

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 Navel 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 Navel 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 January 13, 1966.

(b) *Order.* (1) The respective quantities of Navel 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., January 16, 1966, and ending at 12:01 a.m., P.s.t., January 23, 1966, are hereby fixed as follows:

- (i) District 1: 800,000 cartons;
- (ii) District 2: 238,344 cartons;
- (iii) District 3: 75,000 cartons;
- (iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: January 14, 1966.

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

[F.R. Doc. 66-579; Filed, Jan. 14, 1966; 11:22 a.m.]

[Grapefruit Reg. 31]

PART 909—GRAPEFRUIT GROWN IN ARIZONA; IN IMPERIAL COUNTY, CALIF.; AND IN THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Limitation of Shipments

§ 909.331 Grapefruit Regulation 31.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 909, as amended), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif.; and in that part of Riverside County, Calif., situated south

and east of White Water, Calif., 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 Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication 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; and this section relieves restrictions on the handling of grapefruit.

(b) *Order.* (1) Grapefruit Regulation 30 (30 F.R. 15318) is hereby terminated at 12:01 a.m., P.s.t., January 16, 1966.

(2) Except as otherwise provided in subparagraph (3) of this paragraph, during the period beginning at 12:01 a.m., P.s.t., January 16, 1966, and ending at 12:01 a.m., P.s.t., August 1, 1966, no handler shall handle from the State of California or the State of Arizona to any point outside thereof:

(i) Any grapefruit which do not meet the requirements of the U.S. No. 2 grade which for purposes of this section shall include the requirement that the grapefruit be free from peel that is more than 1 inch in thickness at the stem and (measured from the flesh to the highest point of the peel): *Provided*, That the tolerances prescribed for the U.S. No. 2 grade shall be the tolerances applicable to the requirements of this subparagraph except that not more than 5 percent shall be allowed for grapefruit having peel more than 1 inch in thickness at the stem end; or

(ii) Any grapefruit which measure less than $3\frac{1}{16}$ inches in diameter, except that a tolerance of 5 percent, by count, for grapefruit smaller than $3\frac{1}{16}$ inches shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the revised U.S. Standards for Grapefruit (California and Arizona), §§ 51.925-51.955 of this title: *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than $3\frac{1}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $4\frac{1}{16}$ inches in diameter and smaller.

(3) Subject to the requirements of subparagraph (2) (i) of this paragraph, any handler may, but only as the initial handler thereof, handle grapefruit smaller than $3\frac{1}{16}$ inches in diameter directly to a destination in Zone 4, Zone 3, or Zone 2; and if the grapefruit is so handled directly to Zone 2 the grapefruit

does not measure less than $3\frac{1}{16}$ inches in diameter: *Provided*, That a tolerance of 5 percent, by count, of grapefruit smaller than $3\frac{1}{16}$ inches in diameter shall be permitted, which tolerance shall be applied in accordance with the aforesaid provisions for the application of tolerances and, in determining the percentage of grapefruit in any lot which are smaller than $3\frac{1}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are $3\frac{1}{16}$ inches in diameter and smaller.

(4) As used herein, "handler," "variety," "grapefruit," "handle," "Zone 1," "Zone 2," "Zone 3," and "Zone 4" shall have the same meaning as when used in said amended marketing agreement and order; the term "U.S. No. 2" shall have the same meaning as when used in the aforesaid revised U.S. Standards for Grapefruit; and "diameter" shall mean the greatest dimension measured at right angles to a line from the stem to blossom end of the fruit.

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

Dated: January 13, 1966.

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

[F.R. Doc. 66-540; Filed, Jan. 14, 1966; 8:47 a.m.]

[Lemon Reg. 197]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.497 Lemon Regulation 197.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), 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 recommendations 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 January 11, 1966.

(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., January 16, 1966, and ending at 12:01 a.m., P.s.t., January 23, 1966, are hereby fixed as follows:

- (i) District 1: 37,200 cartons;
- (ii) District 2: 129,900 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: January 13, 1966.

