

FEDERAL REGISTER

VOLUME 23

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Washington, Wednesday, March 5, 1958

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF JUSTICE

Effective upon publication in the *FEDERAL REGISTER*, paragraph (i) (6) of § 6.308 is amended to read as set out below.

§ 6.308 *Department of Justice.* . . .

(i) *Office of Alien Property.* . . .

(6) Manager, Field Office (3 positions).

(R. S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 58-1634; Filed, Mar. 4, 1958; 8:51 a. m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

SMALL BUSINESS ADMINISTRATION

Effective upon publication in the *FEDERAL REGISTER*, paragraph (n) of § 6.328 is revoked.

(R. S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 58-1635; Filed, Mar. 4, 1958; 8:51 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

[Amdt. 3]

PART 5—DETERMINATION OF PARITY PRICES

VIRGINIA FIRE-CURED TOBACCO, KENTUCKY-TENNESSEE FIRE-CURED TOBACCO, AND NECTARINES FOR FRESH CONSUMPTION AND FOR PROCESSING

The regulations of the Secretary of Agriculture with respect to the determi-

nation of parity prices (21 F. R. 761 as amended by 22 F. R. 693 and 8925) are amended as hereinafter specified in order to designate Virginia fire-cured tobacco, type 21, and Kentucky-Tennessee fire-cured tobacco, types 22-23, as separate commodities for purposes of parity price calculations; to delete type 24 fire-cured tobacco from parity calculations; and to designate nectarines for fresh consumption and for processing as separate commodities for parity price calculations.

1. The paragraph of § 5.2 headed "Basic Commodities" is amended by deleting "fire-cured, types 21-24" and inserting in its place "Virginia fire-cured, type 21; Kentucky-Tennessee fire-cured, types 22-23."

2. The paragraph of § 5.2 headed "Deciduous and Other Fruit" is amended by deleting "nectarines" and inserting in its place "nectarines for fresh consumption; nectarines for processing."

3. The paragraph of § 5.4 headed "Basic Commodities" is amended by deleting "fire-cured, types 21-24" and inserting in its place "Virginia fire-cured, type 21; Kentucky-Tennessee fire-cured, types 22-23."

4. The paragraph of § 5.4 headed "Deciduous and Other Fruit" is amended by deleting "nectarines" and inserting in its place "nectarines for fresh consumption; nectarines for processing."

(Sec. 301, 52 Stat. 38, as amended; 7 U. S. C. 1301)

Done at Washington, D. C., this 28th day of February 1958.

[SEAL] DON PAARLBERG,
Assistant Secretary.

[F. R. Doc. 58-1654; Filed, Mar. 4, 1958; 8:55 a. m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[Amdt. 1]

PART 721—CORN

SUBPART—REGULATIONS PERTAINING TO FARM ACREAGE ALLOTMENTS FOR THE 1958 CROP

Section 721.921 (a) of the 1958 farm acreage allotment regulations for corn

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CFR SUPPLEMENTS

(As of January 1, 1958)

The following Supplements are now available:

Title 17 (\$0.65)

Titles 35-37 (\$1.00)

Title 46, Parts 146-149, Rev. Jan. 1, 1958 (\$5.50)

Previously announced: Title 3, 1957 Supp. (\$0.40); Titles 10-13 (\$1.00); Title 18 (\$0.50); Title 20 (\$1.00); Titles 30-31 (\$1.50)

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leaves the county ASC committee no choice but to reconstitute a farm even though the cropland being removed represents a small percentage of the total cropland on the farm.	
The purpose of this amendment is to modify this section by permitting a change in the acreage of cropland on a farm without requiring the farm to be reconstituted when the cropland change is 15 percent or less of the total cropland on the farm and such cropland was acquired for a governmental or other public purpose for non-agricultural use.	
Section 721.921 is hereby amended by adding the following new sentence at	

the end of paragraph (a): "Notwithstanding the provisions of this paragraph, the 1958 corn allotment initially established for any farm from which 15 percent or less of the cropland was acquired for a governmental or other public purpose for non-agricultural use shall not be reconstituted."

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375)

Done at Washington, D. C., this 28th day of February 1958.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-1616; Filed, Mar. 4, 1958; 8:47 a. m.]

[Amdt. 3]

PART 729—PEANUTS

ALLOTMENT AND MARKETING QUOTA REGULATIONS FOR 1957 AND SUBSEQUENT CROPS; MISCELLANEOUS AMENDMENTS

Basis and purpose. The amendment contained herein is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281 et seq.), for the purpose of revising the Allotment and Marketing Quota Regulations for Peanuts of the 1957 and Subsequent Crops (21 F. R. 9370, 9760; 22 F. R. 6741, 6987, 8475) to establish a more economical and efficient method of identifying and recording marketings of shelled, damaged, split or broken kernels which result from the shelling of farmers stock peanuts for seed purposes. As the shelling of farmers stock peanuts for use as seed in 1958 is beginning in some of the peanut-producing States and as this amendment provides a more effective method of identifying and recording such shellings which method is to the advantage of all persons who have an interest in the shelling of peanuts for seed purposes, this amendment should be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001-1011) is impractical and contrary to the public interest and the amendments specified below shall become effective upon the filing of this document with the Director, Division of the Federal Register.

