

reflect current marketing conditions and to facilitate, promote and maintain orderly marketing conditions in the marketing area; and

(5) The effect of this action does not change the financial obligation of handlers and does not require of persons affected substantial or extensive preparation prior to its effective date.

Therefore, good cause exists for making this suspension order effective February 1, 1958.

It is therefore ordered, That the following provisions of § 995.43 (d) of the order be and hereby are suspended:

(1) The monthly average number of pounds assigned to such supply plant as Class I milk from such distributing plant during the preceding period September through December, inclusive;

(2) An amount computed as follows: Determine the percentage which the volume of Class I milk described under subparagraph (1) of this paragraph bears to the monthly average pounds of Class I milk at such distributing plant for the preceding period September through December, inclusive, and multiply the total Class I milk at such distributing plant for the current month by such percentage; and (3).

(Sec. 6, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 28th day of January 1958, to be effective on February 1, 1958.

[SEAL]

DON PAARLBERG,
Assistant Secretary.

[F. R. Doc. 58-775; Filed, Jan. 31, 1958;
8:49 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54524]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

EXTENSION OF LIMITS OF CUSTOMS PORT OF LOS ANGELES, CALIF.

JANUARY 23, 1958.

By virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U. S. C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR, 1951 Supp., Ch. II), the limits of the customs port of entry of Los Angeles, California, the headquarters port of Customs Collection District No. 27 (Los Angeles), comprising the territory within the corporate limits of that city (which includes San Pedro and Wilmington, California), and the territory within the corporate limits of Long Beach and El Segundo, California, are hereby extended to include the territory embracing that portion of Los Angeles County, State of California, lying east of the corporate limits of Los Angeles, bounded on the north by Whittier Boulevard, on the east by Rosemead Boulevard, and on the south by Firestone Boulevard, effective on the date of publication of this Treasury decision in the FEDERAL REGISTER.

Section 1.1 (c), Customs Regulations, is amended by changing the period to a semicolon after the parenthetical matter opposite "Los Angeles" in the column headed "Ports of entry" in District No. 27 (Los Angeles), and by adding "(also, including territory described in T. D. 54524)" after the semicolon.

(R. S. 161; 5 U. S. C. 22, Interprets or applies sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended; 19 U. S. C. 2.)

[SEAL]

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F. R. Doc. 58-789; Filed, Jan. 31, 1958;
8:52 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

Subchapter A—Meat Inspection Regulations

PART 18—REINSPECTION AND PREPARATION OF PRODUCTS

PRESERVATIVES AND OTHER SUBSTANCES PER- MITTED IN PRODUCT FOR EXPORT ONLY

On November 22, 1957, there was published in the FEDERAL REGISTER (22 F. R. 9366) a notice of proposed amendment of the Meat Inspection Regulations (9 CFR 18.8, as amended). After due consideration of all relevant matters submitted in connection with the notice, and pursuant to the authority conferred by the Meat Inspection Act, as amended and extended (21 U. S. C. 71-96) the aforesaid regulation is hereby amended as follows:

1. Section 18.8 is amended by changing the heading and paragraphs (a) and (b) of said section to read:

§ 18.8 *Preservatives and other substances permitted in product for export only; handling; such product not to be used for domestic food purposes.* (a) Preservatives and other substances not otherwise permitted in Parts 1 through 29 of this subchapter may be used in the preparation and packing of product intended for export provided the product (1) accords to the specifications of the foreign purchaser, (2) is not in conflict with the laws of the country to which it is intended for export, and (3) is labeled on the outside of the shipping container to show that it is intended for export, and is otherwise labeled as required by Parts 1 through 29 of this chapter for such export product.

(b) The preparation and packing of export product as provided for in paragraph (a) of this section shall be done in a manner acceptable to the inspector in charge so that the identity of the export product is maintained conclusively and the preparation of domestic product is adequately protected. The preservative or other substances not permitted in domestic product shall be stored in a room or compartment separate from areas used to store other supplies and shall be held under Division lock. Use of the preservative or other substances shall be under the personal supervision of a Division employee.

2. Section 18.8 is further amended by deleting from paragraph (c) the phrase

"and (b)" and the letter "s" in the word "paragraphs", by deleting from paragraph (d) and the first sentence in paragraph (e) the phrase "or (b)", and by changing the phrase "paragraph (a) or (b) and paragraph (c)" appearing in the second sentence in paragraph (e) to read "paragraphs (b) and (c)".

The foregoing amendments to the Meat Inspection Regulations will allow for the manufacture of a meat food product with ingredients satisfactory to the foreign country for which the product is intended, although such ingredients may not be cleared for use in the manufacture of products for domestic use. The amendments of § 18.8 (c), (d) and (e) are merely formal in nature and are incidental to the amendment proposed in the notice of rule making. Therefore it is found upon good cause under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that notice and other public procedure thereon are impracticable and unnecessary. Since the amendments relieve restrictions or are formal in nature, under section 4 of the Administrative Procedure Act, good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

(Ch. 2907, 34 Stat. 1264, sec. 306, 46 Stat. 689; 19 U. S. C. 1306, 21 U. S. C. 89)

The amendments shall become effective on February 1, 1958.

Done at Washington, D. C. this 29th day of January 1958.

[SEAL]

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F. R. Doc. 58-798; Filed, Jan. 31, 1958;
8:54 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter V—Bureau of Employment Security, Department of Labor

PART 609—REGULATIONS TO IMPLEMENT TITLE XV OF THE SOCIAL SECURITY ACT, AS AMENDED; RESPONSIBILITIES OF FED- ERAL AGENCIES

PART 610—REGULATIONS TO IMPLEMENT TITLE XV OF THE SOCIAL SECURITY ACT, AS AMENDED; RESPONSIBILITIES OF STATE EMPLOYMENT SECURITY AGENCIES

OFFICIAL STATION

The purpose of this amendment is to redefine the term "official station" as used in Title XV of the Social Security Act, as amended, in order to provide for the use by Federal agencies of Standard Form 50, Notification of Personnel Action, as revised July 1957. This amendment is made necessary because of a change in this form by the Civil Service Commission. As the use of the revised form has been made optional until July 1, 1958, the amendment has been so framed as to be equally applicable to the use of either the new or the old form by the Federal agency. Since this change is of a procedural nature, there is no necessity for a delayed effective date.

Pursuant to the authority vested in me by section 1509, Title XV of the Social Security Act, as amended (68 Stat. 1130; 42 U. S. C. A. 1361, et seq.), effective upon publication in the FEDERAL REGISTER, Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 609.1 (c) of Part 609 is amended to read:

(c) "Official station" means the State (or country if outside the United States) designated on the Federal employee's notification of personnel action terminating his Federal service (Standard Form 50 or its equivalent) as his "duty station". If no "duty station" is specified, the individual's "official station" shall be his "headquarters" (Item No. 11, Standard Form 50, Revised April 1951), or "name and location of office by which employed" (Item No. 10, Standard Form 50, Revised July 1957). If the notification of personnel action is by a form other than Standard Form 50, and the form does not specify any of the above, his "official station" shall be the location (State or country) shown on the form as his place of employment.

2. Section 610.1 (g) of Part 610 is amended to read:

(g) "Official station" means the State (or country if outside the United States) designated on the Federal employee's notification of personnel action terminating his Federal Service (Standard Form 50 or its equivalent) as his "duty station". If no "duty station" is specified, the individual's "official station" shall be his "headquarters" (Item No. 11, Standard Form 50, Revised April 1951), or "name and location of office by which employed" (Item No. 10, Standard Form 50, Revised July 1957). If the notification of personnel action is by a form other than Standard Form 50, and the form does not specify any of the above, his "official station" shall be the location (State or country) shown on the form as his place of employment.

(Sec. 1509, 68 Stat. 1135; 42 U. S. C. 1369)

Signed at Washington, D. C., this 25th day of January 1958.

JAMES P. MITCHELL,
Secretary of Labor.

[F. R. Doc. 58-807; Filed, Jan. 31, 1958; 10:07 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order No. 62 (AGE-7, Amdt. 6)]

AGE-7—AUTHORITY OF GENERAL AGENTS TO PROVIDE FOR AMERICAN MERCHANT MARINE LIBRARY SERVICE

GENERAL AGENTS' AUTHORITY; FORM OF AGREEMENT; PERIOD OF AGREEMENT

It is hereby ordered that NSA Order No. 62 (AGE-7) be further amended as follows:

1. Section 2 *General Agents' authority; form of agreement* is hereby amended by deleting the first sentence of article 7 thereof and substituting therefor the following new sentence: "The Agreement shall be in effect for the calendar years 1951 through 1958."

2. Section 4 *Period of the agreement* is hereby amended by deleting the first sentence thereof and substituting therefor the following new sentence: "The Agreement shall be in effect for the calendar years 1951 through 1958."

(Sec. 204, 49 Stat. 1087, as amended; 46 U. S. C. 1114)

Approved: January 24, 1958.

WALTER C. FORD,
Deputy Maritime Administrator.

[F. R. Doc. 58-784; Filed, Jan. 31, 1958; 8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

MISCELLANEOUS AMENDMENTS

1. In Part 6, paragraph (a) of § 6.20 is amended to read as follows:

§ 6.20 *Deduction of insurance premiums from compensation, retirement pay, or pension.* * * *

(a) The authorization must be in writing over the signature of the insured, or his legal representative, and, whenever practicable on such forms as may be prescribed by the Veterans Administration. If insured is incompetent and has no legal representative and has a wife to whom benefits are being paid pursuant to section 1502 (e), Public Law 85-56 and § 13.201 of this chapter, she may authorize payment of insurance premiums through the deduction system. If insured is incompetent and has no legal representative and an institutional award has been made in his behalf, the authorization may be executed by the Manager of the field station in which the insured is hospitalized or receiving domiciliary care, and, in appropriate cases, by the chief officers of State hospitals or other institutions to whom similar awards may have been approved.

(Sec. 1502, 71 Stat. 137; 38 U. S. C. 3502)

2. Section 6.62 is revised to read as follows:

§ 6.62 *Assignment, claims of creditors and taxation.* (a) The proceeds of a United States Government insurance policy shall not be assignable, except that any person to whom this insurance shall be payable may assign his interest in this insurance to any other beneficiary within the class permitted by the World War Veterans' Act or any amendments or supplements thereto. No such assignment of a United States Government life insurance policy shall be binding upon the United States unless in writing and until filed in the Veterans Adminis-

tration, Washington, D. C. The United States assumes no responsibility for the validity of any assignment.

(b) Payments of United States Government life insurance as such are exempt from taxation, but such exemption does not extend to any property purchased in part or wholly out of such payments. Payments of insurance to a beneficiary under a United States Government life insurance policy are exempt from claims of creditors, and are not liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the beneficiary.

(c) The exemption shall apply against the United States or any agency thereof: *Provided*, That the United States shall be entitled to collect by setoff or otherwise out of benefits, payable to any beneficiary under a United States Government life insurance policy, the amount of any indebtedness due the United States by such beneficiary because of overpayments or illegal payments made to such beneficiary under laws administered by the Veterans Administration: *Provided further*, That in the settlement of any claim under a United States Government life insurance policy, the United States shall be entitled to deduct the amount of unpaid premiums, or loans, or interest on such premiums or loans; or indebtedness arising from overpayments of dividends, refunds, loans, or other insurance benefits; or any other indebtedness existing under the particular insurance contract.

(d) Effective January 1, 1958, payments of insurance to a beneficiary under a United States Government life insurance policy shall be subject to levy for taxes due the United States by such beneficiary (sec. 1001 (c), Public Law 85-56).

(Sec. 1001, 71 Stat. 122; 38 U. S. C. 3901)
(Sec. 210, 71 Stat. 91; 38 U. S. C. 2210. Interpret or apply secs. 300, 301, 43 Stat. 624, as amended; 38 U. S. C. 511, 512)

3. In Part 8, paragraph (a) of § 8.8 is amended to read as follows:

§ 8.8 *Deduction of insurance premiums from compensation, retirement pay, or pension.* * * *

(a) The authorization must be in writing over the signature of the insured, or his legal representative, and, whenever practicable, on such forms as may be prescribed by the Veterans Administration. If insured is incompetent and has no legal representative and has a wife to whom benefits are being paid pursuant to section 1502 (e), Public Law 85-56 and § 13.201 of this chapter, she may authorize payment of insurance premiums through the deduction system. If insured is incompetent and has no legal representative and an institutional award has been made in his behalf, the authorization may be executed by the Manager of the field station in which the insured is hospitalized or receiving domiciliary care, and, in appropriate cases by the chief officers of State hospitals or other institutions to whom similar awards may have been approved.

(Sec. 1502, 71 Stat. 137; 38 U. S. C. 3502)

4. In § 8.26, paragraph (f) is amended to read as follows:

§ 8.26 How paid. * * *

(f) Dividend credit of the insured held for payment of premiums as provided in Public Law 36, 82d Congress, may not be used to satisfy any indebtedness due the United States without the insured's consent. If the insured requests payment of such dividend credit, or any unused portion thereof, in cash, or requests that such credit be left to accumulate on de-

posit, as provided in paragraph (g) of this section, then any indebtedness due the United States, such as described in § 8.60, will be recovered therefrom.

5. In § 8.60, a new paragraph (c) is added to read as follows:

§ 8.60 Taxation and exemption. * * *

(c) Effective January 1, 1958, payments of insurance to a beneficiary under a National Service life insurance policy shall be subject to levy for taxes due the

United States by such beneficiary (sec. 1001 (c), Public Law 85-56.

(Sec. 1001, 71 Stat. 122; 38 U. S. C. 3001) (Sec. 608, 54 Stat. 1012, as amended, sec. 210, 71 Stat. 91; 38 U. S. C. 808, 2210)

This regulation is effective January 1, 1958.

[SEAL]

SUMNER G. WHITTIER,
Administrator.

[F. R. Doc. 58-783; Filed, Jan. 31, 1958; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 904, 934, 996, 999]

[Docket Nos. AO-14-A26, AO-83-A22,
AO-203-A8, AO-204-A8]

MILK IN GREATER BOSTON, MERRIMACK VALLEY, SPRINGFIELD, AND WORCESTER, MASSACHUSETTS, MARKETING AREAS

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENTS AND TO ORDERS

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 in Boston, Massachusetts on January 21, 1958 pursuant to notice thereof issued on January 14, 1958 (23 F. R. 327; F. R. Doc. 58-384).

The material issues on the record of the hearing related to:

1. The revision of certain definitions contained in the several orders to include as outside milk, surplus milk from unregulated markets which is transferred or diverted to pool plants primarily for manufacturing uses.

2. The need for emergency action in effecting the proposed order changes.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. The provisions of the Boston and secondary market orders should be revised to permit regulated pool plants under the respective orders to receive and process as outside milk, not qualified to share in the marketwide pool, milk associated and identified with outside unregulated markets which milk is excess to the fluid needs of such outside markets.

Under the existing order provisions such milk which moves through unregulated plants to regulated plants is considered outside milk and is assigned to Class II under the several orders. However, such milk moving directly from farms to pool plants in the Boston or secondary market orders, except under certain specified conditions during the flush months, is included as producer

milk even though such milk is contracted for and is under the control of the unregulated handler.

Virtually all of the milk in the New England area is qualified for fluid disposition in the Boston and secondary markets under Federal regulation. In recognition of this situation the pooling requirements under the Boston order have been so constructed that any plant desiring to qualify for pooling need meet only very nominal shipping requirements to establish its association with the pool. Under the existing market structure virtually all of the manufacturing facilities in the area for handling excess milk have associated with the Boston or secondary market orders. The only milk not pooled under these orders is milk which has a substantial Class I and hence a preferential outlet in an unregulated market. Since dairy farmers can readily find a market under the Boston order and be assured of the Boston blended price, dairymen who have elected to ship to unregulated dealers can be presumed to be receiving at least the Boston blend for all of their milk. Similarly, it can be presumed that any dealer who does not have a preferential Class I market in an unregulated area is associated with the Boston pool.

Before the introduction of the bulk farm tank, milk necessarily moved to receiving stations for assembly in loads for transfer to its ultimate destination. Recent rapid developments in the handling of milk through farm bulk tanks have substantially changed the pattern of movement of milk from the farm to the plant of ultimate disposition. Milk which formerly moved to receiving plants and thence to packaging plants and, in the case of milk excess to Class I needs, to manufacturing plants, now would ordinarily move directly from the farm to the packaging or manufacturing plant.

Certain handlers operating manufacturing facilities in the regulated markets have customarily handled the excess of local unregulated markets. This practice has tended to facilitate the orderly marketing of milk throughout the milkshed. The advent of bulk tank handling has in no way changed the relationship of this outside milk with its normal market. However, because of the specific language of the orders it has been necessary that the market administrator require handlers to report all milk received

directly from dairy farms at pool plants as producer milk, notwithstanding the fact that that milk which is normally disposed of in outside markets and which moves to regulated processing plants as surplus milk from such markets is not primarily associated with the regulated market and is not normally available for Class I use in the regulated market, if needed.

The existing situation is not desired by the dairy farmers, whose milk is involved and who receive at least the Boston blended price in their unregulated markets, and is not acceptable to regular producers in the regulated markets or to regulated handlers. Excess milk which is identified with local unregulated Class I markets and which is moved under the present order provisions with full producer status to the plants of regulated handlers either for manufacturing or Class I use tends to dilute the pool and hence, to lower the returns to regular producers and indirectly the returns to the dairy farmers for outside markets who are paid prices which are related to the Boston blend.

The regulated handler under usual circumstances has no knowledge of what dairy farmer's milk is involved in his purchases from unregulated handlers. Notwithstanding, he is required by the order to return the blended price for such milk. Since the regulated handler would normally negotiate for such milk with the unregulated handler at the Class II price, and the unregulated handler undoubtedly has a contractual arrangement with his dairy farmers, any benefits resulting from pooling would likely accrue to the unregulated handler and not to the dairy farmers whose milk is involved.

The substantial transition from can to bulk tank handling which has occurred in recent months coupled with a sharp change in the seasonal pattern of production, every-other-day and five-day delivery to consumers, a sharp trend from retail to wholesale business, and the five-day operation at milk plants has accentuated the problem of surplus disposition on the part of unregulated handlers.

In order to comply with the order provisions and still protect the integrity of the pool(s) regulated handlers who operate manufacturing facilities and who in the past have processed milk for unregulated dealers now refuse such milk

or require that it be transported to them through an unregulated plant and thereby establish its status as outside milk. This procedure forces uneconomic and unnecessary movements of milk and tends to promote market instability. The situation readily can be corrected if the milk involved is permitted to move as outside milk. This can be accomplished by modification of the "dairy farmer for other markets" definition to include (1) any dairy farmer whose milk is purchased from him by a dealer operating an unregulated plant but which milk moves to another dealer's regulated plant directly from the dairy farmer's farm and (2) any dairy farmer with respect to milk which is purchased from him by a dealer operating both a regulated and unregulated plant and moved to a regulated plant if the dealer caused milk from the same farm to move, as nonpool milk to an unregulated plant during the same month. To implement the intent of this proposed change the "dealer" definition under each of the four orders should also be revised to include the operator of a receiving station which is neither a distributing nor manufacturing plant.

The problems of disposition of the seasonal excess will be substantially increased in the forthcoming flush production months. The changes hereinafter set forth will tend to alleviate these problems. They do not restrict the producer's ability to change from an unregulated to a regulated market at any time during the year nor to shift from one regulated handler to another. They do however restrict the ability of a handler operating an unregulated plant, or both a regulated and unregulated plant, to use the pool(s) to carry his outside market excess milk while still retaining control of the dairy farmers involved.

The proposed changes protect the integrity of the market pool and at the same time provide dealers and the entire milk industry in New England with the widest possible freedom to move milk between plants and between markets without creating an unintentional and undesired effect on the market pools.

2. The changes hereinafter set forth were supported by all of the cooperative associations representing producers serving the four markets and by handlers distributing more than 50 percent of milk in each of these markets. There was no opposing testimony at the hearing and all witnesses requested that the matter be handled on an emergency basis and that the recommended decision and opportunity to file written exceptions thereto be waived. The hearing officer gave all interested parties present opportunity to voice their objections to this procedure and there was no opposition.

Virtually all of the available manufacturing facilities in the New England area are regulated under one or the other of the Boston or three secondary market orders. Under the existing order language pool handlers are reluctant to handle any bulk milk from unregulated dealers because such milk, if moved directly from dairy farms, must be treated as producer milk. In order to avoid such eventuality and to protect the integrity

of the pool(s), pool handlers now either refuse such milk or require uneconomic movements through unregulated plants before the milk is transferred to the processing plant. This situation seriously deters the orderly disposition of surplus milk in surrounding local unregulated markets and immediate remedial measures are necessary to assure the orderly disposition of present excess milk in the area and to permit handlers to make forward plans to assure the orderly disposition of the additional seasonal excess throughout the New England area during the forthcoming flush.

For these reasons, the due and timely execution of the functions of the Secretary imperatively and unavoidably require the omission of the recommended decision and opportunity to file exceptions thereto.

Rulings on proposed findings and conclusions. No briefs on proposed findings and conclusions were filed on behalf of interested parties.

General findings. (a) The tentative marketing agreements and the orders as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The parity prices of milk, as determined pursuant to section 2 of the act, are not reasonable in view of the prices of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be 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

(c) The tentative marketing agreements and the orders, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, marketing agreements upon which a hearing has been held.

Marketing agreements and orders amending the orders, as amended. Annexed hereto and made a part hereof are separate marketing agreements and orders, amending the orders, regulating the handling of milk in the Greater Boston, Merrimack Valley, Springfield, and Worcester, Massachusetts, marketing areas, which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered. That all of this decision, except the marketing agreements, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreements are identical with those contained in the respective orders, as hereby proposed to be amended by the attached orders which will be published with this decision.

Determination of representative period. The month of December is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached orders amending the orders, regulating

the handling of milk in the Greater Boston, Merrimack Valley, Springfield and Worcester, Massachusetts, marketing areas, are approved or favored by producers, as determined under the terms of the orders, as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing areas.

Issued at Washington, D. C., this 29th day of January 1958.

[SEAL]

DON PAARLBERG,
Assistant Secretary.

Order Amending the Order Regulating the Handling of Milk in the Greater Boston, Massachusetts, Marketing Area

§ 904.0 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 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 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 governing the formulation of the 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 regulating the handling of milk in the Greater Boston, Massachusetts, 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 hereby 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 and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby 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;

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

Order relative to handling. It is therefore ordered, that on and after the effective

1 This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, governing proceedings to formulate marketing agreements and marketing orders have been met.

tive date hereof, the handling of milk in the Greater Boston, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Delete the language of § 904.2 (d) of the Boston order and substitute the following:

(d) "Dairy farmer for other markets" means any of the types of dairy farmers described in subparagraphs (1), (2), and (3) of this paragraph:

(1) Any dairy farmer with respect to milk which is purchased from him by a dealer who does not operate any regulated plant during the month and which milk is moved to another dealer's regulated plant directly from the dairy farmer's farm;

(2) Any dairy farmer with respect to milk which is purchased from him by a dealer who operated both regulated and unregulated plants during the month and which milk is moved to a regulated plant, if that dealer caused milk from the same farm to be moved as nonpool milk to an unregulated plant during the same month;

(3) Any dairy farmer whose milk is received by a handler at a pool plant during April, May, or June from a farm from which the handler received nonpool milk during any of the preceding months of July through March, except that the term shall not include any person who was a producer-handler during any of the preceding months of July through March;

(4) As used in this paragraph, the terms "handler" and "dealer" include affiliates of, and persons who control or are controlled by, the handler or dealer.

2. Delete the language of § 904.2 (k) of the Boston order and substitute the following:

(k) "Dealer" means any person who operates a plant at which he engages in the business of receiving fluid milk products for resale or manufacture into milk products, whether or not he disposes of any fluid milk products in the marketing area.

Order¹ Amending the Order Regulating the Handling of Milk in the Merrimack Valley, Massachusetts, Marketing Area

§ 934.0 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 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 the provisions

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, governing proceedings to formulate marketing agreements and marketing orders have been met.

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 governing the formulation of the 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 regulating the handling of milk in the Merrimack Valley, Massachusetts, 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 hereby 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 and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby 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;

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

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

1. Delete the language of § 934.2 (d) of the Merrimack Valley order and substitute the following:

(d) "Dairy farmer for other markets" means any of the types of dairy farmers described in subparagraphs (1), (2), and (3) of this paragraph:

(1) Any dairy farmer with respect to milk which is purchased from him by a dealer who does not operate any regulated plant during the month and which milk is moved to another dealer's regulated plant directly from the dairy farmer's farm;

(2) Any dairy farmer with respect to milk which is purchased from him by a dealer who operated both regulated and unregulated plants during the month and which milk is moved to a regulated plant, if that dealer caused milk from the same farm to be moved as nonpool milk to an unregulated plant during the same month;

(3) Any dairy farmer whose milk is received by a handler at a pool plant during the months of March through September from a farm from which the handler received nonpool milk during any of the preceding months of October through February, except that the term shall not include any person who was a producer-handler during any of the preceding

months of October through February, nor any dairy farmer from whom the handler received nonpool milk during such months of October through February only at a plant which met all the applicable requirements for pool plant status under this part in those months except that it was a pool plant under the Boston, Worcester, or Springfield orders;

(4) As used in this paragraph, the terms "handler" and "dealer" include affiliates of, and persons who control or are controlled by, the handler or dealer.

2. Delete the language of § 934.2 (k) of the Merrimack Valley order and substitute the following:

(k) "Dealer" means any person who operates a plant at which he engages in the business of receiving fluid milk products for resale or manufacture into milk products, whether or not he disposes of any fluid milk products in the marketing area.

Order¹ Amending the Order Regulating the Handling of Milk in the Springfield, Massachusetts, Marketing Area

§ 996.0 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 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 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 governing the formulation of the 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 regulating the handling of milk in the Springfield, Massachusetts, 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 hereby 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 and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby 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;

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

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

1. Delete the language of § 996.2 (d) of the Springfield order and substitute the following:

(d) "Dairy farmer for other markets" means any of the types of dairy farmers described in subparagraphs (1), (2), and (3) of this paragraph:

(1) Any dairy farmer with respect to milk which is purchased from him by a dealer who does not operate any regulated plant during the month and which milk is moved to another dealer's regulated plant directly from the dairy farmer's farm;

(2) Any dairy farmer with respect to milk which is purchased from him by a dealer who operated both regulated and unregulated plants during the month and which milk is moved to a regulated plant, if that dealer caused milk from the same farm to be moved as nonpool milk to an unregulated plant during the same month;