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

[F.R. Doc. 66-558; Filed, Jan. 14, 1966; 8:48 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 101—PRESUMPTION OF LAWFUL ADMISSION

Subparagraph (1) of paragraph (j) of § 101.1 *Presumption of lawful admission* is amended to read as follows:

§ 101.1 *Presumption of lawful admission.*

(j) *Erroneous admission as United States citizens or as children of citizens.*

(1) (i) An alien for whom there exists a record of admission prior to September 11, 1957, as a United States citizen who establishes that at the time of such admission he was the child of a United States citizen parent; he was erroneously issued a United States passport or included in the United States passport of his citizen parent accompanying him or to whom he was destined; no fraud or misrepresentation was practiced by him in the issuance of the passport or in gaining admission; he was otherwise admissible at the time of entry except for failure to meet visa or passport requirements; and he has maintained a residence in the United States since the date of admission, or (ii) an alien who meets all of the foregoing requirements except that if he were, in fact, a citizen of the United States a passport would not have been required, or it had been individually waived, and was erroneously admitted as a United States citizen by a Service officer. For the purposes of all of the foregoing, the terms "child" and "parent" shall be defined as in section 101(b) of the Immigration and Nationality Act, as amended.

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS

§ 103.2 [Amended]

The sixth sentence of subparagraph (1) *Requirements* of paragraph (b) *Evidence* of § 103.2 *Applications, petitions, and other documents* is deleted.

PART 204—PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN OR AS A PREFERENCE IMMIGRANT

§ 204.2 [Amended]

The existing sixth, seventh, and eighth sentences of paragraph (f) *Evidence of professional status or of exceptional ability in sciences or arts* of § 204.2 *Documents* are deleted and the following four sentences inserted in lieu thereof: "If the alien's eligibility is based on a claim of exceptional ability in the sciences or the arts, documentary evidence supporting the claim must be submitted by the petitioner. Such evidence may attest to the universal acclaim and either the national or international recognition accorded to the alien; that he has received a nationally or internationally recognized prize or award or won a nationally or internationally recognized competition for excellence for a specific product or performance or for outstanding achievement; or that he is a member of a national or international association of persons which maintains standards of membership recognizing outstanding achievement as judged by recognized national or international experts in a spe-

cific discipline or field of endeavor. An affidavit attesting to an alien's exceptional ability in the sciences or the arts must set forth the name and address of the affiant, state how he has acquired his knowledge of the alien's qualifications, and must describe in detail the facts on which the affiant bases his assessment of the alien's qualifications. If material published by or about the alien is submitted, it must be accompanied by information as to the date, place, and title of the publication."

PART 205—REVOCATION OF APPROVAL OF PETITIONS

1. Paragraph (b) of § 205.1 *Automatic revocation* is amended to read as follows:

§ 205.1 *Automatic revocation.*

(b) *Other petitions.* (1) The beneficiary is an alien seeking classification under section 203(a) (3) or (6) of the Act and is not issued a visa on or prior to the expiration date of approval shown on the approved petition.

(2) In connection with a petition seeking classification of the beneficiary under section 203(a) (6) of the Act, the petitioner dies, goes out of business, or files a written withdrawal of the petition, or the beneficiary dies.

(3) In connection with a petition seeking classification of the beneficiary under section 203(a) (3) of the Act, the beneficiary dies or files a written withdrawal of the petition.

(4) The certification required by section 212(a) (14) of the Act is canceled, withdrawn, or expires.

2. The first sentence of paragraph (c) *Revalidation* of § 205.1 *Automatic revocation* is amended to read as follows: Any petition approved under section 204 of the Act, which was automatically revoked by failure to obtain a visa within the prescribed period of time, may be revalidated by a district director retroactively as of the date of the initial approval, if the requirements of section 204 of the Act currently exist. * * *

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

§ 245.1 [Amended]

1. Paragraph (a) *General* of § 245.1 *Eligibility* is amended by adding the following sentence at the end thereof: "An alien who is a native of any country of the Western Hemisphere or of any adjacent island named in section 101(b) (5) of the Act is not eligible for the benefits of section 245 of the Act."

2. The headnote to paragraph (d) of § 245.1 *Eligibility* is amended to read "Immediate relatives under section 201 (b) and preference aliens under section 203(a) (1) through 203(a) (7)" and the following sentence is added at the end of that paragraph reading as follows:

"An alien who claims preference status under the proviso to section 203(a)(7) of the Act is not eligible for the benefits of section 245 of the Act and as provided in § 245.4, unless the district director has approved the alien's Application for Classification as a Refugee under the Proviso to Section 203(a)(7), Immigration and Nationality Act."

§ 245.4 [Amended]

3. Section 245.4 *Adjustment of status under the proviso to section 203(a)(7) of the Act* is amended by adding the following two sentences at the end thereof: "An alien who claims he is entitled to a preference status pursuant to the proviso to section 203(a)(7) of the Act shall execute and attach to his application for adjustment of status Form I-590A, Application for Classification as a Refugee under the Proviso to Section 203(a)(7), Immigration and Nationality Act. The determination as to whether an alien is entitled to the claimed preference status shall be made by the district director; no appeal shall lie from his determination."

PART 299—IMMIGRATION FORMS

§ 299.1 [Amended]

The list of forms in § 299.1 *Prescribed forms* is amended by adding the following form in numerical sequence:

Form No.	Title and description
I-590A	Application for Classification as a Refugee under the Proviso to Section 203(a)(7), Immigration and Nationality Act.

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

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order, other than the amendment to § 101.1(j), relate to agency procedure and the amendment to § 101.1(j) confers benefits upon persons affected thereby.

Dated: January 11, 1966.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 66-517; Filed, Jan. 14, 1966; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-SW-39]

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

Alteration of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations

is to realign VOR Federal airway No. 278 between Texarkana, Ark., and Greenwood, Miss.

V-278 is presently aligned from Texarkana direct to Greenwood, with a minimum en route altitude established at 8,500 feet MSL. The distance between these facilities is 190 nautical miles. A VOR has been commissioned midway on this segment near Monticello, Ark., at latitude 33°33'43" N., longitude 91°42'56" W. The action accomplished herein will realign V-278 via the new Monticello VOR which will reduce the distance between navigational facilities, provide better navigational guidance along V-278 and permit a reduction in the minimum en route altitude. In addition, application of the 4.5° systems accuracy factor to the airway segments between Texarkana and Greenwood, after realignment via the new facility, will reduce the lateral extent of the airway and thus reduce assigned airspace.

Since this action will result in a minor relocation of the centerline of the airway less than 4 miles to the north of its present location, will improve navigation on this segment, and will reduce the amount of designated airspace, it has been determined that notice and public procedure hereon is unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 31, 1966, as hereinafter set forth.

Section 71.123 (29 F.R. 17509) is amended as follows: In V-278 "Texarkana, Ark.;" is deleted and "Texarkana, Ark.; Monticello, Ark.;" is substituted therefor.

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

Issued in Washington, D.C., on January 10, 1966.

JAMES L. LAMPL,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 66-482; Filed, Jan. 14, 1966; 8:45 a.m.]

[Airspace Docket No. 65-SO-78]

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

Alteration of Transition Area

On December 9, 1965, F.R. Doc. 65-13148 was published in the FEDERAL REGISTER (30 F.R. 15209) amending Part 71 of the Federal Aviation Regulations.

In the amendment it was stated " * * * the Greensboro, N.C., transition area (30 F.R. 202) * * * ". Reference should have been made to "(29 F.R. 16245, 29 F.R. 18213)."

A portion of the Greensboro, N.C., transition area was designated as " * * * within 2 miles each side of the Greensboro VOR 033° radial * * * ". It became necessary to redesignate the transition area extension on the Greensboro VOR 034° radial due to the redefining of the final approach radial.

Since these amendments are editorial in nature and impose no additional bur-

den on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, F.R. Doc. 65-13148 is amended as follows:

In the second line of the redesignation of the Greensboro, N.C., transition area, substitute " * * * (29 F.R. 16245, 29 F.R. 18213) * * * " for " * * * (30 F.R. 202) * * * ".

In the 10th line of the description of the Greensboro, N.C., transition area, substitute " * * * 034° radial * * * " for " * * * 033° radial * * * ".

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

Issued in East Point, Ga., on January 7, 1966.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 66-516; Filed, Jan. 14, 1966; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 66-11]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Special Tonnage Tax and Light Money; Kuwait

JANUARY 10, 1966.

The Secretary of State advised the Secretary of the Treasury on December 7, 1965, that the Department of State has obtained satisfactory proof from the Government of Kuwait that as of November 18, 1965, no discriminating duties of tonnage or imports are imposed or levied in ports of Kuwait upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported into Kuwait in such vessels from the United States or from any foreign country.

Therefore, by virtue of the authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951, as amended by Executive Order No. 10882, July 18, 1960 (3 CFR Ch. II), and pursuant to the authorization given to me by Treasury Department Order No. 190, Rev. 4, December 15, 1965 (30 F.R. 15769), I declare that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of Kuwait, and the produce, manufactures, or merchandise imported into the United States in such vessels from Kuwait or from any other foreign country. This suspension and discontinuance shall take effect from November 18, 1965, and shall continue for so long as the reciprocal exemption of vessels wholly belonging to citizens of the United States and their cargoes shall be continued and no longer.

In accordance with this declaration, § 4.22, Customs Regulations, is amended by the insertion of "Kuwait" immediately after "Korea" in the list of countries exempt from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money.

(R.S. 161, as amended, 4219, as amended, 4225, as amended, 4228, as amended; sec. 3, 23 Stat. 119, as amended; 5 U.S.C. 22, 46 U.S.C. 3, 121, 128, 141)

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-508; Filed, Jan. 14, 1966;
8:46 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 4—INFORMATION ON POSTAL MATTERS

PART 16—SECOND CLASS BULK MAILINGS

PART 46—RURAL SERVICE

Miscellaneous Amendments

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

I. In § 4.3, paragraph (d) is amended to clarify instructions concerning the disclosure of names and addresses of post office patrons and former patrons.

§ 4.3 Privileged matter.

(d) Names and addresses of post office patrons and former patrons, except as provided in §§ 4.5 and 13.5 of this chapter, and 311.4 of the Postal Manual.

NOTE: The corresponding Postal Manual section is 114.3d.

II. In § 16.3 the note to paragraph (b) which will become effective January 1, 1967, is amended by revising the list of multi-ZIP Coded post offices. The revision consists of 14 deletions and 14 additions. Therefore, the list still totals 314 post offices.

§ 16.3 [Amended]

A. In § 16.3(b) (7), delete the following cities from the multi-ZIP coded cities list:

Alhambra, Calif.
Fairfield, Calif.
Lompoc, Calif.
Walnut Creek, Calif.
Milford, Conn.
New Britain, Conn.
Holyoke, Mass.

Bay City, Mich.
Great Falls, Mont.
Concord, N.H.
Wilmington, N.C.
Fargo, N. Dak.
State College, Pa.
Rapid City, S. Dak.

B. In § 16.3(b) (7), add the following cities to the multi-coded cities list in the proper alphabetical order:

Daly City, Calif.
Downey, Calif.
El Monte, Calif.
Fremont, Calif.
Orange, Calif.
San Leandro, Calif.
Fort Myers, Fla.
Anderson, Ind.

Muncie, Ind.
Rockville, Md.
Saint Clair Shores, Mich.
Floral Park, N.Y.
Mount Vernon, N.Y.
Lima, Ohio.

NOTE: The corresponding Postal Manual section is 126.327.

III. In § 46.5, paragraph (a) (5) is revised to show the new address for the Cincinnati Pump and Manufacturing Co.

§ 46.5 Rural boxes.

(a) Specifications * * *

(5) The following list includes manufacturers of rural mail boxes whose samples have been approved by the Department.

Cincinnati Pump & Manufacturing Co., 3182
Beekman Street, Cincinnati, Ohio, 45223.

NOTE: The corresponding Postal Manual section is 156.515.

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

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 66-504; Filed, Jan. 14, 1966;
8:46 a.m.]

Title 44—PUBLIC PROPERTY AND WORKS

Chapter VII—Department of Housing and Urban Development (Community Facilities)

PART 708—GRANTS FOR ADVANCE ACQUISITION OF LAND

Purpose

Correction

In F.R. Doc. 66-405, appearing at page 432 of the issue for Thursday, January 13, 1966, § 708.1 is corrected to read as follows:

§ 708.1 Purpose.

The purpose of section 704 of the Housing and Urban Development Act of 1965 (79 Stat. 491, 42 U.S.C. 3104) is to encourage and assist the large and small communities throughout the Nation in the timely acquisition of land planned

to be utilized in connection with the future construction of public works or facilities by making available Federal grant assistance to assist in financing the acquisition of a fee simple estate or other interest in land.

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[No. 3666]

PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

Transportation of Explosives and Other Dangerous Articles by Private Carriers¹

Upon consideration of the record in the above-entitled proceeding including the order dated November 29, 1965 (30 F.R. 15119), containing a declaration of general transportation importance; the seven petitions for reconsideration, and the telegraphic request of the Private Truck Council of America, Inc., for postponement of the effective date of the order dated October 21, 1965:

It is ordered, That the order entered in this proceeding on October 21, 1965 (30 F.R. 13936), be, and it is hereby, modified so as to postpone the effective date thereof until further order of the Commission.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

Dated at Washington, D.C., this 6th day of January A.D. 1966.

By the Commission, Chairman Bush.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-497; Filed, Jan. 14, 1966;
8:45 a.m.]

¹ Regulations considered in this report were proposed in notice No. 50 and supplemental notice No. 50, and were considered by the Commission, division 3, in its report and order decided Oct. 21, 1965.

Proposed Rule Making

POST OFFICE DEPARTMENT

[39 CFR Parts 51, 52, 53, 58, 61, 132, 133]

SPECIAL SERVICES; DOMESTIC AND INTERNATIONAL

Proposed Changes in Fees and Regulations

Correction

In F.R. Doc. 66-306, appearing at page 294 of the issue for Tuesday, January 11, 1966, the following corrections are made:

1. The matter now appearing as the second sentence of subitem "o" of item 7 should appear as a separate paragraph following subitem o.

2. In the third column of the tabular matter of § 51.2(a), the matter reading "\$2.00 plus charge of 15 cents" should read "\$2.00 plus handling charge of 15 cents".

3. In § 52.2(b), the leaders appearing in the Fee column should be deleted.

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 94]

RUMINANTS OR SWINE OR THE MEAT THEREOF SHIPPED FROM OR WHICH TRANSIT COUNTRIES INFECTED WITH RINDERPEST OR FOOT-AND-MOUTH DISEASE

Prohibited and Restricted Importations

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that pursuant to the provisions of section 306 of the Tariff Act of 1930, as amended (19 U.S.C. 1306), the Department of Agriculture is considering amending § 94.1 of Title 9, Code of Federal Regulations, relating to the designation of countries where rinderpest or foot-and-mouth disease exists and prohibitions upon the importation from such countries of ruminants and swine and the meat thereof.

Section 306(a) of said Act provides in part that:

If the Secretary of Agriculture determines that rinderpest or foot-and-mouth disease exists in any foreign country, he shall officially notify the Secretary of the Treasury and give public notice thereof, and thereafter, and until the Secretary of Agriculture gives notice in a similar manner that such disease no longer exists in such foreign country, the importation into the United States of cattle, sheep, or other ruminants, or swine, or of fresh, chilled, or frozen meat of such animals, from such foreign country, is prohibited: *Provided*, That wild ruminants or

swine may be imported from any such country upon such conditions, including post entry conditions, to be prescribed in import permits or in regulations * * *

The existing provisions of § 94.1 of the regulations have been based upon the Department's view that the prohibition in section 306(a) of the statute applies to animals and meat of the proscribed classes if the country of origin from which they are shipped to the United States, or any country into the territory of which they are moved en route to this country, is one in which rinderpest or foot-and-mouth disease has been determined to exist, and that the Secretary had no discretionary authority with respect to the prohibition so long as the determination that one of the diseases exists in such country is in effect. However, the Attorney General of the United States has held, in a written opinion rendered on December 30, 1965, that the phrase, "importation * * * from such foreign country" as used in the statute, includes the country in which the shipment to the United States originated but the Secretary of Agriculture is not legally bound to interpret such phrase so as to ban all transits of such animals or meat through infected countries en route to the United States. The Attorney General stated that "section 306(a) confers on you (the Secretary of Agriculture) the authority to ban those kinds of transits that would involve an undue risk of introducing rinderpest or foot-and-mouth disease into the United States and to permit those kinds of transits that do not carry such risks." He further indicated that it does not appear that the statutory provisions in question were intended to preclude shipments which are determined by the Department, on the basis of factual and scientific judgments, not to involve a significant or undue risk.

Based upon factual and scientific judgments now available, the Agricultural Research Service has reason to believe that the importation of live ruminants or live swine originating in a country not infected with rinderpest or foot-and-mouth disease but which transit an infected country in any manner en route to the United States does involve an undue risk of introducing such diseases into this country. The Department has reason to believe, however, that the importation of meat which originates in a country free of such diseases but transits ports of infected countries en route to the United States will not involve such a risk if the meat is transported under appropriate specified safeguarding conditions. Consideration is being given, therefore, to the amendment of § 94.1 of Title 9, Code of Federal Regulations, as indicated below, thereby making an exception to the general prohibition contained in such section of the regulations, which would permit the importation into the United

States, under the specified conditions, of fresh, chilled, or frozen meat of ruminants or swine which originates in a country not declared to be infected with rinderpest or foot-and-mouth disease and which is transported aboard a carrier which stops at ports in infected countries en route to the United States. The amendment would also incorporate the long standing interpretation by the Department of the phrase "importation into the United States" as used in section 306(a) of the statute.

