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

Dated: February 13, 1963.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63–1777; Filed, Feb. 15, 1963; 8:51 a.m.]

[Grapefruit Reg. 15]

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Limitation of Handling

§ 912.315 Grapefruit Regulation 15.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912; 27 F.R. 87; 28 F.R. 23), regulating the handling of grapefruit grown in the Indian River District in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Indian River Grapefruit Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Indian River grapefruit, and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Indian River grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 14, 1963.

(b) *Order.* (1) The quantity of grapefruit grown in the Indian River District which may be handled during the period beginning at 12:01 a.m., e.s.t., February 18, 1963, and ending at 12:01 a.m., e.s.t., February 25, 1963, is hereby fixed at 250,000 standard packed boxes.

(2) As used in this section, "handled," "Indian River District," "grapefruit," and "standard packed box" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: February 14, 1963.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63–1794; Filed, Feb. 15, 1963; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 62–SO–10]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Federal Airways

On November 9, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 10965) stating that the Federal Aviation Agency was considering amendments to §§ 600.1503, 600.1505, and 600.1509 of the regulations of the Administrator.

No adverse comments were received regarding the proposed amendments.

Parts 600 and 601 of the regulations of the Administrator have been consolidated and recodified into a new Part 71 of the Federal Aviation Regulations which became effective December 12, 1962 (27 F.R. 10352, 220–2). The airspace actions taken herein reflect the new format and numbering system adopted for these parts.

Subsequent to the publication of the notice, it was noted that the segment of Intermediate altitude airway V–1505 between the intersection of the Alma, Ga., VOR 083° and the Savannah, Ga., VOR 195° True radials and the intersection of the Savannah 195° and the Jacksonville, Fla., 009° True radials was proposed as a 16-mile-wide airway although the identically aligned segment of Intermediate altitude airway V–1507 is presently designated as a 14-mile airway. Therefore action is taken herein to designate this portion of Victor 1505 as a 14-mile-wide airway to coincide with that portion of Victor 1507.

Additionally, as Intermediate altitude airway V–1509 will no longer be aligned via the Pahokee, Fla., VOR, action is being taken herein to delete reference to V–1509 from the Pahokee, Fla., reporting point.

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

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

1. Section 71.143 (27 F.R. 220–38, November 10, 1962) is amended as follows:

a. In V–1503 (27 F.R. 12815, 11938) "Biscayne Bay, Fla.; West Palm Beach, Fla.; Vero Beach, Fla.; INT Daytona Beach, Fla., 161°, Orlando, Fla., 123° radials; 10 miles wide Daytona Beach; INT Daytona Beach 360°, Jacksonville, Fla., 144° radials; Jacksonville;" is deleted and "Jacksonville, Fla.; 10 miles wide" is substituted therefor.

b. In V–1505 (27 F.R. 12815) "Biscayne Bay, Fla., 10 miles wide INT Biscayne Bay 021° Vero Beach, Fla., 143° radials; Vero Beach; thence INT Daytona Beach, Fla., 161°, Orlando, Fla., 123° radials; 10 miles wide Daytona Beach; INT Daytona Beach 360°, Jacksonville, Fla., 144° radials, Jacksonville; INT Jacksonville 027°, Savannah, Ga., 180° radials; Savannah;" is deleted and "Jacksonville, Fla.; 10 miles wide INT Jacksonville 009°, Savannah, Ga., 195° radials; 14 miles wide INT Savannah 195°, Alma, Ga., 083° radials; 10 miles wide Savannah;" is substituted therefor.

c. In V–1509 "Miami, Fla.; Pahokee, Fla.; INT Orlando, Fla. 162°, Vero Beach, Fla., 296° radials; 10 miles wide Orlando; INT Orlando 359°, Jacksonville, Fla., 167° radials; Jacksonville; INT Jacksonville 009°, Savannah, Ga., 195° radials; 14 miles wide INT Savannah, Ga., 195° Alma, Ga., 083° radials; 10 miles wide Savannah;" is deleted and "Biscayne Bay, Fla.; West Palm Beach, Fla.; Vero Beach, Fla.; INT Daytona Beach, Fla., 161°, Orlando, Fla. 123° radials; 10 miles wide Daytona Beach; Savannah, Ga., including additional airspace between lines diverging from Daytona Beach to points of tangency to an 8.7 mile radius circle centered at latitude 30°43′50″ N., longitude 81°06′45″ W., within the circumference of the circle and between lines tangent to the circle converging to Savannah;" is substituted therefor.

2. Section 71.205 (27 F.R. 220–165, November 10, 1962) is amended as follows:

a. In Pahokee, Fla., "V–1509 S bound," is deleted.

These amendments shall become effective 0001 e.s.t., April 4, 1963.

(Secs. 307(a) and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510; and Executive Order 10854, 24 F.R. 9565)

Issued in Washington, D.C. on February 12, 1963.

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

[F.R. Doc. 63-1692; Filed, Feb. 15, 1963; 8:45 a.m.]

[Airspace Docket No. 61-LA-76]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

PART 75—ESTABLISHMENT OF JET ROUTES [NEW]

Alteration of Amendment

On January 8, 1963, a Rule was published in the FEDERAL REGISTER (28 F.R. 178, effective February 7, 1963). This docket altered the airway structure in the vicinity of Las Vegas, Nev. Subsequent to the publication of the docket, minor errors were discovered in the designation of a radial in the description of V-237 and V-1619 and in the listing of Boulder, Nev., VOR as a reporting point on V-1748.

Since these amendments are editorial in nature and impose no additional burden on any person, compliance with section 4 of the Administrative Procdure Act is unnecessary.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), effective immediately, Airspace Docket No. 61-LA-76 (28 F.R. 178) is amended as follows:

1. In paragraph 1c in the description of V-237, "INT of Needles 356°" is deleted and "INT of Needles 355°", is substituted therefor.

2. In paragraph 2a in the description of V-1619, "INT Needles 356°" is deleted and, "INT Needles 355°", is substituted therefor.

3. In paragraph 5 "V-1547, V-1748." is deleted and "V-1547." is substituted therefor.

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

Issued in Washington, D.C., on February 12, 1963.

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

[F.R. Doc. 63-1691; Filed, Feb. 15, 1963; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-306]

PART 13—PROHIBITED TRADE PRACTICES

Alix of Miami, Inc., and Alix Schneidman

Subpart—Misbranding or mislabeling: § 13.1325 *Source or origin;* § 13.1325-70 *Place;* § 13.1325-70(a) *Domestic product as imported.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Alix of Miami, Inc., et al., Miami, Fla., Docket C-306, Jan. 25, 1963]

In the Matter of Alix of Miami, Inc., a Corporation, and Alix Schneidman, Individually and as an Officer of Said Corporation

Consent order requiring a Miami, Fla., manufacturer of dresses, sportswear, and bathing suits to cease representing falsely that its products made of domestic fabrics were of foreign origin by affixing to them tags bearing the phrase "Fabric Imported from Italy".

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Alix of Miami, Inc., a corporation, and its officers, and Alix Schneidman, individually, and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of dresses, sportswear, bathing suits or any other article of wearing apparel, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that fabric manufactured in the United States is imported from Italy or otherwise misrepresenting the country of origin of fabric in any manner.

2. Furnishing any means or instrumentality to others whereby they may mislead or deceive the public as to any of the matters or things prohibited in Paragraph 1 hereof.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: January 25, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-1693; Filed, Feb. 15, 1963; 8:45 a.m.]

[Docket C-305]

PART 13—PROHIBITED TRADE PRACTICES

Geotrade Industrial Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods;* § 13.30-75 *Textile Fiber Products Identification Act.* Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception;* § 13.1055-50 *Preticketing merchandise misleadingly.* Subpart—Misbranding or mislabeling: § 13.1185 *Composition;* § 13.1185-80 *Textile Fiber Products Identification Act;* § 13.1280 *Price;* § 13.1323 *Size or weight.* Subpart—Misrepresenting oneself and goods—Prices: § 13.1811 *Fictitious preticketing.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* § 13.1845-70 *Textile Fiber Products Identification Act;* § 13.1852 *Formal regulatory and statutory requirements;* § 13.1852-70 *Textile Fiber Products Identification Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Geotrade Industrial Corp. et al., New York, N.Y., Docket C-305, Jan. 25, 1963]

In the Matter of Geotrade Industrial Corp., a Corporation, and Curtis T. Ettinger and Edward V. Nunes, Individually and as Officers of Said Corporation, and Leo G. Nunes, an Individual

Consent order requiring a New York City distributor of sleeping bags to cease using fictitious price tags and using the expression "cut size" followed by certain printed figures such as 36 x 82 in advertising and labeling its product and thereby placing in the hands of others means for misleading the public as to the regular prices and the finished sizes of the bags; and to cease violating the Textile Fiber Products Identification Act by falsely labeling the filling of the sleeping bags as "all acetate" and by failing to disclose on labels the true generic names and percentages of fibers present.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered,* That respondent Geotrade Industrial Corp., a corporation, and its officers, and respondents Curtis T. Ettinger, and Edward V. Nunes, individually and as officers of said corporation, and Leo G. Nunes, as an individual, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of sleeping bags or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Advertising, labeling, representing in a catalog or otherwise representing the "cut size" or dimensions of material used in their construction, unless such representation is accompanied by a description of the finished or actual size, with the latter description being given at least equal prominence;

2. Misrepresenting the size of such products on labels or in any other manner;

3. Representing, directly or by implication, by means of pre-ticketing or by stating in a catalog, or in any other manner, that any amount is the usual and regular retail price of merchandise when such amount is in excess of the price at which said merchandise is usually and regularly sold at retail in the trade area or areas where the representations are made;

4. Furnishing to others any means or instrumentality by or through which the public may be misled as to the usual and regular retail price of respondents' merchandise;

5. Putting any plan into operation through the use of which retailers or others may misrepresent the usual and regular retail price of merchandise.

II. *It is further ordered*, That respondents and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state, or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of the constituent fibers contained therein.

2. Failing to affix labels to such textile fiber product showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representation, by disclosure or by implication, as to the fiber contents of any textile fiber product in any written advertisement, which is used to aid, promote or assist, directly or indirectly, in the sale or offering for sale, of such textile fiber product unless the same information required to be disclosed on the stamp, tag, label, or other means of identification under sections 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Using a fiber trademark in advertisements without a full disclosure of the required fiber content information in at least one instance in the said advertisement.

3. Using a fiber trademark in advertising textile fiber products containing more than one fiber without such fiber trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

4. Advertising any textile fiber in such manner as to require disclosure of the information required by the Textile Fiber Products Identification Act and the rules and regulations thereunder without stating all parts of the required information in immediate conjunction with each other in legible and conspicuous type or lettering of equal size and prominence.

III. *It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: January 25, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary*.

[F.R. Doc. 63-1694; Filed, Feb. 15, 1963; 8:46 a.m.]

[Docket C-304]

PART 13—PROHIBITED TRADE PRACTICES

Morgenstein Creations, Inc., and Morris Morgenstein

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely;* § 13.1108-45 *Fur Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1185 *Composition;* § 13.1185-30 *Fur Products Labeling Act;* § 13.1212 *Formal regulatory and statutory requirements;* § 13.1212-30 *Fur Products Labeling Act;* § 13.1255 *Manufacture or preparation;* § 13.1255-30 *Fur Products Labeling Act;* § 13.1325 *Source or origin;* § 13.1325-70 *Place;* § 13.1325-70(e) *Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* § 13.-1845-30 *Fur Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements;* § 13.1852-35 *Fur Products Labeling Act;* § 13.1865 *Manufacture or preparation;* § 13.1865-40 *Fur Products Labeling Act;* § 13.1880 *Old, used, or reclaimed as unused or new;* § 13.1880-40 *Fur Products Labeling Act;* § 13.1900 *Source or origin;* § 13.1900-40 *Fur Products Labeling Act;* § 13.1900-40(b) *Place.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Morgenstein Creations, Inc., et al., New York, N.Y., Docket C-304, Jan. 25, 1963]

In the Matter of Morgenstein Creations, Inc., a Corporation, and Morris Morgenstein, Individually and as an Officer of Said Corporation

Consent order requiring a New York City furrier to cease violating the Fur Products Labeling Act by failing to label fur products; failing to disclose on labels and invoices the true name of the animal producing the fur and when fur was secondhand; failing, on invoices, to show when fur products contained used fur and artificially colored fur, to use the term "natural" when required, and to show the name of the country of origin of imported furs, and using the term "blended" improperly, and failing in other respects to comply with requirements of the Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That Morgenstein Creations, Inc., a corporation, and its officers, and Morris Morgenstein, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce of fur products or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

(a) Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

(b) Setting forth on labels affixed to fur products information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

(c) Failing to disclose on labels affixed to fur products that fur products are "secondhand" when such fur products have been used or worn by ultimate consumers and subsequently marketed in their original, reconditioned or rebuilt form with or without the addition of any furs or used furs.

(d) Failing to set forth on labels affixed to fur products the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in the required sequence.

2. Falsely or deceptively invoicing fur products by:

(a) Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

(b) Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

(c) Setting forth the term "blended" as part of the information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe the pointing, bleaching, dyeing, tip-dyeing, or otherwise artificial coloring of furs.

(d) Failing to describe fur products as natural when such fur products are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

(e) Failing to disclose that fur products are "secondhand" when such fur products have been used or worn by ultimate consumers and subsequently marketed in their original, reconditioned, or rebuilt form with or without the addition of any furs or used furs.

(f) Failing to set forth the item number or mark assigned to a fur product.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: January 25, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary*.

[F.R. Doc. 63-1695; Filed, Feb. 15, 1963; 8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

[Release 34-7011]

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS UNDER THE SECURITIES EXCHANGE ACT OF 1934

Suspension of Trading and Removal From Listing and Registration

On October 25, 1962, in Securities exchange Act Release No. 6921, and on November 3, 1962, in the FEDERAL REGISTER (27 F.R. 10772), the Securities and Exchange Commission published its proposal to amend §§ 240.12d2-1 and 240.12d2-2. These rules provide for the suspension of trading in listed securities by a national securities exchange and for their removal from listing and registration under specified conditions.

After consideration of all such relevant matter as was presented by interested persons concerning the amendments proposed, §§ 240.12d2-1 and 240.12d2-2 as so published are hereby adopted, subject to the changes set forth below. The Commission finds that such action relieves restrictions and therefore may be and is hereby declared effective on February 15, 1963.

Section 240.12d2-1, as proposed to be amended, is adopted with the following change: In the first sentence of paragraph (b), the word "of" where it appears after "section 12(d)" is changed to read "and".

Section 240.12d2-2, as proposed to be amended, is adopted with the following changes:

I. Paragraph (e) is redesignated as paragraph (f), and paragraphs (b), (c), (d), and (e) are changed to read as set forth below.

By the Commission.

ORVAL L. DUBOIS, *Secretary*.

FEBRUARY 5, 1963.

§ 240.12d2-1 Suspension of trading.

(a) A national securities exchange may suspend from trading a security listed and registered thereon in accordance with its rules. Such exchange shall promptly notify the Commission of any such suspension, the effective date, thereof, and the reasons therefor.

(b) Any such suspension may be continued until such time as it shall appear to the Commission that such suspension is designed to evade the provisions of section 12(d) and the rules and regulations thereunder relating to the withdrawal and striking of a security from listing and registration. During the continuance of such suspension the exchange shall notify the Commission promptly of any change in the reasons for the suspension. Upon the restoration to trading of any security suspended under this rule, the exchange shall notify the Commission promptly of the effective date thereof.

(c) Suspension of trading shall not terminate the registration of any security.

§ 240.12d2-2 Removal from listing and registration.

(a) A national securities exchange shall file with the Commission an application on Form 25 to strike a security from listing and registration thereon within a reasonable time after the exchange is reliably informed that any of the following conditions exist with respect to such a security:

(1) The entire class of the security has been called for redemption, maturity or retirement; appropriate notice thereof has been given; funds sufficient for the payment of all such securities have been deposited with an agency authorized to make such payments; and such funds have been made available to security holders.

(2) The entire class of the security has been redeemed or paid at maturity or retirement.

(3) The instruments representing the securities comprising the entire class have come to evidence, by operation of law or otherwise, other securities in substitution therefor and represent no other right, except, if such be the fact, the right to receive an immediate cash payment (the right of dissenters to receive the appraised or fair value of their holdings shall not prevent the application of this provision).

(4) All rights pertaining to the entire class of the security have been extinguished: *Provided, however*, That where such an event occurs as the result of an order of a court or other governmental authority, the order shall be final, all applicable appeal periods shall have expired, and no appeals shall be pending.

EFFECTIVE DATE: Such an application shall be deemed to be granted and shall become effective at the opening of business on such date as the exchange shall specify in said application, but not less than 10 days following the date on which said application is filed with the Commission; *Provided, however*, That in the event removal is being effected under paragraph (a)(3) of this section and the exchange has admitted or intends to admit a successor security to trading under the temporary exemption provided for by § 240.12a-5, such date shall not be earlier than the date on which the successor security is removed from its exempt status.

(b)(1) A national securities exchange may strike a security from listing and registration thereon if (i) trading in such security has been terminated pursuant to a rule of such exchange requiring such termination whenever the security is admitted to trading on another exchange; and (ii) listing and registration of such security has become effective on such other exchange.

(2) A national securities exchange which has stricken a security from listing and registration under the provisions of this paragraph shall send written notice of such action to the Commission within 3 days from the date thereof.

(c) In cases not provided for in paragraphs (a) or (b) of this section, a national securities exchange may file an application to strike a security from listing and registration, in accordance with its rules, on a date specified in the application, which date shall be not less than 10 days after it is filed with the Commission. The Commission will enter an order granting such application on the date specified in the application unless the Commission, by written notice to the exchange, postpones the effective date for a period of not more than 60 days thereafter: *Provided, however*, That the Commission, by written notice to the exchange on or before the effective date, may order a hearing to determine whether the application to strike the security from listing and registration has been made in accordance with the rules of the exchange, or what terms should be imposed by the Commission for the protection of investors.

(d) The issuer of a security listed and registered on a national securities exchange may file an application to withdraw such security from listing and registration on such exchange in accordance with the rules of such exchange. Notice of the filing of such an application shall be published by the Commission in the FEDERAL REGISTER, and such notice shall provide that any interested person may, on or before a date specified, submit to the Commission in writing, all facts bearing upon whether the application to withdraw the security from listing and registration has been made in accordance with the rules of the exchange and what terms should be imposed by the Commission for the protection of investors. An order disposing of the matter will be issued by the Commission on the basis of the application and any other information furnished to the Commission unless prior thereto the Commission orders a hearing on the matter.

(e) An application by an issuer or by a national securities exchange to withdraw or strike a security from listing and registration pursuant to the provisions of paragraph (c) or (d) of this section shall comply with the following requirements:

(i) The application shall be filed in triplicate, the original of which shall be dated and signed by an authorized official of the exchange, or of the issuer, as the case may be.

(ii) If the applicant is the exchange it shall promptly deliver a copy of the application to the issuer and if the applicant is the issuer it shall promptly deliver a copy of the application to the exchange.

(iii) The application shall set forth a description of the security involved together with a statement of all material facts relating to the reasons for filing such application for withdrawal or striking from listing and registration.

(iv) The application shall set forth the steps taken by the applicant to comply with the rules of the exchange governing the delisting of securities.

(f) If within 30 days after the publication of any rule or regulation which substantially alters or adds to the obligations, or detracts from the rights, of an issuer of a security registered pursuant to application under section 12 (b) or (c), or of its officers, directors, or security holders, or of persons soliciting or giving any proxy or consent or authorization with respect to such security, the issuer shall file with the Commission a request that such registration shall expire and shall accompany such request with a written explanation of the reasons why the publication of such rule or regulation leads the issuer to make such request, such registration shall expire immediately upon receipt of such request or immediately before such rule or regulation becomes effective, whichever date is later. The absence of an express reservation, in an application for registration, of the rights herein granted shall not be deemed a waiver thereof.

(Secs. 12(d), 23(a), 48 Stat. 892, 901, as amended, 15 U.S.C. 78*l*, 78w)

[F.R. Doc. 63-1706; Filed, Feb. 15, 1963; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Animal Feed or Animal-Feed Supplements

Subpart D—Food Additives Permitted in Food for Human Consumption

DIETHYLSTILBESTROL

1. The Commisssioner of Food and Drugs, having evaluated the data submitted in petitions filed by Elanco Products Company, a Division of Eli Lilly and Company, Indianapolis 6, Indiana, and Dawes Laboratories, Inc., 4800 South Richmond Street, Chicago 32, Illinois, and other relevant material, has concluded that the following regulation should issue to provide for the safe use of diethylstilbestrol in beef-cattle feed. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786, as amended, 76 Stat. 785; 21 U.S.C.A. 348(c)(1); sec. 104(f)(1), Public Law 87-781), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations are amended by adding to Subpart C the following new section:

§ 121.241 Diethylstilbestrol.

Diethylstilbestrol (3,4-bis(*p*-hydroxyphenyl)-3-hexene) may be safely used as an ingredient of feed for animals raised for food production, subject to the provisions of this section.

(a) It is used as an ingredient of feed for fattening beef cattle.

(b) It is added to feed at one of the following levels, which shall call for feeding directions as shown:

Percentage of diethylstilbestrol in feed	Milligrams of diethylstilbestrol per pound of feed	Feeding rate: Pounds of feed per beef animal per day
0.00009	0.4	[1]
0.00011	0.5	20
0.00018	0.8	12.5
0.00022	1.0	10.0
0.00033	1.5	6.7
0.00044	2.0	5.0
0.0011	5.0	2.0
0.0015	6.7	1.5
0.0022	10.0	1.0

[1] Free choice.

(c) To assure safe use of the additive, the label and labeling of the additive and any premix or feed shall contain, in addition to the other information required by the act, the following:

(1) The name of the additive, diethylstilbestrol.

(2) A statement of the concentration or strength of the additive contained therein.

(3) Adequate directions to provide for a daily intake of not more than 10 milligrams of diethylstilbestrol per head per day.

(4) A statement that the feed must be discontinued at least 48 hours before slaughter.

(5) A statement that feeds containing diethylstilbestrol are not to be fed to breeding or dairy animals.

(d) No residue of the additive shall be present in any edible portion of such animal after slaughter or in any food yielded by or derived from the living animal as determined by methods of examination prescribed in this section.

(e) The method of examination prescribed for the quantitative determination of estrogenic activity is the method of E. J. Umberger, G. H. Gass, and J. M. Curtis published in Endocrinology, volume 63, page 806 (1958).

(f) The method of examination prescribed for the qualitative identification of estrogenic activity as diethylstilbestrol is as follows:

(1)(i) Extract the diethylstilbestrol with alkali from a suitably prepared sample of fat dissolved in isooctane; or

(ii) Extract the diethylstilbestrol with ethyl alcohol from lean meat or liver, followed by hydrolysis of the alcohol extractive with dilute hydrochloric acid.

(2) Either of the solutions of diethylstilbestrol described in subparagraph (1) of this paragraph is next extracted with chloroform, and the chloroform extract is washed with 10 percent sodium carbonate to remove strongly acidic substances.

(3) The chloroform extractive of diethylstilbestrol is then extracted with 1 percent sodium hydroxide, and the resulting solution is acidified.

(4) The hormone is reextracted from the acidified solution with chloroform. If the solution is colored, the extraction procedures may be repeated.

(5) The chloroform is evaporated and the remaining residue is dissolved in a suitable volume of methyl alcohol for identification of the diethylstilbestrol, as follows:

(i) Impregnate Whatman No. 1 filter paper with a solution of 40 percent formamide in methyl alcohol, blot it lightly, and dry for 5 minutes.

(ii) Spot an aliquot of the methyl alcohol solution on the paper.

(iii) Similarly, spot an aliquot of a methyl alcohol solution of Reference Standard diethylstilbestrol for identification comparison.

(iv) Place the paper in a chromatographic tank and develop, using the continuous ascending technique, either with the solvent system heptane:toluene:: 1:4 for 2.5 hours, or the solvent system cyclohexene:cyclohexanol: 98:2 for 45 minutes.

(v) Remove the paper from the tank and, while still wet, irradiate it with ultraviolet light from a 15-watt germicidal lamp for 1 minute.

(vi) Observe fluorescence through a black-light viewing apparatus.

(Sec. 409(c)(1), 72 Stat. 1786 as amended 76 Stat. 785; 21 U.S.C.A. 348(c)(1); sec. 104(f)(1), P.L. 87-781)

2. The Commissioner of Food and Drugs has further concluded that the following regulation should issue relative to residues of diethylstilbestrol in the edible portions of beef cattle after slaughter. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations are amended by adding to subpart D the following new section:

§ 121.1118 Diethylstilbestrol.

A tolerance of zero is established for residues of diethylstilbestrol in the edible portions of beef cattle after slaughter, as determined by the methods of examination prescribed in § 121.241.

(Sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4))

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence

Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c) (1), (4), 72 Stat. 1786 as amended 76 Stat. 785; 21 U.S.C.A. 348(c)(1), (4); sec. 104(f)(1), Public Law 87-781)

Dated: February 12, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-1718; Filed, Feb. 15, 1963; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

HYDROXYETHYL CELLULOSE FILM; CORRECTIONS

In F.R. Doc. 63-1316, published February 6, 1963 (28 F.R. 1140) the following corrections are made:

1. Section 121.2565 is renumbered as § 121.2567.
2. In paragraph (b)(4), the word "Dimitations" in the second column of the tabulation is corrected to read "Limitations."

Dated: February 13, 1963.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 63-1719; Filed, Feb. 15, 1963; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

PART 1455—PERMISSIVE EXEMPTIONS FROM RENEGOTIATION

"Stock Item" Exemption

Section 1455.6 *Subcontracts as to which it is not administratively feasible to segregate profits* is amended as follows:

1. Paragraph (b) is amended by deleting from the caption "January 1, 1963" and inserting in lieu thereof "January 1, 1964".

2. Paragraph (b) is further amended by deleting "January 1, 1963" and inserting in lieu thereof "January 1, 1964".

(Sec. 109, 65 Stat. 22; 50 U.S.C. App. Sup. 1219)

Dated: February 13, 1963.

LAWRENCE E. HARTWIG,
Chairman.

[F.R. Doc. 63-1726; Filed, Feb. 15, 1963; 8:50 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

MISCELLANEOUS AMENDMENTS TO CHAPTER

The regulations of the Post Office Department are amended as follows:

PART 17—PARCELS ADDRESSED TO MILITARY POST OFFICES OVERSEAS

I. In Part 17, amend the heading to read "Parcels addressed to Military Post Offices Overseas", and redesignate § 17.1 as § 17.2, and insert a new § 17.1 to read as follows:

§ 17.1 Mailing preparations.

(a) *Packaging requirements.* In addition to the packaging standards in part 11 of this chapter and the specific requirements for items mailable under the special rules in part 15 of this chapter, it is recommended that parcels addressed to overseas military post offices be packed in boxes or other containers of metal, wood, or good quality fiberboard (at least 275 pound test stock). Parcels containing mailable (nontoxic and nonflammable) liquids, oils, and substances which easily liquefy, must have sufficient absorbent material around the containers to take up contents in case of breakage.

(b) *Addressing.* See § 13.8 of this chapter.

(c) *Weight and size.* See § 25.3 of this chapter for parcels sent by surface mail and § 26.3 of this chapter for parcels sent by air, if there is no exception to the size or weight limitations listed in § 17.2.

§ 17.2 Amendment.

II. In redesignated § 17.2 *Conditions applicable to parcels addressed to certain military post offices overseas,* make the following changes:

A. Insert in proper numerical order the following military APO numbers with their accompanying data:

9				[7] X		[3] X
156 [11]						
661		X		[1] X		[3] X
663 [11]				[7] X		[3] X
666		X	X	[7] X		
697				[6,7] X		
959 [11]						
1034		X	X	[7] X		

B. Delete military APO numbers 196, 242, 349, 408, and 685.

C. Under the column headed "Weight for other than registered mail restricted to 50 pounds", and opposite military APO numbers "22, 116, 120, 125, 127, 129, 147, 167, 179, 190, 193, 194, 218, 232, 238, 241, 243, 327, 377, 378, 405, and 755" delete footnote "5".

NOTE: The corresponding Postal Manual Part is 127.

PART 49—STAR ROUTE SERVICE

§ 49.3 Amendment.

III. In § 49.3 *Box delivery and collection service,* make the following changes to, among other things, (1) provide for the delivery of registered, insured, COD, and certified mail on box delivery and collection routes without written request from the addressee; (2) delete the reference to the carrier as a representative of the addressee; (3) eliminate the prepayment of COD charges by the carrier before delivery is made; and (4) permit the deposit of collection mail in other than the next office where the carrier arrives, when directed by the Department.

A. In paragraph (b) amend subparagraphs (3) and (5) to read as follows:

(b) *Availability.* * * *

(3) Provide and erect a suitable box or provide a suitable sack or satchel with post upon which it may be hung. Where a box is newly installed or a present box is being replaced, an approved rural-type box must be used. The name and box number of the owner must be neatly inscribed in letters and numerals not less than 1 inch high on the side of the box visible to the carrier as he approaches, or on the door if boxes are grouped. (See § 46.5 of this chapter.)

(5) Where necessary advise carrier of signal to be used to indicate that mail is to be collected.

NOTE: The corresponding Postal Manual sections are 159.32 c and e.

B. Amend paragraphs (c) and (d) to read as follows:

(c) *Delivery of mail.* Mail matter addressed to a qualified patron of a star route will be taken by the carrier from the post office and deposited into the proper mail box. If required by the contract, the carrier will deliver registered, insured, certified, and COD mail. Delivery of this mail will be made only when patron meets the carrier at the box or along the route. Parcel post packages too large to go into mail boxes may be delivered outside of boxes, provided the addressee has filed with the postmaster a written request for delivery in that manner. Otherwise, notice will be left in patron's box to meet carrier on next trip. If proper delivery cannot be made by carrier, the mail will be held at the post office as described in Part 48 of this chapter.

(d) *Collection of mail.* Mail matter properly stamped and placed in a mail box for dispatch must be collected by the carrier and deposited in the next post office at which the carrier arrives unless otherwise directed by the Department. Mail collected on the route, addressed for delivery on that part of the route still to be covered before reaching the next post office, will be delivered on the day of collection. The carrier will cancel the stamps before delivery by writing across them the name of the post office last served, the State, the date and the number of the route. Bulky mailable matter, properly prepared and stamped, will be collected by the carrier if placed on or near the mail box. Money left in mail boxes for the purchase of stamps will be at the risk of the patron.

NOTE: The corresponding Postal Manual sections are 159.33 and 159.34.

PART 51—REGISTRY

IV. In § 51.9, amend paragraph (f) to read as follows:

§ 51.9 Delivery.

* * * * *

(f) *Star route delivery.* Star route carriers will deliver registered mail if required by the contract, but delivery will be made only at the patron's box or along the route.

NOTE: The corresponding Postal Manual section is 161.96.

PART 52—INSURANCE

V. In § 52.5, amend paragraph (c) to read as follows:

§ 52.5 Delivery.

* * * * *

(c) *On star route affording delivery service.* Star route carriers will deliver insured parcels if required by the contract, but delivery will be made only at the patron's box or along the route.

NOTE: The corresponding Postal Manual section is 162.53.

PART 53—COD

VI. In § 53.5 amend paragraph (c) to read as follows:

§ 53.5 Delivery.

* * * * *

(c) Star route carriers will deliver COD mail if required by the contract. It is expected that the patron will present the exact amount of money needed to pay the COD charges and the money order fee.

NOTE: The corresponding Postal Manual section is 163.53.

PART 58—CERTIFIED MAIL

VII. In § 58.5, amend paragraphs (a) and (d) to read as follows:

§ 58.5 Delivery.

* * * * *

(a) *Procedure.* Mail for delivery by carriers is taken out on the first trip after it is received, unless the addressee has requested the postmaster to hold his mail at the post office. Certified mail not restricted in delivery will be delivered to the addressee or his authorized representative. Certified mail marked "Deliver to Addressee Only" will be delivered only to the person addressed. If marked "Deliver to Addressee or Order" delivery will be made to the addressee or to a person designated in writing by the addressee to receive the mail. Delivery rules are the same as for registered mail. See § 51.9 of this chapter.

* * * * *

(d) *Star route delivery.* Star route carriers will deliver certified mail if required by the contract, but delivery will be made only at the patron's box or along the route.

NOTE: The corresponding Postal Manual sections are 168.51 and 168.54.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 63-1728; Filed, Feb. 15, 1963; 8:50 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

Railroad Annual Report Form A

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 8th day of February A.D. 1963.

The matter of annual reports of line-haul and switching and terminal railroad companies of Class I being under further consideration, and the changes to be made by this order being minor changes in the data to be furnished, rule-making procedures under section 4 of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

It is ordered, That § 120.11 of the order of January 18, 1962, in the matter of Railroad Annual Report Form A, be, and it is hereby, modified and amended, with respect to annual reports for the year ended December 31, 1962, and subsequent years, to read as shown below.

It is further ordered, That 49 CFR 120.11, be, and it is hereby, modified and amended to read as follows:

§ 120.11 Form prescribed for Class I railroads.

Commencing with reports for the year ended December 31, 1962, and thereafter, until further order, all line-haul and switching and terminal railroad companies of Class I, as described in § 126.1, viz, of this chapter, all carriers with average annual operating revenues of $3,000,000 or more, subject to the provisions of section 20, Part I of the Interstate Commerce Act, are required to file annual reports in accordance with Railroad Annual Report Form A, which is attached to and made a part of this section.[1] Such annual report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D.C., on or before March 31 of the year following the year to which it relates.

[1] Filed as part of the original document.

(Sec. 12, 24 Stat. 383, as amended; 49 U.S.C. 12. Interpret or apply sec. 20, 24 Stat. 386, as amended; 49 U.S.C. 20)

And it is further ordered, That copies of this order and of Annual Report Form A shall be served on all line-haul and switching and terminal railroad companies of Class I, subject to the provisions of section 20, Part I of the Interstate Commerce Act, and upon every receiver, trustee, executor, administrator or assignee of any such railroad company, and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-1711; Filed, Feb. 15, 1963; 8:48 a.m]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

Lake Champlain, N.Y. and Vt.

Pursuant to the provisions of section 1 of an Act of Congress approved April 22, 1940 (54 Stat. 150; 33 U.S.C. 180), § 202.8 is hereby amended redesignating paragraph (d) as (e) and prescribing a new paragraph (d) designating a special anchorage area in Mallets Bay, Lake Champlain, Vermont, wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 202.8 Lake Champlain, N.Y. and Vt.

* * * * *

(d) *Mallets Bay, Vt.* An area in the northwesterly portion of Mallets Bay, south of a line extending from the northeasterly end of Mallets Head to the northeasterly end of Marble Island, and west of a line extending from the northeasterly end of Marble Island to the northeasterly side of Cave Island, and southerly to the point on the lower east side of Mallets Head.

(e) *St. Albans Bay, Vt.* [Redesignated]

[Regs., Feb. 4, 1963, 285/111 (Lake Champlain, N.Y. and Vt.)—ENGCW-ON] (Sec. 1, 54 Stat. 150; 33 U.S.C. 180)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 63-1690; Filed, Feb. 15, 1963; 8:45 a.m.]