Secs. 20 and 21, those parts lying south of the Little River;
Secs. 22 to 36, inclusive.
T. 8 S., R. 25 E.
T. 9 S., R. 25 E.,
Secs. 1 to 17, inclusive, and secs. 20 to 24, inclusive.
T. 7 S., R. 26 E.,
Secs. 9, 10, and 12 to 20, inclusive, those parts lying south of the Little River;
Secs. 21 to 36, inclusive.
Tps. 8 and 9 S., R. 26 E.
T. 7 S., R. 27 E.,
Secs. 7, 16, 17, 18, those parts lying south of Little River;
Sec. 19;
Secs. 20 and 21, those parts lying south of Little River;
Secs. 28 to 33, inclusive.
T. 8 S., R. 27 E.,
Secs. 4 to 9, inclusive; secs. 16 to 21, inclusive, and secs. 28 to 33, inclusive.
T. 9 S., R. 27 E.,
Secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
November 27, 1959.

[F.R. Doc. 59-10137; Filed, Nov. 30, 1959; 9:34 a.m.]

Executive Order 10852

AMENDMENT OF EXECUTIVE ORDER NO. 10530,[1] PROVIDING FOR THE PERFORMANCE OF CERTAIN FUNCTIONS VESTED IN OR SUBJECT TO THE APPROVAL OF THE PRESIDENT

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered that Executive Order No. 10530 of May 10, 1954, entitled "Providing for the Performance of Certain Functions Vested in or Subject to the Approval of the President," be, and it is hereby, amended by deleting from section 4(b) thereof the words "capital grants with respect to projects assisted under Title I of the said act" and inserting in lieu thereof the following: "grants under Title I of that act".

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
November 27, 1959.

[F.R. Doc. 59-10138; Filed, Nov. 30, 1959; 9:34 a.m.]

Executive Order 10853

DELEGATING THE AUTHORITY OF THE PRESIDENT WITH RESPECT TO VARIOUS ALLOWANCES TO CERTAIN GOVERNMENT PERSONNEL ON FOREIGN DUTY

By virtue of the authority vested in me by section 7(a) and 8(a) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 216) and by section 235(a) of title 38 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. The regulations contained in Executive Order No. 10000 of September 16, 1948, as now or hereafter amended, which govern the payment of additional compensation in foreign areas (referred to as foreign post differential) shall govern the payment of the additional compensation authorized by section 8(a)(2) of the Defense Department Overseas Teachers Pay and Personnel Practices Act of 1959, subject to the provisions of section 8(b) of that act (73 Stat. 216).

SEC. 2. Paragraph 1 of Executive Order No. 10011 of October 22, 1948, as amended, is hereby further amended by adding the following subsections (e) and (f) at the end thereof:

"(e) The authority vested in the President by section 7(a) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 216) to prescribe regulations relating to quarters, quarters allowance, and storage, and the authority vested in the President by section 8(a)(1) of that act to prescribe regulations relating to cost-of-living allowances.

"(f) The authority vested in the President by section 235(a) of title 38 of the United States Code to prescribe rules and regulations with respect to allowances and benefits similar to those provided by those sections of the Foreign Service Act of 1946 designated in paragraphs (1), (2), (3), (5), (6), and (8) of section 235(a)."

SEC. 3. The Administrator of Veterans' Affairs is hereby authorized to exercise the authority vested in the President by section 235(a) of title 38 of the United States Code to prescribe rules and regulations with respect to allowances and benefits similar to those provided by those sections of the Foreign Service Act of 1946 designated in paragraphs (4) and (7) of section 235(a).

SEC. 4. The rules and regulations prescribed by the Secretary of State or the Administrator of Veterans' Affairs pursuant to section 2 or section 3 of this order shall become effective on such dates as those officials shall, respectively, determine, but not in any case earlier than July 28, 1959.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
November 27, 1959.

[F.R. Doc. 59-10139; Filed, Nov. 30, 1959; 9:34 a.m.]

Executive Order 10854

EXTENSION OF THE APPLICATION OF THE FEDERAL AVIATION ACT OF 1958

By virtue of the authority vested in me by section 1110 of the Federal Aviation Act of 1958 (72 Stat. 800; 49 U.S.C. 1510), and as President of the United States, and having determined that such action would be in the national interest, I hereby order as follows:

The application of the Federal Aviation Act of 1958 (72 Stat. 731; 49 U.S.C. 1301 *et seq.*), to the extent necessary to permit the Administrator of the Federal Aviation Agency to accomplish the purposes and objectives of Titles III and XII thereof (49 U.S.C. 1341-1355 and 1521-1523), is hereby extended to those areas of land or water outside the United States and the overlying airspace thereof over or in which the Federal Government of the United States, under international treaty, agreement or other lawful arrangement, has appropriate jurisdiction or control: *Provided*, that the Administrator, prior to taking any action under the authority hereby conferred, shall first consult with the Secretary of State on matters affecting foreign relations, and with the Secretary of Defense on matters affecting national-defense interests, and shall not take any action which the Secretary of State determines to be in conflict with any international treaty or agreement to which the United States is a party, or to be inconsistent with the successful conduct of the foreign relations of the United States, or which the Secretary of Defense determines to be inconsistent with the requirements of national defense.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
November 27, 1959.

[F.R. Doc. 59-10140; Filed, Nov. 30, 1959; 9:35 a.m.]

Executive Order 10855

INSPECTION OF INCOME TAX RETURNS BY THE SENATE COMMITTEE ON THE JUDICIARY

By virtue of the authority vested in me by sections 55(a) and 508 of the Internal Revenue Code of 1939 (53 Stat. 29, 111; 54 Stat. 1008; 26 U.S.C. 55(a) and 508), and by section 6103(a) of the Internal Revenue Code of 1954 (68A Stat. 753; 26 U.S.C. 6103(a)), it is hereby ordered that any income tax return for the years 1945 to 1958, inclusive, shall, during the Eighty-sixth Congress, be open to inspection by the Senate Committee on the Judiciary, or any duly authorized subcommittee thereof, in connection with its study and investigation of the applicability of the antitrust and antimonopoly laws of the United States to professional boxing, pursuant to Senate Resolution 57, 86th Congress, agreed to February 2, 1959, such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decisions 6132 and 6133, relating to the inspection of returns by committees of the Congress, approved by me on May 3, 1955.

This order shall be effective upon its filing for publication in the FEDERAL REGISTER.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
November 27, 1959.

[F.R. Doc. 59-10141; Filed, Nov. 30, 1959; 9:35 a.m.]

[1] 19 F.R. 2709; 3 CFR, 1954 Supp., p. 55.

RULES AND REGULATIONS

Title 7—AGRICULTURE

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

SUBCHAPTER D—REGULATIONS UNDER THE POULTRY PRODUCTS INSPECTION ACT

PART 81—INSPECTION OF POULTRY AND POULTRY PRODUCTS

Miscellaneous Amendments

On October 7, 1959 there was published in the FEDERAL REGISTER (24 F.R. 8114) a notice of the proposed issuance of amendments to the regulations governing the inspection of poultry and poultry products (7 CFR Part 81, as amended) under the Poultry Products Inspection Act (71 Stat. 441; 21 U.S.C. 451 et seq.).

The amendments provide that breathing shall have stopped prior to scalding of poultry, regulate the type of cuts to be made prior to chilling, require inspectors to make weight tests as they deem necessary, clarify chilling requirements, and make other changes.

After consideration of all relevant material, the regulations in 7 CFR Part 81, as amended, are hereby further amended as follows:

§ 81.49 [Amendment]

1a. In § 81.49, paragraph (b) is amended to read:

(b) Poultry shall be slaughtered in such a manner that breathing has stopped prior to scalding. Blood from the killing operation shall be confined to a relatively small area.

b. In § 81.49, paragraphs (h), (i), (j), and (k) are deleted and new paragraphs (h) through (o) are inserted to read:

(h) Cuts for the removal of the viscera shall be limited to those necessary for proper processing operations and inspection. With respect to roaster style evisceration, opening cuts shall be made in such a manner that the skin between the thighs and rib cage will not be cut or torn open during the drawing operation. No additional cuts shall be made prior to chilling other than those necessary to perform the complete evisceration of the bird. With respect to poultry that is permitted to be opened by the "bar-cut" method, particular care shall be exercised in making transverse cuts so that the thigh areas will not be opened and the flesh at the posterior end of the keel will not be exposed. An occasional bird that is unintentionally opened in the aforesaid areas will be permitted. All birds which are opened by the "bar-cut" method shall be trussed (both legs) prior to chilling.

(i) The area at the junction of the neck with the body of the eviscerated bird shall be positively opened so that water will drain freely from the body cavity and not become trapped in the area between the neck skin and the neck.

(j) Ready-to-cook poultry shall be adequately drained to remove ice and free water prior to packaging or packing.

(k) Cut-up poultry shall be prepared from chilled carcasses (with or without necks) and the parts shall not be rechilled in ice and water or water but may be temporarily held in containers of crushed ice which are continuously drained pending further processing and packaging. Notwithstanding the foregoing, giblets and necks and certain parts resulting from special processing operations approved by the Administrator, may be chilled in agitated ice and water slush or refrigerated water for a period not in excess of 20 minutes.

(l) All offal resulting from the evisceration operation shall be removed from the establishment as often as necessary to prevent the development of a nuisance.

(m) Containers to be used for packaging dressed poultry and ready-to-cook poultry shall be clean, free from objectionable substances and odors and of sufficient strength and durability to protect the product adequately during normal distribution.

(n) Paper and other material used for lining barrels or other containers in which products are packed shall be of such kinds as do not tear readily during use but remain intact when moistened by the product. Wooden containers to be used for packing poultry shall be fully lined except when the individual birds to be packed therein are fully wrapped.

(o) Protective coverings shall be used for the product, in the plant and as it is distributed from the plant, which are adequate to protect the product against contamination by any foreign substances (including, but not being limited to, dust, dirt, and insects) considering the means intended to be employed in transporting the product from the plant.

c. In § 81.49, paragraph (l) is redesignated as paragraph (p).

§ 81.50 [Amendment]

2a. In § 81.50, paragraph (b) (3) (i) is amended to read:

(i) Poultry which is to be held in chilling tanks in excess of 24 hours shall at the end of the 24-hour chilling period be removed from the tanks and repacked in clean ice and in clean tanks which are continually drained, or as an alternative, the tanks shall be drained and re-iced and placed in a cooler which will maintain all of the poultry in the tanks at a temperature of 40° F. or below.

b. In § 81.50, paragraph (b) (3) (ii) is deleted and a new paragraph (b) (3) (ii) is inserted to read:

(ii) With respect to poultry that is to be consumer packaged or frozen, or both, chilling and draining procedures shall be such as will minimize moisture absorption and retention at time of packaging. The inspector will make such weight tests as he deems necessary to assure compliance with this requirement.

c. In § 81.50, paragraph (d) is amended to read:

(d) *Cooling giblets.* Giblets shall be chilled to 40° F. or lower within two hours from the time they are removed from the inedible viscera, except that when they are cooled with the carcass the requirements of paragraphs (b) (2) and (f) (4) of this section shall apply. Any of the acceptable methods of chilling the poultry carcass may be followed in cooling giblets, except that unwrapped livers shall not be cooled in agitated ice and water chilling media for a period in excess of 20 minutes, but may be cooled in perforated containers which are immersed in noncirculated ice and water chilling media: *Provided,* That the livers are removed from the chilling containers when their temperature has been lowered to 40° F. When ready-to-cook birds are to be consumer packaged, the giblets shall be handled in a manner that will prevent free water from being included in the giblet package. Giblet wrappers shall be made of reasonably nonabsorbent materials and shall be no larger than necessary to properly wrap the giblets.

3. Section 81.89 is amended to read:

§ 81.89 Contamination.

Carcasses of poultry contaminated by volatile oils, paints, poisons, gases, scald vat water in the air sac system, or other substances which affect the wholesomeness of the carcasses, shall be condemned. Any organ or part of a carcass which has been contaminated following mutilation shall be condemned, and if the whole carcass is affected, the whole carcass shall be condemned.

4. Section 81.120 is amended to read:

§ 81.120 Special procedure or requirements as to certification of slaughtered poultry for export to certain countries.

When export certificates are required by any foreign country for slaughtered poultry exported to such country, the Administrator shall prescribe or approve the form of export certificate to be used and the methods and procedures as he deems appropriate with respect to the preparation and transportation of such poultry, in order to comply with requirements specified by the foreign country regarding the exported products.

§ 81.130 [Amendment]

5. In § 81.130, paragraph (a) (3) is amended to read:

(3) The net weight or other appropriate measure of the contents, except that the Administrator may approve the use of labels for certain types of immediate containers which do not bear the net weight: *Provided,* That the retailer or distributor supplying the retailer agrees in writing to the Administrator to mark the true net weight on the label prior to display and sale thereof: *And provided further,* That the shipping container bears a statement "Net weight to be marked on consumer packages prior to

display and sale": *And provided further*, That the total net weight of the contents of the shipping container shall be marked on such container. The net weight marked on immediate containers of poultry products shall be the net weight of the poultry and shall not include the weights of the wet or dry packaging materials and giblet wrapping materials.

(Sec. 14, 71 Stat. 447; 21 U.S.C. 463; 19 F.R. 74, as amended)

The foregoing amendments differ in some respects from the proposals set forth in the notice of rule-making. All of the differences are due to nonsubstantial changes made for clarification or simplification except for extension of § 81.49(j) to all ready-to-cook poultry. The latter change is deemed desirable in the public interest. It does not appear that further public rule-making procedure would make additional information available to this Department. Therefore under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) it is found upon good cause that further notice and other public rule-making procedure on the amendments are unnecessary and impracticable.

Issued at Washington, D.C., this 25th day of November 1959, to become effective January 1, 1960.

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

[F.R. Doc. 59-10093; Filed, Nov. 30, 1959; 8:48 a.m.]

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

PART 730—RICE

Subpart—1960–61 Marketing Year

STATE ACREAGE ALLOTMENTS; MISCELLANEOUS AMENDMENTS

Basis and purpose. The amendments herein are issued under and in accordance with the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and is issued for the purpose of correcting typographical errors in the issuance of State rice acreage allotments for the 1960 crop (24 F.R. 9122).

Since the only purpose of these amendments is to correct typographical errors, it is hereby determined that compliance with the public notice, procedure, and 30-day effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is unnecessary. Therefore, the amendments shall become effective upon publication in the FEDERAL REGISTER.

Section 730.1104 is amended by striking out in the table of State acreage allotments the figure "299" for Arizona and inserting in lieu thereof the figure "229"; by striking out the figure "458,057" for the Producer Administrative Area of Louisiana and inserting in lieu thereof the figure "16,951"; and by striking out the figure "16,951" for the Farm Administrative Area of Louisiana and inserting in lieu thereof the figure "458,057".

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interprets or applies sec. 353, 52 Stat. 61, as amended; 7 U.S.C. 1353)

Issued at Washington, D.C., this 25th day of November 1959.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-10097; Filed, Nov. 30, 1959; 8:49 a.m.]

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

[Milk Order 3]

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

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the St. Louis, Missouri, marketing area (7 CFR Part 903), it is hereby found and determined that:

(a) The following provision of the order, no longer tends to effectuate the declared policy of the Act with respect to the month of November 1959:

(1) The provision "and November" appearing in the first proviso of § 903.9(b).

Emergency conditions are such that this provision would prevent substantial numbers of producers regularly associated with the market from participation in the pool. The temporary and unexpected heavy fall production has made it virtually impossible for supply plants to qualify during November 1959, under the present order provision. Suspension of the provision cited will permit plants regularly associated with the market to continue pool plant status under these unusual circumstances. Other provisions will serve to limit the pool to plants associated with the market for the limited period provided.

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order involves a relief from certain aspects of the regulation.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension order has been requested by associations representing more than two-thirds of the producers whose milk is subject to pricing by the order.

Therefore, good cause exists for making this order effective for the month of November 1959.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended as of November 1, 1959, and until further ordered.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Issued at Washington, D.C., this 24th day of November 1959.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-10072; Filed, Nov. 30, 1959; 8:46 a.m.]

PART 904—MILK IN GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

PART 996—MILK IN SPRINGFIELD, MASSACHUSETTS, MARKETING AREA

PART 999—MILK IN WORCESTER, MASSACHUSETTS, MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the orders regulating the handling of milk in the Greater Boston, Massachusetts, marketing area (7 CFR Part 904), the Springfield, Massachusetts, marketing area (7 CFR Part 996), and the Worcester, Massachusetts, marketing area (7 CFR Part 999), it is hereby found and determined that:

(a) For the month of December 1959 all the provisions of § 904.48(b), § 996.48 (b) and § 999.48(b) of the respective orders, except the provision "The supply-demand adjustment factor shall be" and the provision ".88" as they appear in subparagraph (4), no longer tend to effectuate the declared policy of the Act.