The Allotment and Marketing Quota Regulations for Peanuts of the 1957 and Subsequent Crops (21 F. R. 9370, 9760; 22 F. R. 6741, 6987, 8475) are hereby amended as follows:

1. Section 729.850 (a) is amended to read:

§ 729.850 Identification of marketings. (a) Each marketing of peanuts from a farm shall be recorded by the buyer or his representative on a marketing card issued for the farm on which the peanuts were produced, if such marketing card is presented to the buyer by the producer at the time the peanuts are marketed. Except to the extent provided in § 729.859 (b) and (c) for marketings of shelled, damaged, split or broken kernels, each marketing of pean-

nuts without a marketing card shall be subject to a penalty at the basic penalty rate (see § 729.851 (a)). *Provided, however,* That a person who is not engaged in the business of buying peanuts for movement into the regular channels of trade shall not be required to make a record and report of purchases of peanuts from producers if the county office manager has determined that it would be administratively impracticable to require such buyer to execute forms, keep the records and make the buyer's reports as required by these regulations in which case the producer marketing the peanuts shall be responsible for reporting each marketing to the ASC county office.

2. That part of § 729.858 preceding paragraph (a) is amended to read:

§ 729.858 Records and report of buyers and others. The following paragraphs shall apply to all marketings of peanuts except (1) marketings of shelled, damaged, split or broken kernels to the extent provided in § 729.859, and (2) marketings within the proviso contained in § 729.850 (a).

3. Paragraph (c) of § 729.858 is amended to read:

(c) *Report of shelled peanuts purchased from producers.* Any person who purchases shelled peanuts from a producer shall record the transaction on the marketing card, execute a sales memorandum, collect and transmit the penalty and report such purchases to the State office in the same manner as purchases of farmers stock peanuts.

4. Section 729.859 is amended to read:

§ 729.859 Record and report of and penalty on peanuts shelled for producers—(a) Record of shelling. Any person who shells peanuts for a producer shall maintain records of the shelling of each lot of peanuts showing the following:

- (1) The date the peanuts were shelled;
- (2) The name and address of the producer for whom the peanuts were shelled;
- (3) The name of the State and county wherein is located the farm on which the peanuts were produced;
- (4) The quantity of peanuts, farmers stock basis, shelled for the producer; and,
- (5) If any quantity of shelled peanuts are retained by the sheller, the quantity of shelled peanuts retained and the quantity returned to the producer.

The records maintained by the sheller with respect to such peanuts shall be available for examination in accordance with § 729.862.

(b) *Shelling peanuts for producers for seed purposes.* Marketings without a marketing card of shelled, damaged, split or broken kernels which result from the shelling of not more than the quantity of farmers stock peanuts which is reasonable for seed purposes on the producer's farm shall not be subject to penalty. Marketings of such kernels need not be identified by a producer whose name does not appear on the list provided for in paragraph (c) of this section. Marketings of such kernels for a producer whose name does appear on the list shall be identified to the sheller and recorded by him on a Form MQ-93—

Peanuts partially executed by the county office manager to show the quantity of peanuts which is reasonable for seed purposes on the producer's farm and which may be marketed without penalty at the basic penalty rate (see § 729.851 (a)).

(c) *List of producers interested in peanuts produced on farms on which the peanut acreage exceeds the larger of one acre or the effective farm allotment.* Each county committee shall prepare each marketing year a list showing the names and addresses of producers in the county who share in peanuts produced on a farm in the county on which the peanut acreage exceeded the larger of one acre or the effective farm allotment. From the lists prepared by county committees the State committee shall prepare a consolidated list and copies of this list, signed by the State administrative officer, shall be available to all persons who shell farmers stock peanuts for producers and in addition, the State administrative officer shall mail a copy of said list signed by him to each person in the State who normally shells peanuts for producers. Until a sheller receives or obtains a signed copy of the consolidated list from the ASC State office he shall collect and transmit to the ASC State office a penalty at the basic penalty rate (see § 729.851 (a)) on marketings of shelled, damaged, split or broken kernels not identified by a marketing card which are acquired by him through purchase or otherwise as a result of the shelling process.

(d) *Report of peanuts shelled for producers.* No reports shall be required of shellers in connection with the shelling of peanuts for producers whose names do not appear on the list prescribed by paragraph (c) of this section. For such transaction records need be maintained only as prescribed by paragraph (a) of this section. For peanuts shelled for producers whose names appear on the list prescribed by paragraph (c) of this section the sheller shall execute a Form MQ-93—Peanuts, collect any marketing penalty due, and report such transactions to the State office by submitting a copy of each Form MQ-93—Peanuts. The report shall be made to the State office for the State in which the sheller is located and shall be made within two weeks after the shelling of peanuts for producers is generally complete in the area, except that the reports shall be made periodically throughout the shelling season if this becomes necessary for timely remittance of any penalty collected. Penalties collected by a sheller shall be remitted to the State office within two weeks following the end of the week in which such penalties are collected.

(Sec. 375, 52 Stat. 38, 66, as amended; 7 U. S. C. 1375. Interpret or apply sec. 373, 52 Stat. 38, 65, as amended; secs. 358, 359, 55 Stat. 88, 90, as amended; sec. 377, 70 Stat. 206, as amended; 7 U. S. C. 1373, 1358, 1359, 1377)

NOTE: The record-keeping and reporting requirements of this amendment have been approved by, and subsequent reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.