nuclear energy liability insurance policies (facility form) applicable to such common occurrence and issued by Nuclear Energy Liability Insurance Association;

(b) If the sum of the limit of liability of any Mutual Atomic Energy Liability Underwriters policy designated in Item 5 of the Attachment and the limits of liability of all other nuclear energy liability insurance policies (facility form) applicable to such common occurrence and issued by Mutual Atomic Energy Liability Underwriters exceeds $13,500,000, the amount of financial protection specified in Item 2 a and b of the Attachment shall be deemed to be reduced by that proportion of the difference between said sum and $13,500,000 as the limit of liability of the Mutual Atomic Energy Liability Underwriters policy designated in Item 5 of the Attachment bears to the sum of the limits of liability of all nuclear energy liability insurance policies (facility form) applicable to such common occurrence and issued by Mutual Atomic Energy Liability Underwriters;

3. Amend § 140.76 *Appendix B*, Article II, paragraph 6(c) to read as follows:

(c) If any of the other applicable agreements is with a person who has furnished financial protection in a form other than a nuclear energy liability insurance policy (facility form) issued by Nuclear Energy Liability Insurance Association or Mutual Atomic Energy Liability Underwriters, and if also the sum of the amount of financial protection established under this agreement and the amounts of financial protection established under all other applicable agreements exceeds $60,000,000, the obligations of the licensee shall not exceed a greater proportion of $60,000,000 than the amount of financial protection established under this agreement bears to the sum of such amount and the amounts of financial protection established under all other applicable agreements.

As used in this paragraph 6, Article II, and subparagraph 4(b), Article III, "other applicable agreements" means each other agreement entered into by the Commission pursuant to subsection 170c of the Act in which agreement the nuclear incident is defined as a "common occurrence." As used in this paragraph 6, Article II, "the obligations of the licensee" means the aggregate of the obligations of the licenesee under paragraph 2(b) of this Article II, and under subsection 53e(8) of the Act to indemnify the United States and the Commission from public liability, together with any public liability satisfied by the insurers under the policy or policies designated in the Attachment, and the reasonable costs of investigating and settling claims and defending suits for damage.

4. Amend § 140.76 *Appendix B*, Article III, paragraph 3, to read as follows:

3. The Commission agrees to indemnify and hold harmless the licensee, and other persons indemnified as their interest may appear, from the reasonable costs of investigating, settling and defending claims for public liability.

5. Amend § 140.76 *Appendix B*, Article VII, to read as follows:

ARTICLE VII

The term of this agreement shall commence as of the date and time specified in Item 6 of the Attachment and shall terminate at the time of expiration of that license specified in Item 3 of the Attachment, which is the last to expire; provided that, except as may otherwise be provided in applicable regulations or orders of the Commission, the term of this agreement shall not terminate until all the radioactive material has been removed from the location and transportation of the radioactive material from the location has ended as defined in subparagraph 4(b), Article I. Termination of the term of this agreement shall not affect any obligation of the licensee or any obligation of the Commission under this agreement with respect to any nuclear incident occurring during the term of this agreement.

6. Amend § 140.77 *Appendix C*, Article I, paragraph 6, to read as follows:

6. "Public liability" means any legal liability arising out of or resulting from a nuclear incident, except (1) claims under state or Federal Workmen's Compensation Acts of employees of persons indemnified who are employed (a) at the location or, if the nuclear incident occurs in the course of transportation of the radioactive material, on the transporting vehicle, and (b) in connection with the licensee's possession, use or transfer of the radioactive material; and (2) claims arising out of an act of war.

Dated at Germantown, Md., this 11th day of August 1961.

For the Atomic Energy Commission.

WOODFORD B. MCCOOL,
Secretary.

[F.R. Doc. 61-7953; Filed, Aug. 18, 1961; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8337 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Pressing Supply Co. et al.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055-50 *Preticketing merchandise misleadingly.* Subpart—Misbranding or mislabeling: § 13.1280 *Price.* Subpart—Misrepresenting oneself and goods—Prices: § 13.1811 *Fictitious preticketing.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Pressing Supply Company et al., Philadelphia, Pa., Docket 8337, July 25, 1961]

In the Matter of Pressing Supply Company, a Corporation, Ironfast Products Company, a Corporation, and Jerome Silk and Sidney Cozen, Individually and as Officers of Said Corporations; and Sanford A. Specht and Annette Specht, Doing Business Under the Name of S. A. Specht Associates

Consent order requiring Philadelphia distributors to cease falsely representing excessive amounts as the usual retail prices for ironing board covers, by such practices as imprinting fictitious prices on containers of the products before shipment to distributors, jobbers, and retail purchasers.

The order to cease and desist is as follows:

It is ordered, That Respondents Pressing Supply Company, a corporation, and Ironfast Products Company, a corporation, and their officers, and Jerome Silk and Sidney Cozen, individually and as officers of said corporations, and Respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of ironing board covers or other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, in any manner, that any amount is the usual and regular retail price of merchandise when such amount is in excess of the price at which said merchandise is usually and regularly sold at retail in the trade area or areas where the representation is made;

2. Putting any plan into operation whereby retailers or others may misrepresent the usual and regular retail price of merchandise.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That Respondents Pressing Supply Company and Ironfast Products Company, corporations, and Jerome Silk and Sidney Cozen, individually and as officers of said corporations, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: July 25, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 61-7960; Filed, Aug. 18, 1961; 8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES

[T.D. 6569]

PART 48—MANUFACTURERS AND RETAILERS EXCISE TAXES

Floor Stocks Taxes on Certain Tires, Inner Tubes, and Tread Rubber; 1961

Section 206 (a) and (b) of the Federal-Aid Highway Act of 1961 (75 Stat. 127) amended section 4226 of the Internal Revenue Code of 1954 to impose floor stocks taxes on tires, inner tubes, and tread rubber held on July 1, 1961, by dealers and certain other persons. The following regulations amending the Manufacturers and Retailers Excise Tax Regulations (26 CFR Part 48) are hereby prescribed relating to such floor stocks taxes:

PARAGRAPH 1. Section 48.4226, relating to floor stocks taxes, is amended by adding after paragraph (5) of section 4226(a) new paragraphs (6) and (7) and by revising subsection (d) of section 4226 and the historical note. Section 48.4226, as so amended and revised, reads as follows:

§ 48.4226 Statutory provisions; floor stocks taxes.

SEC. 4226. *Floor stocks taxes*—(a) *In general.*

* * * * *

(5) *1959 tax on gasoline.* On gasoline subject to tax under section 4081 which, on October 1, 1959, is held by a dealer for sale, there is hereby imposed a floor stocks tax at the rate of 1 cent a gallon. The tax imposed by this paragraph shall not apply to gasoline in retail stocks held at the place where intended to be sold at retail, nor to gasoline held for sale by a producer or importer of gasoline.

(6) *1961 taxes on certain tires and inner tubes.* On tires subject to tax under section 4071 (a)(1), and on inner tubes subject to tax under section 4071(a)(3), which, on July 1, 1961, are held—

(A) By a dealer for sale,

(B) For sale on, or in connection with, other articles held by the manufacturer, producer, or importer of such other articles, or

(C) For use in the manufacture or production of other articles,

there is hereby imposed a floor stocks tax at the rate of 2 cents a pound in the case of such tires, and a floor stocks tax at the rate of 1 cent a pound in the case of such inner tubes. The taxes imposed by this paragraph shall not apply to any tire or inner tube which is held for sale by the manufacturer, producer, or importer of such tire or tube, or which will be subject under section 4218(b) or 4219 to the manufacturers excise tax on tires or inner tubes. The tax on inner tubes imposed by this paragraph shall not apply to inner tubes for bicycle tires (as defined in section 4221(e)(4)(B)).

(7) *1961 tax on tread rubber.* On tread rubber subject to tax under section 4071(a)(4) which, on July 1, 1961, is held by a dealer, there is hereby imposed a floor stocks tax at the rate of 2 cents a pound. The tax imposed by this paragraph shall not apply in the case of any person if such person establishes, to the satisfaction of the Secretary or his delegate, that all tread rubber held by him on July 1, 1961, will be used otherwise than in the recapping or retreading of tires of the type used on highway vehicles (as defined in section 4072(c)).

(b) *Overpayment of floor stocks taxes.* Section 6416 shall apply in respect of the floor stocks taxes imposed by this section, so as to entitle, subject to all provisions of section 6416, any person paying such floor stocks taxes to a credit or refund thereof for any of the reasons specified in section 6416.

(c) *Meaning of terms.* For purposes of subsection (a), the terms "dealer" and "held by a dealer" have the meaning assigned to them by section 6412(a)(4).

(d) *Due date of taxes.* The taxes imposed by subsection (a) shall be paid at such time after September 30, 1956, as may be prescribed by the Secretary or his delegate; except that the tax imposed by paragraph (5) shall be paid at such time after December 31, 1959, as may be prescribed by the Secretary or his delegate, and except that the taxes imposed by paragraphs (6) and (7) shall be paid at such time after September 30, 1961, as may be prescribed by the Secretary or his delegate.

[Sec. 4226 as added and in effect Jan. 1, 1959, and as amended by sec. 201(c) (1), (2) and (3) of the Federal-Aid Highway Act of 1959 (73 Stat. 614); by sec. 206 (a) and (b) of the Federal-Aid Highway Act of 1961 (75 Stat. 127)]

PAR. 2. The following section is added immediately after § 48.4226–8:

§ 48.4226–9 1961 floor stocks taxes on tires, inner tubes, and tread rubber.

(a) *Scope of tax*—(1) *In general.* A floor stocks tax is imposed on any article subject to tax under the following sections of the Internal Revenue Code which is held for sale or other specified disposition at the first moment of July 1, 1961, by a dealer or certain other persons (see paragraph (b) of this section):

(i) Section 4071(a)(1) (relating to tires of the type used on highway vehicles),

(ii) Section 4071(a)(3) (relating to inner tubes for tires), and

(iii) Section 4071(a)(4) (relating to tread rubber).

The taxes are imposed on articles held in inventory for sale or other specified disposition, without regard to their sale or other disposition. The taxes do not apply to articles held by the manufacturer, producer, or importer of such articles.

(2) *Dealer.* A dealer for purposes of the floor stocks taxes on tires and inner tubes includes a wholesaler, jobber, distributor, or retailer. In the case of tread rubber, a dealer includes any person (other than the manufacturer, producer, or importer thereof) who holds such tread rubber for sale or use.

(3) *Held by a dealer.* (i) An article subject to floor stocks tax is regarded as held by a dealer if title to the article has passed to the dealer (whether or not delivery has been made), and if, for purposes of consumption, title to or possession of such article has not at any time been transferred to any person other than a dealer. For example, the tax applies to tires in inventory which have been pledged as security for a loan by the dealer even though he has transferred title or possession to the lender as of July 1, 1961.

(ii) If the dealer has title to an article, the article is considered to be held by him even though it is in transit, in storage, or at a distribution point. Where title does not pass until delivery, articles in transit at the first moment of July 1, 1961, are regarded as held by the shipper at that time.

(b) *Application of tax*—(1) *Highway tires and certain inner tubes.* (i) The floor stocks tax applies to tires of the type used on highway vehicles which are highway motor vehicles, such as automobiles, trucks, buses, highway tractors, and motorcycles, and on vehicles such as trailers (including house trailers) and semitrailers of the type used in connection with highway motor vehicles. For the purpose of the regulations under this section, the term "highway tires" means "tires of the type used on highway vehicles" as defined in section 4072(c). The floor stocks tax applies to inner tubes for any type of tire, except a bicycle tire (as defined in section 4221(e)(4)(B)). It is immaterial whether the tire with which the inner tube may be used is or is not of the highway type. Highway tires and inner tubes are subject to the tax if held at the first moment of July 1, 1961, (*a*) by a dealer for sale; (*b*) by a manufacturer, producer, or importer for sale on, or in connection with, other articles manufactured, produced, or imported by him and held by him; or (*c*) for use in the manufacture or production of other articles. Thus, a manufacturer, producer, or importer of vehicles incurs liability for the floor stocks tax on highway tires and inner tubes which are mounted on vehicles held by him for sale or which are held by him in inventory for use in the manufacture or production of vehicles.

(ii) The tax does not apply to tires and inner tubes which at the first moment of July 1, 1961, are actually mounted on a vehicle held for sale by a person who is not the manufacturer, producer, or importer of the vehicle. The tax does not apply to used tires or inner tubes as such or to recapped tires, unless the recapping has been from bead to bead so that the original tire has lost its identity. The tax does not apply to tires which are neither of the type used on highway motor vehicles nor of the type used on vehicles of the type used in connection with highway motor vehicles. The tax does not apply to bicycle tires. The tax does not apply to tires and inner tubes held for sale by the manufacturer, producer, or importer of such tires and inner tubes. Further, the floor stocks tax does not apply to any tires or inner tubes which will be subject under section 4218(b) or 4219 to the manufacturers excise tax on tires or inner tubes.

(iii) The tax applies to tires and inner tubes which are made wholly or in part of rubber, including synthetic or substitute rubber.

(iv) The tax is computed on the total weight of the tire or the inner tube, including fractional parts of a pound, but excluding metal rims or rim bases in the case of tires.

(v) Any person liable for the floor stocks tax on tires and inner tubes may be guided by schedules furnished by the manufacturer, producer, or importer of such tires and inner tubes as to the taxable weight of the tires and inner tubes which are subject to floor stocks tax provided such schedules are based upon the latest method of determination of weight of tires and inner tubes as approved by the Commissioner. This schedule may also be used as a guide to determine the tires of the highway type subject to floor stocks tax.

(2) *Tread rubber.* (i) The floor stocks tax applies to tread rubber held at the first moment of July 1, 1961, by any person (other than the manufacturer, producer, or importer of tread rubber) for either sale or use.

(ii) The term "tread rubber" means any material (*a*) which is commonly or commercially known as tread rubber or camelback, or (*b*) which is a substitute for any material commonly or commercially known as tread rubber or camelback and is of a type used in recapping or retreading tires. The term includes, for example, strips of material, wholly or partially of rubber, natural or synthetic, intended to be vulcanized or otherwise affixed to a tire casing to form the outside perimeter of the tire, smooth or treaded. It further includes treading

material produced by reprocessing scrap, salvage, or junk rubber. Tread rubber loses its identity as such when it has been used in the recapping or retreading of a tire.

(iii) Any person (other than the manufacturer, producer, or importer of the tread rubber) who holds tread rubber for sale or use at the first moment of July 1, 1961, incurs liability for the tax on such tread rubber and must report and pay the tax thereon unless he establishes that all the tread rubber held by him at such time will be used for a purpose other than the recapping or retreading of highway tires. If any of the tread rubber held by such person is to be used in the recapping or retreading of highway tires, the tax applies to all the tread rubber held by him at the first moment of July 1, 1961. However, credit or refund of the tax may be claimed, as provided in sections 4226(b) and 6416 of the Code, by the person paying the tax with respect to tread rubber which is used or resold for use other than in the recapping or retreading of highway tires. See paragraph (g) of this section relating to credit or refund of floor stocks tax.

(c) *Rates of tax.* The rates of the floor stocks taxes are:

(1) *Highway tires and inner tubes.* Two cents per pound on the total weight of the highway tire and 1 cent per pound on the total weight of the inner tube. See paragraph (b)(1) (iv) and (v) of this section for determining the weight on which tax is computed.

(2) *Tread rubber.* Two cents per pound on the total weight of the tread rubber.

(d) *Inventory.* (1) Every person liable for the floor stocks tax on highway tires, inner tubes, or tread rubber shall prepare an inventory of such articles held at the first moment of July 1, 1961, and shall retain such inventory at his principal place of business. Persons holding articles subject to the tax at more than one location shall prepare a separate inventory, in duplicate, for each location. One copy of the separate inventory shall be retained at such location and one copy shall be kept at the principal place of business of the taxpayer. Each inventory shall show the name of the taxpayer, the location of the particular premises for which the inventory is made, and the address shown on the tax return. The inventories shall not be filed with the return but shall be retained by the taxpayer.

(2) The inventory shall consist of the following information with respect to articles subject to tax:

(i) The trade name, grade, size, number of plies, and weight of highway tires.

(ii) The trade name, grade, size, and weight of inner tubes.

(iii) The crown width, gauge, and weight of tread rubber.

(e) *Requirements with respect to return*—(1) *Form.* Every person liable for the floor stocks taxes on highway tires, inner tubes, or tread rubber shall make a return of such tax on Form 3174.

(2) *Place for filing returns by persons other than corporations.* The return of a person other than a corporation shall be filed with the district director of internal revenue for the district in which is located the principal place of business or legal residence of such person. If such person has no principal place of business or legal residence in any internal revenue district, the return shall be filed with the District Director at Baltimore, Maryland, except as provided in subparagraph (4) of this paragraph.

(3) *Place for filing returns by corporations.* The return of a corporation shall be filed with the district director for the district in which is located the principal place of business or principal office or agency of the corporation, except as provided in subparagraph (4) of this paragraph.

(4) *Returns of taxpayers outside the United States.* The return of a person (other than a corporation) outside the United States having no legal residence or principal place of business in any internal revenue district, or the return of a corporation outside the United States having no principal place of business or principal office or agency in any internal revenue district, shall be filed with the Director, Office of International Operations, Internal Revenue Service, Washington 25, D.C.

(f) *Time for filing return and paying tax.* The return, with remittance of the tax due, shall be filed on or before October 15, 1961. The tax is due and payable without assessment or notice. For additions to the tax for failure to file a return within the prescribed time, see section 6651 and § 301.6651–1 of this chapter (Regulations on Procedure and Administration).

(g) *Credit or refund.* A claim on Form 843 for credit or refund may be filed by any person who makes an overpayment of the floor stocks tax. Any person who has paid a floor stocks tax may be entitled to a credit or refund of the tax for any of the reasons specified in section 6416 and subject to all the conditions provided in such section. Thus, for example, credit or refund may be allowed, subject to the conditions provided in section 6416(a), where the highway tire, inner tube, or tread rubber is used or sold for use for certain purposes specified (1) in section 6416(b)(2)(A), relating to exportation; (2) in section 6416(b)(2)(C), relating to exclusive use of a State or local government; (3) in section 6416(b)(2)(D), relating to exclusive use of a nonprofit educational organization; (4) in section 6416(b)(2)(F) or 6416(b)(3)(C), relating to a tire or inner tube resold for use or used on or in connection with the exportation or exempt sale of another article; or (5) in section 6416(b)(2)(L), relating to use or resale for use of tread rubber otherwise than in the recapping or retreading of highway tires as defined in paragraph (b) of this section.

(h) *Records*—(1) *Inventories.* Every person liable for floor stocks taxes shall maintain records of the separate inventories required by paragraph (d) of this section.

(2) *Copies of returns and other relevant papers and material.* Every person liable for floor stocks taxes shall keep a duplicate copy of the return, together with other relevant papers and material.

(3) *Records of claimants.* Any person claiming refund, credit or abatement of the tax, interest, additional amount, addition to the tax or assessable penalty, shall keep a complete and detailed record with respect to the claim.

(4) *Place and period for keeping records.* (i) All records required by the regulations in this section shall be kept, by the person required to keep them, at a convenient and safe location within the United States which is accessible to internal revenue officers. Such records shall at all times be available for inspection by such officers. If such person has a principal place of business in the United States, the records shall be kept at such place of business.

(ii) Records required by subparagraphs (1) and (2) of this paragraph shall be maintained for a period of at least 3 years after the date the tax becomes due or the date the tax is paid, whichever is the later. Records required by subparagraph (3) of this paragraph (including any record required by subparagraph (1) or (2) of this paragraph which relates to the claim) shall be maintained for a period of at least 3 years after the date the claim is filed.

Because this Treasury decision relates to floor stocks taxes imposed on highway tires, inner tubes, and tread rubber held at the first moment of July 1, 1961, it is hereby found that it is impracticable to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of such Act.

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

Approved: August 15, 1961.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

[F.R. Doc. 61–7975; Filed, August, 18, 1961; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

SUBCHAPTER L—MINERAL LANDS

[Circular No. 2065]

PART 192—OIL AND GAS LEASES

Minimum Royalty, and Continuation of Lease

The purpose of this revision is to amend § 192.81 to conform to an opinion by the Associate Solicitor, Division of Public Lands as to the meaning of the phrase "minimum royalty of $1 per acre" as provided for in section 17(d) of the Mineral Leasing Act (30 U.S.C. sec. 226 (d)), and to clarify the intent of § 192.120a. These amendments are not published as a "Proposed Rule Making"; because they are merely of a minor char-

acter and are not controversial. The amendment shall become effective at the beginning of the calendar day on which it is published in the FEDERAL REGISTER.

1. Section 192.81 is amended to read as follows:

§ 192.81 Minimum royalty.

On leases issued on or after August 8, 1946, and on those issued prior thereto if the lessee files an election under section 15 of the act of August 8, 1946, a minimum royalty of $1 per acre in lieu of rental, shall be payable at the expiration of each lease year after a discovery has been made on the leased lands, commencing with the lease year, beginning on or after the date of such discovery, except that on unitized leases the minimum royalty shall be payable only on the participating acreage. If the actual royalty paid during any year aggregates less than $1 per acre the lessee must pay the difference at the expiration of the lease year.

2. Section 192.120a is amended to read as follows:

§ 192.120a Continuation of lease as a result of actual drilling operations commenced prior to, and continuing at the end of the term.

Any lease on which, or for which under an approved cooperative or unit plan of development or operation, actual drilling operations were commenced prior to the end of its primary term and are being diligently prosecuted at that time shall be extended for two years and so long thereafter as oil or gas is produced in paying quantities. As used in this section "primary term" means all periods in the life of the lease prior to its extension by reason of production of oil or gas in paying quantities.

STEWART L. UDALL,
Secretary of the Interior.

AUGUST 14, 1961.

[F.R. Doc. 61-7963; Filed, Aug. 18, 1961; 8:46 a.m.]

[Circular No. 2066]

PART 195—SODIUM PERMITS AND LEASES; USE PERMITS

Miscellaneous Amendments

A notice of the proposed amendments of 43 CFR, Part 195 was published in the FEDERAL REGISTER of March 8, on pages 1996–1998. The principal purpose of the amendments was to provide for a combined sodium prospecting permit application and permit form, designed to expedite the issuance of sodium permits on public domain and acquired land.

Interested parties were given 30 days from date of publication within which to submit written comments, suggestions or objections with regard to the proposed amendments. As the result of, and after consideration of all of the comments, suggestions and objections received during that period, several of the proposed amendments were revised as set forth below. In addition a new paragraph (c) has been added to § 195.3 to implement that pertinent portion of the Mineral Leasing Act Revision of 1960, Public Law 86–705 (74 Stat. 781), which relates to the computation of acreage chargeability of owners of undivided interests in leases or permits and by members of an association or stockholders of a corporation. It is deemed that notice of proposed rule making as to the changes made would be impractical and unnecessary since they are not of a controversial nature. The proposed amendments to take effect 30 days from date of publication in the FEDERAL REGISTER are hereby adopted with the following changes and are set forth below.

Paragraph (b) of § 195.3 is amended, and a new paragraph (c) is added thereto.

2. Paragraphs (a) and (d) (1) (iii) of § 195.8 are amended.

3. Section 195.9 is amended.

STEWART L. UDALL,
Secretary of the Interior.

AUGUST 14, 1961.

1. Section 195.3 is amended to read as follows:

§ 195.3 Area and limitation on holdings.

(a) Except where the rule of approximation applies,[2] a lease or permit may not include more than 2,560 acres in reasonably compact form entirely within an area of six miles square or within an area not exceeding six surveyed or protracted sections in length or width. No person, association or corporation may hold at any one time more than 5,120 acres in any one State, except as hereinafter stated, whether directly through ownership of leases, permits and applications therefor, or indirectly as a member of an association or as a stockholder of a corporation holding leases, permits and applications therefor.

(b) Where necessary in order to secure the economic mining of sodium compounds, the authorized officer may, in his discretion and after consultation with the Mining Supervisor, permit a person, association, or corporation to hold up to 15,360 acres in any one State, upon submittal of but not necessarily limited to the following information and evidence as proof that the additional acreage is necessary for such purpose:

(1) Whether such person, association, or corporation holds sodium leases and permits covering fee, railroad and State lands within the same area of its public land holdings under sodium leases and permits, and if so, the description of those lands and the amount of acreage involved.

(2) The reasons why the additional public lands covering acreage in excess of 5,120 acres are actually necessary to secure an economic mining unit.

(3) A log of all wells drilled for sodium deposits on the lands which such person, association, or corporation holds under sodium lease or permit, together with an analysis of the ore discovered therein.

(c) In computing acreage holdings or control, the accountable acreage of a party owning an undivided interest in a lease or permit shall be such party's proportionate part of the total lease and permit acreage. Likewise, the accountable acreage of a party owning an interest in a corporation or association shall be his proportionate part of the corporation's or association's accountable acreage except that no person shall be charged with his pro rata share of any acreage holding of any association or corporation unless he is the beneficial owner of more than ten per centum of the stock or other instruments of ownership or control of such association or corporation.

2. Section 195.8 is amended to read as follows:

§ 195.8 Application for permit, and issuance of permit.

(a) To obtain a sodium prospecting permit, an application must be filed in quintuplicate in the appropriate land office on Form 4–1492,[3] or on an exact reproduction thereof. The form or an exact reproduction will constitute the permit when signed by the authorized officer of the land office. The application must be filed in accordance with the regulation in effect at the date of filing.

(b) Each application should be filled in on a typewriter or printed plainly in ink and signed in ink by the applicant or the applicant's duly authorized attorney in fact. An application may be made by a legal guardian or trustee in his name for the benefit of a nonalien minor or minors but an application may not be filed by a minor. Each application must contain a description of the land as prescribed in § 195.17(a) (2). Except where the rule of approximation applies, all applications must be for an area of not more than 2,560 acres of land in reasonably compact form as specified in § 195.3.

(c) Each application, when filed, must be accompanied by:

(1) A filing fee of $10 which is not returnable, and full payment of the first year's rental in the amount specified in paragraph (h) of this section.

(2) If the applicant is an association or corporation, the evidence specified in § 195.4(c) (2) and (3), respectively, and (4). If the acreage holdings of a corporation or members of an association exceed 5,120 acres in the State in which the lands applied for are situated, the information and evidence specified in § 195.3(b) (1), (2), and (3).

(3) (i) Except in a case where an officer of a corporation signs an application on behalf of the corporation, as to which see § 195.4(c) (3), evidence of the authority of the attorney in fact to sign the application and permit, if the application is signed by such attorney on behalf of the applicant.

[2] A larger area may be granted under the "rule of approximation" in those States covered by the public land rectangular survey system. That rule applies to applications for prospecting permits only where elimination of the smallest legal subdivision involved would result in a deficiency of area under 2,560 acres greater than the excess over 2,560 acres resulting from inclusion of such subdivision.

[3] A copy of this (filed as part of original document), as well as of every other form mentioned in this part, may be obtained from any land office or from the Director, Bureau of Land Management, Washington 25, D.C.

(ii) If such applicant is an individual, a statement over the applicant's signature setting forth the applicant's citizenship and acreage holdings, direct and indirect, in sodium leases, permits and applications therefor in the State in which the lands applied for are situated. If such holdings exceed 5,120 acres, the same information and evidence required of a corporation or members of an association.

(4) If the application is made by a guardian or trustee, the evidence specified in § 195.12(c)(3)(i).

(d)(1) Except as provided in subparagraph (3) of this paragraph, an application will be rejected if:

(i) The land description does not conform with the requirements of § 195.17 (a)(2), or the land is not in reasonably compact form as specified in § 195.3.

(ii) The total acreage exceeds 2,560 acres, except where the rule of approximation applies.

(iii) The full amount of the filing fee and the first year's rental do not accompany the application, the rental payment to be for the total acreage if known, and if not known, for the total acreage computed on the basis of 40 acres for each smallest legal subdivision.

(iv) The application is signed by an attorney in fact on behalf of the applicant and is not accompanied by the evidence and statement required by paragraph (c)(3) of this section.

(v) The application is signed by a guardian or trustee on behalf of a minor and is not accompanied by the evidence specified in § 195.12(c)(3)(i).

(vi) Less than five copies of the application are filed.

(vii) There is noncompliance with the requirements specified in § 195.4(c) (1), (2), (3) and (4).

(2) If an application is defective to the extent set out in paragraph (d)(1) of this section, the applicant will be given an opportunity to file a new application within thirty days from service of the rejection, and the fee and rental payments on the old application will be applied to the new application if the new application shows the serial number of the old application. The advance rental will be returned unless within the thirty-day period another application is filed.

(3) An application for permit on a form not correctly reproduced, but which contains the statement that the applicant agrees to be bound by the terms and conditions of the form in effect at the date of filing, will be approved by the authorized officer provided all other requirements are met.

(e) The United States will indicate its acceptance of the application, in whole or in part, and the issuance of the permit by the signature of the authorized officer in the space provided therefor. An executed copy of the permit will be mailed to the applicant at the address of record.

(f) If the applicant dies before the permit is issued, evidence such as specified in § 195.12(c) must be filed before it can be determined to whom the permit may be issued.

(g)(1) An applicant whose application is pending on the effective date of this section, as amended, may file a new application on Form 4–1492 for the land described in his application, pursuant to paragraphs (a), (b) and (c) of this section, but without payment of the required filing fee, if it has already been paid.

(2) When required, the holder of an application pending on the effective date of this section, as amended, must within 30 days from receipt of notice, file an application on Form 4–1492 covering the same land in, and bearing the same serial number as his pending application. He must also pay the first year's rental in the amount specified in paragraph (h) of this section. No additional filing fee will be required. Failure to refile will result in the rejection of the original application without further notice.

(h) A permittee must pay an annual rental of 25 cents an acre or fraction thereof covered by his permit, but not less than $20 per year, such annual payments of rental shall be made on or before the anniversary date of the permit. However, if the time for payment falls upon any day in which the proper land office to receive payment is not open, payment received on the next official working day shall be deemed to be timely. Payment of rental will also be required on all permits issued pursuant to applications filed prior to the effective date of this section, as amended.

3. Section 195.9 is amended to read as follows:

§ 195.9 Term of prospecting permit; rights conferred.

Prospecting permits are issued for a period of two years and grant the permittee the exclusive right to prospect and explore the lands involved to determine the existence of, or workability of, the sodium deposits therein. Only such material may be removed from the lands as is necessary to experimental work or the demonstration of the existence of such deposits in commercial quantities. The permit will be dated as of the first day of the month after its issuance unless the applicant requests that it be dated the first day of the month of issuance.

4. Section 195.10 is amended to read as follows:

§ 195.10 Permit bond.

Prior to the issuance of a permit the applicant must furnish a bond of not less than $1,000, with approved corporate surety (Form 4–1130), or his personal bond in similar amount (Form 4–1131) secured by negotiable Federal securities in the amount of the bond. A bond will also be required on all permits issued pursuant to applications filed prior to the effective date of this section, as amended.

5. Section 195.11 is amended to read as follows:

§ 195.11 Relinquishment, cancellation, or termination of prospecting permit; availability of lands for further application upon relinquishment, cancellation, or termination of permit.

(a) A permittee may relinquish the entire permit or any legal subdivision thereof. If the lands are not described by legal subdivision, a partial relinquishment must contain the description of the lands surrendered and the exact area thereof. A relinquishment must be filed in duplicate in the appropriate land office. Upon its acceptance, it will be effective as of the date it is filed, subject to the continued obligation of the permittee and his surety to make payment of all accrued rentals and royalties, and to provide for the preservation of any mines or productive works or permanent improvements on the permit lands in accordance with the regulations and terms of the permit.

(b) Except as provided for in subparagraph (1) of this paragraph, if a permittee fails to comply with the general regulations in force at the date of the permit, or defaults with respect to any of the terms or stipulations of the permit, and such failure or default continues for 30 days after service of written notice thereof by the Government then the permit may be cancelled. A waiver of any particular cause for cancellation shall not prevent the cancellation of the permit for any other cause, or for the same cause occurring at any other time.

(1) Any prospecting permit shall terminate automatically if the permittee fails to pay the rental as specified in § 195.8(h).

(2) The termination of the permit for failure to pay rental must be noted on the official records of the appropriate land office. Until such notation is made, the lands covered by the permit are not subject to any other sodium permit. Applications for such permits filed prior to such notation will be rejected.

(c) Where lands embraced in a cancelled or relinquished permit are not withdrawn from leasing, such lands shall become available for the filing of new permit applications immediately upon notation on the official status records of the cancellation or relinquishment of the permit. If prior to such notation the permit expires at the end of its primary term in the absence of cancellation or relinquishment, the lands covered by the permit shall likewise become available for the filing of new applications even though the cancellation or relinquishment has not been noted on the records.

6. Section 195.21 is amended to read as follows:

§ 195.21 Renewal leases.

An application for a renewal lease must be filed in duplicate in the appropriate land office not less than 30 days nor more than 90 days before the lease term expires and be accompanied by a filing fee of $10 which is not returnable. Thereafter, the lessee will be notified of the terms and conditions to be prescribed in the renewal lease. Unless the lessee files written objections to the proposed terms, or files a relinquishment of the lease within 30 days after receipt of such notice, he will be deemed to have agreed to such terms and to the renewal of the lease. Prior to the renewal of the lease, the lessee will be required to submit a satisfactory bond as prescribed in § 195.15.

7. Section 195.26 is amended to read as follows:

§ 195.26 Use permits for additional land.

(a) A permittee or lessee may be granted a right to use, during the life of the permit or lease, the surface of not exceeding 40 acres of unoccupied nonmineral public land not included within the boundaries of a national forest for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease. The annual rental charge for use of such land will be not less than $1 an acre or fraction thereof. Payment of the rental shall be made at the time specified in § 195.8(h), and will also be required on all use permits issued pursuant to applications filed prior to the effective date of this section, as amended.

(b) Applications for permits to use additional land shall be filed in duplicate in the appropriate land office. Each application must be accompanied by a filing fee of $10 which is not returnable and the first year's rental in the amount specified in paragraph (a) of this section. The applications must contain a description of the land as specified in § 195.17(a)(2), and set forth the reasons why the additional land is necessary to the permittee or lessee for the use named, and whether it is unoccupied and nonmineral. A use permit will be issued on Form 4–1135 and dated as of the first day of the month after its issuance unless the applicant requests that it be dated the first day of the month of issuance.

(c) Any use permit shall terminate automatically if the permittee or lessee fails to pay the rental at the time specified in § 195.8(h).

8. Footnote 3 referred to in § 195.16 is renumbered as Footnote 4.

[F.R. Doc. 61–7964; Filed, Aug. 18, 1961; 8:45 a.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2462]

[Nevada 056214]

NEVADA

Partly Revoking Reclamation Withdrawals Colorado River Storage and Yuma Projects

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416) it is ordered as follows:

1. The departmental orders of January 31, 1903, August 7, 1920, June 4, 1930, October 16, 1931, August 11, 1933, and August 31, 1942, and any other order or orders reserving public lands for reclamation purposes are hereby revoked so far as they affect the following-described lands:

MT. DIABLO MERIDIAN

T. 23 S., R. 64 E.,
Secs. 25, 26, 35, and 36.
T. 23½ S., R. 64 E.,
Sec. 36.
T. 24 S., R. 64 E.,
Secs. 1, 12, 13, 24, 25, and 36.
T. 23 S., R. 65 E. (unsurveyed),
Secs. 30, 31, and 32.
T. 23½ S., R. 65 E. (unsurveyed),
Secs. 31, and 32.
T. 24 S., R. 65 E. (unsurveyed),
Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 25 S., R. 65 E. (partially surveyed),
Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 26 S., R. 65 E.,
Secs. 16 to 21 incl., 28 to 33 incl.
T. 27 S., R. 65 E.,
Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 28 S., R. 65 E.,
Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 29 S., R. 65 E.,
Secs. 4 to 10 incl., 15 to 22 incl., 26 to 36 incl.
T. 30 S., R. 65 E. (unsurveyed),
Secs. 1 to 3 incl., 10 to 15 incl., and 22.
T. 31 S., R. 65 E. (unsurveyed),
Sec. 34, S½;
Sec. 35, S½.
T. 32 S., R. 65 E.,
Secs. 2 to 18 incl.
T. 30 S., R. 66 E. (unsurveyed),
Secs. 6 and 7.
T. 32 S., R. 66 E.,
Secs. 7 to 9 incl., 16 to 18 incl.

The areas described aggregate 102,583.32 acres.

2. The public lands released from withdrawal by this order are hereby restored to the operation of the public land laws, subject to any valid existing rights, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals.

3. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws beginning 10:00 a.m. on September 19, 1961.

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

AUGUST 14, 1961.

[F.R. Doc. 61–7965; Filed, Aug. 18, 1961; 8:47 a.m.]

[Public Land Order 2463]

WASHINGTON

Partly Revoking Certain Lighthouse Reserves

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Orders No. 2110 of December 28, 1914, No. 2735 of October 18, 1917, and the Executive Orders of July 15, 1875 and February 12, 1895, so far as they withdraw the following-described lands for lighthouse purposes, are hereby revoked:

a. (Washington 04063)

Executive Orders No. 2110 and No. 2735:

WILLAMETTE MERIDIAN

HUCKLEBERRY ISLAND

T. 35 N., R. 2 E.,
Sec. 9, lot 3.
Containing 11.74 acres.

b. (Washington 03638)

Executive Order of July 15, 1875, Item No. 14:

WILLAMETTE MERIDIAN

POINT LAWRENCE (ORCAS ISLAND)

T. 37 N., R. 1 W.,
Sec. 36, lot 1.
T. 37 N., R. 1 E.,
Sec. 30, lot 1;
Sec. 31, lot 1.
Containing 63.10 acres.

c. (Washington 04061)

Executive Order of July 15, 1875, Item No. 23:

POINT DOUGHTY (ORCAS ISLAND)

T. 37 N., R. 2 W.,
Sec. 9, lot 1;
Sec. 10, lot 4.
Containing 56.55 acres.

d. (Washington 04062)

Executive Orders of July 15, 1875, and February 12, 1895:

WILLAMETTE MERIDIAN

CLARK'S ISLAND

T. 37 N., R. 1 W.,
Sec. 12, lot 1;
Sec. 13, lot 1.
Containing 55.05 acres.

The areas described total in the aggregate 186.44 acres.

2. Until 10:00 a.m. on February 13, 1962, the State of Washington shall have a preferred right of application to select the lands in accordance with subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

3. Beginning at 10:00 a.m. on February 13, 1962, the lands shall be subject to operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights and equitable claims, the provisions of any existing withdrawals, and the requirements of applicable law, rules, and regulations.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Spokane, Washington.

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

AUGUST 14, 1961.

[F.R. Doc. 61–7966; Filed, Aug. 18, 1961; 8:47 a.m.]

[Public Land Order 2464]

[Fairbanks 024963]

ALASKA

Order Opening Public Lands

1. Executive Order No. 8014 of November 26, 1938, revoked the following described Executive orders so far as they affected the lands described, and placed the lands under control of the Secretary of the Interior for disposition as provided by the Act of July 5, 1884 (23 Stat. 103; 43 U.S.C. 1071–1074):

a. Executive Order No. 792 of May 7, 1908, so far as it reserved a tract of about 40 acres, approximate latitude 64°58′ N., longitude 151°10′ W., at Hot Springs, for use of the Signal Corps, United States Army, in the operation of telegraph lines.

b. Executive Order No. 3198 of December 16, 1919, so far as it reserved a parcel of land 300 feet by 800 feet near the town of Iditarod, being a part of what

was formerly known as the Bonanza Placer Mining Association Claim.

c. Executive Order No. 945 of September 30, 1908, reserving 0.71 acre at Circle for use of the Signal Corps, United States Army.

d. The order of the Secretary of War, by authority of the President, dated October 20, 1897, reserving the land known as St. Michael Island, with all contiguous land and islands within one hundred miles of the location of the flagstaff of the garrison of the island, as a military reservation, aggregating about 9,600,000 acres, in the general area of Norton Sound.

2. The lands at St. Michael are variable in character, ranging from the steeply sloping, barren hills of the area at the base of the Seward Peninsula in the vicinity of the White Mountain, to the flat semi-aqueous swamps of the delta of the Yukon River. Severe climatic conditions preclude commercial agricultural production. Some of the lands are patented, and some are reserved. The tract at Circle is within the town of the same name and will be subject only to disposition under the townsite laws.

3. Until 10:00 a.m. on February 13, 1962, the State of Alaska shall have a preferred right to select the lands, other than those at Circle, in accordance with the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), and section 6g of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR Part 76.

Beginning at 10:00 a.m. on February 13, 1962, the lands, other than those at Circle, shall be subject to operation of the public land laws generally including the mining laws, subject to valid existing rights and equitable claims and the requirements of applicable law, rules and regulations.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

AUGUST 14, 1961.

[F.R. Doc. 61-7967; Filed, Aug. 18, 1961; 8:47 a.m.]

Title 44—PUBLIC PROPERTY AND WORKS

Chapter I—General Services Administration

SUBCHAPTER C—REAL PROPERTY MANAGEMENT

PART 100—PUBLIC BUILDINGS AND GROUNDS

Subpart A—General Regulations

Subpart A of Part 100, Subchapter C of Chapter I of Title 44 of the Code of Federal Regulations is amended by revising §§ 100.1, 100.3, 100.4, 100.9, and 100.12 to read as follows:

§ 100.1 Applicability.

The rules and regulations in this part apply to all Federal property under the charge and control of the General Services Administration and to all persons entering in or on such property. Unless otherwise stated herein, Federal property under the charge and control of the General Services Administration is referred to as "property," and "public space" means General Services Administration controlled entrances, lobbies, foyers, corridors, and auditoriums when used for public meetings. It is the responsibility of the occupant agencies to require observance of the rules and regulations in this part by their employees.

§ 100.3 Preservation of property.

It is unlawful to willfully destroy, damage, or remove property or any part thereof.

§ 100.4 Conformity with signs and emergency directions.

Persons in and on property shall comply with official signs of a prohibitory or directory nature, and, during emergencies, with the directions of authorized individuals.

§ 100.9 Photography for news, advertising, or commercial purposes.

Except where security regulations apply, or a Federal court order or rule prohibits it, photographs for news purposes may be taken in public space, without prior permission. Photographs for advertising and commercial purposes may be taken in public space only with the prior written permission of the building manager. Photographs for news, advertising or commercial purposes may be taken in space occupied by a tenant agency only with the consent of the occupying agency concerned.

§ 100.12 Weapons and explosives.

No person while on property shall carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, except for official purposes.

Dated: August 15, 1961.

JOHN L. MOORE,
Administrator of General Services.

[F.R. Doc. 61-7997; Filed, Aug. 18, 1961; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 141]

GENERAL FOREST REGULATIONS

Timber Cutting Permits

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Acts of June 25, 1910 (36 Stat. 857; 25 U.S.C. 406, 407), June 18, 1934 (48 Stat. 986; 25 U.S.C. 466), and February 14, 1920 (41 Stat. 415, as amended; 25 U.S.C. 413), and by section 161 of the Revised Statutes (5 U.S.C. 22), it is proposed to amend 25 CFR Part 141 as set forth below. The purpose of the amendment is to change the $200 limitation on stumpage values to $500 in §§ 141.7, 141.12, and 141.19, and to make clear that the 1-year limitation in § 141.19 applies to a calendar year rather than to any other 12-month period.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Indian Affairs, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 141.7 is amended to read as follows:

§ 141.7 Timber sales from unallotted and allotted lands.

On reservations where the volume of timber available for cutting is in excess of that which is being developed by the Indians, open market sales of Indian timber will be authorized: *Provided,* That consent is given by the authorized representative of the tribe for tribal timber, and by the Indian owners for allotted timber. The consent of the Secretary is required in all cases. Unless otherwise authorized by the Secretary, sales from unallotted lands, allotted lands, or a combination of these two ownerships having a stumpage value exceeding $500 will not be approved until an examination of the timber to be sold has been made by a qualified forest officer and a report setting forth all pertinent information has been submitted to the officer authorized to approve the contract as provided in § 141.13. In all such sales of timber exceeding $500 in value, the timber shall be appraised and sold at not less than its appraised value.

2. Section 141.12 is amended to read as follows:

§ 141.12 Contracts required.

Except as provided in § 141.19(c), in sales of timber with an appraised stumpage value exceeding $500 the contract forms approved by the Secretary must be used unless a special form for a particular sale or class of sales is approved by the Secretary. The approved forms provide flexibility to meet variable conditions, but essential departures from the fundamental requirements of such contracts shall be made only with the approval of the Secretary. Unless otherwise directed, the contracts shall require that the proceeds be paid by remittance drawn to the Bureau of Indian Affairs and transmitted to the Superintendent. Contracts may be extended, modified, or assigned subject to approval of the approving officer, and may be terminated by the approving officer upon completion.

3. The introductory paragraph of § 141.19 is amended to read as follows:

§ 141.19 Timber cutting permits.

Except as provided in § 141.20, all timber cutting that is not done under formal contract, pursuant to § 141.12, shall be done under the regular timber cutting permit forms. Permits to be valid must be approved by the Secretary. Permits will be issued only with the consent of authorized representatives of the tribe for unallotted lands, and for allotted lands with the consent of the Indian owner or the Superintendent as authorized in § 141.13 (b) and (c). The stumpage value which may be cut in 1 calendar year by any individual under authority of paragraphs (a) and (b) of this section shall not exceed $500, but this limitation shall not apply to cutting under authority of paragraph (c) of this section.

JAMES K. CARR,
Under Secretary of the Interior.

AUGUST 14, 1961.

[F.R. Doc. 61-7961; Filed, Aug. 18, 1961; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Ch. IX]

[Docket No. AO-333]

GRAPEFRUIT GROWN IN THE INDIAN RIVER DISTRICT OF FLORIDA

Notice of Hearing With Respect to Proposed Marketing Agreement and Order

Correction

In F.R. Doc. 61-7757, appearing at page 7347 of the issue for Saturday, August 12, 1961, the following signature and title should appear after the date at the end of the document: "Floyd F. Hedlund, *Director, Fruit and Vegetable Division*".

[7 CFR Part 51]

FILBERTS IN THE SHELL [1]

U.S. Standards for Grades

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Filberts in the Shell.

Statement of considerations leading to the proposed revision. The proposed revision would change the requirement for "large" size round type varieties of filberts. Nuts in this size classification would be required not to pass through a round opening 49/64 inch in diameter, whereas the present standards specify a 50/64 inch round opening.

This change in size requirement was requested by the Oregon filbert industry. It is intended to bring the standards in line with the Oregon standards and the Federal Specifications which specify a 49/64 inch round opening as the minimum for "large".

Other changes proposed are of a very minor nature and are intended to clarify or improve the organization of the standards.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, South Building, Washington 25, D.C., not later than 30 days after publication herein in the FEDERAL REGISTER.

The proposed standards, as revised, are as follows:

Sec.
51.1995 U.S. No. 1.

UNCLASSIFIED

51.1996 Unclassified.

DEFINITIONS

51.1997 Similar type.
51.1998 Dry.
51.1999 Well formed.
51.2000 Clean and bright.
51.2001 Blank.
51.2002 Damage.
51.2003 Reasonably well developed.
51.2004 Badly misshapen.
51.2005 Rancidity.
51.2006 Moldy.
51.2007 Insect injury.

APPLICATION OF STANDARDS

51.2008 Application of standards.

AUTHORITY: §§ 51.1995 to 51.2008 issued under Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

[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 or with applicable State laws and regulations.

GRADE

§ 51.1995 U.S. No. 1.

"U.S. No. 1" consists of filberts in the shell which are of similar type and dry. The shells shall be well formed, clean and bright, free from blanks, broken or split shells, and free from damage caused by stains, adhering husk or other means. The kernels shall be reasonably well developed, not badly misshapen, free from rancidity, decay, mold, insect injury and free from damage caused by shriveling, discoloration or other means.

(a) The filberts shall meet one of the following size classifications as specified for round type and for long type varieties:

SIZE REQUIREMENTS

Size classifications	Maximum size: Will pass through a round opening of the following size.	Minimum size: Will not pass through a round opening of the following size.
Round type varieties:		
Jumbo	No maximum	50/64 inch.
Large	50/64 inch	49/64 inch.
Medium	49/64 inch	45/64 inch.
Small	45/64 inch	No minimum.
Long type varieties:		
Jumbo	No maximum	47/64 inch.
Large	48/64 inch	44/64 inch.
Medium	45/64 inch	34/64 inch.
Small	35/64 inch	No minimum.

(b) *Tolerances.* In order to allow for variations incident to proper grading and handling, the following tolerances, by count, are permitted as specified:

(1) *For mixed types.* 10 percent for filberts which are of a different type.

(2) *For defects.* 10 percent for filberts which are below the requirements of this grade: *Provided,* That not more than one-half of this amount or 5 percent shall consist of blanks, and not more than 5 percent shall consist of filberts with rancid, decayed, moldy or insect injured kernels, including not more than 3 percent for insect injury.

(3) *For off-size.* 12 percent for filberts which fail to meet the requirements for the size specified, but not more than five-sixths of this amount, or 10 percent shall consist of undersize filberts.

UNCLASSIFIED

§ 51.1996 Unclassified.

"Unclassified" consists of filberts which have not been classified in accordance with the foregoing grade. 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.

DEFINITIONS

§ 51.1997 Similar type.

"Similar type" means that the filberts in each container are of the same general type and appearance. For example, nuts of the round type shall not be mixed with those of the long type in the same container.

§ 51.1998 Dry.

"Dry" means that the shell is free from surface moisture, and that the shells and kernels combined do not contain more than 10 percent moisture.

§ 51.1999 Well formed.

"Well formed" means that the filbert shell is not materially misshapen.

§ 51.2000 Clean and bright.

"Clean and bright" means that the individual filbert and the lot as a whole are practically free from adhering dirt and other foreign material, and that the shells have characteristic color.

§ 51.2001 Blank.

"Blank" means a filbert containing no kernel or a kernel filling less than one-fourth the capacity of the shell.

§ 51.2002 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects which materially detracts from the appearance, or the edible or shipping quality of the filberts. The following specific defects shall be considered as damage:

(a) Stains which are dark and materially affect the appearance of the individual shell.

(b) Adhering husk when covering more than 5 percent of the surface of the shell in the aggregate.

(c) Shriveling when the kernel is materially shrunken, wrinkled, leathery and tough.

(d) Discoloration when the appearance of the kernel is materially affected by black color.

§ 51.2003 Reasonably well developed.

"Reasonably well developed" means that the kernel fills one-half or more of the capacity of the shell.

§ 51.2004 Badly misshapen.

"Badly misshapen" means that the kernel is so malformed that the appearance is materially affected.

§ 51.2005 Rancidity.

"Rancidity" means that the kernel is noticeably rancid to the taste. An oily appearance of the flesh does not necessarily indicate a rancid condition.

§ 51.2006 Moldy.

"Moldy" means that there is a visible growth of mold either on the outside or the inside of the kernel.

§ 51.2007 Insect injury.

"Insect injury" means that the insect, frass or web is present inside the nut or the kernel shows definite evidence of insect feeding.

APPLICATION OF STANDARDS

§ 51.2008 Application of standards.

(a) The grade of a lot of filberts shall be determined on the basis of a composite sample drawn from containers in various locations in the lot. However, any container or group of containers in which the filberts are obviously of a quality, type or size materially different from that in the majority of containers shall be considered a separate lot, and shall be sampled separately.

(b) In grading the sample, each filbert shall be examined for defects of the shell before being cracked for kernel examination. The nut shall be classed as only one defective nut even though it may be defective externally and internally.

Dated: August 16, 1961.

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 61-7987; Filed, Aug. 18, 1961; 8:48 a.m.]

[7 CFR Part 1003]

HANDLING OF DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Expenses of Date Administrative Committee for 1961–62 Crop Year and Rate of Assessment for Such Crop Year

Consideration is being given to a proposal regarding approval of expenses of the Date Administrative Committee for the 1961–62 crop year and the fixing of a rate of assessment for that crop year. Such action is to be taken pursuant to §§ 1003.71 and 1003.72 of Marketing Agreement No. 127, as amended, and Order No. 103, as amended (7 CFR Part 1003), regulating the handling of domestic dates produced or packed in a designated area of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The Date Administrative Committee (established under the aforesaid marketing agreement and order) has unanimously recommended, for the 1961–62 crop year beginning August 1, 1961, a budget of expenses in the total amount of $41,242 and an assessment rate at 15 cents per hundred pounds of assessable dates. Such amount of expenses and assessment rate are specified in the proposal, hereinafter set forth. The assessable poundage is estimated by the committee at 27.495 million pounds.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than the eighth day after the date

of publication of this notice in the FEDERAL REGISTER. Such material should be submitted in triplicate.

The proposal is as follows:

§ 1003.306 Expenses of the Date Administrative Committee and rate of assessment for the 1961–62 crop year.

(a) *Expenses.* Expenses in the amount of $41,242 are reasonable and likely to be incurred by the Date Administrative Committee during the crop year beginning August 1, 1961, for its maintenance and functioning and for such other purposes determined to be appropriate.

(b) *Rate of assessment.* Each handler shall pay to the Date Administrative Committee, in accordance with the provisions of Marketing Agreement No. 127, as amended, and this part, an assessment at the rate of 15 cents per hundredweight of dates which he handles or has certified for handling or for further processing during the crop year beginning August 1, 1961, which assessment rate is hereby fixed as each handler's pro rata share of the aforesaid expenses.

Dated: August 16, 1961.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 61–7985; Filed, Aug. 18, 1961; 8:48 a.m.]

[7 CFR Part 1003]

HANDLING OF DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Free, Restricted, and Withholding Percentages for 1961–62 Crop Year

Consideration is being given to a proposal to establish, for the 1961–62 crop year beginning August 1, 1961, free, restricted, and withholding percentages applicable to marketable dates of the Deglet Noor, Zahidi and Khadrawy varieties. The proposed percentages, which are based on the recommendation of the Date Administrative Committee and other available information, would be established in accordance with the provisions of Marketing Agreement No. 127, as amended, and Order No. 103, as amended (7 CFR Part 1003), regulating the handling of domestic dates produced or packed in a designated area of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Consideration will be given to any written data, views or arguments pertaining to the proposal which are received by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than the eighth day after the date of publication of this notice in the FEDERAL REGISTER. Such material should be submitted in triplicate.

The proposed percentages are based on the following estimates:

Factors	1,000 pounds		
	Deglet Noor	Zahidi	Khadrawy
1. Uncertified handler carryover (July 31, 1961)	4,829	137	50
2. Production of marketable dates (1961-62 crop year)	34,200	1,378	659
3. Total available supply of marketable dates subject to regulation	39,029	1,515	709
4. Trade demand [1]	25,500	1,345	650
5. Plus: Desirable handler carryover (July 31, 1962)	8,000	150	100
6. Less: Certified handler carryover (July 31, 1961)	5,698	27	47
7. Requirements for free dates	27,802	1,468	703
8. Marketable dates in excess of requirements for free dates (item 3 minus item 7)	11,227	47	6

[1] The Date Administrative Committee included the following countries in its determination of trade demand: Austria, Belgium, British Isles, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United States, and Venezuela.

On the basis of the foregoing estimates, free, restricted and withholding percentages for Deglet Noor dates of 72 percent, 28 percent, and 38.9 percent, respectively (the same as those for the 1960–61 crop year) appear to be appropriate for the 1961–62 crop year.

The estimates for the Zahidi and Khadrawy varieties of dates do not indicate the need for establishing the respective free percentages for marketable dates of such varieties at a percentage less than 100 percent. As a result, the volume of dates of such varieties would not be restricted.

The proposal is as follows:

§ 1003.209 Free, restricted, and withholding percentages.

The free percentages, restricted percentages, and withholding percentages of marketable dates for each variety shall be, for the crop year beginning August 1, 1961, and ending July 31, 1962, as follows: (a) Deglet Noor variety dates: Free percentages, 72 percent; restricted percentage, 28 percent; and withholding percentage 38.9 percent; (b) Zahidi variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding percentage, 0 percent; and (c) Khadrawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding percentage, 0 percent.

Dated: August 16, 1961.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 61–7986; Filed, Aug. 18, 1961; 8:48 a.m.]

[7 CFR Part 1017]

ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Expenses and Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment hereinafter set forth, which were recommended by the Idaho-Eastern Oregon Onion Committee, established pursuant to Marketing Agreement No. 130 and Marketing Order No. 117 (7 CFR Part 1017).

This marketing program regulates the handling of onions grown in designated counties in Idaho and in Malheur County, Oregon, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 15 days following publication of this notice in the FEDERAL REGISTER.

The proposals are as follows:

§ 1017.205 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Idaho-Eastern Oregon Onion Committee, established pursuant to Marketing Agreement No. 130 and Order No. 117, to enable such committee to perform its functions, pursuant to provisions of the aforesaid marketing agreement and order, during the fiscal period beginning July 1, 1961, and ending June 30, 1962, will amount to $4,991.00.

(b) The rate of assessment to be paid by each handler shall be three-tenths of one cent ($0.003) per hundredweight of onions handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section shall have the same meaning as when used in the said marketing agreement and order.

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

Dated: August 16, 1961.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 61–7988; Filed, Aug. 18, 1961; 8:48 a.m.]

Agricultural Research Service

[9 CFR Part 131]

[Docket No. AO 16–A8]

HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendment to Marketing Agreement and Order, as Amended

Pursuant to the provisions of Public Law 320, 74th Congress, approved August 24, 1935 (49 Stat. 781; 7 U.S.C. 851–855) and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders applicable to anti-hog-cholera serum and hog-cholera virus (9 CFR Part 132), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Administrator, Agricultural Research Service, United States Department of Agriculture, with respect to proposed amendment to the marketing agreement, as amended, and to the order, as amended, regulating the handling of anti-hog-cholera serum and hog-cholera virus. The issuance of the recommended decision was delayed due to the failure of the reporting agency to deliver the transcript of the testimony to the Department until July 14, 1961.

Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., not later than the close of business on the 30th day after its publication in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record on which the proposed amendment, as hereinafter set forth, to the marketing agreement and the order was formulated, was conducted at Kansas City, Missouri, on May 10, 1961, pursuant to notice thereof published in the FEDERAL REGISTER on March 18, 1961 (26 F.R. 2319).

The material issues on the record of the hearing were:

1. The share of the cost of processing an application to be borne by an applicant for classification as a wholesaler; and

2. Circumstances justifying refund of all or a portion of the processing fee.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *The share of the cost of processing an application to be borne by an applicant.* The marketing agreement and the order should be amended to provide that a fee of $100.00 shall accompany an application for classification as a wholesaler, $25.00 of which shall cover the applicant's pro rata share of the expenses of the Control Agency for the calendar year in which the application is approved and $75.00 shall cover the cost of processing the application.

The order presently provides that a fee of $25.00 shall accompany the application to cover the applicant's pro rata share of the expenses of the Control Agency in the year in which the application is approved, which fee shall be refunded if the application is denied. At the time this provision was placed in the order, it was not the practice of the Control Agency to require inspection of the facilities and operations of an applicant by an employee of the Agency. It relied upon information and representations submitted by the applicant in the application and any supplemental information obtained through correspondence, or otherwise, in arriving at a decision on the application. As an applicant had nothing to lose if his application was denied, many dealers and other unqualified persons applied for classification as a wholesaler in the hopes of being so classified on the basis of representations contained in the application. Due to lack of full disclosure of pertinent information, intentional or otherwise, or misrepresentations by the applicant, the Control Agency would often approve the application of a person who actually could not meet the requirements of a wholesaler set forth in the order. As a result, time and money was expended by the Control Agency in taking the action necessary to delete such persons from the list of approved wholesalers. In order to remedy the situation, the Control Agency recently has made a practice of investigating the qualifications of each applicant by having the Executive Secretary of the Control Agency inspect the premises and operations of each applicant. The cost of such investigation has placed an added burden upon the budget of the Control Agency, which expense must be borne by the handlers under the order. The average cost of investigating 34 applicants located in different states in 1960 was $125.90 per applicant, covering travel, subsistence and salary of the investigator. This amount does not include office overhead and the expense of the Control Agency for the time spent in considering applications, which consumes approximately one-half the time of the members of the Control Agency while in session. Inasmuch as both the applicant and the handlers within the industry benefit from the proper classification of wholesalers, both should share the expense of processing an application. It is believed that $75.00 is a reasonable share of the cost of processing an application to be borne by an applicant. It is recommended, therefore, that the order be amended as set forth in the first paragraph of 1 hereof.

2. *Circumstances justifying refund of all or a portion of the processing fee.* Provision should be made for refunding to the applicant all or a portion of the processing fee in the following circumstances: (a) In the event the Control Agency receives a written request from the applicant for cancellation of his application before any expense has been incurred in processing such application, the entire processing fee shall be refunded to such applicant; (b) in the event of the death of the applicant, or the destruction of applicant's place of business, or the institution of insolvency proceedings by or against the applicant, during the pendency of the application, the Control Agency may refund any portion of the processing fee which is unexpended at the time of the receipt of a written request for cancellation of the application; and (c) in the event of the death of the applicant during the pendency of his application or shortly after action has been taken on such application by the Control Agency, and the Control Agency determines that the illness and death of the applicant prevented the timely filing of a request for cancellation of such application, the Control Agency may refund all or a portion of the application fee, whichever is consistent with its findings and conclusions in the matter.

Where a written request for cancellation of the application is received prior to the expenditure of any portion of the processing fee, all of the processing fee should be refunded as the purpose for which the fee is assessed ceases to exist. If a request for cancellation is received after expenses have been incurred, no part of the processing fee should be refunded, except under the circumstances specified in (b) and (c) of the first paragraph of 2., which are discussed hereinafter. As the processing fee is the minor portion of the total expense of processing an application, it would be inequitable for an applicant to recoup a portion of the application fee while handlers under the order bear the major portion of the expense occasioned by the applicant. Further, to refund a portion of the fee after investigation has commenced would encourage filing of an application by a person who knows he cannot meet the requirements of a wholesaler but would file on the chance that the investigation would not disclose certain facts. If such facts were discovered during the investigation and partial refunding were permitted, such person could recoup a portion of the fee by immediately filing a request for cancellation. In a number of instances in the past, applicants have requested cancellation when certain disqualifying facts were uncovered by the Control Agency or because the applicant "changed his mind". This was done even though no pecuniary incentive then existed.

There are certain circumstances over which an applicant has no control which would justify the refunding of an un-

expended portion of the processing fee if timely application for cancellation is made. If the business premises of a qualified applicant were destroyed or insolvency proceedings were instituted by or against the applicant, and the applicant requested cancellation of the application during the pendency of the application, that portion of the fee which is unexpended at the time the request for cancellation is received should be refunded by the Control Agency. Destruction of the business premises or insolvency usually cannot be foreseen or controlled by the applicant.

Another circumstance that would warrant refunding all or a portion of the processing fee would be the death of the applicant during the pendency of the application or shortly after action thereon. In the event of a request for cancellation of the application because of the death of the applicant, that portion of the processing fee which is unexpended at the time the request is received should be refunded. As the circumstances surrounding the illness and death of an applicant may be such as to result in an excusable failure to file a timely request, provision should be made therefor. In the event of such excusable failure to file a timely request, the amount that should be refunded would depend upon the facts and circumstances existing at the time the request for cancellation would have been filed had the applicant been in a position to file a timely request. In the event of a finding of such excusable failure to file a timely request, the Control Agency should be authorized to refund all or a portion of the processing fee in accordance with its findings and conclusions in the matter. It is possible that the Control Agency could approve an application prior to being notified of the death of the applicant. In such event, it also should be authorized to refund the $25.00 "pro rata share" portion of the application fee if it determines that the illness and death of the applicant prevented the timely filing of a request for cancellation of the application.

Rulings on proposed findings and conclusions. No proposed findings and conclusions were received.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid marketing agreement and order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(1) The said marketing agreement as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(2) The order, as amended, and as hereby proposed to be further amended, regulates the handling of anti-hog-cholera serum and hog-cholera virus in the same manner as, and contains only such terms and conditions as are contained in the said marketing agreement upon which hearings have been held.

Recommended amendments to the marketing agreement and order, as amended. The following proposed amendments to the marketing agreement, as amended, and order, as amended, are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The regulatory provisions of the said agreement are identical with those contained in the following order.

Delete § 131.44 and substitute therefor the following:

§ 131.44 Fee to accompany application for wholesaler classification.

(a) Each application for classification as a wholesaler shall be accompanied by an application fee of $100.00. Seventy-five dollars of such fee shall cover the cost of processing the application and the remaining $25.00 shall cover the applicant's pro rata share of the expenses of the Control Agency for the calendar year in which the application is approved.

(b) If the application for classification as a wholesaler is cancelled at the request of the applicant or denied by the Control Agency, $25.00 shall be refunded to the applicant and $75.00 shall be retained by the Control Agency to cover the cost of processing the application: *Provided,* That, in the event the Control Agency receives a written request from the applicant for cancellation of the application before any expense has been incurred in processing such application, the Control Agency shall refund the $75.00 processing fee: *And provided,* That, in the event of the death of the applicant, or the destruction of the applicant's place of business, or the institution of insolvency proceeding by or against the applicant, during the pendency of the application, the Control Agency may refund that portion of the processing fee which is unexpended at the time of the receipt of a written request for cancellation of the application: *And provided further,* That, in the event of the death of the applicant during the pendency of his application or within a short time after action has been taken on such application by the Control Agency, and the Control Agency determines, upon evidence satisfactory to it, that the illness and death of the applicant prevented the timely filing of a request for cancellation of such application, the Control Agency may refund all or a portion of the application fee, whichever is consistent with its findings and conclusions in the matter.

(c) The Control Agency shall make refunds on application fees only in accordance with the provisions of this section.

Done at Washington, D.C., this 16th day of August 1961.

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

[F.R. Doc. 61-7992; Filed, Aug. 18, 1961; 8:48 a.m.]

Agricultural Stabilization and Conservation Service

[Docket No. AO-275-A7]

[7 CFR Part 1008]

MILK IN INLAND EMPIRE MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Assembly Room, First Floor, Spokane County Court House, West 1116 Broadway, Spokane, Washington, beginning at 10:00 a.m., P.d.t., on September 13, 1961, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Inland Empire marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tenative marketing agreement and to the order.

The proposals relative to a redefinition of the marketing area raise the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Spokane Milk Producers Association and the Inland Empire Dairy Association:

Proposal No. 1. Amend § 1008.6 to include all of Shoshone and Latah Counties, Idaho; Whitman County, Washington; and the remaining portions of Bonner and Kootenai Counties, Idaho.

Proposal No. 2. Delete § 1008.15 and substitute the following:

§ 1008.15 Handler.

"Handler" means: (a) Any person in his capacity as the operator of a pool plant; (b) any person who operates a nonpool plant from which Class I milk is disposed of on routes in the marketing area; (c) a cooperative association with respect to the milk of its member producers, which is diverted from a pool plant to a nonpool plant for the account of such cooperative association during any of the months of December through June, but not exceeding a period of ninety consecutive days for any producer; or (d) a cooperative association with respect to the milk of its member producers which is received from the

farm for delivery to the pool plant of another handler in a tank truck owned and operated by, or under contract to such cooperative association, if the cooperative association notifies the market administrator and the operator of the pool plant to whom the milk is delivered in writing prior to the first day of the month in which the milk is delivered, that it elects to be the handler for all such milk.

Proposal No. 3. Delete § 1008.41(b) (6) and substitute the following:

(6) In shrinkage of skim milk or butterfat, respectively, not to exceed the following:

(i) Two percent of receipts of producer milk described in § 1008.12; plus

(ii) 1.5 percent of receipts from a cooperative association in its capacity as a handler pursuant to § 1008.15(d), except that if the handler operating the pool plant files with the market administrator notice that he is purchasing such milk on the basis of farm weights determined by farm bulk tank calibrations, the applicable percentage shall be two percent; plus

(iii) 1.5 percent of receipts in bulk tank lots from other pool plants; less

(iv) 1.5 percent of disposition in bulk tank lots to other milk plants; and plus

(v) 0.5 percent of receipts of producer milk by a cooperative association, which is the handler, pursuant to § 1008.15 (d), unless the exception provided in (b) (6) (ii) applies.

Proposal No. 4. Delete § 1008.42 and substitute the following:

§ 1008.42 Shrinkage.

The market administrator shall allocate shrinkage of a handler's receipts at each of his pool plants as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively, at each pool plant; and

(b) If a handler has receipts of other source milk, shrinkage shall be prorated between:

(1) Milk from producers and fluid milk in bulk tanks from other handlers, and

(2) Other source milk in the ratio that fifty times the maximum quantity of skim milk or butterfat, respectively, pursuant to § 1008.41(b) (6) bears to that in such other source milk.

Proposal No. 5. Amend § 1008.50 by adding the following paragraph:

(c) The average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the delivery period; *Provided,* That such reported price shall be adjusted to a 4.0 percent butterfat basis by the butterfat differential pursuant to § 1008.82 and rounded to the nearest full cent.

Proposal No. 6. In § 1008.51(a) delete the number "50" and substitute therefor the number "25".

Proposal No. 7. Delete § 1008.53 and substitute the following:

§ 1008.53 Location adjustment credits to handlers.

The price for Class I milk at a pool plant located outside the marketing area, and more than ninety miles from the City Hall, Spokane, Washington, shall be, regardless of point of sale within or outside the marketing area, the same as the price for Class I milk pursuant to § 1008.51(a), less a location adjustment per hundredweight of milk computed as follows:

Two cents for each 10 miles, or major fraction thereof, up to 200 miles, and an additional 1.0 cent for each 10 miles, or major fraction thereof, in excess of 200 miles, by the shortest hard-surfaced highway as determined by the market administrator, from such pool plant to the City Hall, Spokane, Washington.

Proposal No. 8. In § 1008.70(a)(5) delete the number "50" and substitute therefor the number "90".

Proposal No. 9. Delete § 1008.70(b) and substitute the following:

(b) Each handler other than a producer-handler or a handler subject to the pricing provisions of another order issued pursuant to the Act, who operates during the month a nonpool plant, shall pay to the market administrator on or before the 25th day after the end of the month, the amounts calculated pursuant to subparagraph (1) of this paragraph, unless the handler elects, at the time of reporting pursuant to § 1008.30, to pay the amounts computed pursuant to subparagraph (2) of this paragraph;

(1) The following amounts:

(i) To the producer-settlement fund, any plus amount remaining after deducting from the value that would have been computed pursuant to paragraph (a) of this section if such handler had operated a pool plant, the gross payments made by such handler for milk received during the month from Grade A dairy farmers at such plant or at a plant which serves as a supply plant; and

(ii) As his pro rata share of the expense of administration, an amount equal to that which would have been computed pursuant to § 1008.88 had such plant been a pool plant, except that if such plant is also a nonpool plant under another order issued pursuant to the Act, and his Class I sales in such other marketing area exceed those made in the Inland Empire marketing area, the payments due under this subparagraph shall be reduced by the amount of any administrative expense payments under the other order; and

(2) The following amounts:

(i) To the producer-settlement fund, an amount equal to the value of all skim milk and butterfat disposed of as Class I milk on routes in the marketing area at the Class I price applicable at the location of such handlers plant, less the value of such skim milk and butterfat at the Class II price; and

(ii) As his share of the expense of administration, the rate specified in § 1008.88 with respect to Class I milk so disposed of in the marketing area.

Proposed by the Inland Empire Dairy Association:

Proposed No. 10. In § 1008.8 (a) add a second proviso to read as follows: "*And provided further,* That for purposes of determining the 40 percent or 50 percent for a cooperative association operating a distributing plant and acting as a handler with respect to bulk milk delivered to other pool plants, such bulk milk shall be considered as a route disposition."

Proposed by the Spokane Milk Producers Association:

Proposal No. 11. Delete § 1008.35 (b) and substitute the following:

(b) In making payments to a cooperative association pursuant to § 1008.80 (c) each handler upon request shall furnish to the cooperative association on or before the 20th day of the month with respect to milk received during the first half of the month and on or before the 7th day of the month with respect to milk received during the last half of the previous month for each producer for whom such payment is made, the information specified in subparagraphs (1), (2), and (5) of paragraph (a) of this section, and the daily weights of milk purchased from each of the association's member producers.

Proposal No. 12. Delete § 1008.80 and substitute the following:

§ 1008.80 Time and method of payment to producers and cooperative associations.

Except as provided in paragraph (c) of this section, each handler shall make payment to each producer from whom milk is received as specified in paragraphs (a) and (b) of this section:

(a) On or before the last day of the month, to each producer who had not discontinued shipping milk to such handler before the 18th day of the month, an advance payment with respect to milk received during the first 15 days of the month at not less than the Class II price for the preceding month;

(b) On or before the 17th day after the end of each month, for milk received during such month, an amount computed at not less than the uniform price per hundredweight pursuant to § 1008.71 subject to the butterfat differential computed pursuant to § 1008.82 and location adjustment computed pursuant to § 1008.81, plus or minus adjustments for errors made in previous payments to such producers and less (1) payments made pursuant to paragraph (a) of this section, (2) marketing service deductions pursuant to § 1008.87, and (3) proper deductions authorized in writing by such producer: *Provided,* That if by such date such handler has not received full payment for such delivery period pursuant to § 1008.85 he may reduce his total payment to all producers uniformly by not less than the amount of reduction in payment from the market administrator; the handler shall, however, complete such payments not later than the date for making such payments pursuant to this paragraph next following receipts of the balance from the market administrator;

(c)(1) Upon receipt of a written request from a cooperative association which the market administrator determines is authorized by its members to collect payment for their milk and receipt of a written promise to reimburse the handler the amount of any actual loss incurred by him because of any improper claim on the part of the cooperative association each handler shall pay to the cooperative association on or

before the second day prior to the date of payment to producers in lieu of payments pursuant to paragraphs (a) and (b), respectively, of this section an amount equal to the sum of the individual payments otherwise payable to such producers. The foregoing payment shall be made with respect to milk of each producer whom the cooperative association certifies is a member effective on and after the first day of the calendar month next following receipt of such certification through the last day of the month next preceding receipt of notice from the cooperative association of a termination of membership or until the original request is rescinded in writing by the cooperative association; and

(2) A copy of each such request, promise to reimburse and certified list of members shall be filed simultaneously with the market administrator by the cooperative association and shall be subject to verification at his discretion through audit of the records of the cooperative association pertaining thereto. Exceptions, if any, to the accuracy of such certification by a producer claimed to be a member, or by a handler, shall be made by written notice to the market administrator and shall be subject to his determination;

(d) In making the payments to producers pursuant to paragraphs (b) and (c) of this section, each handler shall furnish each producer or cooperative association from whom he has received milk with a supporting statement which shall show for each month:

(1) The month and the identity of the handler and of the producer;

(2) The total pounds and the average butterfat content of milk received from such producer;

(3) The minimum rate or rates at which payment to such producers is required pursuant to this part;

(4) The rate which is used in making the payment if such rate is other than the applicable minimum rate;

(5) The amount or the rate per hundredweight and nature of each deduction claimed by the handler; and

(6) The net amount of payment to such producer; and

(e) Each handler who receives milk for which a cooperative association is the handler pursuant to § 1008.15(d), shall on or before the second day prior to the date payments are due individual producers, pay such cooperative association for such milk as follows:

(1) An advance payment for milk received during the first 15 days of the month at not less than the Class II price for the preceding month; and

(2) In making final settlement, the value of such milk at the applicable uniform price, less payment made pursuant to subparagraph (1) of this paragraph.

(f) None of the provisions of this section shall be construed to restrict any cooperative association qualified under section 8c(5)(F) of the Act from making payment for milk to its producers in accordance with such provision of the Act.

Proposed by the Arden Farms Company:

Proposal No. 13. If § 1008.6 is amended to include all of Shoshone and Latah Counties, Idaho, the remaining portions of Bonner and Kootenai Counties, Idaho, and all of Whitman County, Washington, in the marketing area, said section should be further amended to also include Nez Perce County, Idaho, and Asotin County, Washington.

Proposal No. 14. Amend § 1008 (a) and (b) as follows:

1. That the requirements with respect to the sales by a pool plant of its producer receipts shall be reduced as follows:

(a) Change the required sales as Class I within the marketing area from 20 percent to 15 percent of producer receipts; and

(b) Change the required total sales of Class I from 40 percent for the months of February–August, inclusive, and from 50 percent for the months of September–January, inclusive, to 30 percent; and

2. Provide that if a handler operates more than one pool plant in the marketing area the percentage of receipts sold as Class I shall be determined by combining the receipts and sales of all plants.

Proposal No. 15. Amend § 1008.12 to provide that the diversion of producer milk to nonpool plants shall be permitted at all times of the year.

Proposal No. 16. Amend § 1008.41 to make it clear that the pounds of dried nonfat milk solids added in fluid products sold shall be accounted for at the Class I price, while excluding the water originally associated with the milk solids so added from Class I.

Proposed by the Carnation Company:

Proposal No. 17. Amend § 1008.45 and such other sections as may be applicable so that nonfat dry milk solids used to fortify or as an additive to fluid milk, or any milk product or used in the manufacture of dietetic products shall be accounted for on a poundage basis rather than a milk equivalent basis.

Proposed by the Milk Marketing Orders Division, Agricultural Stabilization and Conservation Service:

Proposal No. 18. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Alexander Swantz, West 933 Third Avenue, Room 212, Spokane 4, Washington, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Signed at Washington, D.C., on August 16, 1961.

ROBERT G. LEWIS,
Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 61-7996; Filed, Aug. 18, 1961; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 507]

[Reg. Docket No. 851]

AIRWORTHINESS DIRECTIVES

Lockheed PV–1 and B-34 Aircraft

Pursuant to the authority delegated to me by the Administrator (14 CFR Part 405), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring a hardness test to verify strut strength on Lockheed PV–1 and B–34 type aircraft which have not had the test accomplished. Spare parts must also be hardness tested. This proposed action is deemed necessary since during investigation of a PV–1 main landing gear failure, the lower drag strut was found to be understrength because it was not in a specified heat-treated condition.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before September 20, 1961, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available, in the Docket Section, for examination by interested persons when the prescribed date for return of comments has expired. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

LOCKHEED. Applies to all PV–1 and B-34 type aircraft having main landing gear lower drag struts P/N 112004.

Compliance required as indicated.

During investigation of a PV–1 main landing gear failure, the main landing gear lower drag strut, P/N 112004, was found to be understrength because it was not in the specified heat-treated condition. As a result of this service experience, the following is required:

(a) Within the next 50 hours' time in service from the effective date of this directive unless already accomplished, determine by the Brinell, Rockwell, or an equivalent hardness test method whether or not the struts, P/N 112004, are heat-treated to an ultimate tensile strength of 150,000 to 170,000 p.s.i. If the ultimate tensile strength is less than 150,000 p.s.i., the strut must be replaced with a similar part heat-treated to 150,000 to 170,000 p.s.i. or by a strut, P/N 125715 or equivalent, prior to further flight, except for ferry flight in accordance with the provisions of CAR 1.76.

NOTE: Strut, P/N 125715, originally designed for the PV-2 type aircraft is an acceptable alternative for strut, P/N 112004, and a hardness test on this strut is not necessary. If the P/N is missing or obscured, the struts may be identified by the following: The PV-2 strut, P/N 125715, weighs approximately 15.5 pounds and the PV-1 strut, P/N 112004, weighs approximately 10.5 pounds. The PV-2 strut tube has a wall-thickness of 0.25 inch whereas the PV-1 part has a wall-thickness of 0.156 inch. The wall-thickness can be measured by laying a straight edge along the tube and measuring the perpendicular distance between the straight edge and the end fitting.

(b) Spare lower drag struts, P/N 112004, must comply with the hardness test and replacement provisions of (a) prior to installation.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on August 14, 1961.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 61-7954; Filed, Aug. 18, 1961; 8:45 a.m.]

[14 CFR Part 600]

[Airspace Docket No. 61-WA-123]

FEDERAL AIRWAYS

Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to § 600.1503 of the regulations of the Administrator, the substance of which is stated below.

Intermediate altitude VOR Federal airway No. 1503 is presently designated, in part, as a 10-mile wide airway extending from the Jacksonville, Fla., VOR via the intersection of the Jacksonville VOR 027° and the Savannah, Ga., VOR 180° True radials; the Savannah VOR; to the Charleston VOR. This routing is duplicated by a like segment of intermediate altitude VOR Federal airway No. 1505 between Jacksonville and Charleston.

The FAA has under consideration altering the described segment of Victor 1503 by designating it from Jacksonville direct to Charleston with a floor of 17,000 feet MSL, a ceiling of 23,000 feet MSL and a width of 10 statute miles. With these dimensions, the off-shore portions of Victor 1503 would coincide with the control areas associated with Victor 1.

The alteration of this segment of Victor 1503 would result in a simplification of flight planning, and provide an off-shore intermediate altitude airway in this area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Manager, Southwest Region, Attn: Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on August 15, 1961.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 61-7955; Filed, Aug. 18, 1961; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MISSISSIPPI

Notice of Proposed Withdrawal and Reservation of Land

AUGUST 11, 1961.

The United States Fish and Wildlife Service, Bureau of Sports Fisheries and Wildlife, Atlanta, Georgia, on June 29, 1959, filed application for the withdrawal of the lands, hereafter described, from all forms of appropriation under the public land laws, including the United States Mining and Mineral Leasing Laws, and the Act of July 31, 1947 (61 Stat. 681), subject to valid existing rights.

The lands will be managed for the benefit of the Bureau's migratory bird program as a part of the Davis Island National Wildlife Refuge under authority of the Migratory Bird Conservation Act February 18, 1929 (45 Stat. 1222).

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D.C.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The land involved in the application is:

WARREN COUNTY, MISSISSIPPI

WASHINGTON MERIDIAN

T. 14 N., R. 1 E.,
Sec. 30, Fr'l. (Middle Palmyra Island).

The area described contains 69.92 acres.

H. K. SCHOLL,
Manager.

[F.R. Doc. 61-7962; Filed, Aug. 18, 1961; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

KENTUCKY

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of Kentucky a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

KENTUCKY

Elliott.	Magoffin.
Johnson.	Morgan.
Lawrence.	

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1962, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 15th day of August 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61-7973; Filed, Aug. 18, 1961; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

ASSISTANT SECRETARY OF COMMERCE FOR INTERNATIONAL AFFAIRS ET AL.

Delegation of Authority Relating to Export Control

A. The Assistant Secretary of Commerce for International Affairs and the Director of the Bureau of International Programs are each delegated authority to exercise and perform all powers and functions provided by the Export Control Act of 1949, as amended. This specifically includes the authority: (1) To issue rules and regulations to carry out the purposes of the aforesaid Act, including rules and regulations applicable to the financing, transporting, and other servicing of exports and the participation therein by any person necessary to achieve effective enforcement; (2) to sign and issue subpoenas requiring any person to appear and testify or to appear and produce books, records, and other writings, or both, to any designated place, in connection with any investigation necessary or appropriate to the enforcement of said export control authority; and (3) to require reports and the keeping of records by any person, to the extent necessary or appropriate to the enforcement of said export control authority, and to require any person to permit the inspection of books, records, and other writings, premises or property.

B. The Assistant Secretary of Commerce for International Affairs and the Director of the Bureau of International Programs are each authorized to redelegate any power or function conferred by this delegation and may authorize successive redelegations, except as otherwise provided and limited in paragraphs C, D, and E herein with respect to inspections, subpoenas, oaths, and affirmations, and other enforcement authority.

C. In addition to the Assistant Secretary and the Director, at all times, the Deputy Director of the Bureau of International Programs, the Director of the Export Control Investigations Staff, the Agent-in-Charge, New York Field Office, Export Control Investigations Staff, and the Director and Deputy Director of the Office of Export Control are each authorized (1) to require any person to permit the inspection of books, records, and other writings, premises, or property; and (2) to sign and issue subpoenas requiring any person to appear and testify or appear and produce books, records, and other writings, or both, to any designated place, in connection with any investigation necessary or appropriate to the enforcement of said export control authority.

D. The Compliance Commissioners for Export Control are authorized, in any proceeding for the denial of licensing privileges under the Export Control Act of 1949, (1) to administer oaths and affirmations, and (2) to sign and issue subpoenas, requiring any person to appear and testify or to appear and produce books, records, and other writings, or both.

E. Any special agent employed in the Export Control Investigations Staff of the Bureau of International Programs and any attorney in the Office of the General Counsel assigned to export control enforcement duties, who is specifically designated as a special agent of the Bureau of Internation Programs, is hereby authorized, (1) to make investigations, obtain information, inspect books, records, and other writings, premises, or property of, and take the sworn testimony of, any person; and (2) to administer oaths and affirmations for the purpose of procuring or receiving from any person sworn statements or other sworn testimony, concerning any matter under investigation necessary or appropriate to the enforcement of the export control authority vested in me.

F. This supersedes the delegation of authority previously made and confirmed with respect to export control (19 F.R. 5565), except that all outstanding rules, regulations, orders, licenses, designations, and other forms of administrative action shall, until amended or revoked, remain in full force and effect.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023, E.O. 10945, 26 F.R. 4487)

Dated: August 8, 1961.

LUTHER H. HODGES,
Secretary of Commerce.

[F.R. Doc. 61-7977; Filed, Aug. 18, 1961; 8:47 a.m.]