The supply-demand adjustor, as set forth in the sections of the respective orders referred to above, is intended to reflect in the computation of the New England basic Class I price for the current month the current regional supply-demand balance based on experience in the second and third preceding months as measured by conditions existing in the Greater Boston, Springfield, and Worcester markets. With the institution of regulation in the Southeastern New England and Connecticut markets there has been a shifting of supplies and sales as between the five New England markets which has resulted in an apparent shortening of the regional supply as measured by the present mechanics of the supply-demand adjustor.

On the basis of the evidence introduced at a public hearing held in Boston on April 14–15, 1959, it was concluded that, in fact, there had been no significant change in the actual supply-demand situation in the region. Accordingly, the supply-demand adjustment factor was held by suspension action at 0.90 for the pricing months of May through October.

Evidence received at the public hearing held at Boston on October 19–20, 1959, indicated that the Class I price level maintained by suspension of the supply-demand adjustment factor to 0.90 since May 1959 had brought forth an adequate supply of milk to meet the

fluid milk uses in the five markets. While other factors contained in the New England basic Class I price formula indicated a price increase for the month of November, the overall supply-demand relationship did not warrant such action. Accordingly, suspension action was taken to set a supply-demand factor of 0.88 for the month of November 1959, thus continuing the same basic Class I price level as that which has provided an adequate supply of milk for the five markets during the preceding months of 1959.

There has been no significant change in the supply-demand situation in the five markets or in the other factors contained in the New England Class I price formula since the last suspension action. Use of a supply-demand adjustment factor of 0.88 for the month of December 1959, will provide for continuing the same basic Class I price level which has prevailed in the preceding months of 1959.

Failure to suspend the provisions as herein provided would result in a Class I price for the month of December 1959 in the five New England Federal order markets higher than would otherwise prevail. Any price higher than that which will result from this action would be higher than necessary to provide an adequate supply of pure and wholesome milk, and would be higher than justified by the actual supply-demand situation.

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are not practical, not necessary, and contrary to public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in each of the respective marketing areas.

Therefore, good cause exists for making this order applicable for the month of December 1959.

It is therefore ordered, That the aforesaid provisions of the aforesaid orders are hereby suspended effective upon issuance, for the month of December 1959.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Issued at Washington, D.C., this 24th day of November 1959.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59–10071; Filed, Nov. 30, 1959; 8:46 a.m.]

[Milk Order No. 43]

PART 943—MILK IN NORTH TEXAS MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the North Texas marketing area (7 CFR Part 943), it is hereby found and determined that:

(a) The following provisions of the order, no longer tend to effectuate the declared policy of the Act: § 943.51(a) (3) (ii) and (iii).

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension will decrease the effect of the supply-demand adjustment in lowering the Class I price pending amendatory action with respect to the supply-demand adjustor.

(4) Suspension action is based on evidence presented at a hearing held at Dallas, Texas on October 28, 1959, and a request by cooperative associations supplying milk to the Texas Federal order marketing areas which are affected by the North Texas supply-demand adjustor; namely, North Texas, Central West Texas, Austin-Waco, San Antonio, and Corpus Christi. The producer members of these associations supply more than 90 percent of the milk for these markets.

Therefore, good cause exists for making this order effective December 1, 1959.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended effective December 1, 1959.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Issued at Washington, D.C., this 25th day of November 1959.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59–10092; Filed, Nov. 30, 1959; 8:48 a.m.]

Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

PART 1102—AGRICULTURAL CONSERVATION; PUERTO RICO

Subpart—1960

The soil and water resources of the farmlands of our Nation must be protected and conserved. This is essential in order that farms will continue to have the capacity to produce sufficient food and other raw materials to meet the future needs of the Nation.

All the people of this Nation, not the farmers alone, have a stake in, and a part of the responsibility for protecting and conserving, our farmlands. Recognizing this, the Congress appropriates funds to share with farmers the cost of carrying out needed soil and water conservation measures. The Agricultural Conservation Program is a means of making this Federal cost-sharing available to farmers.

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