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Washington, Thursday, July 2, 1959

Title 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

[Dept. Reg. 108.407]

PART 325—ADDITIONAL COMPENSA- TION IN FOREIGN AREAS

Designation of Differential Posts

Section 325.15 *Designation of differential posts*, is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the first pay period following June 27, 1959, paragraph (b) is amended by the deletion of the following:

Colombia, all posts except Barranquilla, Bogota, Cali and Medellin.

2. Effective as of the beginning of the first pay period following June 27, 1959, paragraph (a) is amended by the addition of the following:

San Andres Island, Colombia.

3. Effective as of the beginning of the first pay period following June 27, 1959, paragraph (b) is amended by the addition of the following:

Colombia, all posts except Barranquilla, Bogota, Cali, Medellin and San Andres Island.

4. Effective as of the beginning of the first pay period following December 27, 1958, paragraph (c) is amended by the addition of the following:

Ismailia, United Arab Republic.

(Secs. 102, 401, E.O. 10000, 13 F.R. 5453, 3 CFR, 1948 Supp., E.O. 10623, E.O. 10636, 20 F.R. 5297, 7025, 3 CFR, 1955 Supp.)

For the Acting Secretary of State,

LOY W. HENDERSON,
Deputy Under Secretary
for Administration.

JUNE 19, 1959.

[F.R. Doc. 59-5502; Filed, July 1, 1959; 8:48 a.m.]

Title 7—AGRICULTURE

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

PART 51—FRESH FRUITS, VEGE- TABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Oranges (Texas and States Other Than Florida, California and Ari- zona)¹

On May 8, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 3731) regarding proposed amendments to the United States Standards for Oranges (Texas and States other than Florida, California and Arizona).

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Oranges (Texas and States other than Florida, California and Arizona) are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627).

GENERAL

Sec.
51.680 General.

GRADES

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51.683 U.S. No. 1 Bright.
51.684 U.S. No. 1 Bronze.
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51.688 U.S. No. 3.

UNCLASSIFIED

51.689 Unclassified.

¹ Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

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CFR SUPPLEMENTS

(As of January 1, 1959)

The following supplement is now available:

Title 17 (\$0.70)

Previously announced: Title 3, 1958 Supp. (\$0.35); Titles 4-5 (\$0.50); Title 6 (\$1.75); Title 7, Parts 1-50 (\$4.00); Parts 51-52 (\$6.25); Parts 53-209 (\$5.50); Parts 210-899 (\$2.50); Parts 900-959 (\$1.50); Part 960 to end (\$2.25); Title 8 (\$0.35); Title 9 (\$4.75); Titles 10-13 (\$5.50); Title 14, Parts 1-39 (\$0.55); Parts 40-399 (\$0.55); Part 400 to end (\$1.50); Title 15 (\$1.00); Title 16 (\$1.75); Title 18 (\$0.25); Title 19 (\$0.75); Title 21 (\$1.00); Titles 22-23 (\$0.35); Title 24 (\$4.25); Title 25 (\$0.35); Title 26, Parts 1-79 (\$0.20); Parts 80-169 (\$0.20); Parts 170-182 (\$0.20); Part 300 to end, Title 27 (\$0.30); Title 26 (1954) Parts 1-19 (\$3.25); Parts 20-221 (\$3.00); Part 222 to end (\$2.75); Titles 28-29 (\$1.50); Titles 30-31 (\$3.50); Title 32, Parts 1-399 (\$1.50); Parts 400-699 (\$1.75); Parts 700-799 (\$0.70); Parts 800-1099 (\$2.50); Part 1100 to end (\$0.35); Title 32A (\$0.40); Title 33 (\$1.50); Titles 35-37 (\$1.25); Title 38 (\$0.55); Title 39 (\$0.70); Titles 40-42 (\$0.35); Title 43 (\$1.00); Titles 44-45 (\$0.60); Title 46, Parts 1-145 (\$1.00); Parts 146-149, 1958 Supp. 2 (\$1.50); Part 150 to end (\$0.50); Titles 47, Parts 1-29 (\$0.70); Part 30 to end (\$0.30); Title 49, Parts 1-70 (\$0.25); Parts 71-90 (\$0.70); Parts 91-164 (\$0.40); Part 165 to end (\$1.00); Title 50 (\$0.75)

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APPLICATION OF TOLERANCES

51.691 Application of tolerances.

STANDARD PACK

51.692 Standard pack for oranges except Temple variety.

STANDARD SIZING AND FILL

Sec. 51.693 Standard sizing and fill.

DEFINITIONS

51.694	Similar varietal characteristics.
51.695	Well colored.
51.696	Firm.
51.697	Well formed.
51.698	Smooth texture.
51.699	Injury.
51.700	Discoloration.
51.701	Fairly smooth texture.
51.702	Damage.
51.703	Fairly well colored.
51.704	Reasonably well colored.
51.705	Fairly firm.
51.706	Slightly misshapen.
51.707	Slightly rough texture.
51.708	Serious damage.
51.709	Misshapen.
51.710	Slightly spongy.
51.711	Very serious damage.
51.712	Diameter.

AUTHORITY: §§ 51.680 to 51.712 issued under secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

GENERAL

§ 51.680 General.

These standards apply only to the common or sweet orange group and varieties belonging to the Mandarin group, except tangerines for which separate U.S. Standards are issued. These standards do not apply to Florida, or to California and Arizona for which separate United States Standards are issued.

GRADES

§ 51.681 U.S. Fancy.

"U.S. Fancy" consists of oranges of similar varietal characteristics which are well colored, firm, well formed, mature, and of smooth texture; free from ammoniation, bird pecks, bruises, buckskin, creasing, cuts which are not healed, decay, growth cracks, scab, split navels, sprayburn, and undeveloped or sunken segments, and free from injury caused by green spots or oil spots, pitting, rough and excessively wide or protruding navels, scale, scars, thorn scratches, and free from damage caused by dirt or other foreign material, dryness or mushy condition, sprouting, sunburn, riciness or woodiness of the flesh, disease, insects or mechanical or other means.

(a) In this grade not more than one-tenth of the surface in the aggregate may be affected by discoloration. (See § 51.690.)

§ 51.682 U.S. No. 1.

"U.S. No. 1" consists of oranges of similar varietal characteristics which are firm, well formed, mature, and of fairly smooth texture; free from bruises, cuts which are not healed, decay, growth cracks, sprayburn, undeveloped or sunken segments, and free from damage caused by ammoniation, bird pecks, buckskin, creasing, dirt or other foreign material, dryness or mushy condition, green spots or oil spots, pitting, scab, scale, scars, split or rough or protruding navels, sprouting, sunburn, thorn scratches, riciness or woodiness of the flesh, disease, insects or mechanical or other means.

(a) Oranges of the early and mid-season varieties shall be fairly well colored.

(b) With respect to Valencia and other late varieties, not less than 50 percent, by count, of the oranges shall be fairly well colored and the remainder reasonably well colored.

(c) In this grade not more than one-third of the surface in the aggregate may be affected by discoloration. (See § 51.690.)

§ 51.683 U.S. No. 1 Bright.

The requirements for this grade are the same as for U.S. No. 1 except that no fruit may have more than one-tenth of its surface in the aggregate affected by discoloration. (See § 51.690.)

§ 51.684 U.S. No. 1 Bronze.

The requirements for this grade are the same as for U.S. No. 1 except that more than 10 percent but not more than 75 percent, by count, of the fruit shall have in excess of one-third of the surface in the aggregate affected by discoloration: *Provided*, That when the predominating discoloration on each of 75 percent or more, by count, of the fruit is caused by rust mite, all fruit may have in excess of one-third of the surface affected by discoloration. (See § 51.690.)

§ 51.685 U.S. Combination.

Any lot of oranges may be designated "U.S. Combination" when not less than 50 percent, by count, of the fruit in each container meets the requirements of U.S. No. 1 grade, and each of the remainder of the oranges meets the requirements of U.S. No. 2 grade, except that the fruit shall meet the following requirements for color:

(a) In this grade the U.S. No. 1 oranges shall be fairly well colored and the U.S. No. 2 oranges shall be reasonably well colored. (See § 51.690.)

§ 51.686 U.S. No. 2.

"U.S. No. 2" consists of oranges of similar varietal characteristics which are mature, fairly firm, not more than slightly misshapen, not more than slightly rough, which are free from bruises, cuts which are not healed, decay, growth cracks, and free from serious damage caused by ammoniation, bird pecks, buckskin, creasing, dirt or other foreign material, dryness or mushy condition, green spots or oil spots, pitting, scab, scale, scars, split or rough or protruding navels, sprayburn, sprouting, sunburn, thorn scratches, undeveloped or sunken segments, riciness or woodiness of the flesh, disease, insects or mechanical or other means.

(a) Each orange of this grade shall be reasonably well colored.

(b) In this grade not more than one-half of the surface in the aggregate may be affected by discoloration. (See § 51.690.)

§ 51.687 U.S. No. 2 Russet.

The requirements for this grade are the same as for U.S. No. 2 except that more than 10 percent, by count, of the fruits shall have in excess of one-half

of their surface, in the aggregate, affected by discoloration. (See § 51.690.)

§ 51.688 U.S. No. 3.

"U.S. No. 3" consists of oranges of similar varietal characteristics which are mature; which may be misshapen, slightly spongy, rough but not seriously lumpy for the variety or seriously cracked, which are free from cuts which are not healed and from decay, and free from very serious damage caused by bruises, growth cracks, ammoniation, bird pecks, caked melanose, buckskin, creasing, dryness or mushy condition, pitting, scab, scale, split navels, sprayburn, sprouting, sunburn, thorn punctures, riciness or woodiness of the flesh, disease, insects or mechanical or other means.

(a) Each fruit may be poorly colored but not more than 25 percent of the surface of each fruit may be of a solid dark green color. (See § 51.690.)

UNCLASSIFIED

§ 51.689 Unclassified.

"Unclassified" consists of oranges which have not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

TOLERANCES

§ 51.690 Tolerances.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the following tolerances, by count, are provided as specified:

(a) *U.S. Fancy Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided*, That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. None of the foregoing tolerances shall apply to wormy fruit.

(b) *U.S. No. 1 Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, other than for discoloration, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided*, That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 20 percent, by count, of the fruits in any lot may have discoloration in excess of one-third of the fruit surface. None of the foregoing tolerances shall apply to wormy fruit.

(c) *U.S. No. 1 Bright Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, other than for discolora-

tion, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided*, That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may fail to meet the requirements relating to discoloration. None of the foregoing tolerances shall apply to wormy fruit.

(d) *U.S. No. 1 Bronze Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided*, That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. No part of any tolerance shall be allowed to reduce or to increase the percentage of fruits having in excess of one-third of their surface in the aggregate affected with discoloration which is required in the grade, but individual containers may vary not more than 10 percent from the percentage required: *Provided*, That the entire lot averages within the percentage specified. None of the foregoing tolerances shall apply to wormy fruit.

(e) *U.S. Combination Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, other than for discoloration, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided*, That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may have more than the amount of discoloration specified. No part of any tolerance shall be allowed to reduce for the lot as a whole the percentage of U.S. No. 1 required in the combination, but individual containers may have not more than a total of 10 percent less than the percentage of U.S. No. 1 required or specified: *Provided*, That the entire lot averages within the percentage specified. None of the foregoing tolerances shall apply to wormy fruit.

(f) *U.S. No. 2 Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade, other than for discoloration, but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping

point: *Provided*, That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than 10 percent, by count, of the fruits in any lot may fail to meet the requirements relating to discoloration. None of the foregoing tolerances shall apply to wormy fruit.

(g) *U.S. No. 2 Russet Grade.* Not more than 10 percent, by count, of the fruits in any lot may be below the requirements of this grade but not more than one-half of this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than one-twentieth of the tolerance, or one-half of one percent, shall be allowed for decay at shipping point: *Provided*, That an additional tolerance of 2½ percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. Individual containers may have less than the required percentage of fruits having in excess of one-half of their surface, in the aggregate, affected by discoloration: *Provided*, That the entire lot averages within the percentage required. None of the foregoing tolerances shall apply to wormy fruit.

(h) *U.S. No. 3 Grade.* Not more than 15 percent, by count, of the fruits in any lot may be below the requirements of this grade, but not more than one-third of this amount, or 5 percent, shall be allowed for defects other than dryness or mushy condition, and not more than one-fifth of this amount, or 1 percent, shall be allowed for decay at shipping point: *Provided*, That an additional tolerance of 2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. None of the foregoing tolerances shall apply to wormy fruit.

APPLICATION OF TOLERANCES

§ 51.691 Application of tolerances.

The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade:

(a) For packages which contain more than 10 pounds, and a tolerance of 10 percent or more is provided, individual packages in any lot shall have not more than one and one-half times the tolerance specified. For packages which contain more than 10 pounds and a tolerance of less than 10 percent is provided, individual packages in any lot shall have not more than double the tolerance specified, except that at least one decayed or very seriously damaged fruit may be permitted in any package.

(b) For packages which contain 10 pounds or less, individual packages in any lot are not restricted as to the percentage of defects: *Provided*, That not more than one orange which is seriously damaged by dryness or mushy condition or very seriously damaged by other means may be permitted in any package, and in addition, en route or at destination, not more than 10 percent of the packages may have more than one decayed fruit.

STANDARD PACK

§ 51.692 Standard pack for oranges except Temple variety.

(a) Oranges shall be fairly uniform in size, unless specified as uniform in size, and when packed in boxes or cartons, shall be arranged according to the approved and recognized methods. Each wrapped fruit shall be fairly well enclosed by its individual wrapper.

(b) All such containers shall be tightly packed and well filled but the contents shall not show excessive or unnecessary bruising because of overfilled containers. When oranges are packed in standard nailed boxes, each box shall have a minimum bulge of 1 1/4 inches; when packed in cartons or in wire-bound boxes, each container shall be at least level full at time of packing.

(c) "Fairly uniform in size" means that not more than 10 percent, by count, of the fruit in any container are outside the range of diameters given in the following tables for various packs and different sizes of containers.

