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 amendment 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 amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 908.391 (Valencia Orange Regulation 91, 29 F.R. 8395) are hereby amended to read as follows:

§ 908.391 Valencia Orange Regulation 91.

* * * * *

(b) * * *
(1) * * *
(ii) District 2: 500,000 cartons.

* * * * *

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

Dated: July 10, 1964.

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

[F.R. Doc. 64–7010; Filed, July 10, 1964; 11:31 a.m.]

[Valencia Orange Reg. 92]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.392 Valencia Orange Regulation 92.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908; 27 F.R. 10089), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, 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 Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 9, 1964.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., July 12, 1964, and ending at 12:01 a.m., P.s.t., July 19, 1964, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 400,000 cartons;
(iii) District 3: Unlimited movement.

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

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

Dated: July 10, 1964.

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

[F.R. Doc. 64–7011; Filed, July 10, 1964; 11:31 a.m.]

[Lemon Reg. 119]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.419 Lemon Regulation 119.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 7, 1964.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., July 12, 1964, and ending at 12:01 a.m., P.s.t., July 19, 1964, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 372,000 cartons;
(iii) District 3: Unlimited movement.

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

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

Dated: July 9, 1964.

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

[F.R. Doc. 64–6954; Filed, July 10, 1964; 8:50 a.m.]

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Expenses and Fixing of Rate of Assessment

Notice was published in the June 23, 1964, issue of the FEDERAL REGISTER (29 F.R. 7938) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the fiscal period ending March 31, 1965, under the marketing agreement, as amended, and Order No. 922, as amended (7 CFR Part 922), hereinafter referred to collectively as the marketing agreement and order, regulating the handling of apricots grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Washington Apricot Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 922.203 Expenses and rate of assessment for the 1964–65 fiscal period.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Washington Apricot Marketing Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its function, in accordance with the provisions thereof, during the fiscal period beginning April 1, 1964, and ending March 31, 1965, will amount to $5,469.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles apricots shall pay as his pro rata share of the aforementioned expenses in accordance with the applicable provisions of said marketing agreement and order, is hereby fixed at seventy cents ($0.70) per ton of apricots so handled by such handler during such fiscal period.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable apricots from the beginning of such period; and (2) the current fiscal period began on April 1, 1964, and the rate of assessment herein fixed will automatically apply to all assessable apricots beginning with such date.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

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

Dated: July 8, 1964.

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

[F.R. Doc. 64-6934; Filed, July 10, 1964; 8:49 a.m.]

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Miscellaneous Amendments

It is hereby ordered that on and after the effective date hereof all handling of raisins produced from grapes grown in California shall be in conformity to, and in compliance with, the Order Regulating the Handling of Raisins Produced from Grapes Grown in California, as amended (Order No. 989, as amended; 7 CFR Part 989), and as further amended by the "Order Amending the Order, as Amended, Regulating the Handling of Raisins Produced from Grapes Grown in California" which was annexed to and made a part of the decision of the Secretary of Agriculture, issued June 15, 1964 (F.R. Doc. 64-6050; 29 F.R. 7771), with respect to proposed amendment of the marketing agreement, as amended, and order, as amended, regulating the handling of such raisins. All of the findings, determinations, terms, and conditions of the aforesaid amendatory order shall be, and the same hereby are, the findings, determinations, terms, and conditions of this order as if set forth in full herein. It is hereby further ordered that, for convenient reference, there be set forth hereinafter in amended form, as applicable, the various texts of the codified portion of said Order No. 989, as amended (7 CFR Part 989) and as further amended by the aforesaid amendatory order, together with the aforesaid findings and determinations as herein supplemented.

§ 989.0 Findings and determinations.

(a) *Previous findings and determinations.* The findings and determinations hereinafter set forth are supplementary, and in addition, to the findings and determinations made in connection with the issuance of the order and each previously issued amendment thereof; and all of said prior findings and determinations are hereby ratified and affirmed except the finding as to the base period for the parity computation and insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein. (For prior findings and determinations, see 14 F.R. 5136; 20 F.R. 6435; 21 F.R. 8182; 25 F.R. 12814.)

