

(ii) stores all high proof in such container to preserve the quality of the setaside high proof and maintain its condition as required by § 990.54; (iii) attaches near the outlet of such container a tank card furnished by the Committee and showing currently the number of proof gallons, by crop year, of the setaside high proof being held in such container for the account of the Committee; and (iv) makes no withdrawal from such container below the handler's then effective aggregate setaside therein.

(2) *Substitution.* Pursuant to § 990.54, each handler holding setaside high proof may substitute therefor only products of the same crop year eligible for setaside. If such setaside high proof of a particular crop year is in the same container with other high proof, the handler may, upon the setting aside of the requisite proof gallons of eligible product(s) of that crop year, withdraw the applicable proof gallon quantity of high proof. No substitution may be made except upon prior notice to the Committee.

(3) *Disposition.* Whenever setaside high proof in simultaneous storage is included in a disposition of the Committee, pursuant to § 990.62, the withdrawal gallonage shall be deemed to be from the setaside of the crop year specified by the Committee in its disposition action.

It is hereby further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 1003(c)) in that: (1) Handlers are producing high proof from grapes for crushing received during the 1962-63 crop year which began July 1, 1962; (2) handlers must plan their operations and provide for storage of such high proof as well as high proof set aside during the 1961-62 crop year; and (3) this clarifying and enabling action will reduce the need for storage space for high proof and thereby benefit handlers and the industry.

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

Dated: July 27, 1962, to become effective upon publication in the *FEDERAL REGISTER*.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 62-7547; Filed, July 31, 1962;
8:48 a.m.]

PART 993—HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

Establishment of More Restrictive Grade Regulation for Application When Estimated Season Average Price to Producers Does Not Exceed Parity

Notice was published in the July 17, 1962, issue of the *FEDERAL REGISTER* (27 F.R. 6754) that consideration was being given to a proposal to establish more restrictive grade regulation for application to handlers' receipts of natural con-

dition prunes and their shipments or other final dispositions of natural condition or processed prunes whenever the estimated season average price to producers does not exceed the parity level specified in section 2(1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The regulation was recommended by the Prune Administrative Committee, and is in accordance with the provisions of the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California, effective under the said act. The notice afforded interested persons the opportunity to submit written data, views, or arguments on the proposal. None were received.

Based on information submitted by the Prune Administrative Committee, and other available supply and demand information, it is estimated that the season average price to producers for prunes for the 1962-63 crop year will not be in excess of the estimated average parity price for prunes for such crop year. The more restrictive grade regulation hereinafter set forth will, upon becoming effective, be operative for the 1962-63 crop year beginning August 1, 1962, and for any other crop year for which the estimated season average price to producers for prunes does not exceed the estimated average parity price for that crop year.

After consideration of all relevant matters presented in the notice, the recommendation of the Prune Administrative Committee, and other available information, it is concluded that establishment of more restrictive grade regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

Therefore, more restrictive grade regulation is hereby established as follows: § 993.601 More restrictive grade regulation.

(a) *Incoming and outgoing regulation.* Whenever the estimated season average price to producers for prunes does not exceed the parity level specified in section 2(1) of the act, the minimum standards which handlers' receipts of natural condition prunes are required to meet pursuant to § 993.49(a) shall be the standards specified in § 993.49(a) and § 993.97I, and the minimum standards which handlers' shipments or other final dispositions of prunes are required to meet pursuant to § 993.50(a) shall be the applicable standards set forth in § 993.97 *Exhibit A; minimum standards*, except that the following combined tolerance allowance for certain defects shall apply in lieu of the tolerance allowance prescribed in paragraph I C(5) of § 993.97 and also in lieu of that prescribed in paragraph II C(6) of § 993.97:

The combined tolerance allowance for off-color, inferior meat condition, end cracks, fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed fifteen percent (15%), except that the first eight percent (8%) of end cracks shall be given one-half value and any additional percentage of end cracks shall be given full value.

(b) *Above parity situations.* Whenever the estimated season average price to producers for prunes exceeds the parity level specified in section 2(1) of the act, the minimum standards set forth in § 993.97 shall apply in their entirety.

It is hereby determined that good cause exists for not postponing the effective time hereof until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 1003(c)) in that: (1) This action is being taken as soon as practicable after reasonably reliable information for the 1962-63 crop year became available; (2) it is necessary that the more restrictive grade regulation established herein become effective promptly so it may apply from the beginning (August 1, 1962) of the 1962-63 crop year or as soon thereafter as possible and thus improve consumer and manufacturer acceptance of prunes and returns to producers; and (3) handlers have been notified of the proposed regulation and should require no additional time to prepare for compliance with the regulation.

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

Dated July 27, 1962, to become effective upon publication in the *FEDERAL REGISTER*.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 62-7548; Filed, July 31, 1962;
8:48 a.m.]

Chapter X—Agricultural Stabilization and Conservation Service (Marketing Agreements and Orders), Department of Agriculture

MILK IN CERTAIN MARKETING AREAS

Orders Amending Orders

[Milk Order No. 5]

PART 1005—MILK IN TRI-STATE MARKETING AREA

§ 1005.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of

milk in the Tri-State marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in § 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Tri-State marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. In § 1005.22(j), subparagraph (1) is revised to read as follows:

§ 1005.22 Duties.

(j) * * *

(1) On or before the 5th day of each month, the Class I price and the Class I butterfat differential for the month and the Class II and Class III prices and the Class II and Class III butterfat differentials for the preceding month, as computed pursuant to §§ 1005.50 through 1005.55; and

2. Section 1005.50 is revised to read as follows:

§ 1005.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department of Agriculture for the month. The basis formula price shall be rounded to the nearest full cent.

3. The introductory text of § 1005.51 is revised to read as follows:

§ 1005.51 Class I milk prices.

Subject to the provisions of §§ 1005.54 through 1005.57, the minimum price per hundredweight on a 3.5 percent butterfat content basis to be paid by each handler for producer milk classified as Class I milk for the month, shall be the basic formula price for the preceding month determined pursuant to § 1005.50 adjusted as follows:

4. Paragraph (b) of § 1005.53 is revised to read as follows:

§ 1005.53 Class III milk prices.

(b) For each month except April, May, June and July, the price for Class III milk shall be the price (rounded to the nearest one-tenth cent) computed pursuant to subparagraph (1) or subparagraph (2) of this paragraph, whichever is higher:

(1) The average of the basic (or field) prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture:

Present Operator and Location

Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(2) The price computed by adding together the plus values determined pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the average price per pound of butter for the month as described in § 1005.50, subtract three cents, add 20 percent thereof, and then multiply by 3.5; and

(ii) From the average of the carlot prices per pound of nonfat dry milk for human consumption, spray and roller process, f.o.b. manufacturing plants in the Chicago area, as published by the Department of Agriculture for the period from the 26th day of the previous month through the 25th day of the current month, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.965.

5. Section 1005.54 is amended by revising paragraph (a) and paragraph (b) to read as follows:

§ 1005.54 Butterfat differentials to handlers.

(a) *Class I milk.* Add 1.0 cent to the butterfat differential for Class II and Class III milk for the preceding month computed pursuant to paragraph (b) of this section;

(b) *Class II and Class III milk.* Subtract 3.0 cents from the average price per pound of butter for the month as described in § 1005.50 and multiply by 0.119.

[Milk Order No. 11]

PART 1011—MILK IN APPALACHIAN MARKETING AREA

§ 1011.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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 procedures governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Appalachian marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Appalachian marketing area shall be in conformity to and in com-

pliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1011.50 is revised to read as follows:

§ 1011.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1011.51 paragraphs (a) and (b) (1) and (2) are revised to read as follows:

§ 1011.51 Class price.

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month, plus \$1.67 during the months of March through July; and \$2.11 during all other months.

(b) * * *

(1) The average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department on or before the 6th day after the end of the month, less five times the butterfat differential for the month computed pursuant to § 1011.52(b):

Company and Location

Borden Co., Lewisburg, Tenn.
Borden Co., Chester, S.C.
Carnation Co., Galax, Va.
Carnation Co., Murfreesboro, Tenn.
Carnation Co., Statesville, N.C.
Franklin Milk Co., Jonesboro, Tenn.
Kraft Foods Co., Independence, Va.
Kraft Foods Co., Greeneville, Tenn.
Pet Milk Co., Greeneville, Tenn.
Pet Milk Co., Abingdon, Va.

(2) Add the amounts obtained pursuant to subdivisions (i) and (ii) of this subparagraph, subtract 75 cents and subtract five times the butterfat differential for the month computed pursuant to § 1011.52(b).

(i) Multiply the Chicago butter price by 4.8;

(ii) Multiply by 8.2 the weighted average of carlot prices per pound for spray process nonfat dry milk for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month, by the Department.

§§ 1011.52, 1011.71, 1011.72, 1011.91
[Amendment]

3. In §§ 1011.52, 1011.71, 1011.72 and 1011.91, "4.0" is changed to "3.5" wherever it appears.

PART 1065—MILK IN NEBRASKA-WESTERN IOWA MARKETING AREA

§ 1065.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Nebraska-Western Iowa marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective

August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Nebraska-Western Iowa marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1065.50 is revised to read as follows:

§ 1065.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

[Milk Order No. 66]

PART 1066—MILK IN SIOUX CITY, IOWA, MARKETING AREA

§ 1066.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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 agree-

ments and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Sioux City, Iowa, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and whole-some milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative pe-

riod were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Sioux City, Iowa, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1066.50 is revised to read as follows:

§ 1066.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the United States Department of Agriculture for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1066.51 the introductory text of paragraph (a) is revised to read as follows:

§ 1066.51 Class prices.

(a) *Class I milk.* The price per hundredweight of Class I milk containing 3.5 percent butterfat shall be the basic formula price for the preceding delivery period, plus \$1.40.

[Milk Order No. 71]

PART 1071—MILK IN NEOSHO VALLEY MARKETING AREA

§ 1071.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Neosho Valley marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Neosho Valley marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1071.50 is revised to read as follows:

§ 1071.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1071.51, paragraph (a) and the introductory text of paragraph (b) are revised to read as follows:

§ 1071.51 Class prices.

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding delivery period plus the following amounts per hundredweight: \$1.00 during the delivery periods April through June, and \$1.45 during the delivery periods of July through March: *Provided*, That for each of the delivery periods of September through December, such price shall not be less than that for the preceding delivery period, and that for each of the delivery periods of April through June such price shall be not more than that for the preceding delivery period: *And provided further*, That the price so determined shall be further adjusted by subtracting any amount by which such price exceeds the higher of, or adding any amount by which such price is less than the lower of the following:

(1) The price for Class I milk of 3.5 percent butterfat content established for the same month or delivery period pursuant to Part 1106 of this chapter regulating the handling of milk in the Oklahoma Metropolitan marketing area less 33 cents; or

(2) The price for Class I milk of 3.5 percent butterfat content established for the same month or delivery period under Part 1067 of this chapter regulating the handling of milk in the Ozarks marketing area, plus 15 cents.

(b) *Class II milk.* The price per hundredweight for Class II milk shall be the higher of the price computed pursuant to subparagraphs (1) and (2) of this paragraph, less 5 times the butterfat differential for the respective month computed pursuant to § 1071.52(b).

§§ 1071.52, 1071.71, 1071.72, 1071.91 [Amendment]

3. In §§ 1071.52, 1071.71, 1071.72, and 1071.91, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 72]

PART 1072—MILK IN SIOUX FALLS-MITCHELL, S. DAK., MARKETING AREA

§ 1072.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Sioux Falls-Mitchell, South Dakota, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Sioux Falls-Mitchell, South Dakota, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. A new § 1072.50 is added to read as follows:

§ 1072.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1072.50 is redesignated as § 1072.51 and paragraph (a) therein is revised to read as follows:

§ 1072.51 Class prices.

(a) **Class I milk price.** The Class I milk price shall be the basic formula price for the preceding month plus \$1.30.

§ 1072.51 [Redesignation]

3. Section 1072.51 is redesignated as § 1072.52 and the reference "§ 1072.50" therein is revised to "§ 1072.51".

§ 1072.52 [Redesignation]

4. Section 1072.52 is redesignated as § 1072.53.

§ 1072.55 [Amendment]

5. In § 1072.55 the reference "1072.51" is revised to "1072.52".

[Milk Order No. 73]

PART 1073—MILK IN WICHITA, KANSAS, MARKETING AREA

§ 1073.0 Findings and determinations.

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 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.

(a) **Findings upon the basis of the hearing record.** 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Wichita, Kansas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) **Additional findings.** It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) **Determinations.** It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which

is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Wichita, Kansas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1073.50 is revised to read as follows:

§ 1073.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1073.51, the introductory texts of paragraph (a) and of paragraph (c) are revised to read as follows:

§ 1073.51 Class prices.

(a) **Class I milk.** The price per hundredweight shall be the basic formula price for the preceding month plus \$1.57 during all months of the year, plus or minus a supply-demand adjustment computed as follows: *Provided*, That the Class I price so computed shall not be less than the Class I price for milk containing 3.5 percent butterfat for the same period pursuant to Federal Order No. 64 (Greater Kansas City) during each month of the period August through March and plus ten cents for each of the months of April through July, nor more than the Kansas City Class I price (3.5 percent butterfat content) plus fifty cents during each of the months of the period August through March and plus sixty cents for each of the months of April through July.

(c) **Class III milk.** The price per hundredweight shall be the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph, less three times the butterfat differential for the respective month computed pursuant to § 1073.52(c).

§§ 1073.52, 1073.71, 1073.80, 1073.81
[Amendment]

3. In §§ 1073.52, 1073.71, 1073.80 and 1073.81, "3.8" is changed to "3.5" wherever it appears.

[Milk Order No. 74]

**PART 1074—MILK IN SOUTHWEST
KANSAS MARKETING AREA**

§ 1074.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Southwest Kansas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or sub-

stantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Southwest Kansas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1074.50 is revised to read as follows:

§ 1074.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1074.51 the introductory text of paragraph (a), that part of paragraph (a) following subdivision (iii) of subparagraph (3) and paragraph (b) are revised to read as follows:

§ 1074.51 Class prices.

(a) *Class I milk.* The price per hundredweight shall be the basic formula price for the preceding month plus \$1.65 during all months of the year plus or minus a supply-demand adjustment, computed as follows:

The price so determined shall be further adjusted by subtracting any amount by which such price exceeds the higher

of, or adding any amount by which such price is less than the lower of, the price for Class I milk of 3.5 percent butterfat content established for the same month or delivery period pursuant to Part 1073 of this chapter regulating the handling of milk in the Wichita, Kansas, marketing area or the price of Class I milk of 3.5 percent butterfat content established for the same month or delivery period pursuant to Part 1132 of this chapter regulating the handling of milk in the Texas Panhandle marketing area during the months of March, April, May and June and 25 cents less than such price computed for the Texas Panhandle marketing area in all other months.

(b) *Class II milk.* The price per hundredweight shall be the average price reported by the Department for the current month for milk for manufacturing purposes, f.o.b. plant, United States, adjusted to a 3.8 percent butterfat basis by direct ratio, less three times the butterfat differential for the respective month computed pursuant to § 1074.52 (b).

§§ 1074.52, 1074.71, 1074.81 [Amendment]

3. In §§ 1074.52, 1074.71, and 1074.81, "3.8" is changed to "3.5" wherever it appears.

[Milk Order No. 75]

**PART 1075—MILK IN THE BLACK
HILLS, SOUTH DAKOTA, MARKET-
ING AREA**

§ 1075.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Black Hills, South Dakota, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the mini-

minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Black Hills, South Dakota, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1075.50 is revised to read as follows:

§ 1075.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported

by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. Paragraph (b) of § 1075.51 is revised to read as follows:

§ 1075.51 Class prices.

(b) *The Class II milk price.* The Class II milk price shall be the sum of the amounts computed pursuant to subparagraphs (1) and (2) of this paragraph:

(1) Subtract 6.5 cents from the Chicago butter price for the month and multiply the remainder by 4.2.

(2) From the simple average, as computed by the market administrator, of the arithmetical average of the carlot prices per pound of nonfat dry milk solids, spray and roller process for human consumption delivered at Chicago as reported for the month by the Department, subtract 6.5 cents and multiply the remainder by 7.913: *Provided*, That if the Department does not publish the above stated price for nonfat dry milk solids, there shall be used in lieu thereof the price for nonfat dry milk solids, spray and roller process for human consumption, f.o.b. manufacturing plants in the Chicago area as published by the Department for the period from the 26th day of the preceding month through the 25th day of the current month.

[Milk Order No. 76]

PART 1076—MILK IN EASTERN SOUTH DAKOTA MARKETING AREA

§ 1076.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Eastern South Dakota marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Eastern South Dakota marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1076.50 is revised to read as follows:

§ 1076.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

[Milk Order No. 90]

PART 1090—MILK IN CHATTANOOGA, TENNESSEE, MARKETING AREA**§ 1090.0 Findings and determinations.**

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Chattanooga, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the

orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Chattanooga, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1090.50 is revised to read as follows:

§ 1090.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1090.51, the introductory text and paragraph (b) are revised to read as follows:

§ 1090.51 Class prices.

Subject to the provisions of §§ 1090.52 and 1090.53, the minimum prices per hundredweight of milk containing 3.5 percent butterfat, to be paid by each handler for milk received at his pool

plant from producers during the month, shall be as follows:

(b) *Class II milk price.* For the months of February through August, the Class II milk price shall be the price computed pursuant to subparagraph (1) of this paragraph, and for all other months, the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph, adjusted in each case to a 3.5 percent butterfat basis by subtracting five times the butterfat differential for the month computed pursuant to § 1090.52(b) and rounding to the nearest cent.

(1) The average of the basic or field prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from dairy farmers during the month at the following plants or places, for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the month:

Company and Location

Kraft Foods Co., Fayetteville, Tenn.
Pet Milk Co., Greeneville, Tenn.
Carnation Co., Murfreesboro, Tenn.
Borden Co., Lewisburg, Tenn.

(2) The price per hundredweight computed as follows: Multiply the Chicago butter price by 4.8 and add to such sum 3½ cents for each full one-half cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids, spray and roller process, for human consumption, f.o.b. Chicago area manufacturing plants, for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department of Agriculture, is above 5 cents.

3. Paragraph (b) of § 1090.52 is revised to read as follows:

§ 1090.52 Butterfat differentials to handlers.

(b) *Class II milk price.* Multiply the Chicago butter price for the month by 0.115: *Provided*, That for the months of February through August, such butterfat differential shall not exceed the result obtained by dividing the price computed pursuant to subparagraph (1) of § 1090.51(b) by 40, and for all other months, by dividing the higher of the prices computed pursuant to subparagraphs (1) and (2) of § 1090.51(b) by 40.

§§ 1090.52, 1090.71, 1090.72, 1090.73 [Amendment]

4. In §§ 1090.52, 1090.71, 1090.72 and 1090.73, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 96]

PART 1096—MILK IN NORTHERN LOUISIANA MARKETING AREA**§ 1096.0 Findings and determinations.**

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and de-

terminations previously made in connection with the issuance of the aforesaid 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Northern Louisiana marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determination.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations spec-

ified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Northern Louisiana marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1096.50 is revised to read as follows:

§ 1096.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1096.51 is revised to read as follows:

§ 1096.51 Class prices.

Subject to the provisions of §§ 1096.52 and 1096.53, the minimum prices per hundredweight to be paid by each handler for milk received from producers during the month shall be as follows:

(a) *Class I milk price.* For the months of June 1962 through August 1963 the Class I milk price shall be the basic formula price for the preceding month plus \$2.27.

(b) *Class II milk price.* The Class II milk price shall be computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph, subtracting five times the butterfat differential computed pursuant to § 1096.52 (b), rounding to the nearest one-tenth cent and, during the months of March through June, deducting 5 cents.

(1) From the Chicago butter price, subtract 3 cents, add 20 percent thereof, and multiply by 4.0;

(2) From the simple average as computed by the market administrator of the weighted average of carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department, deduct 5.5 cents and multiply by 8.16.

§§ 1096.52, 1096.71, 1096.72, 1096.73, 1096.74 [Amendment]

3. In §§ 1096.52, 1096.71, 1096.72, 1096.73, and 1096.74, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 98]

PART 1098—MILK IN NASHVILLE, TENNESSEE, MARKETING AREA

§ 1098.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Nashville, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in this marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or sub-

stantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Nashville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1098.50 is revised to read as follows:

§ 1098.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1098.51 the introductory text of paragraph (a); and paragraph (b) are revised to read as follows:

§ 1098.51 Class prices.

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month, plus \$1.53 during the months of August through January, plus \$1.23 during all other months and plus or minus a supply-demand adjustment calculated for each month as follows:

(b) *Class II milk price.* The Class II milk price shall be the price determined

pursuant to subparagraph (1) of this paragraph not to exceed the highest of the prices computed pursuant to subparagraphs (2), (3), and (4) of this paragraph, and adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential for the month computed pursuant to § 1098.52(b), and rounding to the nearest cent.

(1) To the average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the month at the following milk plants for which prices have been reported to the market administrator or to the Department on or before the 6th day after the end of the month:

Present Operator and Location

Carnation Co., Murfreesboro, Tenn.
Kraft Foods Co., Gallatin, Tenn.
Kraft Foods Co., Pulaski, Tenn.
Borden Co., Fayetteville, Tenn.
Borden Co., Lewisburg, Tenn.
Borden Co., Carthage, Tenn.
Summer County Cooperative Creamery, Gallatin, Tenn.
Swift and Co., Lawrenceburg, Tenn.
Wilson and Co., Murfreesboro, Tenn.

Add 25 cents during the months of February through August and add 35 cents during all other months.

(2) To the average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following milk plants for which prices have been reported to the market administrator or to the Department on or before the 5th day after the end of the month:

Present Operator and Location

Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add an amount computed by multiplying the butterfat differential computed pursuant to § 1098.52(a) by 5.

(3) The price per hundredweight obtained by adding together the plus values computed pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) Multiply by 4 the average price per pound of butter as described in § 1098.50 and add 20 percent thereof;

(ii) From the simple average, as computed by the market administrator, of the weighted averages of the carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area for the period from the 26th day of the immediately preceding month through the 25th day of the current month, as published by the Department, subtract 5 cents and multiply by 7.5.

(4) The price per hundredweight computed as follows:

(i) Multiply by 6 the average price per pound of butter as described in § 1098.50;

(ii) Add 2.4 times the average of the weekly prevailing price per pound of

"Twins" during the month on the Wisconsin Cheese Exchange: *Provided*, That if the price of "Twins" is not quoted on such Exchange, the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

§§ 1098.52, 1098.71, 1098.72, 1098.83 [Amendment]

3. In §§ 1098.52, 1098.71, 1098.72 and 1098.83, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 101]

PART 1101—MILK IN KNOXVILLE, TENNESSEE, MARKETING AREA

§ 1101.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Knoxville, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) **Determinations.** It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Knoxville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1101.50 is revised to read as follows:

§ 1101.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department of Agriculture for the month. The basic formula price shall be rounded to the nearest full cent.

2. Paragraph (b) of § 1101.51 is revised to read as follows:

§ 1101.51 Class prices.

(b) **Class II milk price.** The price for Class II milk shall be the price deter-

mined pursuant to subparagraph (1) of this paragraph not to exceed the highest of the prices computed pursuant to subparagraphs (2), (3) and (4) of this paragraph, and adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential for the month computed pursuant to § 1101.52(b) and rounding to the nearest cent.

(1) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture, on or before the 6th day after the end of the month:

Company and Location

Pet Milk Co., Bowling Green, Ky.
Pet Milk Co., Greeneville, Tenn.
Pet Milk Co., Abingdon, Va.
Carnation Co., Murfreesboro, Tenn.
Carnation Co., Statesville, N.C.
Carnation Co., Galax, Va.
Borden Co., Lewisburg, Tenn.
Borden Co., Chester, S.C.
Kraft Foods Co., Greeneville, Tenn.

Add 10 cents in the months of February through August and add 25 cents in all other months.

(2) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the month:

Company and Location

Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add an amount computed by multiplying the butterfat differential pursuant to § 1101.85(a) by 5.

(3) The price per hundredweight computed as follows:

(i) Multiply by 6 the average price per pound of butter as described in § 1101.50;

(ii) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the month on the Wisconsin Cheese Exchange: *Provided*, That if the price of "Twins" is not quoted on such Exchange the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

(4) The price per hundredweight obtained by adding together the plus values computed pursuant to subdivisions (i) and (ii) of this subparagraph.

(i) Multiply by 4 the average price per pound of butter as described in § 1101.50 and add 20 percent thereof;

(ii) From the arithmetical average of carlot prices per pound of nonfat dry milk solids, spray and roller process, for

human consumption, f.o.b. Chicago area manufacturing plants, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department of Agriculture, subtract 5 cents and multiply by 7.5.

3. Paragraph (b) of § 1101.52 is revised to read as follows:

§ 1101.52 Butterfat differentials to handlers.

(b) **Class II milk.** Multiply the average price per pound of butter for the month as described in § 1101.50 by 0.115: *Provided*, That such butterfat differential shall not exceed the result obtained by dividing the price computed pursuant to subparagraph (1) of § 1101.51(b) by 40; nor exceed the result obtained by dividing the highest of the prices, computed pursuant to subparagraphs (2), (3) and (4) of § 1101.51(b), by 40.

§§ 1101.52, 1101.71, 1101.72, 1101.85 [Amendment]

4. In §§ 1101.52, 1101.71, 1101.72 and 1101.85, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 102]

PART 1102—MILK IN FORT SMITH, ARKANSAS, MARKETING AREA

§ 1102.0 Findings and determinations.

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 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.

(a) **Findings upon the basis of the hearing record.** 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Fort Smith, Arkansas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and

wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Fort Smith, Arkansas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1102.50 is revised to read as follows:

§ 1102.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12

times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1102.51 is revised to read as follows:

§ 1102.51 Class prices.

Subject to the provisions of § 1102.52 the minimum prices per hundredweight to be paid by each handler for milk received at his plant from producers during the month shall be as follows:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month plus \$1.45 for the months of April, May and June, and plus \$1.85 for all other months: *Provided*, That for each of the months of October, November, and December, such price shall not be less than that for the preceding month, and that for each of the months of April, May and June, such price shall not be more than that for the preceding month.

(b) *Class II milk.* The price for Class II milk shall be the average of the basic or field prices reported to have been paid or to be paid for ungraded milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department, less five times the butterfat differential for the respective month computed pursuant to § 1102.52(b):

Present Operator and Location

Pet Milk Co., Siloam Springs, Ark.
Sugar Creek Creamery, Russellville, Ark.
Ozark Creamery, Ozark, Ark.

§§ 1102.52, 1102.71, 1102.72, 1102.81
[Amendment]-

3. In §§ 1102.52, 1102.71, 1102.72 and 1102.81, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 103]

PART 1103—MILK IN CENTRAL MISSISSIPPI MARKETING AREA

§ 1103.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon

certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Central Mississippi marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Central Mississippi marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1103.50 is revised to read as follows:

§ 1103.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department of Agriculture for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1103.51 is revised to read as follows:

§ 1103.51 Class prices.

Subject to the provisions of §§ 1103.52 and 1103.53, the minimum prices per hundredweight for the month shall be as follows:

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus \$2.16.

(b) *Class II milk price.* The Class II milk price shall be the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 4.0 percent butterfat content received from farmers during the month at the plants or places listed below for which prices have been reported to the market administrator or to the Department of Agriculture subject to the adjustments provided in subparagraphs (1) and (2) of this paragraph;

Present Operator and Location

McClendon Cheese Co., Newton, Miss.
Borden Co., Starkville, Miss.
Carnation Co., Tupelo, Miss.
Pet Milk Co., Kosciusko, Miss.

(1) Subtract five times the butterfat differential computed pursuant to § 1103.52(b); and

(2) Add 10 cents during each of the months of March through June and 20 cents during all other months.

§§ 1103.52, 1103.71, 1103.72, 1103.91 [Amendment]

3. In §§ 1103.52, 1103.71, 1103.72, and 1103.91, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 105]

PART 1105—MILK IN MISSISSIPPI DELTA MARKETING AREA

§ 1105.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Mississippi Delta marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement,

tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Mississippi Delta marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1105.50 is revised to read as follows:

§ 1105.50 Class prices.

Subject to the provisions of §§ 1105.51 and 1105.52, the minimum prices per hundredweight for the month shall be as follows:

(a) *Class I milk price.* The Class I milk price shall be the Class I milk price established pursuant to § 1103.51(a) of this chapter regulating the handling of milk in the Central Mississippi marketing area less 16 cents.

(b) *Class II milk price.* The Class II milk price shall be the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 4.0 percent butterfat content received from dairy farmers during the month at the plants or places listed below for which prices have been reported to the market administrator or to the Department of Agriculture, subject to the adjustment provided in subparagraph (1) and (2) of this paragraph;

Present Operator and Location

Kraft Cheese Co., Houston, Miss.
Borden Co., Starkville, Miss.
Carnation Co., Tupelo, Miss.
Pet Milk Co., Kosciusko, Miss.

(1) Subtract five times the butterfat differential computed pursuant to § 1105.51(b); and

(2) Add 10 cents during each month of February through August and 20 cents during all other months.

§§ 1105.51, 1105.71, 1105.72, 1105.73, 1105.74, 1105.75 [Amendment]

2. In §§ 1105.51, 1105.71, 1105.72, 1105.73, 1105.74, and 1105.75 "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 106]

PART 1106—MILK IN THE OKLAHOMA METROPOLITAN MARKETING AREA

§ 1106.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Oklahoma Metropolitan marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to

sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Oklahoma Metropolitan marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1106.50 is revised to read as follows:

§ 1106.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1106.51, the introductory text of paragraph (a) is revised to read as follows:

(a) *Class I milk.* The basic formula price for the preceding month plus \$1.48 during the months of April, May and June and plus \$1.88 during all other months: *Provided,* That for each of the months of September, October, November and December, such price shall not be less than that for the preceding month, and that for each of the months of April, May and June such price shall not be more than that for the preceding month. To this price add or subtract a "supply-demand adjustment" of not more than 50 cents, computed as follows:

[Milk Order No. 107]

PART 1107—MILK IN MISSISSIPPI GULF COAST MARKETING AREA

§ 1107.0 Findings and determinations.

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 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 con-

flict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Mississippi Gulf Coast marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means

pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Mississippi Gulf Coast marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1107.50 is revised to read as follows:

§ 1107.50 Class prices.

Subject to the provisions of §§ 1107.51 and 1107.52, the minimum prices per hundredweight for the month shall be as follows:

(a) **Class I milk price.** The Class I milk price shall be the Class I milk price established pursuant to § 1103.51(a) of this chapter regulating the handling of milk in the Central Mississippi marketing area plus 10 cents.

(b) **Class II milk price.** The Class II milk price shall be the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 4.0 percent butterfat content received from dairy farmers during the month at the plants or places listed below for which prices have been reported to the market administrator or to the Department of Agriculture, subject to the adjustments provided in subparagraphs (1) and (2) of this paragraph;

Present Operator and Location

McClendon Cheese Co., Newton, Miss.
Borden Co., Starkville, Miss.
Carnation Co., Tupelo, Miss.
Pet Milk Co., Kosciusko, Miss.

(1) Subtract five times the butterfat differential computed pursuant to § 1107.51(b); and

(2) Add 10 cents during each of the months of March through July and 20 cents during all other months.

§§ 1107.51, 1107.71, 1107.72, 1107.80, 1107.81 [Amendment]

2. In §§ 1107.51, 1107.71, 1107.72, 1107.80 and 1107.81 "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 120]

PART 1120—MILK IN LUBBOCK-PLAINVIEW, TEXAS, MARKETING AREA

§ 1120.0 Findings and determinations.

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 order 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.

(a) **Findings upon the basis of the hearing record.** 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Lubbock-Plainview, Texas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) **Additional findings.** It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) **Determinations.** It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means

pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Lubbock-Plainview, Texas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. In § 1120.50 the introductory text of paragraph (b) is revised as follows:

§ 1120.50 Class prices.

(b) **Class II price.** The Class II milk price shall be computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph, subtracting five times the butterfat differential computed to § 1120.51(b), rounding to the nearest full cent and, during the months of March through June, deducting 13 cents.

§§ 1120.51, 1120.71, 1120.72, 1120.73, 1120.74 [Amendment]

2. In §§ 1120.51, 1120.71, 1120.72, 1120.73 and 1120.74, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 126]

PART 1126—MILK IN NORTH TEXAS MARKETING AREA

§ 1126.0 Findings and determinations.

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 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.

(a) **Findings upon the basis of the hearing record.** 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the North Texas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the

Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the North Texas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1126.50 is revised to read as follows:

§ 1126.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential, rounded to the nearest one-tenth cent, computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1126.51 paragraph (b) is revised to read as follows:

§ 1126.51 Class prices.

(b) *Class II milk price.* The Class II milk price shall be the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph for the months of July through March and for all other months the higher of the price computed pursuant to subparagraph (1), less 14 cents, and the price computed pursuant to subparagraph (2) of this paragraph, all adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential computed pursuant to § 1126.52(b):

(1) The price per hundredweight, rounded to the nearest one-tenth cent, computed by adding together the plus values computed pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department during the month, subtract 3 cents, add 20 percent thereof, and multiply by 4.0;

(ii) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, multiply by 8.5 and then multiply by 0.96.

(2) The price per hundredweight, rounded to the nearest one-tenth cent, computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month.

§§ 1126.52, 1126.55, 1126.71, 1126.72, 1126.73, 1126.91 [Amendment]

3. In §§ 1126.52, 1126.55, 1126.71, 1126.72, 1126.73, and 1126.91, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 127]

PART 1127—MILK IN THE SAN ANTONIO, TEXAS, MARKETING AREA

§ 1127.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the San Antonio, Texas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations spec-

ified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the San Antonio, Texas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. In § 1127.52, the introductory text of subparagraph (1) of paragraph (a) and paragraph (b) are revised to read as follows:

§ 1127.52 Class II and Class II-A milk.

(a) *Class II milk.* * * *

(1) The sum of the amounts computed pursuant to subdivisions (i) and (ii) of this subparagraph, adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential computed pursuant to § 1127.53(b) and rounding to the nearest full cent:

(b) *Class II-A milk.* The minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II-A milk shall be computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month involved, adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential computed pursuant to § 1127.53(b), and rounding to the nearest full cent.

§§ 1127.53, 1127.71, 1127.81 [Amendment]

2. In §§ 1127.53, 1127.71, and 1127.81, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 128]

PART 1128—MILK IN CENTRAL WEST TEXAS MARKETING AREA

§ 1128.0 Findings and determinations.

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 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 find-

ings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Central West Texas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Central West Texas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. In § 1128.51 the introductory text of paragraph (a) and paragraph (b) are revised to read as follows:

§ 1128.51 Class II and Class II-A milk.

(a) *Class II milk.* Subject to the provisions of § 1128.52, the minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II milk shall be computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph and subtracting five times the butterfat differential computed pursuant to § 1128.52 (b):

(b) *Class II-A milk.* Subject to the provisions of § 1128.52, the minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II-A milk shall be computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month involved and subtracting five times the butterfat differential computed pursuant to § 1128.52(b).

§§ 1128.52, 1128.71, 1128.72, 1128.73, 1128.92 [Amendment]

2. In §§ 1128.52, 1128.71, 1128.72, 1128.73 and 1128.92, "4.00" is changed to "3.5" wherever it appears.

[Milk Order No. 129]

PART 1129—MILK IN AUSTIN-WACO, TEXAS, MARKETING AREA

§ 1129.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Austin-Waco, Texas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the

Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Austin-Waco, Texas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. In § 1129.51 the introductory text of paragraph (a) and paragraph (b) are revised to read as follows:

§ 1129.51 Class II milk.

(a) The sum of the plus values of subparagraphs (1) and (2) of this paragraph, less five times the butterfat differential computed pursuant to § 1129.52(b):

(b) The price per hundredweight computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month, and subtracting five times the butterfat differential computed pursuant to § 1129.52(b).

§§ 1129.52, 1129.71, 1129.72, 1129.91 [Amendment]

2. In §§ 1129.52, 1129.71, 1129.72 and 1129.91, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 130]

PART 1130—MILK IN CORPUS CHRISTI, TEXAS, MARKETING AREA

§ 1130.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Corpus Christi, Texas, marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Corpus Christi, Texas, marketing

area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. In § 1130.50 the introductory text of subparagraph (1) of paragraph (b) and paragraph (c) are revised to read as follows:

§ 1130.50 Class prices.

(b) *Class II milk price.* * * * (1) The sum of the plus values of subdivisions (i) and (ii) of this subparagraph, less five times the butterfat differential computed pursuant to § 1130.52(b):

(c) *Class II-A milk price.* The minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class II-A milk shall be computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month and subtracting five times the butter fat differential computed pursuant to § 1130.52(b).

§§ 1130.52, 1130.71, 1130.72, 1130.81 [Amendment]

2. In §§ 1130.52, 1130.71, 1130.72 and 1130.81, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 132]

PART 1132—MILK IN TEXAS PANHANDLE MARKETING AREA

§ 1132.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Texas Panhandle marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the

Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Texas Panhandle marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1132.50 is revised to read as follows:

§ 1132.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

2. In § 1132.51, paragraph (b) is revised to read as follows:

§ 1132.51 Class prices.

(b) *Class II milk price.* The Class II milk price shall be computed by adding together the plus value of subparagraphs (1) and (2) of this paragraph, subtracting five times the butterfat differential computed pursuant to § 1132.52(b), rounding to the nearest full cent and, during the months of March through June, deducting 13 cents.

(1) Subtract 3 cents from the Chicago butter price and multiply the remainder by 4.8;

(2) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, and multiply by 8.16.

§§ 1132.52, 1132.55, 1132.71, 1132.72, 1132.73, 1132.81 [Amendment]

3. In §§ 1132.52, 1132.55, 1132.71, 1132.72, 1132.73 and 1132.81, "4.0" is changed to "3.5" wherever it appears.

[Milk Order No. 134]

PART 1134—MILK IN WESTERN COLORADO MARKETING AREA

§ 1134.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Western Colorado market-

PART 1135—MILK IN COLORADO SPRINGS-PUEBLO MARKETING AREA

§ 1135.0 Findings and determinations.

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 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Colorado Springs-Pueblo marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined

ing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore, ordered, that on and after the effective date hereof, the handling of milk in the Western Colorado marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1134.50 is revised to read as follows:

§ 1134.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. Section 1134.51(b) is revised to read as follows:

§ 1134.51 Class prices.

(b) *Class II milk.* The Class II price shall be the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph for the current month rounded to the nearest one-tenth cent:

(1) The average of the basic or field prices paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the Department:

Present Operator and Location

Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(2) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this paragraph:

(i) From the butter price specified in § 1134.50 for the month subtract 3 cents, add 20 percent thereof, and multiply by 3.5.

(ii) From the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound of nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.965.

that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Colorado Springs-Pueblo marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Section 1135.50 is revised to read as follows:

§ 1135.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. Paragraph (b) § 1135.51 is revised to read as follows:

§ 1135.51 Class prices.

(b) *Class II milk.* During the months of March through July, the price per hundredweight specified in subparagraph (1) of this paragraph, and during all other months such price plus 10 cents: *Provided*, That in no event shall such price exceed the higher of the prices computed pursuant to subparagraphs (1) and (2):

(1) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the butter price specified in § 1135.50 for the month, subtract 3 cents, add 20 percent thereof, and multiply by 3.5.

(ii) From the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound of nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.965.

(2) The average of the basic, or field prices paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the Department:

Present Operator and Location

Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

§ 1135.53 [Amendment]

3. In § 1135.53 (a) and (b) "§ 1135.50 (b) (1)" is revised to "§ 1135.50".

[Milk Order No. 137]

PART 1137—MILK IN EASTERN COLORADO MARKETING AREA

§ 1137.0 Findings and determinations.

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 order 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.

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Eastern Colorado marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which af-

fect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1962. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary, United States Department of Agriculture, was issued July 6, 1962, and the final decision containing all amendment provisions of this order has been issued. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1962, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the Eastern Colorado marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Revise § 1137.50 to read as follows:

§ 1137.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for

manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month, adjusted to a 3.5 percent basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department for the month. The basic formula price shall be rounded to the nearest full cent.

2. Paragraph (b) of § 1137.51 is revised to read as follows:

§ 1137.51 Class prices.

(b) *Class II milk.* During the months of March through July, the price per hundredweight specified in subparagraph (1) of this paragraph, and during all other months such price plus 10 cents: *Provided*, That in no event shall such price exceed the higher of the prices computed pursuant to subparagraphs (1) and (2):

(1) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) From the butter price specified in § 1137.50 for the month subtract 3 cents, add 20 percent thereof, and multiply by 3.5.

(ii) From the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound of nonfat dry milk, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department, deduct 5.5 cents, multiply by 8.5 and then multiply by 0.965.

(2) The average of the basic or field prices paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the Department:

Present Operator and Location

Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., New London, Wis.
Carnation Co., Richland Center, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

§ 1137.53 [Amendment]

3. In § 1137.53 (a) and (b) "§ 1137.50 (b) (1)" is revised to "§ 1137.50".

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

Effective date: August 1, 1962.

Signed at Washington, D.C., on July 27, 1962.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 62-7573; Filed, July 31, 1962; 8:55 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS

Motions to Reopen or Reconsider

The following amendment to Chapter I of Title 8 of the Code of Federal Regulations is hereby prescribed:

Section 103.5 is amended, by adding a sentence immediately preceding the last sentence thereof, so that the section reads as follows:

§ 103.5 Reopening or reconsideration.

Except as otherwise provided in Part 242 of this chapter, a proceeding authorized under this chapter may be reopened or the decision made therein reconsidered for proper cause upon motion made by the party affected and granted by the officer who has jurisdiction over the proceeding or who made the decision. When the alien is the moving party, a motion to reopen or a motion to reconsider shall be filed in duplicate, accompanied by a supporting brief, if any, and the appropriate fee specified by and remitted in accordance with the provisions of § 103.7, with the district director in whose district the proceeding was conducted for transmittal to the officer having jurisdiction. When an officer of the Service is the moving party, a copy of the motion shall be served on the alien or other party in interest and the motion, together with proof of service, shall be filed directly with the officer having jurisdiction. The party opposing the motion shall have 10 days from the date of service thereof within which he may submit a brief, which period may be extended. If the officer who originally decided the case is unavailable, the motion may be referred to another officer. A motion to reopen shall state the new facts to be proved at the reopened hearing and shall be supported by affidavits or other evidentiary material. A motion to reconsider shall state the reasons for reconsideration and shall be supported by such precedent decisions as are pertinent. Motions to reopen or reconsider shall state whether the validity of the order has been or is the subject of any judicial proceeding and, if so, the nature and date thereof, the court in which such proceeding took place or is pending, and its result or status. Rulings upon motions to reopen or motions to reconsider shall be by written decision.

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

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rule

prescribed by the order relates to agency procedure.

Dated: July 27, 1962.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 62-7563; Filed, July 31, 1962; 8:52 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1314, Amdt. 470]

PART 507—AIRWORTHINESS DIRECTIVES

Pratt & Whitney Aircraft JT3C-12 Turbojet Engines

There have been failures of the eighth stage compressor rotor disc in Pratt & Whitney Aircraft JT3C-12 turbojet engines. As this condition is likely to occur in other such engines, an airworthiness directive is being issued to require inspection of the discs and replacement of any which are cracked. A service life of the discs also is established.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

PRATT & WHITNEY. Applies to all JT3C-12 turbojet engines.

Compliance required as indicated.

To preclude fatigue cracking in the rear face of the P/N 359708 eighth stage compressor rotor disc, accomplish the following:

(a) For discs previously inspected by the procedure described in paragraph (c), reinspect in accordance with paragraph (c) every 90 hours' time in service from the last inspection.

(b) For discs not previously inspected by the procedure described in paragraph (c), inspect in accordance with paragraph (c) as follows:

(1) Inspect discs with 1,000 or more hours' time in service within the next 90 hours' time in service and every 90 hours' time in service thereafter.

(2) Inspect discs with less than 1,000 hours' time in service prior to the accumulation of 1,090 hours' time in service and every 90 hours' time in service thereafter.

(c) Incorporate an inspection hole and plug in the compressor case and eighth stage stator shroud in accordance with Pratt & Whitney Aircraft letter dated June 21, 1962, and its attached sketch number L-53852. Using an American Cystoscope Markers, Inc. Model B-175-AS-15 or FAA approved equivalent viewing instrument inserted through this hole, inspect each eighth stage compressor rotor disc rear blade dovetail area and the entire circumferential area of the eighth stage disc spacer for possible cracks. If any

crack indications are found, remove the engine prior to further flight and disassemble for confirmation of the indications. Replace cracked discs.

(d) Remove all eighth stage compressor rotor discs P/N 359708 from further service after 3,200 hours' time in service.

(e) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the repetitive inspection intervals specified in this Airworthiness Directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

(Pratt & Whitney Aircraft telegraphic message dated June 13, 1962, to Eastern Air Lines and Pratt & Whitney Aircraft letter dated June 21, 1962, and attached sketch L-58852 to Eastern Air Lines covers the same subject.)

This amendment shall become effective August 1, 1962.

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

Issued in Washington, D.C., on July 26, 1962.

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

[F.R. Doc. 62-7530; Filed, July 31, 1962; 8:45 a.m.]

[Reg. Docket No. 1316, Amdt. 471]

PART 507—AIRWORTHINESS DIRECTIVES

Fairchild F-27 Series Aircraft

Amendment 295, 26 F.R. 5035, requires inspection of the elevators on Fairchild F-27 Series aircraft. Aircraft with Modification No. 1 are required to be inspected each 75 hours' time in service and those with Modification No. 2, each 150 hours' time in service. A reevaluation based on inspection records since the issuance of Amendment 295, has substantiated an increase in the inspection intervals for Modification No. 1 and elimination of the special repetitive inspections for Modification No. 2. Accordingly, Amendment 295 is being superseded by a new directive.

Since this amendment relaxes a requirement and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

FAIRCHILD. Applies to all F-27 Series aircraft.

Compliance required prior to the accumulation of 4,000 hours' time in service of the elevators and thereafter at intervals not exceeding 700 hours' time in service from the last inspection.

(a) On elevators incorporating Modification No. 1 in accordance with Fairchild Drawing 27-220001-91, -101, -111, -131, -141, -151, -181, -191, -231, or -241, accomplish the following:

(1) Remove the bottom cover at the outboard hinge, Station 156.65. Using a mirror and light, inspect the structure on the forward side of the middle spar in the area of the outboard hinge bracket for cracks in the spar web, cracks in the upper and lower flange radii of the spar, and cracks in the two adjacent ribs at their attachment to the forward side of the middle spar.

(2) Remove the plugs or buttons from the three holes in the bottom skin adjacent to the outboard hinge. Using a borescope or equivalent, inspect for cracks in the middle spar, cracks in the two ribs adjacent to the hinge at their attachment to the aft side of the middle spar, and for cracks in the channel aft of the hinge.

(b) Replace cracked parts with new parts or repair in accordance with FAA Engineering approved methods.

NOTE: Inspections on elevators with Modification No. 2 in accordance with Fairchild Drawing 27-220001-251, -261, -271, or -281 are not required.

(c) Upon request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the repetitive inspection intervals specified in this Airworthiness Directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

(Fairchild Service Bulletin No. 27-21 revised May 26, 1962, covers this subject.)

This supersedes Amendment 295, 26 F.R. 5035 (AD 61-12-3).

This amendment shall become effective August 1, 1962.

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

Issued in Washington, D.C., on July 26, 1962.

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

[F.R. Doc. 62-7531; Filed, July 31, 1962; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 62-EA-41]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

The purpose of these amendments to Part 600 and § 600.1685 of the regulations of the Administrator is to redesignate that segment of Intermediate altitude VOR Federal airway No. 1685 from the intersection of the Salisbury, Md., VOR 340° and the Baltimore, Md., VORTAC 097° True radials to the Salisbury VOR as Intermediate altitude VOR Federal airway No. 1757.

The above action is being taken to eliminate misunderstanding created by the existence of multiple transition points between Victor 1685 and Intermediate altitude VOR Federal airway No. 1505. As presently designated Victor 1685 forms junctions with Victor 1505 at the New Castle, Del., VORTAC and the intersection of the Kenton, Del., VORTAC 220° and the Salisbury VOR 340° True radials. In the absence of specific flight plan information it becomes necessary to solicit additional information to

determine the exact point of transition between these two airways. This creates an additional workload in the processing of flight plans at both manual and electronic computer equipped facilities. This action, in effect, will result in the reidentification of a segment of an existing airway, and does not involve designation of any additional airspace.

Since these amendments are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) the following actions are taken:

§ 600.1685 [Amendment]

1. Section 600.1685 (26 F.R. 1091) is amended as follows:

In the caption "Salisbury, Md." is deleted and "Price, Md." is substituted therefor.

In the text "From the Salisbury, Md., VOR; 10 mile wide airway to the INT of the Salisbury VOR 340° and the Baltimore, Md., VOR 097° radials; thence via the New Castle, Del., VOR;" is deleted and "From the INT of the Salisbury, Md., VOR 340° and the Baltimore, Md., VOR 097° radials via the New Castle, Del., VOR;" is substituted therefor.

2. Part 600 (14 CFR Part 600) is amended by adding:

§ 600.1757 VOR Federal airway No. 1757 (Salisbury, Md., to Price, Md.).

From the Salisbury, Md., VOR 10-mile wide airway to the INT of the Salisbury VOR 340° and the Baltimore, Md., VOR 097° radials.

These amendments shall become effective 0001 e.s.t., September 20, 1962.

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

Issued in Washington, D.C., on July 25, 1962.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 62-7536; Filed, July 31, 1962; 8:46 a.m.]

[Airspace Docket No. 62-EA-50]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

The purpose of this amendment to § 600.6093 of the regulations of the Administrator is to realign VOR Federal airway No. 93 from the Chester, Mass., VOR via the intersection of the Chester VOR 040° and the Keene, N.H., VOR 231° radials; to the Keene VOR. This will improve air navigation and aeronautical charting by locating the change-over point between navigation facilities associated with this airway segment at the Colrain Intersection (INT of the Keene VOR 231° and the Gardner, Mass., VORTAC 284° radials). At present, this