(3) Any dairy farmer whose milk is received by a handler at a pool plant during the months of March through September from a farm from which the handler received nonpool milk during any of the preceding months of October through February, except that the term shall not include any person who was a producer-handler during any of the preceding months of October through February, nor any dairy farmer from whom the handler received nonpool milk during such months of October through February only at a plant which met all the applicable requirements for pool plant status under this part in those months except that it was a pool plant under the Boston, Merrimack Valley, or Worcester orders;

(4) As used in this paragraph, the terms "handler" and "dealer" include affiliates of, and persons who control or are controlled by, the handler or dealer.

2. Delete the language of § 996.2 (k) of the Springfield order and substitute the following:

(k) "Dealer" means any person who operates a plant at which he engages in the business of receiving fluid milk products for resale or manufacture into milk products, whether or not he disposes of any fluid milk products in the marketing area.

Order Amending the Order Regulating the Handling of Milk in the Worcester, Massachusetts, Marketing Area

§ 999.0 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 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 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 governing the formulation of the 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 regulating the handling of milk in the Worcester, Massachusetts, 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 hereby 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 and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby 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;

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

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

1. Delete the language of § 999.2 (d) of the Worcester order and substitute the following:

(d) "Dairy farmer for other markets" means any of the types of dairy farmers described in subparagraphs (1), (2), and (3) of this paragraph:

(1) Any dairy farmer with respect to milk which is purchased from him by a dealer who does not operate any regulated plant during the month and which milk is moved to another dealer's regulated plant directly from the dairy farmer's farm;

(2) Any dairy farmer with respect to milk which is purchased from him by a dealer who operated both regulated and unregulated plants during the month and which milk is moved to a regulated plant, if that dealer caused milk from the same farm to be moved as nonpool milk to an unregulated plant during the same month;

(3) Any dairy farmer whose milk is received by a handler at a pool plant during the months of March through September from a farm from which the handler received nonpool milk during any of the preceding months of October through February, except that the term shall not include any person who was a producer-handler during any of the preceding months of October through February, nor any dairy farmer from whom the handler received nonpool milk during such months of October through February only at a plant which met all the applicable requirements for pool plant status under this part in those months except that it was a pool plant under the Boston order;

(4) As used in this paragraph, the terms "handler" and "dealer" include affiliates of, and persons who control or are controlled by, the handler or dealer.

2. Delete the language of § 999.2 (k) of the Worcester order and substitute the following:

(k) "Dealer" means any person who operates a plant at which he engages in the business of receiving fluid milk products for resale or manufacture into milk products, whether or not he disposes of any fluid milk products in the marketing area.

[F. R. Doc. 58-796; Filed, Jan. 31, 1958; 8:53 a.m.]

Commodity Stabilization Service

[7 CFR Part 725]

FIRE-CURED TOBACCO AND DARK AIR-CURED TOBACCO

NOTICE OF REFERENDA

Notice is hereby given that on February 18, 1958, referenda will be held of farmers engaged in the production in 1957 of fire-cured tobacco and dark air-cured tobacco pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended. Notice that consideration would be given to establishing a date for holding the referenda was given in 22 F. R. 8187. The purpose of each referendum is to determine whether the farmers voting favor national marketing quotas for each of the 1958-59, 1959-60 and 1960-61 marketing years for such respective kinds of tobacco. The referenda will be conducted in accordance with the provisions of the act and the Regulations Governing the Holding of Referenda on Marketing Quotas (21 F. R. 3960, 4799, 8793; 22 F. R. 2982, 9250).

In order that arrangements for holding the referenda may be made in an orderly manner and as much advance notice as possible be given of the date of the referenda, it is essential that this notice be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and this notice shall be effective upon filing of this document with the Director, Division of the Federal Register.

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, governing proceedings to formulate marketing agreements and marketing orders have been met.