(b) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held in Fresno, California, on March 11 and 12, 1964, on a proposed amendment of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. On the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The said order, as amended and as hereby further amended, regulates the handling of raisins produced from grapes grown in California in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) There are no differences in the production and marketing of raisins in the production area covered by the order, as amended and as hereby further amended, which require different terms applicable to different parts of such area;

(4) The said order, as amended and as hereby further amended, is limited in application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act; and

(5) All handling of raisins produced from grapes grown in California is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(c) *Additional findings.* It is hereby further found, for the reasons hereinafter set forth, that good cause exists for making the provisions of this amendatory order other than the provisions relating to the revision of § 989.80 effective upon publication in the FEDERAL REGISTER rather than postponing the effective date thereof until 30 days after such publication (5 U.S.C. 1003(c)). The amendatory order, in defining "non-normal outlets" to mean outlets other than those customarily used for commercial disposition of raisins meeting the then applicable minimum standards for natural condition or packed raisins, permits use of off-grade raisins and raisin residual material in a greater number of outlets than now permitted. Under the present program, disposition of off-grade raisins and raisin residual material is limited to use in distillation, animal feed, or uses other than human consumption. Under the amendment, such raisins and material also may be disposed of in human consumption outlets so long as the use does not include or interfere with customary uses of standard quality raisins. Producers and handlers still have in their

possession larger than usual quantities of off-grade raisins or raisin residual material, or both, resulting mainly from rain damage to the 1963 raisin production; and such raisins and material cannot be disposed of in the normal outlets for standard quality raisins. The availability of the new outlets should, therefore, be made effective immediately to facilitate disposition of such raisins and material as promptly as possible. Such disposition would tend to prevent further deterioration with consequent loss of value, reduce off-grade carryover into the 1964–65 crop year, and at the same time be in the interest of sanitation. Also, the amendment enables producers to perform certain cleaning operations on their raisins without becoming handlers by reason of such cleaning. Immediately extending this benefit to producers would permit them to maximize recovery of sound raisins from the 1963 crop off-grade raisins still held by them. In addition, the amendatory order provides other improvements in program operations and procedures, and maximum benefits would derive therefrom if such improvements should become effective immediately. Moreover, a revision of certain current administrative rules and procedures will be required by, and be dependent upon, the amendatory order after it becomes effective. An early effective date will provide early opportunity for completing such action in time to permit the benefits derivable from the amendatory order to be available during as great a part of the remainder of the current crop year as possible.

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

(1) The "Marketing Agreement, as Amended, Regulating the Handling of Raisins Produced from Grapes Grown in California," upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping raisins covered by the said order, as amended and as hereby further amended) who, during the period July 1, 1963, through May 30, 1964, handled not less than 50 percent of the volume of such raisins covered by the said order, as amended and as hereby further amended; and

(2) The issuance of this amendatory order, amending the aforesaid order, as amended, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who during the period July 1, 1963, through May 30, 1964 (which has been determined to be a representative period), have been engaged, within the State of California, in the production for market of grapes which were sun-dried or dehydrated by artificial means until they became raisins, such producers having also produced for market at least two-thirds of the volume of such commodity represented in the referendum.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of raisins produced from grapes grown in California, shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended, and as hereby further amended as follows:

1. Section 989.13 *Processor*, is revised to read:

§ 989.13 Processor.

"Processor" means any person who receives or acquires raisins and uses them within the area, with or without other ingredients, in the production of a produce other than raisins, for market or distribution.

2. Section 989.14 *Packer*. is revised to read:

§ 989.14 Packer.

