

(5) Section 3(b) of the Act of August 28, 1958, 72 Stat. 972 (50 U.S.C. 1433(b)), but only with respect to contracts in which the inclusion of the clause required by Section 3(b), or the compliance with that clause, if included in a contract, is deemed by the executive or military department concerned to be impracticable.

SEC. 3. With respect to cost-type contracts heretofore or hereafter made with non-profit institutions under which no fee is charged or paid, amendments and modifications of such contracts may be made with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished, irrespective of the time or circumstances of the making, or the form of the contract amended or modified, or of the amending or modifying contract and irrespective of rights which may have accrued under the contract or the amendments or modifications thereof.

SEC. 4. With respect to contracts heretofore or hereafter made, other than those described in Section 3 of this order, amendments and modifications of such contracts may be made with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished, irrespective of the time or circumstances of the making, or the form of the contract amended or modified, or of the amending or modifying contract, and irrespective of rights which may have accrued under the contract or the amendments or modifications thereof, if the Secretary of State determines in each case that such action is necessary to protect the foreign policy interests of the United States.

SEC. 5. Executive Order No. 10784 of October 1, 1958, and Executive Order No. 10845 of October 12, 1959, are hereby superseded.

LYNDON B. JOHNSON

THE WHITE HOUSE,

May 12, 1965

[F.R. Doc. 65-5158; Filed, May 12, 1965; 2:56 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Treasury Department

Section 213.3305 is amended to show that the position of Secretarial Assistant to the Secretary is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (18) is added to paragraph (a) of § 213.3305 as set out below.

§ 213.3305 Treasury Department.

(a) Office of the Secretary. * * *
(18) One Secretarial Assistant to the Secretary.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended;
5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521,
5 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to
the Commissioners.

[F.R. Doc. 65-5104; Filed, May 13, 1965;
8:47 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 28—COTTON CLASSING, TESTING, AND STANDARDS

Subpart A—Regulations Under United States Cotton Standards Act

MISCELLANEOUS AMENDMENTS

Statement of considerations leading to amendments. The following amendments to the regulations under the United States Cotton Standards Act are being made to: (1) Reflect the recent change in agency name from Agricultural Marketing Service to Consumer and Marketing Service; and (2) reflect changes in handling, safeguarding and distribution of practical forms of cotton standards made necessary by the transfer of the cotton standards work of the Consumer and Marketing Service from Washington, D.C., to Memphis, Tenn. Pursuant to authority contained in section 10 of the United States Cotton Standards Act (42 Stat. 1519; 7 U.S.C. 61), said regulations are amended as follows:

§ 28.2 [Amended]

1. In paragraphs (e), (f), and (g) of § 28.2 the words "Agricultural Marketing Service" are deleted and the words "Con-

sumer and Marketing Service" substituted therefor.

2. Section 28.107 is deleted in its entirety and the following is substituted therefor:

§ 28.107 Original cotton standards and reserve sets.

(a) The containers of the original Universal Standards and other official cotton standards of the United States currently adopted, whenever such official standards are represented by practical forms, shall be marked as prescribed in the order or orders of their establishment, wrapped and sealed with wax seals. When so marked, wrapped, and sealed, they shall be deposited in a safe in the vault of the Division in Washington, D.C. The Director may authorize the temporary removal of such containers from the vault and the transporting of the containers to other locations for purposes of Universal Cotton Standards conferences and other cotton standards meetings conducted by the Division. Such containers shall remain in the control and custody of the Director until the original standards contained therein are superseded by new or revised standards.

(b) At each Universal Cotton Standards Conference held for approving key copies of the Universal Standards there shall be prepared two full sets of practical forms of copies of such standards, which shall be known as "Reserve Sets" and which, upon the certification and recommendation of qualified experts, shall be certified by such experts as true copies of the currently adopted standards as and when established. Such reserve sets shall be enclosed in metal-lined cases and sealed in the presence of a special committee duly authorized by the Director and composed of representatives from the associations attending the conference and the Department. The special committee shall deposit the set designated as the First Reserve Set in a vault in a bank in Memphis, Tenn. The Division shall store the set designated as the Second Reserve Set in the vault of the Division in Washington, D.C., in the control and custody of the Director. These reserve sets shall remain sealed and deposited until such time as they shall be required for examination and use as set forth in paragraph (c) of this section.

(c) At the beginning of the next Universal Cotton Standards Conference, a special committee duly authorized by the Director and composed of representatives from the associations attending the conference and the Department shall deliver the First Reserve Set from its storage place to the site of the conference. This special committee shall witness the opening of the First Reserve Set for display at the conference. The Director shall arrange for removal of the Second Reserve Set from its storage place in Washington, D.C., and the transport of such set to the site of the conference.

If upon examination of the First Reserve Set by representatives at the conference it should appear that such set has undergone any substantial change, the Second Reserve Set shall be opened and used in its stead.

(d) The First Reserve Set and the Second Reserve Set of each conference shall be retained by the Division until the currently adopted standards which they represent have been superseded by new or revised standards.

§ 28.123 [Amended]

3. In the heading of the middle column of the table in § 28.123, the word "Washington" is deleted and the words "Memphis, Tennessee" substituted therefor.

§ 28.124 [Amended]

4. In § 28.124 the words "Agricultural Marketing Service, USDA" are deleted and the words "Consumer and Marketing Service, USDA" substituted therefor.

§ 28.151 [Amended]

5. In the second and third sentences of § 28.151 the words "Washington, D.C." are deleted and the words "Memphis, Tennessee" substituted therefor.

(Sec. 10, 42 Stat. 1519; 7 U.S.C. 61)

These amendments concern matters of agency organization and procedure and require no preparation on the part of the cotton industry to comply with them. It will benefit the cotton industry in the United States, the overseas signatories to the Universal Cotton Standards Agreement, and the Consumer and Marketing Service to make these amendments effective prior to the Universal Cotton Standards Conference to be held on June 3-4, 1965, in Memphis, Tenn. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and public procedure on these amendments are impracticable, unnecessary, and contrary to the public interest and good cause is found for making these amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. These amendments shall become effective upon publication in the FEDERAL REGISTER.

Dated: May 10, 1965.

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

[F.R. Doc. 65-5097; Filed, May 13, 1965;
8:46 a.m.]

PART 58—GRADING AND INSPECTION, MINIMUM SPECIFICATIONS FOR APPROVED PLANTS AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

Miscellaneous Amendments

Pursuant to the order of the Secretary of Agriculture dated February 8,

1965 (30 F.R. 2160), changing the name of the Agricultural Marketing Service to the Consumer and Marketing Service, 7 CFR Chapter I (Standards, Inspections and Marketing Practices) is hereby amended as follows:

Section 58.2(b): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.2(o): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.2(z): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.50(d): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.147: "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.189(b): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.201: In the form included in this section "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.253(a): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.258: "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.260(a)(1): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.265(a): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.267: "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.270(a)(3): Insert "C&MS" between the words "Dairy Division" and "United States Department of Agriculture".

Section 58.270(b): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.2707(a): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.2726(b): "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Section 58.2756: "Agricultural Marketing Service" is changed to read "Consumer and Marketing Service".

Done at Washington, D.C., this 10th day of May 1965.

S. R. SMITH,
Administrator.

[F.R. Doc. 65-5098; Filed, May 13, 1965; 8:46 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Grapefruit Reg. 57]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.464 Grapefruit Regulation 57.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges,

grapefruit, tangerines, and tangelos grown 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 of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found and determined, in accordance with paragraph (5) of section 602 of the act, that the continuation of regulation of shipments of grapefruit, as hereinafter provided, is necessary and will tend to avoid a disruption of the orderly marketing of the remainder of the current crop of such grapefruit; and such continuation of regulation will be in the public interest.

(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 thereof 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; 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. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on May 11, 1965, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States

Standards for Florida Grapefruit (§§ 51.750-51.783 of this title).

(2) Grapefruit Regulation 56 (30 F.R. 6065) is hereby terminated at 12:01 a.m., e.s.t., May 14, 1965.

(3) During the period beginning at 12:01 a.m., e.s.t., May 14, 1965, and ending at 12:01 a.m., e.s.t., September 13, 1965, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which does not grade at least U.S. No. 2 Russet;

(ii) Any seeded grapefruit, grown in the production area, which are smaller than $3\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit; or

(iii) Any seedless grapefruit, grown in the production area, which are smaller than $3\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 12, 1965.

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

[F.R. Doc. 65-5152; Filed, May 13, 1965; 8:49 a.m.]

[Grapefruit Reg. 7, Amdt. 7]

PART 944—FRUITS, IMPORT REGULATIONS

Prohibition

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) of Grapefruit Regulation 7 (§ 944.103, 29 F.R. 12762, 13603, 30 F.R. 257, 754, 4055, 5359, 6065) are hereby amended to read as follows:

(a) On and after 12:01 a.m., e.s.t., May 14, 1965, the importation of any grapefruit into the United States is prohibited unless such grapefruit are inspected and meet the following applicable requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 2 Russet and be of a size not smaller than $3\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; or

(2) Seedless grapefruit shall grade at least U.S. No. 2 Russet and be of a size not smaller than $3\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that herein-after specified (5 U.S.C. 1001-1011) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions on imports of all grapefruit as the grade and size restrictions being made applicable to the shipment of all grapefruit grown in Florida under Grapefruit Regulation 57 (§ 905.464); (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this regulation relieves restrictions on the importation of grapefruit.

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

Dated, May 12, 1965, to become effective at 12:01 a.m., e.s.t., May 14, 1965.

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

[F.R. Doc. 65-5153; Filed, May 13, 1965;
8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

PART 1002—MILK IN NEW YORK- NEW JERSEY MARKETING AREA

Change of Name

Pursuant to the order of the Secretary of Agriculture dated February 8, 1965 (30 F.R. 2160), changing the name of the Agricultural Marketing Service to the Consumer and Marketing Service, 7 CFR Chapter X (Marketing Agreements and Orders; Milk) is hereby amended as follows:

Section 1002.304: "Agricultural Marketing Service" is changed to read "Consumer & Marketing Service".

Done at Washington, D.C., this 10th day of May 1965.

S. R. SMITH,
Administrator.

[F.R. Doc. 65-5099; Filed, May 13, 1965;
8:46 a.m.]

No. 53—2

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Amdt. 1]

PART 1487—TERMS AND CONDITIONS UNDER WHICH EXPORT COMMODITY CERTIFICATES ISSUED BY COMMODITY CREDIT CORPORATION UNDER CERTAIN PROGRAMS MAY BE REDEEMED IN TOBACCO

Proof of Exportation and Notice to Exporters

1. Section 1487.5: *Export requirements for tobacco acquired with export commodity certificates*, is amended by adding a new paragraph (e), as follows:

§ 1487.5 *Export requirements for tobacco acquired with export commodity certificates.*

(e) The proof of exportation furnished under this part shall not have been used, and shall not subsequently be used, as evidence of exportation of tobacco or cigarettes under any other CCC or Department of Agriculture export program (except programs under title I and title IV of Public Law 480, 83d Congress), unless the proof covers a quantity in excess of that needed to support the export requirements of this part, and has been, or will be, used only in connection with the excess quantity to support the export requirements of the other program.

2. Attention is invited to the revised "Notice to Exporters" which accompanies this amendment.

(Secs. 4, 5, 62 Stat. 1070, as amended; 15 U.S.C. 714b, 714c)

Effective date. Date of filing with Office of Federal Register.

Signed at Washington, D.C., on May 10, 1965.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

NOTICE TO EXPORTERS

The Department of Commerce, Bureau of International Commerce, pursuant to regulation under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

mercer or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

[F.R. Doc. 65-5117; Filed, May 13, 1965;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6622; Amdt. 39-65]

PART 39—AIRWORTHINESS DIRECTIVES

Canadair Model CL-44D4 Aircraft

Pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), an airworthiness directive was adopted on April 30, 1965, and made effective immediately as to all known U.S. operators of Canadair Model CL-44D4 aircraft. The directive requires inspection of the main landing gear bogie beam.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Canadair Model CL-44D4 aircraft by individual telegrams dated April 30, 1965. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 (14 CFR Part 39), to make it effective as to all persons.

CANADAIR. Applies to Model CL-44D4 aircraft. Compliance required as indicated.

(a) Prior to each flight after the effective date of this AD visually inspect for cracks a 3-inch width band on the outboard and inboard side of the right and left main landing gear bogie beams, P/N 44-87574, extending $1\frac{1}{2}$ inches above and below the horizontal center line of the front axle bushing, P/N 44-87617, of the beams and longitudinally from the forward edge of the forward lugs to 6 inches aft of the aft edge of the front axle bushing.

(b) Within the next 60 hours' time in service after the effective date of this AD unless accomplished within the last 40 hours' time in service and at intervals thereafter not to exceed 100 hours' time in service from the last inspection, inspect for cracks the right and left main landing gear between each wheel and bogie beam using a 5-power or greater borescope or an FAA-approved equivalent.

(c) Within the next 60 hours' time in service after the effective date of this AD unless accomplished within the last 340 hours' time in service and at intervals thereafter not to exceed 400 hours' time in service from the last inspection:

(1) Remove right and left main landing gear wheels and brakes. Inspect for cracks using dye penetrant the area specified in paragraph (a) with a 10-power or greater magnifying glass or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region. Remove any protective coating prior to dye penetrant application.