No. 3. They lie from 3 to 8 miles northwest of Brogan, Oregon, which is on U. S. Highway No. 28, twenty-four miles northwest of Vale, Oregon, the County Seat of Malheur County. Willow Creek flows through part of the lands, and a road along this creek runs through or near all the lands. They are at an average elevation of 3,000 feet and are rolling to rough. The soil is generally sandy clay, quite often intermingled with rock and gravel. The annual precipitation is ten inches, most of which falls during the nongrowing season. The vegetative cover consists of cheat grass, sage brush, some browse, and weeds.

No application for the lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

RULES AND REGULATIONS

Subject to any valid existing rights and the requirements of applicable law, the lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on September 29, 1956, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on December 29, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on December 29, 1956 will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to applications and offers under the mineral-leasing laws. They also have been open to location under the United States mining laws pursuant to the provisions of the act of August 11, 1955 (69 Stat. 683; 30 U. S. C. 621).

Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

The lands released from withdrawal by this order shall be subject, until 10:00 a. m. on December 28, 1956, to application by the State of Oregon, under any statute or regulation applicable thereto, for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways pursuant to section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818) as amended.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oregon.

FRED G. AANDAHL,
Acting Secretary of the Interior.

AUGUST 24, 1956.

[F. R. Doc. 56-6996; Filed, Aug. 30, 1956;
8:47 a. m.]

[Public Land Order 1333]

[1727093]

OREGON

TRANSFERRING LANDS RESERVED BY EXECUTIVE ORDER NO. 8911 OF SEPTEMBER 27, 1941, FROM THE DEPARTMENT OF THE INTERIOR TO THE DEPARTMENT OF AGRICULTURE

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The public lands within the following-described areas, which were reserved by Executive Order No. 8911 of September 27, 1941, for use of the Secretary of the Interior as an experimental range to provide basic information for the administration of the Taylor Grazing Act, are hereby transferred, together with improvements and appurtenances belonging thereto, from the Department of the Interior to the Department of Agriculture for use by the Agricultural Research Service for research purposes:

WILLAMETTE MERIDIAN

T. 24 S., R. 25 E.,
Sec. 1, S $\frac{1}{2}$;
Sec. 2, S $\frac{1}{2}$;
Sec. 3, S $\frac{1}{2}$;
Sec. 4, S $\frac{1}{2}$;
Sec. 5, S $\frac{1}{2}$;
Secs. 8 to 17, inclusive;
Secs. 20 to 29, inclusive;
Sec. 32, N $\frac{1}{2}$;
Sec. 33, N $\frac{1}{2}$;
Sec. 34, N $\frac{1}{2}$;
Sec. 35, N $\frac{1}{2}$;
Sec. 36, N $\frac{1}{2}$.
T. 24 S., R. 26 E.,
Sec. 6, lots 6 and 7.

The areas described aggregate 14,593.80 acres.

This order shall be effective as of July 1, 1956.

FRED G. AANDAHL,
Acting Secretary of the Interior.

AUGUST 27, 1956.

[F. R. Doc. 56-6997; Filed, Aug. 30, 1956;
8:47 a. m.]

[Public Land Order 1334]

[New Mexico 018969]

NEW MEXICO

RESERVING LANDS WITHIN SANTA FE NATIONAL FOREST, ADDITIONAL TO THOSE WITHDRAWN BY PUBLIC LAND ORDER NO. 1095 OF MARCH 15, 1955, FOR USE OF FOREST SERVICE AS CAMPGROUND AND RECREATION AREAS

By virtue of the authority vested in the President by the act of June 4, 1897 (30

Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Santa Fe National Forest are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as additions to the campground and recreation areas hereinafter designated, which were established by Public Land Order No. 1095 of March 15, 1955:

NEW MEXICO PRINCIPAL MERIDIAN

Fishing Hole Campground:

T. 17 N., R. 14 E.,
Sec. 10, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 100 acres.

Oak Flats-El Code Recreation Area:

T. 17 N., R. 14 E.,
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The tract described contains 20 acres.

Soap Creek Recreation Area:

T. 17 N., R. 14 E.,
Sec. 9, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 100 acres.

Three Falls Forest Camp:

T. 17 N., R. 14 E.,
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 80 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
Acting Secretary of the Interior.

AUGUST 27, 1956.

[F. R. Doc. 56-6998; Filed, Aug. 30, 1956;
8:47 a. m.]

[Public Land Order 1335]

[BLM 038003]

ARKANSAS

RESERVING PUBLIC LANDS WITHIN OUACHITA NATIONAL FOREST FOR USE OF FOREST SERVICE AS LOOKOUT STATIONS, RECREATION AREAS, OR FOR OTHER PUBLIC PURPOSES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Ouachita National Forest in Arkansas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and the mineral-leasing laws, except for oil and gas, provided that no part of the surface of the lands, not included within existing oil and gas leases, shall be used in connection with prospecting, mining, and removal of the oil and gas, and reserved for use of the Forest Service, Department of Agriculture, as lookout stations, recreation areas, or for other public purposes: