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

Dated: December 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–11961; Filed, Dec. 15, 1961; 8:49 a.m.]

[Navel Orange Reg. 219]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 914.519 **Navel Orange Regulation 219.**

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Naval Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 14, 1961.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., December 17, 1961, and ending at 12:01 a.m., P.s.t., December 24, 1961, are hereby fixed as follows:

(i) District 1: 300,000 cartons;
(ii) District 2: 75,000 cartons;
(iii) District 3: 50,000 cartons;
(iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: December 15, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–12016; Filed, Dec. 15, 1961; 11:34 a.m.]

[938.303 Amdt. 2]

PART 938—IRISH POTATOES GROWN IN THE RED RIVER VALLEY OF NORTH DAKOTA AND MINNESOTA

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 135 and Order No. 38 (7 CFR Part 938), regulating the handling of Irish potatoes grown in the Red River Valley of North Dakota and Minnesota, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Red River Valley Potato Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth will tend to effectuate the declared policy of the Act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (2) more orderly marketing in the public interest than would otherwise prevail, will be promoted by regulating the handling of Irish potatoes in the manner set forth below, on and after the effective date of this amendment, (3) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, (4) reasonable time is permitted under the circumstances, for such preparation, and (5) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

Order, as amended. In § 938.303 (26 F.R. 6834, 11725) paragraphs (a), (e), and (h) are deleted and in lieu thereof new paragraphs (a), (e), and (h) are substituted as set forth below.

§ 938.303 **Limitation of shipments.**

* * * * *

(a) *Minimum grade and size requirements*—(1) *Round varieties.* U.S. No. 2, 75 percent U.S. No. 1 quality, or better, grade, 2 inches minimum diameter; or U.S. No. 2, 85 percent U.S. No. 1 quality except for dirt, or better, grade, 2 inches minimum diameter.

(2) *Long varieties.* U.S. No. 2, or better, grade, 6 ounces minimum weight, or U.S. No. 1, or better, grade, 2 inches minimum diameter or 4 ounces minimum weight.

* * * * *

(e) *Safeguards.* (1) Each handler making special purpose shipments authorized by paragraph (c) of this section requiring compliance with the provisions of this paragraph, and

(2) Each handler making special purpose shipments, other than seed, shall comply with the following safeguards:

(i) Prior to making shipment, apply for and obtain from the committee an approved Certificate of Privilege, pursuant to § 938.120;

(ii) Obtain inspection and pay assessments on such shipments, except shipments for canning or freezing;

(iii) Furnish the committee such reports and documents as requested; and

(iv) Bill each shipment directly to the applicable processor or receiver.

(3) Compliance with the requirements of this section shall not excuse failure to comply with State laws or regulations requiring inspection of potatoes handled for canning or freezing and the payment of State taxes or assessments thereon.

* * * * *

(h) *Definitions.* (1) The terms "moderately skinned," "U.S. No. 1," "U.S. No. 2," means the same as when used in the United States Standards for Potatoes (§§ 51.1540–51.1556 of this title) including the tolerances set forth therein. "U.S. No. 2, 85 percent U.S. No. 1 quality except for dirt" means the lot must meet U.S. No. 2 grade, and in addition 85 percent of the potatoes in each lot must meet all requirements, except for dirt, of U.S. No. 1 grade.

(2) Other terms in this section shall have the same meaning as when used in this part.

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

Dated: December 13, 1961, to become effective December 16, 1961.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 61–11962; Filed, Dec. 15, 1961; 8:49 a.m.]

[Lemon Reg. 930]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.1037 Lemon Regulation 930.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 12, 1961.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., December 17, 1961, and ending at 12:01 a.m., P.s.t., December 24, 1961, are hereby fixed as follows:

(i) District 1: 27,900 cartons;

(ii) District 2: 102,300 cartons;

(iii) District 3: 51,150 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: December 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–11959; Filed, Dec. 15, 1961; 8:48 a.m.]

[Lime Reg. 14; Lime Reg. 13 Terminated]

PART 1001—LIMES GROWN IN FLORIDA

Quality and Size Regulation

§ 1001.314 Lime Regulation 14.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 101, as amended (7 CFR Part 1001), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found and determined, in accordance with paragraph (5) of section 602 of the said act, that it is necessary to continue regulation of the handling of limes, as hereinafter provided, in order to avoid a disruption of the orderly marketing of the remainder of the current lime crop, and such regulation will be in the public interest.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; and this section relieves restrictions on the handling of limes grown in Florida.

(b) *Order.* (1) Lime Regulation 13 (26 F.R. 10587) is hereby terminated at 12:01 a.m., e.s.t., December 18, 1961.

(2) During the period beginning at 12:01 a.m., e.s.t., December 18, 1961, and ending at 12:01 a.m., e.s.t., April 1, 1962, no handler shall handle:

(i) Any limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms), grown in the production area, which do not meet the requirements of at least U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(ii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties), grown in the production area, which do not grade at least U.S. Combination, Mixed Color;

(iii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are of a size smaller than 1¾ inches in diameter: *Provided,* That not to exceed 10 percent, by count, of the limes in any container may fail to meet this requirement; or

(iv) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are smaller than 1⅞ inches in diameter which do not have an average juice content of at least 46 percent, by volume: *Provided,* That such juice content requirement shall not apply to containers of limes containing not in excess of 10 percent, by count, of limes smaller than 1⅞ inches in diameter.

(3) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Persian (Tahiti) Limes (§§ 51.1000–51.1016).

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

Dated: December 14, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–12002; Filed, Dec. 15, 1961; 9:19 a.m.]

SUBCHAPTER B—PROHIBITIONS OF IMPORTED COMMODITIES

[Grapefruit Reg. No. 4; Grapefruit Reg. No. 3 Terminated]

PART 1068—GRAPEFRUIT

Importation

§ 1068.4 Grapefruit Regulation No. 4.

(a) On and after 12:01 a.m., e.s.t., December 23, 1961, the importation into the United States of any grapefruit is prohibited unless such grapefruit is inspected and meets the following requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1, except that such grapefruit may have discoloration to the extent permitted under the U.S. No. 2 Russet grade and may have slightly rough texture caused only by speck type melanose, and be of a size not smaller than 3 15/16 inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit;

(2) Seedless grapefruit shall grade at least U.S. No. 1, except that such grapefruit may have discoloration to the extent permitted under the U.S. No. 2 Russet grade and may have slightly rough texture caused only by speck type melanose, and be of a size not smaller than 3 9/16 inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of grapefruit that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of grapefruit, is required on all imports of grapefruit. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of grapefruit should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the grapefruit will be imported:

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, 222 McClendon Building Harlingen, Tex. (Telephone: Garfield 3-5644).	1 day.
	or	
	Norman E. Taylor, Room 204, U.S. Court House, El Paso, Tex. (Telephone: Keystone 3-9351, Ext. 340).	Do.
All New York points.	Edward J. Beller, 346 Broadway, Room 306, New York 13, N.Y. (Telephone: Rector 2-8000, Ext. 807).	Do.
All Arizona points.	R. H. Bertelson, Room 202, Trust Building, Nogales, Ariz. (Telephone: Atwater 7-2902).	Do.
All Florida points.	Lloyd W. Boney, 1200 Northwest 21 Terrace, Room 5, Miami, Fla. (Telephone: Newton 5-7967).	Do.
	or	
	Hubert S. Flynt, 775 Warner Street, Orlando, Fla. (Telephone: Garden 2-2447).	Do.
All California points.	Carley D. Williams, 784 South Central Avenue, Room 294, Los Angeles 21, Calif. (Telephone: Madison 2-8756).	3 days.
All other points.	E. E. Conklin, Fruit and Vegetable Division, AMS, Washington 25, D.C. (Telephone: Dudley 8-5870).	Do.

(c) Inspection certificates shall cover only the quantity of grapefruit that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any grapefruit to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and

(7) The following statement, if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provision of this section, any importation of grapefruit which, in the aggregate, does not exceed five standard nailed boxes, or equivalent quantity, may be imported without regard to the restrictions specified herein.

(g) It is hereby determined that imports of grapefruit, during the effective time of this section, are in most direct competition with grapefruit grown in the State of Florida. The requirements set forth in this section are the same as those in effect for grapefruit grown in Florida (Grapefruit Regulation 347; § 933.1081 of this chapter, 26 F.R. 11417).

(h) No provisions of this section shall supersede the restrictions or prohibitions on grapefruit under the Plant Quarantine Act of 1912.

(i) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of grapefruit for the purpose of making it eligible for importation.

(j) The terms relating to grade, diameter, standard pack, and standard box shall have the same meaning as when used in the United States Standards for Florida Grapefruit (§§ 51.750–51.783 of this title; 26 F.R. 163). Importation means release from custody of the United States Bureau of Customs.

Termination of Grapefruit Regulation No. 3. Grapefruit Regulation No. 3 (§ 1068.3; 26 F.R. 7077, 8505, 8880) is hereby terminated at the effective time hereof.

It is hereby found that it is impracticable and contrary to the public interest to postpone the effective time of this section beyond that hereinafter specified (5 U.S.C. 1001–1011) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674; 75 Stat. 305), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those in effect on domestic shipments of grapefruit under Grapefruit Regulation 347 (§ 933.1081; 26 F.R. 11417) and are the same as those currently in effect for imports of grapefruit; (c) this section merely incorporates the grade, size, and other requirements of said Grapefruit Regulation No. 3 with the requirements applicable to imports of grapefruit under the General Regulations Applicable to the Importation of Listed Commodities (7 CFR Part 1060); (d) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time; (e) notice hereof in excess of three days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (f) such notice is hereby determined, under the circumstances, to be reasonable.

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

Dated: December 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–11960; Filed, Dec. 15, 1961; 8:49 a.m.]

[Lime Reg. 7; Lime Reg. 6 Terminated]

PART 1069—LIMES

§ 1069.7 Lime Regulation No. 7.

(a) On and after 12:01 a.m., e.s.t., December 18, 1961, the importation into the United States of any limes is prohibited unless such limes are inspected and meet the following requirements:

(1) Such limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) meet the requirements of at least the U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(2) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grade at least U.S. Combination, Mixed Color;

(3) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) are of a size not smaller than 1¾ inches in diameter: *Provided*, That not to exceed 10 percent, by count, of the limes in any container may fail to meet this requirement; and

(4) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are smaller than 1⅞ inches in diameter have an average juice content of at least 46 percent by volume: *Provided*, That such juice content requirement shall not apply to containers of such limes containing not in excess of 10 percent, by count, of limes smaller than 1⅞ inches in diameter.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of limes that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of limes, is required on all imports of limes. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of limes should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the limes will be imported:

Ports; Office; and Advance Notice

All Texas points; W. T. McNabb, 222 McClendon Building, Harlingen, Tex. (Telephone: Garfield 3-5644); 1 day, or Norman E. Taylor, Room 204, U.S. Court House, El Paso, Tex. (Telephone: Keystone 3-9351, Ext. 340); 1 day.

All New York points; Edward J. Beller, 346 Broadway, Room 306, New York 13, N.Y. (Telephone: Rector 2-8000, Ext. 807); 1 day.

All Arizona points; R. H. Bertelson, Room 202, Trust Building, Nogales, Ariz. (Telephone: Atwater 7-2902); 1 day.

All Florida points; Lloyd W. Boney, 1200 N.W. 21 Terrace, Room 5, Miami, Fla. (Telephone: Newton 5-7967); 1 day. Hubert S. Flynt, 775 Warner Street, Orlando, Fla. (Telephone: Garden 2-2447); 1 day.

All California points; Carley D. Williams, 784 South Central Avenue, Room 294, Los Angeles 21, Calif. (Telephone: Madison 2-8756); 3 days.

All other points; E. E. Conklin, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, Washington 25, D.C. (Telephone: Dudley 8-5870); 3 days.

(c) Inspection certificates shall cover only the quantity of limes that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any limes to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and

(7) The following statement, if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provision of this section, any importation of limes which, in the aggregate, does not exceed 250 pounds, net weight, may be imported without regard to the restrictions specified herein.

(g) No provisions of this section shall supersede the restrictions or prohibitions on limes under the Plant Quarantine Act of 1912.

(h) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of limes for the purpose of making it eligible for importation.

(i) The terms relating to grade and diameter shall have the same meaning as when used in the United States Standards for Persian (Tahiti) limes (§§ 51.1000–51.1016). Importation means release from custody of the United States Bureau of Customs.

(j) Termination of Lime Regulation No. 6. Lime Regulation No. 6 (26 F.R. 4327, 6808, 10587) is hereby terminated at 12:01 a.m., e.s.t., December 18, 1962.

It is hereby found that it is impracticable and contrary to the public interest to postpone the effective time of this section beyond that herein specified (5 U.S.C. 1001–1011) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674; 75 Stat. 305), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those being made applicable to domestic shipments of limes under Lime Regulation 14 (§ 1001.314) which becomes effective December 18, 1961; (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this section relieves restriction on the importation of Persian limes.

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

Dated: December 14, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-12001; Filed, Dec. 15, 1961; 9:19 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

PART 214—NONIMMIGRANT CLASSES

Termination of Nonimmigrant Status

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER on October 13, 1961 (26 F.R. 9677), pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) and in which there was set out the terms of proposed amendments to § 214.1 (a) and (b) pertaining to the termination of nonimmigrant status of certain aliens in the United States. One representation which was received concerning the proposed rules has been considered. The proposed rules, insofar as they pertain to Part 214, have not been amended; however, §§ 212.1(f) and 212.4 have been amended to indicate the officers of this Service who may revoke the waivers in question. The amendatory regulations, as set out below, are hereby adopted.

1. Paragraph (f) of § 212.1 is amended to read as follows:

§ 212.1 Documentary requirements for nonimmigrants.

* * * * *

(f) *Unforeseen emergency.* A visa and a passport are not required of a nonimmigrant who, either prior to his embarkation at a foreign port or place or at the time of arrival at a port of entry in the United States, satisfies the district director at the port of entry (after consultation with and concurrence by the Director of the Visa Office of the Department of State) that, because of an unforseen emergency, he was unable to obtain the required documents, in which case a waiver application shall be made on Form I–193. The district director or the Assistant Commissioner, Examinations, may at any time revoke a waiver previously authorized pursuant to this paragraph and notify the nonimmigrant in writing to that effect.

2. Section 212.4 is amended to read as follows:

§ 212.4 Applications for the exercise of discretion under section 212(d)(3).

When a visa is not required, an application for the exercise of discretion under section 212(d)(3) of the Act shall be submitted on Form I–192 to the district director in charge of the applicant's intended port of entry prior to the applicant's arrival in the United States. (For

Department of State procedure when a visa is required, see 22 CFR 41.95.) If the application is made at the time of the applicant's arrival to the district director at a port of entry, the applicant shall establish that he was not aware of the ground of inadmissibility and that it could not have been ascertained by the exercise of reasonable diligence, and he shall be in possession of appropriate documents or have been granted a waiver thereof. The applicant shall be notified of the decision and if the application is denied of the reasons therefor and of his right to appeal to the Board within 15 days after the mailing of the notification of decision in accordance with the provisions of Part 3 of this chapter. If denied, the denial shall be without prejudice to renewal of the application in the course of proceedings before a special inquiry officer under sections 235 and 236 of the Act and this chapter. When an appeal may not be taken from a decision of a special inquiry officer excluding an alien but the alien has applied for the exercise of discretion under section 212(d)(3) of the Act, the alien may appeal to the Board from a denial of such application in accordance with the provisions of § 236.5(b) of this chapter. Pursuant to the authority contained in section 212(d)(3) of the Act, the ground of inadmissibility contained in section 212(a)(24) is waived for any nonimmigrant. The district director or the Assistant Commissioner, Examinations, may at any time revoke a waiver previously authorized under section 212(d)(3) of the Act and notify the nonimmigrant in writing to that effect.

3. The heading of § 214.1 *General requirements for admission, extension and maintenance of status* is amended, the existing text of this section is designated as paragraph (a) and a paragraph (b) is added to read as follows:

§ 214.1 Requirements for admission, extension, and maintenance of status.

(a) *General.* * * *

* * * * *

(b) *Termination of status.* Within the period of initial admission or extension of stay, the nonimmigrant status of an alien shall be terminated by the revocation of a waiver previously authorized in his behalf under section 212(d)(3) or (4) of the Act or by the revocation and invalidation of his visa pursuant to section 221(i) of the Act.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

The basis and purpose of the above-prescribed regulations are to provide for certain officers of this Service to revoke waivers previously authorized under section 212(d)(3) and (4) of the Immigration and Nationality Act, thus terminating the nonimmigrant status of aliens affected in the United States, within the period of their initial admission or extension of stay; similarly, such nonimmigrant status will be terminated by the revocation or invalidation of the nonimmigrant aliens' visas pursuant to section 221(i) of the Immigration and Nationality Act.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the requirements of section 4(c) of the Administrative Procedure Act (60 Stat 238; 5 U.S.C. 1003) relating to delayed effective date is unnecessary and would serve no useful purpose in this instance because the persons affected thereby will not require additional time to prepare for the effective date of the regulations.

Dated: December 12, 1961.

J. M. SWING,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 61-11940; Filed, Dec. 15, 1961; 8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS IN DOMESTIC ANIMALS

Modified Certified Brucellosis Areas

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 of said regulations designating modified certified brucellosis areas is hereby amended to read as follows:

§ 78.13 Modified certified brucellosis areas.

The following States, or specified portions thereof, are hereby designated as modified certified brucellosis areas:

Alabama. Calhoun, Chambers, Cherokee, Clay, Cleburne, Coffee, Covington, Dale, De Kalb, Escambia, Etowah, Geneva, Henry, Houston, Jackson, Lauderdale, Lee, Madison, Marshall, Morgan, Randolph, Russell, and Talladega Counties;

Arizona. The entire State;

Arkansas. Ashley, Baxter, Benton, Boone, Bradley, Calhoun, Carroll, Clark, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crawford, Dallas, Drew, Faulkner, Franklin, Fulton, Garland, Grant, Greene, Hempstead, Hot Spring, Howard, Independence, Izard, Jackson, Jefferson, Johnson, Lafayette, Lawrence, Lee, Lincoln, Logan, Lonoke, Madison, Marion, Miller, Mississippi, Montgomery, Nevada, Newton, Ouachita, Perry, Pike, Poinsett, Polk, Pope, Prairie, Pulaski, Randolph, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Union, Van Buren, Washington, White, and Yell Counties;

California. Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and Yuba Counties;

Colorado. Alamosa, Archuleta, Baca, Chaffee, Conejos, Costilla, Custer, Delta, Denver, Dolores, Eagle, Garfield, Gunnison, Hinsdale, Huerfano, La Plata, Las Animas, Lincoln, Logan, Mesa, Mineral, Moffat, Montezuma, Montrose, Ouray, Phillips, Pitkin, Pueblo, Rio Grande, Saguache, San Juan, San Miguel, Sedgwick, Washington, and Yuma Counties; Southern Ute Indian Reservation and Ute Mountain Ute Reservation;

Connecticut. The entire State;

Delaware. The entire State;

Florida. Baker, Bay, Bradford, Calhoun, Columbia, Dixie, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Nassau, Okaloosa, Santa Rosa, Suwannee, Taylor, Union, Wakulla, Walton, and Washington Counties;

Georgia. The entire State;

Idaho. The entire State;

Illinois. Alexander, Bond, Boone, Bureau, Carroll, Champaign, Christian, Clark, Clay, Clinton, Coles, Cook, Crawford, Cumberland, De Kalb, Douglas, DuPage, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Greene, Grundy, Hamilton, Iroquois, Jackson, Jasper, Jefferson, Jo Daviess, Johnson, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lawrence, Lee, Livingston, Logan, McHenry, McLean, Macon, Madison, Mason, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Ogle, Perry, Pulaski, Putnam, Randolph, Richland, Rock Island, St. Clair, Saline, Shelby, Stephenson, Tazewell, Union, Vermilion, Wabash, Washington, Wayne, Whiteside, Will, Williamson, Winnebago, and Woodford Counties;

Indiana. Adams, Allen, Bartholomew, Benton, Blackford, Boone, Brown, Carroll, Cass, Clark, Clay, Clinton, Crawford, Daviess, Dearborn, Decatur, De Kalb, Delaware, Dubois, Elkhart, Fayette, Floyd, Fountain, Franklin, Fulton, Grant, Greene, Hamilton, Hancock, Harrison, Hendricks, Henry, Howard, Huntington, Jackson, Jasper, Jay Jefferson, Jennings, Johnson, Knox, Kosciusko, Lagrange, Lake, La Porte, Lawrence, Madison, Marion, Marshall, Martin, Miami, Monroe, Montgomery, Moran, Newton, Noble, Ohio, Orange, Owen, Parke, Perry, Pike, Porter, Posey, Pulaski, Putnam, Randolph, Ripley, Rush, St. Joseph, Scott, Shelby, Spencer, Starke, Steuben, Sullivan, Switzerland, Tippecanoe, Tipton, Union, Vanderburgh, Vermillion, Vigo, Wabash, Warren, Warrick, Washington, Wayne, Wells, White, and Whitley Counties;

Iowa. Audubon, Carroll, Clinton, Delaware, Dickinson, Emmet, Fayette, Hamilton, Lyon, Mitchell, Monona, O'Brien, Osceola, Palo Alto, Pocahontas, Polk, Sac, Scott, Wapello, Warren, Winnebago, Woodbury, and Wright Counties;

Kansas. Barton, Cheyenne, Clark, Clay, Decatur, Ford, Franklin, Geary, Gove, Gray, Greeley, Harper, Haskell, Jefferson, Johnson, Kearney, Kingman, Leavenworth, Logan, Marshall, Meade, Miami, Mitchell, Morris, Nemaha, Osage, Osborne, Pawnee, Rawlins, Reno, Rice, Rooks, Sheridan, Sherman, Smith, Thomas, Trego, Wallace, Wichita, and Wyandotte Counties;

Kentucky. Allen, Anderson, Ballard, Barren, Boone, Boyd, Bracken, Breathitt, Breckinridge, Butler, Calloway, Campbell, Carlisle, Carroll, Carter, Crittenden, Cumberland, Edmonson, Elliott, Floyd, Franklin, Fulton, Gallatin, Grant, Graves, Green, Greenup, Hardin, Harrison, Hart, Henry, Hickman, Hopkins, Jackson, Jefferson, Johnson, Kenton, Knott, Knox, Larue, Laurel, Lawrence, Leslie, Lincoln, Livingston, Logan, McCracken, McCreary, McLean, Magoffin, Marion, Marshall, Martin, Meade, Mercer, Metcalf, Morgan, Muhlenberg, Ohio, Oldham,

Owen, Pendleton, Perry, Pulaski, Robertson, Rockcastle, Rowan, Shelby, Simpson, Spencer, Todd, Trigg, Trimble, Warren, Washington, Wayne, Webster, Whitley, and Wolfe Counties;

Louisiana. Ascension, Assumption, Claiborne, St. Helena, St. John the Baptist, and Webster Parishes;

Maine. The entire State;

Maryland. The entire State;

Massachusetts. The entire State;

Michigan. The entire State;

Minnesota. The entire State;

Mississippi. Alcorn, Amite, Attala, Benton, Choctaw, Clay, Desoto, Forrest, Franklin, George, Greene, Hancock, Harrison, Itawamba, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Leake, Lee, Lowndes, Marion, Monroe, Neshoba, Newton, Oktibbeha, Pearl River, Perry, Pike, Pontotoc, Prentiss, Smith, Stone, Tallahatchie, Tippah, Tishomingo, Union, Walthall, Webster, Winston, and Yalobusha Counties;

Missouri. Adair, Andrew, Barry, Bates, Bollinger, Boone, Buchanan, Caldwell, Camden, Cape Girardeau, Carroll, Carter, Cass, Cedar, Chariton, Christian, Clark, Clinton, Cole, Cooper, Crawford, Dade, Dallas, Daviess, Dent, Douglas, Dunklin, Gasconade, Gentry, Grundy, Harrison, Henry, Hickory, Howard, Iron, Jasper, Jefferson, Johnson, Lafayette, Lawrence, Lincoln, Linn, Livingston, McDonald, Macon, Madison, Maries, Marion, Mercer, Moniteau, Montgomery, Morgan, New Madrid, Newton, Oregon, Ozark, Pemiscot, Perry, Pettis, Phelps, Platte, Polk, Pulaski, Putnam, Ralls, Randolph, Ray, Reynolds, Ripley, St. Charles, St. Francois, Ste. Genevieve, St. Louis, Scotland, Scott, Shelby, Stoddard, Stone, Taney, Texas, Vernon, Warren, Washington, Wayne, and Wright Counties;

Montana. Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, McCone, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Ponders, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, and Yellowstone Counties;

Nebraska. Adams, Banner, Burt, Butler, Cass, Cedar, Chase, Clay, Colfax, Cuming, Dakota, Deuel, Dixon, Dodge, Douglas, Dundy, Fillmore, Franklin, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Hitchcock, Howard, Jefferson, Johnson, Kimball, Lancaster, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Pierce, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, Webster, and York Counties;

Nevada. The entire State;

New Hampshire. The entire State;

New Jersey. The entire State;

New Mexico. The entire State;

New York. The entire State;

North Carolina. The entire State;

North Dakota. Adams, Barnes, Benson, Bottineau, Bowman, Burke, Cass, Cavalier, Divide, Dunn, Eddy, Emmons, Foster, Grand Forks, Grant, Griggs, Nettinger, McHenry, McKenzie, Mercer, Morton, Mountrail, Nelson, Oliver, Pembina, Pierce, Ramsey, Renville, Richland, Rolette, Sargent, Sheridan, Sioux, Slope, Stark, Steele, Towner, Traill, Walsh, Ward, Wells, and Williams Counties;

Ohio. Allen, Athens, Auglaize, Belmont, Carroll, Champaign, Clark, Clinton, Columbiana, Coshocton, Crawford, Cuyahoga, Darke, Defiance, Delaware, Fayette, Franklin, Fulton, Greene, Guernsey, Hancock, Hardin, Harrison, Henry, Hocking, Jackson, Knox, Lake, Licking, Logan, Lorain, Lucas, Mahoning, Marion, Medina, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Morrow, Muskingum, Noble, Ottawa, Paulding, Perry, Pickaway, Pike, Portage, Preble, Putnam, Ross, Sandusky, Scioto, Seneca, Shelby, Stark, Summit, Tuscarawas, Union, Van Wert, Vinton, Washington, Williams, Wood, and Wyandot Counties;

Oklahoma. Adair, Choctaw, Cimarron, Delaware, and Mayes Counties;

Oregon. The entire State;

Pennsylvania. The entire State;

Rhode Island. The entire State;

South Carolina. Abbeville, Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Cherokee, Chester, Chesterfield, Clarendon, Colleton, Darlington, Dillon, Edgefield, Florence, Georgetown, Greenwood, Hampton, Horry, Jasper, Kershaw, Lancaster, Laurens, Lee, Lexington, McCormick, Marion, Marlboro, Newberry, Orangeburg, Pickens, Richland, Saluda, Spartanburg, Sumter, Union, and York Counties;

South Dakota. Brookings, Buffalo, Butte, Campbell, Clay, Codington, Custer, Day, Deuel, Edmunds, Faulk, Grant, Hamlin, Harding, Lawrence, Lincoln, McPherson, Marshall, Miner, Minnehaha, Moody, Perkins, Roberts, Turner, Union, and Walworth Counties;

Tennessee. The entire State;

Texas. Andrews, Bandera, Baylor, Blanco, Borden, Brewster, Brown, Burnet, Childress, Coke, Coleman, Concho, Cottle, Crane, Crockett, Culberson, Dallam, Dawson, Ector, Edwards, El Paso, Fisher, Gillespie, Glascock, Hartley, Haskell, Howard, Hudspeth, Irion, Jeff Davis, Kendall, Kerr, Kimble, King, Kinney, Lampasas, Lipscomb, Llano, Loving, McCulloch, Martin, Mason, Menard, Midland, Mitchell, Motley, Nolan, Ochiltree, Oldham, Pecos, Presidio, Reagan, Real Reeves, Runnels, San Saba, Schleicher, Scurry, Shackelford, Stephens, Sterling, Stonewall, Sutton, Taylor, Terrell, Throckmorton, Tom Green, Upton, Ward, Winkler, and Young Counties;

Utah. The entire State;

Vermont. The entire State;

Virginia. Accomack, Alleghany, Amelia, Appomattox, Arlington, Augusta, Bath, Bedford, Bland, Botetourt, Brunswick, Buchanan, Buckingham, Campbell, Caroline, Carroll, Charles City, Chesterfield, Clarke, Craig, Culpeper, Cumberland, Dickenson, Dinwiddie, Essex, Fairfax, Fluvanna, Franklin, Frederick, Giles, Gloucester, Greene, Greensville, Hanover, Henrico, Highland, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Lee, Loudoun, Louisa, Madison, Mathews, Mecklenburg, Middlesex, Nansemond, Nelson, New Kent, Norfolk, Northampton, Northumberland, Nottoway, Orange, Page, Pittsylvania, Powhatan, Prince George, Prince William, Princess Anne, Pulaski, Rappahannock, Richmond, Roanoke, Rockingham, Scott, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Washington, Westmoreland, Wise, Wythe, and York Counties; city of Hampton, and city of Newport News;

Washington. The entire State;

West Virginia. The entire State;

Wisconsin. The entire State;

Wyoming. Albany, Big Horn, Campbell, Crook, Fremont, Hot Springs, Laramie, Lincoln, Niobrara, Park, Sweetwater, Uinta, Washakie, and Weston Counties; and Lower Arapahoe Cattle Association, Wind River Indian Reservation in Fremont County, Arapahoe Ranch Tribal Enterprise and Wind River Indian Reservation in Fremont and Hot Springs Counties;

Puerto Rico. The entire area;

Virgin Islands of the United States. The entire area.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 13, 65 Stat. 693, 21 U.S.C. 111–113, 114a–1, 120, 121, 125; 19 F.R. 74, as amended; 9 CFR 78.16)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment adds the following additional areas to the list of areas designated as modified certified brucellosis areas because it has been determined that such areas come within the definition of § 78.1(i): Lauderdale and Talladega Counties in Alabama; Drew and Miller Counties in Arkansas; Huerfano County in Colorado; Hamilton, Polk, Winnebago, Woodbury, and Wright Counties in Iowa; Barton, Clay, Ford, Gove, Kingman, Logan, Meade, Miami, Mitchell, Osage, Pawnee, Rice, Rooks, Trego, and Wichita Counties in Kansas; Cumberland, Hardin, Hart, Knott, Knox, Laurel, Leslie, Marion, McCreary, Ohio, Washington, and Wayne Counties in Kentucky; Ascension Parish in Louisiana; Clark, Crawford, Dunklin, Lawrence, Madison, New Madrid, Pemiscot, and Taney Counties in Missouri; Chase and Perkins Counties in Nebraska; Florence and Kershaw Counties in South Carolina; Marshall County in South Dakota; Childress, Dawson, Haskell, Lipscomb, Ochiltree, and Oldham Counties in Texas; and Campbell, Roanoke, and Washington Counties in Virginia.

The amendment deletes the following areas from the list of areas designated as modified certified brucellosis areas because it has been determined that such areas no longer come within the definition of § 78.1(i): St. Landry Parish in Louisiana; Butler, Franklin, Greene, Jackson, Monroe, Osage, Webster, and Worth Counties in Missouri; and McLean County in North Dakota.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of December 1961.

E. E. SAULMON,
Acting Director, Animal Disease Eradication Division, Agricultural Research Service.

[F.R. Doc. 61–11963; Filed, Dec. 15, 1961; 8:49 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

PART 121—SMALL BUSINESS SIZE STANDARDS

[Amdt. 10; Rev. 2]

Definitions

The Small Business Size Standards Regulation (Revision 2) (26 F.R. 812), as amended (26 F.R. 1441, 1983, 2778, 3064, 5708, 6642, 8592, 10633, 10634), is hereby further amended by:

1. Adding the following new paragraphs (q), (r), and (s) to § 121.3–2 as follows:

(q) "Hospital" means a health facility duly licensed as hospital providing inpatient medical or surgical care of the sick or injured, including obstetrics, which facility is privately owned and operated for the purpose of obtaining profits which shall inure to the benefit of its owners, stockholders, or members.

(r) "Convalescent or nursing home" means those facilities for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who may require nursing care and related medical services, which facility is privately owned and operated for the purpose of obtaining profits which shall inure to the benefit of its owners, stockholders, or members.