"Packer" means any person who, within the area, stems, sorts, cleans, or seeds raisins, grades stemmed raisins, or packages raisins for market as raisins: *Provided*, That no producer with respect to the raisins produced by him, and no group of producers with respect to raisins produced by the producer comprising the group, and not otherwise a packer shall be deemed a packer if he or it sorts or cleans (with or without water) such raisins in their unstemmed form: *Provided further*, That any dehydrator shall be deemed to be a packer, with respect to raisins dehydrated by him, only if he stems, cleans with water subsequent to such dehydration, seeds or packages them for market as raisins: *And provided further*, That the committee may, with the approval of the Secretary, restrict the exception as to permitted cleaning if necessary to cause delivery of sound raisins.

3. Section 989.15 *Handler*, is revised to read:

§ 989.15 Handler.

"Handler" means: (a) Any processor or packer; (b) any person who places, ships, or continues natural condition raisins in the current of commerce from within the area to any point outside thereof; (c) any person who delivers off-grade raisins or raisin residual material to other than a packer or other than into any eligible non-normal outlet; or (d) any person who blends raisins: *Provided*, That blending shall not cause a person not otherwise a handler to be a handler on account of such blending if he is either: (1) A producer who, in his capacity as a producer, blends raisins entirely of his own production in the course of his usual and customary practices of preparing raisins for delivery to processors, packers, or dehydrators; (2) a person who blends raisins after they have been placed in trade channels by a packer with other such raisins in trade channels; or (3) a dehydrator who, in his capacity as a dehydrator, blends raisins entirely of his own manufacture.

4. Immediately after § 989.24, the following new § 989.24a *Non-normal outlets*, is added:

§ 989.24a Non-normal outlets.

"Non-normal outlets" means outlets other than those customarily used for commercial disposition of raisins meeting the then applicable minimum standards for natural condition raisins or packed raisins.

§ 989.52 [Amended]

5. Paragraph (c) of § 989.52 is deleted.

6. Paragraphs (a) (d) (1), and (e) (1) of § 989.58 is revised to read as follows. The last sentence in paragraph (e) (4) of § 989.58 is deleted.

§ 989.58 Natural condition raisins.

(a) *Regulation.* No handler shall acquire or receive natural condition raisins which fail to meet the minimum grade and condition standards as set forth in § 989.97 (Exhibit B) or as later changed and then in effect: *Provided*, That a handler may receive raisins for inspection, may receive off-grade raisins for reconditioning, and may receive or acquire off-grade raisins for use in eligible non-normal outlets: *And provided further*, That nothing contained in this paragraph shall apply to the acquisition or receipt of natural condition raisins of a particular varietal type for which minimum grade and condition standards are not applicable or then in effect pursuant to this part.

* * * * *

(d) *Inspection and certification.* (1) Each handler shall cause an inspection and certification to be made of all natural condition raisins acquired or received by him, except with respect to: (i) An inter-plant or inter-handler transfer of off-grade raisins as described in paragraph (e) (2) of this section, unless such inspection and certification are required by rules and procedures made effective pursuant to this amended subpart; (ii) an inter-plant or inter-handler transfer of free tonnage raisins as described in § 989.59(e); (iii) raisins received from a dehydrator which have previously been inspected pursuant to subparagraph (2) of this paragraph; (iv) any raisins for which minimum grade and condition standards are not then in effect; and (v) any raisins, if permitted in accordance with such rules and procedures as the committee may establish with the approval of the Secretary, acquired or received for disposition in eligible non-normal outlets. The handler shall be reimbursed by the committee for inspection costs incurred by him and applicable to pool tonnage held for the account of the committee. Except as otherwise provided in this section, prior to blending raisins, acquiring raisins, storing raisins, reconditioning raisins, or acquiring raisins which have been reconditioned, each handler shall obtain an inspection certification showing whether or not the raisins meet the applicable grade and condition standards: *Provided*, That these requirements shall not preclude fumigation by the handler prior to completion of inspection and certification in accordance with such rules and procedures as the committee shall establish with the approval of the Secretary. The handler shall submit or cause to be submitted to the committee a copy of such certification, together with such other documents or records as the committee may require. Such certification shall be issued by inspectors of the Processed Products Standardization and Inspection Branch of the United States Department of Agriculture, unless the committee determines, and the Secretary

concurs in such determination, that inspection by another agency would improve the administration of this amended subpart. The committee may require that raisins held on memorandum receipt be reinspected and certified as a condition for their acquisition by a handler.

* * * * *

(e) *Off-grade raisins.* (1) Any natural condition raisins tendered to a handler which fail to meet the applicable minimum grade and condition standards may: (i) Be received or acquired by the handler for disposition, without further inspection, in eligible non-normal outlets; (ii) be returned unstemmed to the person tendering the raisins; or (iii) be received by the handler for reconditioning. Off-grade raisins received by a handler under any one of the three described categories may be changed to any other of the categories under such rules and procedures as the committee, with the approval of the Secretary, shall establish. No handler shall ship or otherwise dispose of off-grade raisins which he does not return to the tenderer, transfer to another handler as provided in subparagraph (2) of this paragraph, or recondition so that they at least meet the minimum standards prescribed in or pursuant to this amended subpart, except into eligible non-normal outlets.

* * * * *

7. Paragraph (f) of § 989.59 is revised to read:

§ 989.59 Regulation of the handling of raisins subsequent to their acquisition by handlers.

* * * * *

(f) *Disposition of off-grade raisins and raisin residual material in eligible non-normal outlets.* Any off-grade raisins, except those returned unstemmed to the tenderer or successfully reconditioned, and any raisin residual material (including defective raisins, stemmer waste, sweepings, and other residue) which may be received or acquired by a handler or accumulated by a handler from reconditioning raisins or from processing standard raisins, and any raisins acquired by a handler as standard raisins which subsequently fail to meet the applicable grade and condition standards for shipment or final disposition as raisins, shall be disposed of or marketed by the handler, without further inspection, in eligible non-normal outlets: *Provided,* That no packer shall be precluded from recovering raisins from such accumulations or acquisitions: *Provided further,* That whenever the Secretary concludes, on the basis of a recommendation of the committee, that to specify one or more non-normal outlets as ineligible for any class of such receipts, acquisitions, or accumulations will tend to effectuate the declared policy of the act, he shall specify such ineligible outlets and prohibit the shipment thereto or final disposition therein of such class by handlers as well as the receipt and use thereof by processors: *And provided further,* That no processor who is a distiller shall be precluded from receiving or using for distillation (i) the standard raisins which subsequently fail to meet the said applicable standards, (ii) the raisin residual material accumulated from processing standard raisins, or (iii) the raisin residual material referable to the standard raisin equivalent recovered in reconditioning; and any handler may ship such raisins and raisin residual material to such processor. The committee shall establish, with the approval of the Secretary, such rules and procedures as may be necessary to insure adequate control over the off-grade raisins and raisin residual material subject to this paragraph. Such rules may include a requirement that the disposition and use of all or any class of off-grade raisins or raisin residual material be confined to the area. The provisions of this paragraph are not intended to excuse any failure to comply with all applicable food and sanitary rules and regulations of city, county, state, federal or other agencies having jurisdiction.

* * * * *

11. Section 989.60 *Exemption* is revised to read:

§ 989.60 Exemption.

Notwithstanding any other provisions of this amended subpart, the committee may establish, with the approval of the Secretary, such rules and procedures as may be necessary to permit the acquisition and disposition of any off-grade or surplus pool raisins, free from any or all regulations, for uses in non-normal outlets.

12. Section 989.79 *Expenses.* is revised to read:

§ 989.79 Expenses.

The committee is authorized to incur such expenses (other than those specified in § 989.82) as the Secretary finds are reasonable and likely to be incurred by it during each crop year, for the maintenance and functioning of the committee and the board and for such purposes as he may, pursuant to this subpart, determine to be appropriate. The funds to cover such expenses shall be obtained by levying assessments as provided in § 989.80. The committee shall file with the Secretary for each crop year a proposed budget of these expenses and a proposal as to the assessment rate to be fixed pursuant to § 989.80, together with a report thereon. Such filing shall be not later than October 5 of the crop year, but this date may be extended by the committee not more than five days if warranted by a late crop. Also, it shall file at the same time a proposed budget of the expenses likely to be incurred during the crop year in connection with reserve or surplus raisins held for the account of the committee, exclusive of the receiving, storing, and handling expenses which are covered by a schedule of payments to handlers effective pursuant to § 989.66(f) or any rules and procedures established by the committee, and exclusive of any expenses it may incur in connection with the disposition of such raisins and which are unknown at the time. The said report shall also cover this proposed budget.

13. Section 989.80 *Assessments.* is revised to read:

§ 989.80 Assessments.

(a) Each handler shall, with respect to free tonnage acquired by him, and reserve tonnage sold to him pursuant to § 989.67, pay to the committee, upon demand, his pro rata share of the expenses (exclusive of expenses for receiving, handling, holding or disposing of any quantity of reserve and surplus tonnage) which the Secretary finds will be incurred, as aforesaid, by the committee during each crop year. Such handler's pro rata share of such expenses shall be equal to the ratio between the total free tonnage acquired by such handler, plus all reserve tonnage sold to him for use as free tonnage, during the applicable crop year and the total free tonnage acquired by all handlers, plus all reserve tonnage sold to all handlers for use as free tonnage, during the same crop year: *Provided,* That (1) in computing the total free tonnage acquired by a particular handler, there shall be excluded all standard raisins (recovered by the reconditioning of off-grade raisins) acquired by the handler and which comprise the assessable portion of another handler pursuant to paragraph (b) of this section, and (2) the computation of the total free tonnage acquired by all handlers shall not be similarly reduced.

(b) Each handler who reconditions off-grade raisins but does not acquire the standard raisins recovered therefrom shall, with respect to his assessable portion of all such standard raisins, pay to the committee, upon demand, his pro rata share of the expenses which the Secretary finds will be incurred by the committee each crop year. Such handler's pro rata share of such expenses shall be equal to the ratio between the handler's assessable portion (which shall be a quantity equal to the free tonnage portions of such handler's standard raisins which are acquired by some other handler or handlers) during the applicable crop year and the total free tonnage acquired by all handlers, plus all reserve tonnage sold to all handlers for use as free tonnage, during the same crop year.

(c) During any crop year or any portion of a crop year for which volume percentages are not effective for a varietal type, all standard raisins of that varietal type acquired by handlers during such period shall be free tonnage for purposes of levying assessments pursuant to this section. The Secretary shall fix the rate of assessment to be paid by all handlers on the basis of a specified rate per ton. At any time during or after a crop year, the Secretary may increase the rate of assessment to obtain sufficient funds to cover any later finding by the Secretary relative to the expenses of the committee. Each handler shall pay such additional assessment to the committee upon demand. In order to provide funds to carry out the functions of the committee and the board, the committee may accept advance payments from any handler to be credited toward such assessments as may be levied pursuant to this section against such handler during the crop year. The

payment of assessments for the maintenance and functioning of the committee, and for such purposes as the Secretary may pursuant to this subpart determine to be appropriate, may be required under this part throughout the period it is in effect, irrespective of whether particular provisions thereof are suspended or become inoperative.

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

Dated July 7, 1964, to become effective upon publication in the FEDERAL REGISTER, except that the revision of § 989.80 is to become effective September 1, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 64–6902; Filed, July 10, 1964; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 64–WE–25]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to alter the Twin Falls, Idaho, control zone. The effective time of the present designation of the Twin Falls control zone is from 0700 to 0100 hours, local time, daily. Because of a recent airlines schedule adjustment, the weather reporting service, which is provided by personnel of the airline concerned, can be furnished only from 0400 to 2000 hours, local time, daily.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (29 F.R. 1101), the Twin Falls, Idaho control zone is amended by deleting "from 0700 to 0100 hours, local time, daily." and substituting "from 0400 to 2000 hours, local time, daily." therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 6, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64–6892; Filed, July 10, 1964; 8:45 a.m.]

[Airspace Docket No. 64–LAX–12]

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

Controlled Airspace

The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to amend the Santa Maria, Calif., control zone. Weather reporting has been reduced from 24 hours to 16 hours per day, effective June 15, 1964. The Santa Maria control zone is redescribed, accordingly, in order to reflect the change in effective time.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (29 F.R. 1101), the Santa Maria, Calif., control zone is amended to read:

Within a 5-mile radius of Santa Maria Airport (latitude 34°53'55" N., longitude 120°27'20" W.), excluding the portion within R–2516, from 0600 to 2200 hours, local time, daily.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 6, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64–6893; Filed, July 10, 1964; 8:45 a.m.]

[Airspace Docket No. 64–CE–16]

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

Controlled Airspace

The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to revoke the Winner, S. Dak., transition area. The instrument approach procedure at Winner has been cancelled and the associated transition area is no longer required.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (29 F.R. 1160), the Winner, S. Dak., transition area is revoked.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 6, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64–6894; Filed, July 10, 1964; 8:45 a.m.]

[Amdt. 99–2; Docket No. 4001]

PART 99—SECURITY CONTROL OF AIR TRAFFIC [NEW]

Alteration of Alaskan DEWIZ

The purpose of this amendment is to alter the southern and western boundaries of the Alaskan Distant Early Warning Identification Zone.

In Notice 64–8, the FAA proposed a partial realignment of the Alaskan DEWIZ in order to reduce the frequency of flight progress reports. Since overwater pilots are required to report each five degrees, latitude or longitude, ending in either zero or five, it was proposed to adjust portions of the southern and western boundaries of the DEWIZ to coordinates compatible with these overwater reporting points.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all relevant matter presented.

Only two comments were received on the proposed rule. The Air Line Pilots Association recommended adoption of the proposal. The Air Transport Association of America (ATA) had no basic objection to the proposal, but felt that further changes to the DEWIZ boundary would be appropriate. The ATA pointed out that procedures for the Anchorage Oceanic Control Area call for pilots operating aircraft on a track predominantly east or west to report each ten degrees of longitude, rather than each five degrees, if the speed of the aircraft is such that ten degrees will be traversed in one hour and twenty minutes or less. Accordingly, they suggested alignment of the western boundary of the DEWIZ to coincide with 170° or 180° W. longitude, instead of with 175° W. longitude as was proposed in the notice.

The FAA recognizes that alteration of the western boundary of the DEWIZ as suggested by the ATA would further reduce jet aircraft position reporting. However, relocation of the boundary to either 170° or 180° W. longitude would not be practicable. Use of 170° W. longitude would compromise the capability to correlate the identification, location, and control of civil aircraft because of the proximity of the boundary to the mainland. On the other hand, use of 180° W. longitude would create a severe problem in correlating position reports because of the inadequacy of navigational aids in that area. Therefore, action is taken herein to alter the DEWIZ as proposed in Notice 64–8.

Since this action involves airspace outside the United States, the Agency has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

In consideration of the foregoing, § 99.47 [New] of Chapter I of Title 14 of the Code of Federal Regulations is amended, effective August 20, 1964, to read as follows:

§ 99.47 Alaskan DEWIZ.

The area bounded by a line connecting 73°-00′ N., 141°00′ W.; 69°50′ N., 141°00′ W.; 71°-18′ N., 156°44′ W.; 68°53′ N., 166°16′ W.; 63°17′ N., 168°42′ W.; 58°39′ N., 162°03′ W.; 54°00′ N., 169°00′ W.; 52°00′ N., 169°00′ W.; 56°34′ N., 154°10′ W.; 59°28′ N., 146°18′ W.; 59°30′ N., 139°30′ W.; 57°00′ N., 139°30′ W.; 50°00′ N., 157°00′ W.; 50°00′ N., 175°00′ W.; 60°00′ N., 175°00′ W.; 61°45′ N., 177°00′ W.; 65°00′ N., 169°00′ W.; 73°00′ N., 169°00′ W.; 73°00′ N., 141°00′ W. (point of beginning).

(Secs. 307, 1110, 1202, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510, and 1522; E.O. 10854, 24 F.R. 9565)