TABLE I

[When packed in 1 1/2 bushel containers or half-1 1/2 bushel containers]

Count in box pack	Count in half box pack	Diameter in inches	
		Minimum	Maximum
120's	63	3 1/16	3 3/16
150's	75	2 13/16	3 1/16
176's	88	2 1/2	3 1/16
200's	100	2 1/16	2 13/16
216's	108	2 1/16	2 13/16
252's	126	2 1/16	2 13/16
288's	144	2 1/16	2 13/16
324's	162	2 1/16	2 13/16

TABLE II

[When packed in 1 1/2 bushel containers or half-1 1/2 bushel containers]

Count in box pack	Count in half box pack	Diameter in inches	
		Minimum	Maximum
96's	48	3 5/16	3 13/16
120's	63	3 1/16	3 13/16
150's	75	3	3 1/16
176's	88	2 13/16	3 1/16
200's	100	2 1/2	3 1/16
216's	108	2 1/16	3
252's	126	2 1/16	2 13/16
288's	144	2 1/16	2 13/16
324's	162	2 1/16	2 13/16

(d) "Uniform in size" means that for either 1 1/2 bushel or 1 1/2 bushel containers when oranges are packed for 150 box count or smaller size, or equivalent sizes when packed in other containers, not less than 90 percent, by count, of fruits in any container shall be within a diameter range of four-sixteenths inch; when packed for 126 box count or larger size, or equivalent sizes when packed in other containers, not less than 90 percent, by count, of the fruits in any container shall be within a diameter range of five-sixteenths inch.

(e) In order to allow for variations, other than sizing, incident to proper packing, not more than 5 percent of the packages in any lot may fail to meet the requirements of standard pack.

STANDARD SIZING AND FILL

§ 51.693 Standard sizing and fill.

(a) Boxes or cartons in which oranges are not packed according to a definite pattern do not meet the requirements of standard pack, but may be certified as meeting the requirements of standard sizing and fill: *Provided*, That the oranges in the containers are at least fairly uniform in size as defined in § 51.692: *And provided further*, That the contents have been properly shaken down and the container is at least level full at time of packing.

(b) In order to allow for variations incident to proper packing, not more than 5 percent of the containers in any lot may fail to meet the requirements of standard sizing and fill.

DEFINITIONS

§ 51.694 Similar varietal characteristics.

"Similar varietal characteristics" means that the fruits in any container are similar in color and shape.

§ 51.695 Well colored.

"Well colored" means that the fruit is yellow or orange in color with practically no trace of green color.

§ 51.696 Firm.

"Firm" as applied to common oranges, means that the fruit is not soft, or noticeably wilted or flabby; as applied to oranges of the Mandarin group (Satsuma, King, Mandarin), means that the fruit is not extremely puffy, although the skin may be slightly loose.

§ 51.697 Well formed.

"Well formed" means that the fruit has the shape characteristic of the variety.

§ 51.698 Smooth texture.

"Smooth texture" means that the skin is thin and smooth for the variety and size of the fruit.

§ 51.699 Injury.

"Injury", unless otherwise specifically defined in this section, means any defect which more than slightly affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as injury:

(a) Green spots or oil spots when appreciably affecting the appearance of the individual fruit;

(b) Rough and excessively wide or protruding navels when protruding beyond the general contour of the orange; or when flush with the general contour but with the opening so wide, considering the size of the fruit, and the navel growth so folded and ridged that it detracts noticeably from the appearance of the orange;

(c) Scale when more than a few adjacent to the "button" at the stem end, or when more than 6 scattered on other portions of the fruit;

(d) Scars which are depressed, not smooth, or which detract from the ap-

pearance of the fruit to a greater extent than the maximum amount of discoloration allowed in the grade; and,

(e) Thorn scratches when the injury is not slight, not well healed, or more unsightly than discoloration allowed in the grade.

§ 51.700 Discoloration.

"Discoloration" means russetting of a light shade of golden brown caused by rust mite or other means. Lighter shades of discoloration caused by smooth or fairly smooth, superficial scars or other means may be allowed on a greater area, or darker shades may be allowed on a lesser area, provided no discoloration caused by melanose or other means may affect the appearance of the fruit to a greater extent than the shade and amount of discoloration allowed for the grade.

§ 51.701 Fairly smooth texture.

"Fairly smooth texture" means that the skin is not materially rough or coarse and that the skin is not thick for the variety.

§ 51.702 Damage.

"Damage", unless otherwise specifically defined in this section, means any defect which materially affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Ammoniation when not occurring as light speck type similar to melanose;

(b) Creasing when causing the skin to be materially weakened;

(c) Dryness or mushy condition when affecting all segments of common oranges more than one-fourth inch at the stem end, or all segments of varieties of the Mandarin group more than one-eighth inch at the stem end, or more than the equivalent of these respective amounts, by volume, when occurring in other portions of the fruit;

(d) Green spots or oil spots when the aggregate area exceeds the area of a circle seven-eighths inch in diameter on an orange of 200-size. Smaller sizes shall have lesser areas of green spots or oil spots and larger sizes may have greater areas: *Provided*, That the appearance of the orange is not affected to a greater extent than the area permitted on a 200-size orange;

(e) Scab when it cannot be classed as discoloration, or appreciably affects shape or texture;

(f) Scale when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a blotch the area of a circle five-eighths inch in diameter;

(g) Scarring which exceeds the following aggregate areas of different types of scars, or a combination of two or more types of scars, the seriousness of which exceeds the maximum allowed for any one type:

(1) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a

deep, rough or hard scar aggregating the area of a circle one-fourth inch in diameter;

(2) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a slightly rough scar with slight depth aggregating the area of a circle seven-eighths inch in diameter;

(3) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a smooth or fairly smooth scar with slight depth aggregating the area of a circle 1 1/4 inches in diameter; and,

(4) Scars which are smooth or fairly smooth with no depth and affect the appearance of the orange to a greater extent than the amount of discoloration permitted. (Smooth or fairly smooth scars with no depth shall be scored against the discoloration tolerance);

(h) Split, rough or protruding navels when there are more than three splits, or when any split is unhealed or more than one-fourth inch in length; or when any navel opening is so wide or navel growth so folded or ridged that it materially affects the appearance of the fruit; or when the navel flares, bulges or protrudes beyond the general contour of the orange to the extent that it is subject to mechanical injury in the process of proper grading, packing and handling;

(i) Sunburn when the area affected exceeds 25 percent of the fruit surface, or when the skin is appreciably flattened, dry, darkened or hard;

(j) Thorn scratches when the injury is not well healed, or concentrated light colored thorn injury which has caused the skin to become hard and the aggregate area exceeds the area of a circle one-fourth inch in diameter, or slight scratches when light colored and concentrated and the aggregate area exceeds the area of a circle 1 inch in diameter, or dark or scattered thorn injury which detracts from the appearance of the fruit to a greater extent than the amounts specified above; and,

(k) Riciness or woodiness when the flesh of the fruit is so ricey or woody that excessive pressure by hand is required to extract the juice.

§ 51.703 Fairly well colored.

"Fairly well colored" means that except for one inch in the aggregate of green color, the yellow or orange color predominates over the green color on that part of the fruit which is not discolored.

§ 51.704 Reasonably well colored.

"Reasonably well colored" means that the yellow or orange color predominates over the green color on at least two-thirds of the fruit surface in the aggregate which is not discolored.

§ 51.705 Fairly firm.

"Fairly firm" as applied to common oranges, means that the fruit may be slightly soft, but not bruised; as applied to oranges of the Mandarin group (Satsuma, King, Mandarin) means that the fruit is not extremely puffy or the skin extremely loose.

§ 51.706 Slightly misshapen.

"Slightly misshapen" means that the fruit is not of the shape characteristic of the variety but is not appreciably elongated or pointed or otherwise deformed.

§ 51.707 Slightly rough texture.

"Slightly rough texture" means that the skin is not smooth or fairly smooth but is not excessively rough or excessively thick, or materially ridged, grooved or wrinkled.

§ 51.708 Serious damage.

"Serious damage", unless otherwise specifically defined in this section, means any defect which seriously affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(a) Ammoniation when scars are cracked, or when dark and the aggregate area exceeds the area of a circle three-fourths inch in diameter, or when light colored and the aggregate area exceeds the area of a circle 1 1/4 inches in diameter;

(b) Buckskin when aggregating more than 25 percent of the fruit surface, or when the fruit texture is seriously affected;

(c) Creasing when so deep or extensive that the skin is seriously weakened;

(d) Dryness or mushy condition when affecting all segments of common oranges more than one-half inch at the stem end, or all segments of varieties of the Mandarin group more than one-fourth inch at the stem end, or more than the equivalent of these respective amounts, by volume, when occurring in other portions of the fruit;

(e) Green spots or oil spots when seriously affecting the appearance of the individual fruit;

(f) Scab when it cannot be classed as discoloration, or when materially affecting shape or texture;

(g) Scale when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a blotch the area of a circle seven-eighths inch in diameter;

(h) Scarring which exceeds the following aggregate areas of different types of scars, or a combination of two or more types of scars, the seriousness of which exceeds the maximum allowed for any one type:

(1) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a deep or rough scar aggregating the area of a circle one-half inch in diameter;

(2) Scars when the appearance of the fruit is affected to a greater extent than that of a 200-size orange which has a slightly rough scar with slight depth aggregating the area of a circle 1 1/4 inches in diameter; and,

(3) Scars which are slightly rough, smooth or fairly smooth with no depth and affect the appearance of the orange to a greater extent than the amount of discoloration permitted. (Slightly rough, smooth or fairly smooth scars

with no depth shall be scored against the discoloration tolerance);

(i) Split, rough or protruding navels when there are more than four splits, or when any split is unhealed or more than one-half inch in length, or when the aggregate lengths of all splits exceed one inch; or when any navel opening is so wide or navel growth so badly folded or ridged that it seriously affects the appearance of the fruit; or when the navel protrudes beyond the general contour of the orange to the extent that it is subject to mechanical injury in the process of proper grading, packing or handling;

(j) Sprayburn which seriously affects the appearance of the fruit, or is hard, or when light brown in color and the aggregate area exceeds the area of a circle 1 1/4 inches in diameter;

(k) Sunburn which affects more than one-third of the fruit surface, or is hard, or the fruit is decidedly one-sided, or when light brown in color and the aggregate area exceeds the area of a circle 1 1/4 inches in diameter;

(l) Thorn scratches when the injury is not well healed, or concentrated light colored thorn injury which has caused the skin to become hard and the aggregate area exceeds the area of a circle one-half inch in diameter, or slight scratches, when light colored and concentrated and the aggregate area exceeds the area of a circle 1 1/2 inches in diameter, or dark or scattered thorn injury which detracts from the appearance of the fruit to a greater extent than the amounts specified above;

(m) Undeveloped or sunken segments, in navel oranges, when such segments are so sunken or undeveloped that they are readily noticeable; and,

(n) Riciness or woodiness when the flesh of the fruit is so ricey or woody that excessive pressure by hand is required to extract the juice.

§ 51.709 Misshapen.

"Misshapen" means that the fruit is decidedly elongated, pointed or flat-sided.

§ 51.710 Slightly spongy.

"Slightly spongy" means that the fruit is puffy or slightly wilted but not flabby.

§ 51.711 Very serious damage.

"Very serious damage", unless otherwise specifically defined in this section, means any defect which very seriously affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as very serious damage:

(a) Growth cracks that are seriously weakened, gummy or not healed;

(b) Ammoniation when aggregating more than the area of a circle 2 inches in diameter, or which has caused serious cracks;

(c) Bird pecks when not healed;

(d) Caked melanose when more than 25 percent in the aggregate of the surface of the fruit is caked;

(e) Buckskin when rough and aggregating more than 50 percent of the surface of the fruit;

(f) Creasing when so deep or extensive that the skin is very seriously weakened;

(g) Dryness or mushy condition when affecting all segments of common oranges more than one-half inch at the stem end, or all segments of varieties of the Mandarin group more than one-fourth inch at the stem end, or more than the equivalent of these respective amounts, by volume, when occurring in other portions of the fruit;

(h) Scab when aggregating more than 25 percent of the surface of the fruit;

(i) Scale when covering more than 25 percent of the surface of the fruit;

(j) Split navels when not healed or the fruit is seriously weakened;

(k) Sprayburn when seriously affecting more than one-third of the fruit surface;

(l) Sunburn when seriously affecting more than one-third of the fruit surface;

(m) Thorn punctures when not healed or the fruit is seriously weakened; and,

(n) Riciness or woodiness when the flesh of the fruit is so ricey or woody that excessive pressure by hand is required to extract the juice.

§ 51.712 Diameter.

"Diameter" means the greatest dimension measured at right angles to a line from stem to blossom end of the fruit.

The United States Standards for Oranges (Texas and States other than Florida, California and Arizona) contained in this subpart shall become effective 30 days after publication hereof in the FEDERAL REGISTER, and will thereupon supersede the United States Standards for Oranges (Texas and States other than Florida, California and Arizona) which have been in effect since 1954 (§§ 51.680 to 51.717).

Dated: June 29, 1959.

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 59-5521; Filed, July 1, 1959; 8:51 a.m.]

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

Subpart—United States Standards for Grades of Canned Carrots¹

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202-208, 60 Stat. 1087 as amended; 7 U.S.C. 1621-1627) the United States Standards for Grades of Canned Carrots (§§ 52.671-52.686) are hereby amended as follows:

1. In § 52.682(a), delete subparagraph (3) and substitute therefor the following:

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(3) *Sliced carrots.* The individual slice is not more than $\frac{3}{8}$ inch in thickness when measured at the thickest portion; the diameter of each slice is not more than $2\frac{1}{2}$ inches, measured as aforesaid; and of all the sliced carrots, in the 90 percent, by count, that are most uniform in diameter, the diameter of the slice with the greatest diameter does not exceed the diameter of the slice with the smallest diameter by more than 50 percent: *Provided*, That the overall appearance of the product is not materially affected.

2. In § 52.682(b), delete subparagraph (3) and substitute therefor the following:

(3) *Sliced carrots.* The individual slice is not more than $\frac{3}{8}$ inch in thickness when measured at the thickest portion; the diameter of each slice is not more than $2\frac{1}{2}$ inches, measured as aforesaid; and of all the sliced carrots, in the 90 percent, by count, that are most uniform in diameter, the diameter of the slice with the greatest diameter is not more than twice the diameter of the slice with the smallest diameter: *Provided*, That the overall appearance of the product is not seriously affected.

Notice of proposed rule making, public procedure thereon, and the postponement of the effective date of these amendments for 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) are unnecessary and contrary to the public interest, in that:

(1) Such amendments will operate to liberalize and clarify existing provisions of the grade standards for canned carrots, (2) will not cause the making of any substantial changes in the present processed product packing and handling operations, and (3) any changes necessary with respect to such packing and handling operations can be readily made without inconvenience to the industry.

Dated June 29, 1959, to become effective upon date of publication in the FEDERAL REGISTER.

(Sec. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627)

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 59-5522; Filed, July 1, 1959; 8:51 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture

PART 330—FEDERAL PLANT PEST REGULATIONS

Holding of Means of Conveyance Arriving in the United States; Postponement of Effective Date

On June 9, 1959, there was published in the FEDERAL REGISTER (24 F.R. 4650) a notice stating that effective at 12:01 a.m., local time, July 1, 1959, means of conveyance subject to the inspection and release requirements of § 330.105(a) of the Federal Plant Pest Regulations (7

CFR 1958 Supp., 330.105(a)) and arriving at any port of entry outside the regularly assigned hours of duty of the Federal plant quarantine inspector, will be held for such inspection and release, until the regularly assigned hours of duty. The notice also provided for reimbursable inspection and release outside the regularly assigned hours of duty.

The affected industry has requested a postponement of the effective date of this notice in order that they may make a thorough review of the requirements and appraise their effects on their operations. Accordingly, notice is here given that inspection and release will continue to be provided outside the regularly assigned hours of duty as heretofore until September 1, 1959. Therefore, the effective date of the notice published June 9, 1959 is postponed until 12:01 a.m., local time, September 1, 1959.

(Sec. 106, 71 Stat. 33, 64 Stat. 561; 7 U.S.C. 150ee, 5 U.S.C. 576)

Done at Washington, D.C., this 29th day of June 1959.

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

[F.R. Doc. 59-5524; Filed, July 1, 1959; 8:51 a.m.]

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

SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

[Sugar Determination 845.2, Amdt. 1]

PART 845—MAINLAND CANE SUGAR AREA

1958 and Subsequent Crops

Pursuant to the provisions of section 303 of the Sugar Act of 1948, as amended, paragraph (c) of § 845.2 (23 F.R. 9255) is hereby amended in two particulars, as follows:

1. Under subparagraph (4) *Local Producing Areas*, subdivision (ii) *Louisiana*, the designation of local producing areas for St. James Parish appearing therein is amended to read "St. James: Area 1—Wards 1, 9 and 10; Areas 2 through 8—Wards 2 through 8, respectively."

2. Under subparagraph (4) *Local Producing Areas*, a new subdivision (iii) is added at the end thereof to read as follows:

(iii) *1958 crop.* For purposes of considering eligibility of farms for abandonment and crop deficiency payments on 1958-crop sugarcane, the local ASC parish committees in Louisiana and the local ASC county committees in Florida have determined that the extent of crop damage as specified and provided in subparagraph (1) (iii) of this paragraph has occurred in the following parishes and local-producing areas:

LOUISIANA

Parishes approved in their entirety:

Ascension.	St. John.
Avoyelles.	St. Landry.
Iberville.	St. Martin.
Lafayette.	St. Mary.
Pointe Coupee.	Terrebonne.
Rapides.	West Baton Rouge.

Individual local-producing areas approved:
Areas 1 and 3 in Assumption Parish.

FLORIDA

Indian River County.

STATEMENT OF BASES AND CONSIDERATIONS

In the designation of local producing areas contained in the original determination, Ward (1) of St. James Parish was inadvertently omitted in the specification of Area 1. This amendment corrects this omission.

This amendment also provides public notice of the parishes and local producing areas in Louisiana and Florida where due to drought, flood, storm, freeze, disease or insects, the 1958 sugarcane crop has been damaged to the extent that farms located in whole or in part in such parishes or local producing areas will be considered (as to location) for abandonment or deficiency payments. The producers on these farms may file applications for Sugar Act payments with respect to acreage abandonment or crop deficiencies for which they may otherwise be eligible before June 30, 1960, as provided in 7 CFR 855.5 (22 F.R. 8112).

Accordingly, I hereby find and conclude that the aforesaid amendment will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies Secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132)

Issued this 29th day of June, 1959.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-5525; Filed, July 1, 1959;
8:52 a.m.]

SUBCHAPTER H—DETERMINATION OF WAGE RATES

[Sugar Determination 863.12]

PART 863—SUGARCANE, FLORIDA

Wage Rates

Pursuant to the provisions of section 301(c) (1) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation and consideration of the evidence obtained at the public hearing held in Clewiston, Florida on May 14, 1959, the following determination is hereby issued:

§ 863.12 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Florida.

(a) *Requirements.* A producer of sugarcane in Florida shall be deemed to have complied with the wage provisions of the act if all persons employed on the farm in production, cultivation, or harvesting work shall have been paid in accordance with the following:

(1) *Wage rates.* All such persons shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the worker but not less than the following:

(i) *For work performed on a time basis.*

	Cents per hour
(a) Tractor drivers and operators of mechanical harvesting or loading equipment.....	90.0
(b) All other workers.....	80.0

(ii) *For work performed on a piecework basis.* The piecework rate for any operation shall be as agreed upon between the producer and the worker: *Provided*, That the hourly rate of earnings of each worker employed on piecework during each pay period (such pay period not to be in excess of two weeks) shall average for the time involved not less than the applicable hourly rate prescribed in subdivision (i) of this subparagraph.

(2) *Compensable working time.* For work performed under subparagraph (1) of this paragraph, compensable working time includes all time which the worker spends in the performance of his duties except time taken out for meals during the work day. Compensable working time commences at the time the worker is required to start work and ends upon completion of work in the field. However, if the producer requires the operator of mechanical equipment, driver of animals or any other class of worker to report to a place other than the field, such as an assembly point or tractor shed, located on the farm, the time spent in transit from such place to the field and from the field to such place is compensable working time. Any time spent in performing work directly related to the principal work performed by the workers, such as servicing equipment, is compensable working time. Time of the worker while being transported from a central recruiting point or labor camp to the farm is not compensable working time.

(3) *Equipment necessary to perform work assignment.* The producer shall furnish without cost to the worker any equipment required in the performance of any work assignment. However, the worker may be charged for the cost of such equipment in the event of its loss or destruction through negligence of the worker. Equipment includes, but is not limited to, hand and mechanical tools and special wearing apparel, such as boots and raincoats, required to discharge the work assignment.

(b) *Applicability.* The requirements of this determination are applicable to all persons employed on the farm, except as provided in paragraph (c) of this section, in the production, cultivation, or harvesting of sugarcane grown on the farm for the extraction of sugar or liquid sugar: *Provided*, That such requirements shall not apply to any person engaged in such work with respect to sugarcane grown on acreage in excess of the proportionate share for the farm, which is marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock

feed, if the producer furnishes to the appropriate County Agricultural Stabilization and Conservation Committee acceptable and adequate proof which satisfies the Committee that the work performed was related solely to such sugarcane.

(c) *Workers not covered.* The requirements of this determination are not applicable to workers performing services which are indirectly connected with the production, cultivation, or harvesting of sugarcane, including but not limited to mechanics, welders, and other maintenance workers and repairmen.

(d) *Proof of compliance.* The producer shall furnish, upon request, to the appropriate Agricultural Stabilization and Conservation County Committee acceptable and adequate proof which satisfies the Committee that all workers have been paid in accordance with the requirements of this determination.

(e) *Subterfuge.* The producer shall not reduce the wage rates to workers below those determined in accordance with the requirements in this section through any subterfuge or device whatsoever.

(f) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this determination may file a wage claim with the local County Agricultural Stabilization and Conservation Committee against the producer on whose farm the work was performed. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage claim forms are available at the local County ASC office. Upon receipt of a wage claim the County office shall thereupon notify the producer against whom the claim is made concerning the representation made by the worker. The County ASC Committee shall arrange for such investigation as it deems necessary and the producer and worker shall be notified in writing of its recommendation for settlement of the claim. If either party is not satisfied with the recommended settlement, an appeal may be made to the State Agricultural Stabilization and Conservation Committee, Cheops Building, Gainesville, Florida, which shall likewise consider the facts and notify the producer and worker in writing of its recommendation for settlement of the claim. If the recommendation of the State ASC Committee is not acceptable, either party may file an appeal with the Director of the Sugar Division, Commodity Stabilization Service, U.S. Department of Agriculture, Washington 25, D.C. All such appeals shall be filed within 15 days after receipt of the recommended settlement from the respective committee, otherwise such recommended settlements will be applied in making payments under the act. If a claim is appealed to the Director of the Sugar Division, his decision shall be binding on all parties insofar as payments under the act are concerned.

(g) *Effective period.* The provisions of this section shall become effective on July 1, 1959, or the date of publication in the FEDERAL REGISTER, whichever date is later, and shall remain in effect until amended, superseded, or terminated.