(s) "Medical and dental laboratory" means those facilities which provide services to doctors, dentists, hospitals, and similar health facilities, which facilities are privately owned and operated for the purpose of obtaining profits which shall inure to the benefit of its owners, stockholders, or members.

2. Redesignating § 121.3–10(j) as § 121.3–10(m).

3. Adding the following new paragraphs (j), (k), and (l) to § 121.3–10:

(j) A hospital is small if its capacity does not exceed 100 beds (excluding cribs and bassinets).

(k) A convalescent or nursing home is small if its annual receipts are $1,000,000 or less.

(l) A medical or dental laboratory is small if:

(1) It is operated in connection with an eligible proprietary hospital, or

(2) It is not operated in connection with an eligible proprietary hospital and has annual receipts of $1,000,000 or less.

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER.

JOHN E. HORNE,
Administrator.

NOVEMBER 28, 1961.

[F.R. Doc. 61–11928; Filed, Dec. 15, 1961; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61–WA–102]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On August 1, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 6857) stating that the Federal Aviation Agency proposed to realign the segment of intermediate altitude VOR Federal airway No. 1543 from the Truth or Consequences, N. Mex., VOR to the Alamosa, Colo., VOR, and designate intermediate altitude VOR Federal airway No. 1756 from Zuni, N. Mex., to Socorro, N. Mex.

The Air Line Pilots Association and the Air Transport Association submitted recommendations on this proposal. Basically, they recommended a more direct routing for the segment of Victor 1543.

After a review of the recommendations submitted, the Federal Aviation Agency has determined that the portion of Victor 1543 between Albuquerque, N. Mex., VOR and the Socorro, N. Mex., VOR should be designated as direct in lieu of via the Socorro VOR 115° and the Albuquerque VOR 160° True radials. This will eliminate the sharp turn in Victor 1543 between the Socorro VOR and the Albuquerque VOR. Other recommendations for a more direct routing of Victor 1543 will be considered in a future review of the airways and terminal procedures in the Albuquerque terminal area.

In addition to the above actions, the Federal Aviation Agency is also redesignating low altitude VOR Federal airway No. 83 from the Santa Fe, N. Mex., VOR direct to the Taos, N. Mex., VOR. This airway was initially dog-legged to avoid the Los Alamos, N. Mex., prohibited area. However, in Airspace Docket No. 60–WA–88 (25 F.R. 6946) the Los Alamos prohibited area was revoked and two smaller restricted areas, R–5101 and R–5102, were designated which would not conflict with the direct alignment of this segment of airway.

Since the changes associated with Victor 83 are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary, and they are included in this action which refers to the same general area.

The substance of the proposed amendments to Victor 1543 and Victor 1756 having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), and for the reasons stated herein and in the notice, the following actions are taken:

1. In the text of § 600.1543 (26 F.R. 1086) "INT of the Truth or Consequences VOR 017° and the Albuquerque, N. Mex., VOR 160° radials; Albuquerque VOR; Santa Fe, N. Mex., VOR; thence 10 mile wide airway to the INT of the Santa Fe VOR 010° and the Las Vegas, N. Mex., VOR 299° radials; thence via the INT of the Santa Fe VOR 010° and the Alamosa, Colo., VOR 183° radials;" is deleted and "Socorro, N. Mex., VOR; Albuquerque, N. Mex., VOR; Santa Fe, N. Mex., VOR; Taos, N. Mex., VOR;" is substituted therefor.

2. Part 600 (14 CFR Part 600) is amended to include:

§ 600.1756 VOR Federal airway No. 1756 (Zuni, N. Mex., to Socorro, N. Mex.).

From the Zuni, N. Mex., VOR via the INT of the Socorro, N. Mex., VOR 289° and the Albuquerque, N. Mex., VOR 229° radials; thence 10-mile wide airway to the Socorro VOR.

§ 600.6083 [Amendment]

3. In the text of § 600.6083 (14 CFR 600.6083) "INT of the Santa Fe VOR 010° T and the Taos VOR 182° T radials;" is deleted.

These amendments shall become effective 0001 e.s.t. February 8, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 13, 1961.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 61–11953; Filed, Dec. 15, 1961; 8:48 a.m.]

[Airspace Docket No. 61–NY–39]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On August 9, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 7149) stating that the Federal Aviation Agency proposed to redesignate a segment of intermediate altitude VOR Federal airway No. 1546.

The Department of the Air Force and the Air Transport Association offered no objection to the proposal contained in the notice. The Department of the Navy concurred with the proposal provided that no derogation of air traffic flow into NAS Oceana would result. Designation of Victor 1546 will not derogate air traffic flow into NAS Oceana, Va., in fact, it will improve air traffic procedures in this area by more clearly defining the airspace for air traffic transitioning between the Continental Control area and the offshore area and the airspace used for aircraft holding or maneuvering in the NAS Oceana area.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for reasons stated in the notice, the following action is taken: