

writing setting forth in detail the manner and form in which they have complied with this order.

Issued: October 8, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-10938; Filed, Oct. 27, 1964;
8:45 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 Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

TYLOSIN

A notice of filing of a food additive petition (FAP 1177) for use of tylosin in swine feed was published in the FEDERAL REGISTER of November 5, 1963 (28 F.R. 11797). Subsequently, an amendment to the regulation for tylosin in swine feed issued in the FEDERAL REGISTER of August 20, 1964 (21 CFR 121.217; 29 F.R. 11917). Comments were received thereafter from the petitioner, Elanco Products, A Division of Eli Lilly and Company, Post Office Box 1750, Indianapolis 6, Ind., requesting deletion of the words "as sole source of tylosin" where they occur in Table 2, item 3, and Table 3, item 2, and further that the words "at least" be added to Table 3, item 2 under the limitations column after the words "per ton for".

Data submitted established that no residues of tylosin are found in edible tissues of swine fed under these proposed conditions of use. Justification for feeding of 100 grams per ton beyond 3 weeks has been shown in certain instances. The Commissioner of Food and Drugs has concluded that reasonable grounds for the petitioner's request have been shown. Therefore, pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act (sec. 409, 72 Stat. 1785; 21 U.S.C. 348) and the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), § 121.217 Tylosin (21 CFR 121.217; 29 F.R. 11917) is amended in the following respects:

1. In paragraph (d), Table 2, item 3 is changed by deleting the words "as sole source of tylosin" from the text under "Limitations."

2. In paragraph (d), Table 3, item 2, the words "at least" are added after the words "per ton for" and the words "as sole source of tylosin" are deleted.

As amended, these items read as follows:

(d) * * *

TABLE 2—TYLOSIN IN DRINKING WATER

Principal ingredient	Dose	Combined with—	Dose	Limitations	Indications for use
***	***	***	***	For swine: administer not more than 10 days; withdraw 48 hours prior to slaughter; as tylosin base.	***

TABLE 3—TYLOSIN IN ANIMAL FEED

Principal ingredient	Dose	Combined with—	Dose	Limitations	Indications for use
***	***	***	***	For swine: 100 gm. per ton for at least 3 weeks followed by 40 gm. per ton until market weight; as tylosin phosphate.	***

Notice and public procedure and delayed effective date are not necessary prerequisites for the promulgation of this order, and I so find, since the amendments ordered merely relax existing requirements.

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

Dated October 22, 1964.

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

[F.R. Doc. 64-10957; Filed, Oct. 27, 1964;
8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

RHIZOPUS ORYZAE

The Commissioner of Food and Drugs has evaluated data in a petition (5A1490) filed by Rohm & Haas Company, Washington Square, Philadelphia, Pa., and other relevant material, and has concluded that a food additive regulation should issue to prescribe the use of a carbohydrase from *Rhizopus oryzae* in the production of dextrose from starch. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), a new section is added to Subpart D of the regulations, as follows:

§ 121.1165 *Rhizopus oryzae*.

Carbohydrase from *Rhizopus oryzae* may be safely used in the production of dextrose from starch in accordance with the following prescribed conditions:

(a) *Rhizopus oryzae* is classified as follows: Class, *Phycomycetes*; order, *Mucorales*; family, *Mucoraceae*; genus, *Rhizopus*; species, *Rhizopus oryzae*.

(b) The strain of *Rhizopus oryzae* is nonpathogenic and nontoxic.

(c) The carbohydrase is produced under controlled conditions to maintain nonpathogenicity and nontoxicity, including the absence of aflatoxin.

(d) The carbohydrase is produced by a process which completely removes the organism *Rhizopus oryzae* from the carbohydrase product.

(e) The carbohydrase is maintained under refrigeration from production to use and is labeled to include the necessity of refrigerated storage.

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), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: October 22, 1964.

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

[F.R. Doc. 64-10958; Filed, Oct. 27, 1964;
8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 64-951]

PART 0—COMMISSION ORGANIZATION

Miscellaneous Amendments

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 21st day of October 1964;

The Commission having under consideration the provisions of §§ 0.315 and 0.385 of its rules and regulations concerning the designation of certain FCC Engineers in Charge as FCC representatives to Regional Preparedness Commit-

tees of the Office of Emergency Planning (OEP) and delegation of authority to them to act on behalf of the Commission during certain national defense emergency conditions; and

It appearing, that on January 22, 1963, the Department of the Army, Office of Civil Defense, established Regional Civil Defense Coordinating Boards and requested FCC representation; and

It further appearing, that the appointment of the Engineers in Charge as principal representatives to the OEP Regional Preparedness Committees with the designated Field Liaison Officers as alternates, and the appointment of the Field Liaison Officers as principal representatives to the OCD Regional Civil Defense Coordinating Boards with the designated Engineers in Charge as alternates would contribute to the prompt and orderly conduct of the Commission's business; and

It further appearing, that certain other changes should be made in Part O to define more clearly the functions of the Defense Commissioner and Executive Director with respect to representation on interagency defense committees; and

It further appearing, that authority for the issuance of the rules herein is contained in sections 4(i) and 5(d) of the Communications Act of 1934, as amended; and

It further appearing, that the rules adopted herein are procedural in nature and pertain to internal organization and delegations of authority, and hence are not subject to the prior notice and effective date provisions of the Administrative Procedure Act;

It is ordered, Effective October 26, 1964, that Part O of the rules and regulations is amended as set forth below.

Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155

Released: October 23, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

1. Section 0.11(d) is amended to read as follows:

§ 0.11 Functions of the Office.

(d) Under the general direction of the Defense Commissioner, and with the advice and assistance of the heads of the several bureaus and offices, the Executive Director coordinates the defense activities of the Commission, and has the following duties and responsibilities:

(1) To act as Alternate Defense Coordinator in representation with other agencies with respect to planning for the continuity of the essential functions of the commission under national emergency conditions, and serves as the alternate representative of the Commission to the Interagency Emergency Planning Committee of the Office of Emergency Planning.

(2) To serve as the alternate representative of the Commission to the Interagency Civil Defense Committee of

the Office of Civil Defense, Department of the Army.

(3) To keep the Defense Commissioner informed as to significant developments in this area.

2. Section 0.111 is amended to read as follows:

§ 0.111 Functions of the Bureau.

The Field Engineering Bureau is responsible for all Commission engineering activities performed in the field relating to radio stations including station inspections, surveys, monitoring, direction finding, signal measurement and investigations; for those enforcement activities performed in the field dealing with the suppression of interference and the inspection of devices possessing electromagnetic radiation characteristics; and such other field inspections or investigations as might be required by the Commission, or the bureaus and staff offices. The Bureau also performs the following functions:

(a) Develops rules and regulations which will provide such classes of commercial operators as may be required in the various radio services regulated by the Commission, and administers and enforces such rules and regulations.

(b) Prepares and conducts commercial radio operator examinations and issues commercial operator licenses.

(c) Conducts amateur examinations, and upgrades amateur licenses in situations where the upgrading can be accomplished by endorsements.

(d) Processes data with respect to proposed new or modified antenna structures covered in Part 17 of this chapter to determine whether such proposed construction will create hazards to air navigation.

(e) Represents the Commission and participates in interagency committees and in international conferences with respect to matters for which the Bureau is responsible.

(f) Enforces and administers Parts 15 and 18 of this chapter relative to equipment, interference, and related problems in the industrial, scientific and medical services arising from restricted radiation devices.

(g) [Reserved]

(h) Subject to the policy guidance of the Defense Commissioner, provides the principal representation for the Commission to the Regional Preparedness Committees of the Office of Emergency Planning for the purpose of carrying out detailed planning for the continuity of essential Government functions in a national emergency.

(i) In cooperation with the Office of Emergency Communications, and subject to the policy guidance of the Defense Commissioner, provides alternate representation for the Commission to the Regional Civil Defense Coordinating Boards.

(j) Exercises such authority as may be assigned or referred by the Commission pursuant to section 5(d) of the Communications Act of 1934, amended.

3. Section 0.181 is amended to read as follows:

§ 0.181 The Defense Commissioner.

A Defense Commissioner and two Alternate Defense Commissioners are designated by the Commission. The Defense Commissioner directs the defense activities of the Commission and has the following duties and responsibilities:

(a) To keep the Commission informed as to significant developments in the field of emergency preparedness, defense mobilization, and any defense activities that involve formulation or revision of Commission policy in any area of responsibility of the Commission.

(b) To represent the Commission in national defense matters requiring conferences or communications with other governmental officers, departments, or agencies.

(c) To act as the Defense Coordinator in representations with other agencies with respect to planning for the continuity of the essential functions of the Commission under national emergency conditions, and to serve as the principal representative of the Commission to the Interagency Emergency Planning Committee of the Office of Emergency Planning.

(d) To serve as the principal representative of the Commission to the Interagency Civil Defense Committee of the Office of Civil Defense, Department of the Army.

(e) To serve as the principal point of contact for the Commission on all matters pertaining to the National Communications System.

(f) To take such measures as will assure continuity of the Commission's functions under any foreseeable circumstances with a minimum of interruption.

(g) In the event of enemy attack, or the imminent threat thereof, or other disaster resulting in the inability of the Commission to function at its offices in Washington, D.C., to assume all of the duties and responsibilities of the Commission and the Chairman, until relieved or augmented by other Commissioners or members of the staff, as set forth in §§ 0.186 and 0.383.

(h) To perform such other duties and assume such other responsibilities related to the Commission's defense activities as may be necessary for the continuity of functions and the protection of personnel and property of the Commission.

4. Section 0.182 is amended to read as follows:

§ 0.182 Executive Director.

Under the general direction of the Defense Commissioner, and with the advice and assistance of the heads of the several bureaus and offices, the Executive Director coordinates the defense activities of the Commission, and has the following duties and responsibilities:

(a) To act as Alternate Defense Coordinator in representations with other agencies with respect to planning for the continuity of the essential functions of the Commission under national emergency conditions, and to serve as the alternate representative of the Commission to the Interagency Emergency Plan-

ning Committee of the Office of Emergency Planning.

(b) To serve as the alternate representative of the Commission to the Inter-agency Civil Defense Committee of the Office of Civil Defense, Department of the Army.

(c) To keep the Defense Commissioner informed as to significant developments in this area.

5. Section 0.184 is deleted and new §§ 0.184 and 0.185 are added to read as follows:

§ 0.184 Field Liaison Offices of the Office of Emergency Communications.

(a) Field Liaison officers of the Office of Emergency Communications (OEC) are designated as FCC representatives to Regional Civil Defense Coordinating Boards of the Office of Civil Defense, Department of the Army (DOA). (Engineers in Charge of Field Engineering Bureau (FEB) district offices at Boston, Massachusetts; Baltimore, Maryland; Atlanta, Georgia; Detroit, Michigan; Dallas, Texas; Denver, Colorado; San Francisco, California; and Seattle, Washington are designated as alternates.)

(b) Field Liaison officers of the OEC are designated to serve as alternate FCC representatives to the OEP Regional Preparedness Committees. (The Engineers in Charge listed in paragraph (a) of this section are principal representatives.)

(c) The field offices of the Office of Emergency Communications are located at the following addresses:

OCD/ OEP Region	Address of the FCC Field Liaison Officer	States
1	OCD Region One, Oak Hill Road, Harvard, Mass., 01451.	Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont.
2	OCD Region Two, Olney, Md., 20832.	Delaware, District of Columbia, Ken- tucky, Maryland, Ohio, Pennsylvania, Virginia, West Virginia.
3	OCD Region Three, Thomasville, Ga., 31792.	Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virgin Islands, Puerto Rico.
4	OCD Region Four, Federal Center, Battle Creek, Mich., 49016.	Illinois, Indiana, Michigan, Minne- sota, Wisconsin.
5	OCD Region Five, Denton Federal Center, Denton, Tex., 76202.	Arkansas, Louisiana, New Mexico, Oklahoma, Texas.
6	OCD Region Six, Denver Federal Center, Denver, Colo., 80225.	Colorado, Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota, Wyoming.
7	OCD Region Seven, Federal Center, Santa Rosa, Calif., 95401.	American Samoa, Arizona, California, Guam, Hawaii, Nevada, Utah.
8	OCD Region Eight, Everett, Wash., 98201.	Alaska, Idaho, Oregon, Montana, Washington.

FCC Field Supervisor, Eastern United States (OCD Regions 1, 2, 3, 4) located at OCD Region 3, Thomasville, Ga.

FCC Field Supervisor, Western United States (OCD Regions 5, 6, 7, 8) located at OCD Region 7, Santa Rosa, Calif.

(d) The FCC Field Liaison Officers listed in paragraph (c) of this section are designated as the FCC representatives to attend and supervise all Regional and State Industry Advisory Committee meetings within their respective Regions and States pursuant to the requirements of Executive Order 11007.

§ 0.185 Responsibilities of the bureaus and staff offices.

The heads of each of the several bureaus and staff offices, in rendering advice and assistance to the Executive Director in the performance of his duties with respect to defense activities will have the following duties and responsibilities:

(a) To keep the Executive Director informed of the instigation, progress, and completion of programs, plans, or activities with respect to defense in which they are engaged or have been requested to engage.

(b) To render assistance and advice to the Executive Director on matters which relate to the functions of their respective bureaus or staff offices.

(c) To render such assistance and advice to other agencies as may be consistent with the functions of their respective bureaus or staff offices and the Commission's policy with respect thereto.

(d) To perform such other duties related to the Commission's defense activities as may be assigned to them by the Commission.

6. Section 0.315 is amended to read as follows:

§ 0.315 Authority delegated to Engineers in Charge who serve as FCC representatives to Office of Civil Defense (OCD) Regional Civil Defense Coordinating Boards and Regional Preparedness Committees of the Office of Emergency Planning (OEP).

(a) Engineers in Charge of Field Engineering Bureau district offices at Boston, Massachusetts; Baltimore, Maryland; Atlanta, Georgia; Detroit, Michigan; Dallas, Texas; Denver, Colorado; San Francisco, California; and Seattle, Washington, are designated as the principal FCC representatives to Regional Preparedness Committees. (FCC Field Liaison Officers of the Office of Emergency Communications are designated as alternates. The authority delegated to FCC representatives to Regional Preparedness Committees is set forth in § 0.385.)

(b) Engineers in Charge of Field Engineering Bureau district offices at Boston, Massachusetts; Baltimore, Maryland; Atlanta, Georgia; Detroit, Michigan; Dallas, Texas; Denver, Colorado; San Francisco, California; and Seattle, Washington, are designated as the alternate FCC representatives to the Regional Civil Defense Coordinating Boards. (FCC Liaison Officers of the Office of Emergency Communications are designated as the principal representatives to the Regional Civil Defense Coordinating Boards. The functions to be performed by the FCC representatives to Regional Civil Defense Coordinating Boards is set forth in § 0.184.)

(c) The Engineers in Charge listed in paragraph (a) of this section are designated as FCC representatives to State Emergency Telecommunications Task Groups established by the OEP in its Organization and Planning Guide of September 1962 (OEP Circular 3300.1).

7. Section 0.385 is amended to read as follows:

§ 0.385 FCC representatives assigned to Regional Preparedness Committees of the Office of Emergency Planning during a wartime emergency period.

Engineers in Charge of Field Engineering Bureau district offices at Boston, Massachusetts; Baltimore, Maryland; Atlanta, Georgia; Detroit, Michigan; Dallas, Texas; Denver, Colorado; San Francisco, California; and Seattle, Washington, are designated as FCC representatives to Regional Preparedness Committees. FCC Field Liaison Officers of the FCC Office of Emergency Communications are designated as alternates. These Committees will be activated in wartime emergency periods or during Civil Defense exercises. These FCC representatives will give advice and assistance to Regional Directors of the Office of Emergency Planning and to other Federal agencies within the respective Office of Emergency Planning region on matters relating to the functions and responsibilities of the FCC. They will also coordinate FCC operations within the region in the event of a regional "cut-off" situation. For the purpose of delegating authority to FCC representatives to act for the Commission, a regional "cut-off" situation shall be considered as existing when either no communication to higher authority within the FCC can be effected, or such communication as exists could not be expected to provide an answer from higher authority within the FCC in time to authorize urgent actions that the FCC representative determines cannot be delayed until such answer is received. The delegations of authority set forth in paragraphs (a), (b), and (c) of this section are made to these Engineers in Charge or to their alternates, to enable them to carry out their responsibilities.

(a) When communication is available to higher authority within the FCC. When instructions can be obtained from higher authority within the FCC, delegation of authority to FCC representatives assigned to Regional Preparedness Committees shall comprise that set forth in § 0.314. Action under this delegation must be consistent with any defense rules that supersede rules for normal conditions, wartime plans and emergency orders that may be adopted by the Commission, emergency legislation, Executive Orders, and any pertinent actions of other Government agencies taken pursuant to authority delegated to them under section 606 of the Communications Act of 1934, as amended.

(b) During a temporary "cut-off" period when communication to higher authority within the FCC is disrupted. When instructions cannot be obtained from higher authority within the FCC

and when immediate action must be taken, delegation of authority to FCC representatives assigned to Regional Preparedness Committees of the Office of Emergency Planning shall comprise the following in addition to the delegations included in paragraph (a) of this section:

(1) Matters delegated to the Chief and Deputy Chief of the Field Engineering Bureau under § 0.311(b).

(2) Matters delegated to the Chief, Broadcast Bureau by § 0.281.

(3) Matters delegated to the Chief, Safety and Special Radio Services Bureau by §§ 0.331-0.333, except for the authority to act on requests for waiver of rules governing the availability of frequencies below 25 megacycles in the Aviation and Maritime Services.

(4) Matters delegated to the Chief, Common Carrier Bureau by §§ 0.291, 0.294, 0.303 (d)-(f), 0.304, 0.305, and 0.307.

(5) Matters delegated to the Chief Engineer by §§ 0.241 and 0.243.

(6) Authority to act on requests for temporary authorizations for new or modified radio station operations, subject to the provisions of the Communications Act of 1934, as amended.

(7) Authority to act on requests for temporary authorization for all classes of radio operators, subject to the provisions of the Communications Act of 1934, as amended.

(8) Authority to waive temporarily any provisions of this chapter applicable to radio stations and radio operators, subject to the provisions of the Communications Act of 1934, as amended: *Provided, however,* That such authority shall not include waiver of rules governing the availability of frequencies below 25 megacycles in the Aviation and Maritime Services, nor any of the Emergency Broadcast System Rules.

(c) *General.* (1) All authorizations granted pursuant to authority contained in paragraph (b) of this section shall be reported to higher Commission authority at the earliest opportunity. Such authorizations shall be subject to review and cancellation or revision, without hearing, by the FCC representatives assigned to Regional Preparedness Committees or by higher Commission authority when the need for such action arises.

(i) Written authorizations granted pursuant to authority contained in paragraph (b) of this section shall show plainly on their face that they are temporary authorizations, not to exceed 30 days from the date of issue, and subject to review and cancellation or revision without hearing.

(ii) Where immediate oral authorizations are necessary, the applicant shall be orally informed of the limitations enumerated above in this subparagraph and the oral authorization shall be followed as soon as possible by a written authorization bearing the same date of issue as the date of oral authorization. If the "cut-off" period exceeds 30 days in duration, such authorizations may be renewed for additional periods of 30 days each.

(2) Actions taken under any delegation of authority must take into full account, and be in conformance with, any defense rules that supersede rules for normal conditions; wartime emergency plans and orders of the Commission; emergency legislation; Executive Orders; and any pertinent actions of other Government agencies taken pursuant to authority delegated to them under section 606 of the Communications Act of 1934, as amended.

(3) No actions shall be taken under any delegation of authority until full consideration is given to the effect of such actions on the continuance of vital radio communications, both Government and non-Government, on a worldwide or nationwide basis and in adjacent regions. If the FCC representative assigned to the Regional Preparedness Committee of the Office of Emergency Planning determines that interference to radio operations outside of a "cut-off" region may result by authorizing new or modified radio facilities (for example, a change of frequency or power of a radio station), he shall withhold such authorization unless directed to grant the temporary authorization by higher authority.

(4) Coordination shall be effected, where possible, with the FCC representatives assigned to Regional Preparedness Committees of the Office of Emergency Planning in adjacent regions before acting to authorize temporary requests for radio operations.

(5) New obligations incurred pursuant to delegation of authority specified in this section for personal service, procurement, contract agreements, and similar items shall not exceed the amount authorized by the Commission's Budget Officer in periodic emergency allotment authorizations.

8. Section 0.401 is amended by adding the following paragraph (f):

§ 0.401 Location of Commission Offices.

(f) The location of the field offices of the Office of Emergency Communications are listed § 0.184(c).

[F.R. Doc. 64-10965; Filed, Oct. 27, 1964; 8:48 a.m.]

[FCC 64-948]

PART 0—COMMISSION ORGANIZATION

Delegation of Authority to Executive Director To Exempt Broadcast Stations From Certain National Defense Responsibilities

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 21st day of October 1964;

The Commission having under consideration the provisions of § 73.922 of its rules and regulations concerning the requirement for the installation and maintenance of the necessary equipment to receive Emergency Action Notifications and Terminations; and

It appearing, that authority to grant exemptions from the requirements of

that section should be delegated by the Commission to the Executive Director, or his designee; that such delegation would contribute to the prompt and orderly conduct of the Commission's business; and

It further appearing, that authority for the issuance of the rule herein adopted is contained in sections 4(i), 5(d), and 303(r) of the Communications Act, as amended; and

It further appearing, that the rule adopted herein is procedural in nature and pertains to internal delegations of authority, and hence is not subject to the prior notice and effective date provisions of the Administrative Procedure Act;

It is ordered, Effective October 26, 1964, that Part 0 of the rules and regulations is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155)

Released: October 23, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

Section 0.231 is amended to read as follows:

EXECUTIVE DIRECTOR

§ 0.231 Authority delegated.

(a) The Executive Director, or his designee, is delegated authority to exempt Standard, FM, and Television broadcast licensees from the requirement of installing and maintaining the necessary equipment to receive Emergency Action Notifications and Terminations and arranging for either an associated listening watch, or automatic alarm, or both. (See § 73.922 of this chapter.)

(b) The Executive Director, or his designee, upon securing concurrence of the General Counsel, is delegated authority to execute in the name of the Commission all agreements pertaining to the loan of United States Government property to radio station licensees for national defense purposes.

[F.R. Doc. 64-10966; Filed, Oct. 27, 1964; 8:48 a.m.]

[FCC 64-944]

PART 1—RULES OF PRACTICE AND PROCEDURE

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

Filing by Common Carriers of Periodic Statistical Reports of Their Marine Telegraph Traffic

Report and order. 1. Common carriers subject to the Communications Act which operate public coast stations engaged in radiotelegraph communications with maritime mobile stations (other than on the Great Lakes and on inland waters) are presently filing periodic statistical reports of their marine traffic in

accord with requirements set out in our Order No. 86, adopted on August 18, 1941.

2. It appears appropriate that these reporting requirements be codified as part of the Commission's permanent rules and regulations, consistent with our recent action in respect to reports regarding point-to-point telecommunication traffic between the United States and overseas points.

3. Since the proposed rule, which we shall adopt as § 43.71 of Part 43 of our rules and regulations (Reports of Communication Common Carriers and Certain Affiliates), merely codifies (with certain editorial revisions) and does not make any substantive change in the requirements of Order No. 86, we find, pursuant to § 1.412(c) of our rules and section 4(a) of the Administrative Procedure Act, that notice of proposed rule making is unnecessary.

4. At the same time, we are making an editorial change in Part 1 of our rules to delete a reference to Order No. 86 contained in § 1.790 and substituting therefor a reference to Part 43 of our rules.

5. The attached rule is to be effective immediately, pursuant to § 1.427(b) of our rules and section 4(c) of the Administrative Procedure Act, for the reason stated in paragraph 3, *supra*, and shall be applicable to the reports called for therein covering the first six months of 1964, which are to be filed by November 1, 1964.

6. Accordingly, it is ordered, Pursuant to sections 4(i), 218, and 219(b) of the

Communications Act, this 21st day of October 1964, that effective November 12, 1964, Parts 1 and 43 of the Commission's rules and regulations are amended as set forth below, and that Commission Order No. 86 shall thereupon be superseded.

(Secs. 4, 218, 219, 48 Stat. 1066 as amended, 1077, 1077 as amended; 47 U.S.C. 154, 218, 219)

Released: October 23, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

1. Section 1.790 is amended to read as follows:

§ 1.790 Reports relating to traffic by international carriers.

Carriers shall file periodic reports regarding overseas point-to-point traffic and marine telegraph traffic as required by Part 43 of this chapter.

2. Part 43 is amended by adding the following section:

§ 43.71 Reports of public coast station operators.

(a) Each common carrier subject to the Communications Act operating public coast stations engaged in radiotelegraph communication with maritime mobile stations (other than on the Great Lakes and on inland waters) shall file with the Commission a report, in triplicate, as set out below for each public coast station,

not later than November 1 of each year for the preceding period of January through June, and not later than May 1 of each year for the preceding period of July through December.

(b) The reports required by this section shall show the following information:

(1) The number of messages and words of all paid radiotelegraph traffic, separately by class, handled outbound from public coast stations to maritime mobile stations, and further separated as to traffic to ships of United States registry, and to ships of foreign registry and the corresponding revenues accruing to the responding carrier.

(2) The number of messages and words of all paid radiotelegraph traffic, separately by class, handled inbound from maritime mobile stations to public coast stations, and further separated as to traffic from ships of United States registry, and from ships of foreign registry, and the corresponding revenues accruing to the responding carrier.

(c) Where the word count for greeting, gift, and other similar prepared messages is not available, an estimated figure may be substituted if so designated.

(d) This section shall apply where applicable to any new marine telegraph service which may be offered from time to time by any carrier engaged in public coast station operations.

[F.R. Doc. 64-10968; Filed, Oct. 27, 1964; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 29]

TOBACCO, PENNSYLVANIA SEEDLEAF

Proposed Standards

Notice is hereby given that the U.S. Department of Agriculture is considering amendments, as hereinafter proposed, to the Official Standard Grades for Pennsylvania Seedleaf Tobacco, U.S. Type 41 (7 CFR 29.4251-29.4391), pursuant to the authority contained in The Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. 511 et seq.).

Statement of consideration leading to the proposed amendments. Official standards for Pennsylvania Seedleaf tobacco were issued in January 1964 to simplify and update the tentative grades which had been in effect since January 1951. The recent issuance broadened the quality concept by consolidating grades of similar quality and restricting length requirements to grades C1 and C2.

These revised standards proved generally satisfactory during the last marketing season. Experience at that time, however, pointed out the need for more specific provisions for the grading of frozen or frostbitten tobacco and a slight change in the grading of Stripper group throwouts.

On September 3 and 4 Department members met with representatives of Pennsylvania Farm Bureau Cooperative Association to discuss necessary adjustments to the standards. Of the methods introduced to facilitate the grading of frozen or frostbitten tobacco, the most acceptable was the establishment of three grades of Nondescript: N1, to cover field frozen or frostbitten tobacco in safe-keeping order (case); N2, to cover frozen or frostbitten tobacco which is wet or in doubtful-keeping order (case); and No-G, currently a designation for sub-standard tobacco, to cover tobacco that does not meet the minimum specifications of any other grade of the type. It was agreed to incorporate local terminology in the specifications of these Nondescript grades. Recommendations were also offered to amend the percentages of crude and waste tolerances for X3, low quality grade of the Straight Stripped group, to include throwout leaves from the Stripper (C) group.

Predicated upon recent marketing experience and discussions in subsequent meetings, these proposed amendments would establish three grades of Nondescript, N1, N2, and No-G, to replace the single grade N now representing that group; incorporate local terminology in the specifications for Nondescript grades;

change the tolerance percentages of grade X3 to permit Stripper throwouts; and adapt necessary definitions and rules to conform with these proposed changes.

All persons who desire to submit written data, views, or arguments in connection with the proposed amendments should file the same, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 30th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to the notice will be made available for public inspection at the office of the Hearing Clerk during official hours of business (7 CFR 1.27(b) as amended at 29 F.R. 7311).

The proposed amendments are as follows:

1. The parenthetical references in §§ 29.4257, 29.4259, and 29.4286 are revoked.

2. The following sentence is added at the end of § 29.4269: "Throwout leaves not meeting C-group grade specifications will be included in the X and Y groups."

3. Section 29.4277 is revoked.

4. In the second sentence of § 29.4301, the words "frozen or" are deleted from item (b).

5. In § 29.4302 the second sentence is revoked.

6. Section 29.4335 is revoked.

7. In the last sentence of § 29.4336 the word "graded" is substituted for the word "designated."

8. Section 29.4346 is deleted and the following is substituted therefor: "Rule 15. Frozen or frostbitten tobacco shall be included only in N1 or N2."

9. In § 29.4347 the word "designated" is deleted and the word "graded" is substituted therefor; and the last two words "any group" are deleted and "the C, X, and Y groups" are substituted therefor.

10. In § 29.4362 the tolerances for grade X3 are amended to read: "Tolerances: less than 20 percent crude and 30 percent waste."

11. In § 29.4363 the heading and first sentence are deleted and the following is substituted therefor: "Farm Filler (Y Group). This group consists of tied tobacco and normally is tobacco from the lower portion of the stalk."

12. The text of § 29.4364 is deleted and the following is substituted therefor:

§ 29.4364. Nondescript (N Group).

Frozen or frostbitten tobacco or tobacco which does not meet the minimum specifications or exceeds either tolerance of the lowest grade of any other group.

U.S. Grades	Grade names and specifications
N1	Field frozen or frostbitten tobacco in safe-keeping order or case.
N2	Frozen or frostbitten tobacco which is wet or in doubtful-keeping order or case.

U.S. Grades	Grade names and specifications
No-G	Tobacco which contains chicken dust, stone dust, or other foreign matter; is hail-cut or wasted in excess of the tolerances for X3 or Y2; is damaged, dirty, nested, off-type, semicured, wet, shingled or otherwise improperly packed; has an odor foreign to the type; contains 20 percent or more crude; or does not meet the minimum specifications of the lowest grade of the C, X, or Y groups.

13. In § 29.4386 delete:

1 Grade of Nondescript
N

and substitute therefor:

3 Grades of Nondescript
N1
N2
No-G

14. The sentence "Tobacco not covered by standard grades is designated 'No-G.'" is also deleted from § 29.4386.

(49 Stat. 734; 7 U.S.C. 511m)

Done at Washington, D.C., this 23d day of October 1964.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 64-10974; Filed, Oct. 27, 1964; 8:49 a.m.]

[7 CFR Part 989]

RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Proposed Expenses of Raisin Administrative Committee and Rate of Assessment for 1964-65 Crop Year

Notice is hereby given of a proposal regarding expenses of the Raisin Administrative Committee for the 1964-65 crop year and rate of assessment for that crop year, pursuant to §§ 989.79 and 989.80 of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989; 29 F.R. 9482, 9560), regulating the handling of raisins produced from grapes grown in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Raisin Administrative Committee has unanimously recommended for the crop year beginning September 1, 1964 (1964-65 crop year), a budget of expenses in the total amount of \$123,200 and an assessment rate of 80 cents per ton of assessable raisins. Expenses in that amount and the assessment rate are specified in the proposal hereinafter set forth. The assessable tonnage is estimated by the Committee as 154,000 tons.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. De-