

FEDERAL REGISTER

VOLUME 24 1934 NUMBER 161

OF THE UNITED STATES

Washington, Tuesday, August 18, 1959

Title 3—THE PRESIDENT

Executive Order 10831 ESTABLISHING THE FEDERAL RADIATION COUNCIL

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

SECTION 1. (a) There is hereby established the Federal Radiation Council (hereinafter referred to as the "Council").

(b) The Council shall be composed of the Secretary of Defense, the Secretary of Commerce, the Secretary of Health, Education, and Welfare, and the Chairman of the Atomic Energy Commission.

(c) The Chairman of the Council shall be designated by the President, from time to time, from among the members of the Council.

SEC. 2. The Council shall advise the President with respect to radiation matters directly or indirectly affecting health, including matters pertinent to the general guidance of executive agencies by the President with respect to the development by such agencies of criteria for the protection of humans against ionizing radiation applicable to the affairs of the respective agencies. The Council shall take steps designed to further the interagency coordination of measures for protecting humans against ionizing radiation.

SEC. 3. The Special Assistant to the President for Science and Technology, or his representative, is authorized to attend meetings of, to participate in the deliberations of, and to advise with, the Council.

SEC. 4. For the purpose of effectuating this order, each executive agency represented on the Council shall furnish necessary assistance to the Council, in consonance with section 214 of the act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691). Such assistance may include detailing employees to the Council to perform such duties consistent with the purposes of this order as the Chairman of the Council may assign to them. Upon the request of the Chairman of the Council, the heads of executive agencies shall so far as practicable provide the Council information and reports relating

to matters within the cognizance of the Council.

SEC. 5. The Council may seek technical advice, in respect of its functions, from any source it deems appropriate.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
August 14, 1959.

[F.R. Doc. 59-6895; Filed, Aug. 17, 1959;
9:42 a.m.]

Title 7—AGRICULTURE

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

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Shelled Virginia Type Peanuts

MISCELLANEOUS AMENDMENTS

Revised United States Standards for Shelled Virginia Type Peanuts and revised United States Standards for Shelled Spanish Type Peanuts, each promulgated July 29, 1959, were published in the FEDERAL REGISTER on August 1, 1959 (24 F.R. 6181-6182), to become effective August 31, 1959.

Inadvertently, the respective standards as published in the FEDERAL REGISTER included, as hereinafter explained, certain provisions which although set forth in the prior notices of proposed rule making (24 F.R. 3762-3764) were thereafter determined not to be incorporated into the revised standards. In addition, other incorrect items were included.

§ 51.2731 [Amendment]

1. With respect to § 51.2731 U.S. *Spanish Splits*, paragraph (a) (5) thereof fixes 5 percent as the tolerance for sound whole kernels. The applicable tolerance set forth in the current § 51.2731(a) (5) is "4 percent", which percentage had

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been decided upon for continuation in the revision rather than adoption, in lieu thereof, of the "5 percent" tolerance contained in the notice of rule making.

Therefore, § 51.2731(a)(5) of the revised United States Standards for Shelled Spanish Type Peanuts (Subpart—United States Standards for Shelled Spanish Type Peanuts, 7 CFR 51.2730–51.2741; 24 F.R. 6181) is hereby corrected to read as follows:

(5) 4 percent for sound whole kernels.

2. With respect to § 51.2752(a)(3) and (4), the figures "1.5" and "0.5" should have read "1.25" and "0.75", respectively; and although the provisions of § 51.2753 were set forth (as § 51.2754) in the applicable prior notice of proposed rule making, it was thereafter determined not to incorporate such provisions in the revised standards but rather to carry over into the revision the provisions of the current § 51.2753.

Therefore, §§ 51.2752 and 51.2753 of the revised United States Standards for Shelled Virginia Type Peanuts (Subpart—United States Standards for Shelled Virginia Type Peanuts, 7 CFR 51.2750–51.2763; 24 F.R. 6182) are hereby corrected to read as follows:

§ 51.2752 U.S. No. 1 Virginia.

"U.S. No. 1 Virginia" consists of shelled Virginia type peanut kernels of similar varietal characteristics which are whole and free from foreign material, damage and minor defects, and which will not pass through a screen having $1\frac{1}{4}$ x 1 inch openings. Unless otherwise specified, the peanuts in any lot shall average not more than 864 per pound.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances by weight, shall be permitted:

(1) 1 percent for other varieties of peanuts;

(2) 3 percent for sound peanuts which are split or broken;

(3) 1.25 percent for damaged or unshelled peanuts;

(4) 0.75 percent for minor defects: *Provided*, That in addition, any unused part of the tolerance for damaged or unshelled peanuts shall be allowed for minor defects;

(5) 0.1 percent for foreign material; and,

(6) 3 percent for sound, whole peanuts which will pass through the prescribed screen.

§ 51.2753 U.S. Virginia Splits.

"U.S. Virginia Splits" consists of shelled Virginia type peanut kernels of similar varietal characteristics which are free from foreign material, damage and minor defects, and which will not pass through a screen having 20/64 inch round openings. Not less than 90 percent, by weight, shall be splits.

(a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(1) 2 percent for other varieties of peanuts;

(2) 2 percent for damaged or unshelled peanuts and minor defects;

(3) 0.2 percent for foreign materials; and,

(4) 3 percent for sound peanuts and portions of peanuts which will pass through the prescribed screen.

(Secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1624)

Dated: August 13, 1959.

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 59–6809; Filed, Aug. 17, 1959; 8:47 a.m.]

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Shelled Spanish Type Peanuts

Correction

1. In F.R. Doc. 59–6343, appearing at page 6181 of the issue for Saturday, August 1, 1959, the word "Flash" in § 51.2740(b) should read "Flesh".

2. In F.R. Doc. 59–6344, appearing at page 6182 of the issue for Saturday, August 1, 1959, the word "in" in the introductory paragraph of § 51.2762 should read "is".

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

Subpart—United States Standards for Grades of Frozen Field Peas and Frozen Black-Eye Peas¹

MISCELLANEOUS AMENDMENTS

On July 2, 1959, a notice of proposed rule making was published in the FED-

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 or with applicable state laws and regulations.

ERAL REGISTER (24 F.R. 5372) regarding a proposed revision of the United States Standards for Grades of Frozen Field Peas and Frozen Black-Eye Peas.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following amendments to the United States Standards for Grades of Frozen Field Peas and Frozen Black-Eye Peas are hereby promulgated pursuant to the authority contained in the Agriculture Marketing Act of 1946 (secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

1. Delete § 52.1661 and substitute therefor the following:

§ 52.1661 Product description.

(a) "Frozen field peas" is the product prepared from the clean and sound immature seed of the field pea plant (*Vigna sinensis*), other than the black-eye pea plant, by shelling, sorting, washing, and blanching, and the product may contain succulent immature unshelled pods (snaps) of the pea plant as an optional ingredient as a garnish, and is frozen and maintained at temperatures necessary for the preservation of the product.

(b) "Frozen black-eye peas" is the product prepared from the clean and sound immature seed of the black-eye pea plant (*Vigna sinensis*) by shelling, sorting, washing, and blanching, and the product may contain succulent immature unshelled pods (snaps) of the pea plant as an optional ingredient as a garnish, and is frozen and maintained at temperatures necessary for the preservation of the product.

2. Delete § 52.1662 and substitute therefor the following:

§ 52.1662 Definitions.

(a) "Frozen peas" means frozen field peas or frozen black-eye peas.

(b) "Snap" or "snaps" means a piece or pieces of immature unshelled pods of the field pea plant or of the black-eye pea plant.

(c) "Unit" means an individual field pea or black-eye pea or a piece of immature unshelled pod of either.

§ 52.1667 [Amendment]

3. In § 52.1667(a), delete subparagraph (1) and substitute therefor the following:

(1) "Extraneous vegetable matter" means hulls or pieces of hulls; unshelled pods or pieces of unshelled pods (except in peas frozen with snaps as a garnish), leaves, stems, and other similar vegetable matter.

Dated: August 13, 1959, to become effective 30 days after publication hereof 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. 59–6808; Filed, Aug. 17, 1959; 8:47 a.m.]