1. Paragraph (b) of § 94.1 would be amended to read:

(b) The bringing within the territorial limits of the United States of cattle, sheep, or other ruminants, or swine, or of fresh, chilled, or frozen meat of such animals (including such animals or meat on board a vessel or other means of conveyance for use as sea stores or otherwise), which originate in or are shipped from a country designated in paragraph (a) of this section as a country infected with rinderpest or foot-and-mouth disease or which enter a port in or otherwise transit such a country, is prohibited, except as provided in Part 92 of this Chapter for wild ruminants and wild swine, and except as provided in paragraph (c) of this section for meat.

2. A new paragraph (c) would be added to § 94.1 to read:

(c) Meat of ruminants or swine originating in and shipped from a country other than those designated in paragraph (a) of this section as infected with rinderpest or foot-and-mouth disease and which enters ports of infected countries en route to the United States, may be imported into the United States if:

(1) The meat is accompanied by the foreign meat inspection certificate or certificates required under 9 CFR 327.6;

(2) The hold or compartment of the transporting carrier into which the meat was loaded was sealed in the country of origin by an official of such country with seals approved by the Animal Health Division of the U.S. Department of Agriculture, so as to prevent contamination, and the loading of any cargo into and the removal of any cargo from such sealed hold or compartment, en route to the United States;

(3) The seals used to seal such hold or compartment of such carrier are serially numbered and recorded on the certificate or certificates, referred to in (1) above, accompanying the shipment;

(4) Upon arrival of the carrier in the United States port of entry the seals are found by a representative of the Animal Health Division of this Department to be intact and such representative finds that there is no evidence indicating that the seals were tampered with; and

(5) Such meat is found by a representative of this Department to be as represented in the certificate or certificates referred to in (1) above.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Director, Animal Health Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md., within 30 days after publication of this notice in the **FEDERAL REGISTER**.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Pending final action on the proposed amendment, the prohibition imposed under the statute and the present regulations upon the importation into the United States of ruminants or swine or the meat thereof, which originate in a country not determined to be infected with rinderpest or foot-and-mouth disease but which transit any infected country en route to the United States, shall continue in effect.

Done at Washington, D.C., this 13th day of January 1966.

GEORGE W. IRVING, JR.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 66-559; Filed, Jan. 14, 1966;
8:48 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 70]

MULTI-COLOR PRINTERS OF TRANSPARENT AND TRANSLUCENT MATERIALS

Proposed Revocation of Trade Practice Rules

Notice is hereby given that pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and provisions of Part 1, Subpart F, of the Commission's procedures and rules of practice (July 1963), the Federal Trade Commission proposes to revoke the Trade Practice Rules for the Multi-Color Printers of Transparent and Translucent Materials promulgated January 22, 1932.

Interested or affected parties may submit their views, suggestions, objections or other information concerning the proposed revocation to the Chief, Division of Trade Practice Conferences and Guides, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington, D.C., 20580, in writing not later than February 18, 1966. Due consideration will be given by the Commission to all comments received before final action is taken in this matter.

Approved: January 6, 1966.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-483; Filed, Jan. 14, 1966;
8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[017.32]

HANDKERCHIEFS PRODUCED IN PHILIPPINES

Tariff Classification

The Bureau of Customs published in the *FEDERAL REGISTER* of June 26, 1965 (30 F.R. 8231), notice that it had under review the existing practice of classifying as "Philippine articles" certain handkerchiefs produced in the Philippines with the use of handkerchief squares cut in the United States from imported fabric.

In a letter dated January 11, 1966, addressed to the collector of customs, New York, N.Y., the Bureau ruled that the cutting of handkerchief squares from foreign piece goods along lines of demarcation contained in the piece goods when imported does not result in handkerchief squares manufactured or produced in the United States. For purposes of the value computations provided for in the definition of a "Philippine article" in General Headnote 3(c)(iv), Tariff schedules of the United States, the aggregate value of foreign materials contained in handkerchiefs produced in the Philippines shall include the value of any handkerchief squares used therein which were cut in the United States from foreign piece goods having the separate identities of the handkerchief squares delineated by lines of demarcation.

A different situation prevails with respect to handkerchief squares cut from certain corded Irish linens. It has previously been determined that General Headnote 3(c)(iv), Tariff Schedules of the United States, does not have a retroactive effect so as to preclude the following merchandise from qualifying as a "Philippine article" thereunder:

(a) Irish linen suitable for the production of handkerchiefs, imported duty-paid into the United States, and exported processed or not processed to the Philippine Islands on or before August 31, 1963, with the intent that finished handkerchiefs will be produced for the United States market and reimported into the United States at any time in the form of completed handkerchiefs.

(b) Irish linen suitable for the production of handkerchiefs, marked or corded to compel the cutting into handkerchief squares, and thereby disabled from any other use, imported duty-paid into the United States on or before August 31, 1963, and exported to the Philippine Islands before or after that date, processed or not processed, for the production of completed handkerchiefs for the U.S. market, and reimported into the United States at any time in the form of completed handkerchiefs.

As the decision of January 11, 1966, insofar as it relates to handkerchiefs made in the Philippines with the use of handkerchief squares cut in the United States along lines of demarcation in foreign piece goods (other than the handkerchiefs described in subparagraphs (a) and (b) quoted above), results in the assessment of duty at a rate higher than that which was heretofore assessed under a uniform and established practice, it shall be applied only to such Philippine handkerchiefs which are entered, or withdrawn from warehouse, for consumption after 90 days after the date of publication of an abstract of this decision.

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

Approved: January 6, 1966.

TRUE DAVIS,
Assistant Secretary
of the Treasury.

[F.R. Doc. 66-509; Filed, Jan. 14, 1966;
8:46 a.m.]

Office of the Secretary

[Antidumping—AA 643.3-G]

VELVET FLOOR COVERINGS FROM GREAT BRITAIN

Notice of Tentative Determination

JANUARY 7, 1966.

Information was received on February 18, 1965, that velvet floor coverings imported from Great Britain, manufactured by Carpet Trades Limited, Kidderminster, Great Britain, were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. This information was the subject of an "Antidumping Proceeding Notice" which was published pursuant to § 14.6(d), Customs Regulations, in the *FEDERAL REGISTER* of March 12, 1965, on page 3358 thereof.

I hereby make a tentative determination that velvet floor coverings imported from Great Britain, manufactured by Carpet Trades Limited, Kidderminster, Great Britain, are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. Based on the available information it was determined that for fair value purposes purchase price should be compared with the adjusted home market price.

Purchase price was calculated by deducting from the f.o.b. export price to wholesalers, the applicable included freight charges, a cash discount, and a distributors discount.

Adjusted home market price was computed by deducting from the home mar-

ket f.o.b. list price for cut sizes, the included charges for inland freight, a cash discount, and a wholesalers' discount. Since the export price does not include packing while the home market price does, an appropriate adjustment was made for this difference.

Adjustments were also made for cost savings due to the relatively large quantities of cut sizes per order for export, and for advertising costs incurred in the home market by the manufacturer on behalf of its customers.

Purchase price was found to be not less than the adjusted home market price except as to a few types imported in such small quantities that the amount involved is deemed not more than insignificant.

Such written submissions as interested parties may care to make with respect to the contemplated action will be given appropriate consideration by the Secretary of the Treasury.

If any person believes that any information obtained by the Bureau of Customs in the course of this antidumping proceeding is inaccurate or that for any other reason the tentative determination is in error, he may request in writing that the Secretary of the Treasury afford him an opportunity to present his views in this regard.

Any such written submissions or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C., 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the *FEDERAL REGISTER*.

This tentative determination and the statement of reasons therefor are published pursuant to § 14.8(a) of the Customs Regulations (19 CFR 14.8(a)).

[SEAL]

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-510; Filed, Jan. 14, 1966;
8:46 a.m.]

OLIN MATHIESON CHEMICAL CORP.

Notice of Granting of Relief From Disabilities

Notice is hereby given that Olin Mathieson Chemical Corp., a corporation organized under the laws of the Commonwealth of Virginia (hereinafter called Olin), having been convicted on September 23, 1965, in the U.S. District Court for the Southern District of New York of violation of sections 371, 1001, and 1002 of Title 18 of the United States Code, has applied, pursuant to section 10 of the Federal Firearms Act, as amended by Public Law 89-184, approved September 15, 1965, for relief from the disabilities under that Act incurred by reason of such conviction. Unless relief is granted, such conviction would prevent Olin, operating through its Winchester-