

allocation less the appropriate set-asides to determine the initial shares. Such initial shares, subject to adjustment, became the established 1965-crop shares. For a 1966-crop farm operator, the 1966-crop farm base shall be the 1965-crop established share as adjusted by appeal. For a 1966-crop farm operator with an accredited acreage record in the base period who did not have a 1965-crop share established for his 1965-crop farm, the 1966-crop farm base shall be determined by applying the 1965-crop formula to such operator's accredited acreage record in the base period.

(ii) *Mason City Area.* The 1965-crop formula provided that a farm base would be determined on the basis of a formula giving 30 percent weighting to the average accredited acreage of the farm for the crop years 1962 and 1963 and 70 percent weighting to the accredited acreage record for the crop year 1964 but not less than 90 percent of such 1964-crop accredited acreage record. The resultant farm bases were adjusted pro rata to the area allotment less the appropriate set-asides to determine the initial share. Such initial shares, subject to adjustments, became the established 1965-crop shares. For a 1966-crop old-producer farm that is constituted the same as the 1965-crop farm, the 1966-crop farm base shall be the 1965-crop established share, as adjusted by appeal. The 1966-crop farm base for a farm that is constituted differently than the 1965-crop farm and for a farm with an accredited acreage record in the period 1962 through 1964 but for which a 1965 share was not established shall be determined pursuant to the applicable provisions of § 850.174.

(2) *Initial proportionate shares.* For both the Onawa and Mason City Area, the total of farm bases for old-producer farms as established pursuant to this paragraph, is less than the area allotment minus the set-asides of acreage established under paragraph (b) of this section. Accordingly, initial shares shall be established from the farm bases as follows: For farms for which the respective requested acreages are equal to or less than their farm bases, the initial shares shall coincide with the requested acreages, and for all other farms, initial shares shall be computed by prorating to such farms, in accordance with their respective bases, the area allotment less the prescribed set-asides and the total of the initial shares established in accordance with the preceding part of this subparagraph, but not to exceed the acreage requested for each farm. The proration factor for the Mason City Area shall be 1.1565 and for the Onawa Area shall be 2.0474.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage of initial shares in excess of requested acreages in each allotment area, adjustments shall be made in initial shares for old producers so as to establish a share for each farm which is fair and equitable as compared with shares for all other farms in the area

by taking into consideration increased 1965-crop plantings because of acreages unused by other growers, availability and suitability of land, area of available fields, crop rotation practices, availability of irrigation water, adequacy of drainage, availability of production and marketing facilities, and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new-producer farms.* Within the acreage set aside for new producers and any other acreage that the State committee determines shall be used for that purpose, shares shall be established in an equitable manner for farms to be operated during the 1966-crop year by new producers and for farms operated by students as test plots. The State committee has determined that a 50-acre share is the minimum acreage which is economically feasible to plant as a new-producer farm share in each area. Each area was allotted acreage to establish one new-producer share. In determining whether a farm for which a request is filed for a new-producer share may qualify for such a share, and to assist in establishing new-producer shares which are fair and equitable as to relative size among qualified farms, the county committee, subject to review by the State committee, shall rate each farm as provided in § 850.180 by taking into consideration availability and suitability of land, adequacy of drainage, the production experience of the operator, and the availability of production and marketing facilities and shall establish new-producer farm shares as provided therein.

(f) *Adjustments under appeals.* Within the acreage set-aside for appeals or reserved to correct errors, or available as unused acreage, adjustments in shares shall be made as determined under the provisions of Part 891 of this chapter following a request for reconsideration or an appeal filed in accordance with Part 780 of this title.

(g) *Adjustments because of redistribution of unused acreage.* Any acreage determined by the State committee during the 1966-crop season as available from underplanting or failure to plant or proportionate share acreage released by an operator prior to May 20, 1966, and approved by the county committee pursuant to Part 895 of this chapter and unused acreages from other sources shall be distributed to farms in the State whereon additional acreage may be used. Such distribution shall take into consideration the size of the initial share established for the farm, and the factors considered in adjusting initial shares as stated in paragraph (d) (3) of this section. The unused or unallotted acreage distributed to a farm shall not exceed the acreage that can be used on the farm. No acreage will be redistributed after September 1, 1966.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the share established for his farm on Form SU-103, Notice of Farm Proportionate Share—1966 Sugarbeet Crop,

even if the share established is "none." In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage or appeals, the farm operator shall be notified regarding the adjusted share on a Form SU-103 marked "revised." For each tentative share which is established, the person filing the request for such share shall be notified on a Form SU-103-B specifying that such tentative share does not constitute a farm share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Redetermination of proportionate share.* The share determined for any farm which is subdivided or becomes a part of another farm or farms shall be redetermined as provided in § 850.184.

(j) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of §§ 850.168 to 850.187.

STATEMENT OF BASES AND CONSIDERATIONS

This action sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Iowa State Committee for determining farm shares in Iowa for the 1966 crop of sugarbeets.

Iowa is divided into two allotment areas. The Mason City area consists of Cerro Gordo, Kossuth, Worth, Hancock, Winnebago, and Franklin Counties. The Onawa Area consists of Monona, Harrison, and Woodburg Counties. In establishing shares for old producers, the factors of "past production" and "ability to produce" sugarbeets are measured by applying a formula to the operator's accredited acreage record for the crop years 1962-64 in the Onawa Area and in the Mason City Area, by applying a formula to the accredited acreage of the farm for such 3-year period.

Farm shares for new producers are established as provided in § 850.180. Fifty-acre shares are determined to be minimum economic units for new-producer farms.

The bases and procedures for making adjustments in initial shares and for adjusting shares subsequently because of unused acreage are designed to provide a fair and equitable share for each farm of the total acreage of sugarbeets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132)

Dated: January 4, 1967.

FRED R. McLAIN,
Chairman, Agricultural Stabilization and Conservation Iowa State Committee.

Approved: January 26, 1967.

CHAS. M. COX,
Acting Deputy Administrator,
State and County Operations.

[F.R. Doc. 67-1107; Filed, Jan. 30, 1967; 8:48 a.m.]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Nevada Allotment Areas and Farm Proportionate Shares for 1966 Crop

Pursuant to the provisions of § 850.170 (30 F.R. 15403), the Agricultural Stabilization and Conservation Nevada State Committee has issued the bases and procedures for dividing the State into allotment areas and establishing individual farm shares for the 1966 sugarbeet crop from acreage allocated and from any unused acreage redistributed to Nevada. Copies of these bases and procedures are available for public inspection at the office of such committee at the U.S. Post Office Building, Room 222, South Virginia and Mill Streets, Reno, Nev., and at the offices of the Agricultural Stabilization and Conservation Committees in the sugarbeet producing counties of Nevada. These bases and procedures incorporate the following:

§ 850.206 Nevada.

(a) *Allotment areas.* Nevada shall be divided into three allotment areas. These areas shall be designated as Area I, Area II and Area III. Acreage allotments of 432.1, 1,078.2, and 762.7 acres, respectively, are established for these areas on the basis of a formula giving 30 percent weighting to the average accredited acreage for the crop years 1962 and 1963 and 70 percent weighting to the accredited acreage for the crop year 1964 for each area as a measure of "past production" and "ability to produce" sugarbeets, with pro rata adjustments to the State allocation.

(b) *Set-asides of acreage.* Set-asides of acreage shall be made from the State acreage allocation as follows: Twelve acres for new producers including farms operated by students as educational test plots, 12 acres for appeals, and 12 acres for adjustments in initial shares.

(c) *Requests for proportionate shares.* A request for each farm share shall be filed at the local ASCS county office on Form SU-100, Request for Sugarbeet Proportionate Share, under the conditions, and on or before the closing date for such filing as provided in § 850.172. If a preliminary request for a tentative farm share is filed, as provided in § 850.172, a fully completed Form SU-100 shall be filed by April 12, 1966. However, requests for shares may be accepted after such dates and shares may be established if the State committee determines that in any such case the farm operator was prevented from filing a completed Form SU-100 by such dates because of illness or other reasons beyond his control, and requests may be accepted generally by the State committee after such date if acreage is available within the area allotment.

(d) *Establishment of individual proportionate shares for old-producer farms.*—(1) *Farm bases.*—(i) *Area I and Area III.* The 1965-crop formula provided that a farm base would be determined on the basis of a formula giving a 30 percent weighting to the average accredited acreage for the farm for the

crop years 1962 and 1963 and 70 percent weighting to the accredited acreage for the farm for the crop year 1964. The resultant farm bases were adjusted pro rata to the area allotment less appropriate set-asides to determine the initial shares. Such initial shares, subject to adjustment, became the established 1965-crop shares. For a 1966-crop old producer farm constituted the same as in 1965 the 1966-crop farm base shall be the 1965 crop established share as adjusted by appeal. The 1966-crop farm base for a farm that is constituted differently than the 1965-crop farm and for a farm with an accredited acreage record in the base period 1962 through 1964 but for which a 1965-crop share was not established shall be determined pursuant to the applicable provisions of § 850.174.

(ii) *Area II.* The 1965-crop formula provided that a farm base would be determined on the basis of the personal accredited acreage record within the area of the 1965-crop farm operator. Farm bases were determined on the basis of a formula giving a 30 percent weighting to the average of the personal accredited acreage record within the area of such operator for the crop years 1962 and 1963 and a 70 percent weighting to such record for the crop year 1964. For a 1966-crop farm operated by a person who had a 1965-crop share established for his 1965-crop farm, the 1966-crop farm base shall be the 1965-crop farm operator's established share as adjusted by appeal. For a 1966-crop farm operated by a person with an accredited acreage record in the base period 1962 through 1964 but who did not have a 1965-crop share established for his 1965-crop farm the 1966-crop farm base shall be determined pursuant to the applicable provisions of § 850.174.

(2) *Initial proportionate shares.* For each area, the total of individual farm bases for old producer farms, as established pursuant to this paragraph, exceeds the area allotment. Accordingly, initial shares shall be established from the farm bases by prorating the area allotment to the farms in accordance with their respective bases, but not in excess of their requests. Notwithstanding the foregoing provisions of this subparagraph (2), no farm share shall be established at a level less than 12 acres unless a lesser amount is requested. The proration factor for each area shall be as follows: Area I—0.91181; Area II—0.98924; Area III—0.98924.

(3) *Adjustments in initial shares.* Within the acreage available from the set-aside for adjustments, and from acreage in excess of requested acreages, adjustments shall be made in initial shares for old producers so as to establish a share for each farm which is fair and equitable as compared with shares for all other farms in the area by taking into consideration increased 1965-crop plantings because of acreages unused by other growers, availability and suitability of land, area of available fields, crop rotation practices, availability of irrigation water, adequacy of drainage, avail-

ability of production and marketing facilities, and the production experience of the operator.

(e) *Establishment of individual proportionate shares for new-producer farms.* The State committee has determined that a 12-acre share is the minimum acreage which is economically feasible to plant as a new producer farm share. Since only one share may be established within the acreage set aside for new producers no distribution of such acreage will be made. In determining whether a farm for which a request is filed for a new-producer share may qualify for such a share, and to assist in establishing a new-producer share which is fair and equitable as to relative size among qualified farms, the State committee shall rate each farm, as provided in § 850.180 by taking into consideration availability and suitability of land, availability of irrigation water, adequacy of drainage, the production experience of the operator, and the availability of production and marketing facilities, and shall establish a new-producer farm share as provided therein.

(f) *Adjustments under appeals.* Within the acreage set aside for appeals or reserved to correct errors, or available as unused acreage, adjustments in shares shall be made as determined under the provisions of Part 891 of this chapter following a request for reconsideration or an appeal filed in accordance with Part 780 of this title.

(g) *Adjustments because of redistribution of unused acreage.* Any acreage determined by the State committee during the 1966-crop season as available from underplanting or failure to plant or proportionate share acreage released by an operator prior to April 15, 1966 and approved by the county committee pursuant to Part 895 of this chapter and unused acreages from other sources shall be distributed to farms in the State whereon additional acreage may be used. Such distribution shall take into consideration the size of the initial share established for the farm, and the factors considered in adjusting initial shares as stated in paragraph (d) (3) of this section. The unused or unallotted acreage distributed to a farm shall not exceed the acreage that can be used on the farm. No acreage will be redistributed after September 1, 1966.

(h) *Notification of farm operators.* The farm operator shall be notified concerning the share established for his farm on Form SU-103, Notice of Farm Proportionate Share—1966 Sugarbeet Crop, even if the acreage established is "none." In each case of approved adjustment, whether resulting from the release of acreage, the redistribution of unused acreage, appeals, or the reconstitution of the farm, the farm operator shall be notified regarding the adjusted share on a Form SU-103 marked "revised". For each tentative share which is established, the person filing the request for such share shall be notified on a Form SU-103-B specifying that such tentative share does not constitute a farm share for the purpose of payment under the Sugar Act of 1948, as amended.

(i) *Redetermination of proportionate share.* The share determined for any farm which is subdivided into, combined with, or becomes a part of another farm or farms shall be redetermined as provided in § 850.184.

(j) *Determination provisions prevail.* The bases and procedures set forth in this section are issued in accordance with and subject to the provisions of §§ 850.168 through 850.187.

STATEMENT OF BASES AND CONSIDERATIONS

This action sets forth the bases and procedures established by the Agricultural Stabilization and Conservation Nevada State Committee for determining farm proportionate shares in Nevada for the 1966 crop of sugarbeets.

Nevada is divided into three areas. Area I consists of Churchill County, Area II consists of Pershing County and Area III consists of Washoe County. Informal relationships are maintained with grower and processor representatives. In establishing shares for old producer farms, the factors of "past production" and "ability to produce" sugarbeets are measured by establishing 1966 farm bases equal to the 1965 initial share for a farm constituted the same as in 1965, and in other cases in accordance with the same formula which was used in establishing an initial share for the 1965 crop.

Farm shares for new producers are established as provided in § 850.180. Twelve-acre shares are determined to be minimum economic units for new-producer farms.

The bases and procedures for making adjustments in initial proportionate shares and for adjusting shares subsequently because of unused acreage and appeals, are designed to provide a fair and equitable proportionate share for each farm of the total acreage of sugarbeets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132)

Dated: January 11, 1967.

PERLIN H. HUNT,
Chairman, Agricultural Stabilization and Conservation Nevada State Committee.

Approved: January 26, 1967.

CHAS. M. COX,
Acting Deputy Administrator,
State and County Operations.

[F.R. Doc. 67-1108; Filed, Jan. 30, 1967; 8:48 a.m.]

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

New York Farm Proportionate Shares for 1966 Crop

Pursuant to the provisions of § 850.170 (30 F.R. 15403), the Agricultural Stabilization and Conservation New York State Committee has issued the bases and procedures for establishing proportionate shares for individual farms for

the 1966 sugarbeet crop from acreage committed to New York pursuant to Parts 850 and 851 of this chapter. Copies of these bases and procedures are available for public inspection at the office of such committee at Room 416, Midtown Plaza Building, 700 East Water Street, Syracuse, N.Y., and at the offices of the Agricultural Stabilization and Conservation Committees in the sugarbeet producing counties of New York. The bases and procedures incorporate the following:

§ 850.210 New York.

(a) *Allotment area.* In the establishment of individual farm shares the State shall be one allotment area.

(b) *Set-asides of acreage.* Set-asides of acreage were not required under the provisions of § 850.173.

(c) *Requests for proportionate shares.* A request for each farm share shall be filed at the local ASCS county office on Form SU-100, Requests for Sugarbeet Proportionate Share, under the conditions, and on or before the closing date for such filing, as provided in § 850.172. However, requests for shares may be accepted after such date and shares may be established if the State committee determines that in any such case the farm operator was prevented from filing a completed Form SU-100 by such date because of illness, or other reason beyond his control, and requests may be accepted generally by the State committee after such date if acreage is available within acreage allocated to the reserve locality in the State of New York pursuant to § 850.169(b).

(d) *Establishment of individual proportionate shares for all farms.* The share for a 1966-crop farm shall be established as provided in § 850.179(b).

(e) *Adjustments because of redistribution of unused acreage.* Any acreage determined by the State committee during the 1966-crop season as available from underplanting or failure to plant or proportionate share acreage released by an operator prior to May 31, 1966, and approved by the county committee pursuant to Part 895 of this chapter shall be distributed to farms in the State whereon additional acreage may be used. The unused acreage distributed to a farm shall not result in a share for the farm greater than the maximum acreage determined as provided in § 851.1(h) (2) of this chapter, as amended. No acreage will be distributed after September 15, 1966.

(f) *Notification of farm operators.* The farm operator shall be notified concerning the share established for his farm on Form SU-103, Notice of Farm Proportionate Share—1966 Sugarbeet Crop. In each case of approved adjustment, whether resulting from the release of acreage or the redistribution of unused acreage, the farm operator shall be notified regarding the adjusted share on a Form SU-103 marked "revised."

(g) *Redetermination of proportionate share.* The share determined for any farm which is subdivided or becomes a part of another farm or farms shall be redetermined as provided in § 850.184.

(h) *Determination provisions prevail.* The bases and procedures set forth in

this section are issued in accordance with and subject to the provisions of §§ 850.158 to 850.187.

STATEMENT OF BASES AND CONSIDERATIONS

This action sets forth the bases and procedures established by the Agricultural Stabilization and Conservation New York State Committee for determining farm proportionate shares in New York for the 1966 crop of sugarbeets.

A commitment of 29,500 acres was made to the reserve locality in New York commencing with the 1965 crop under the provisions of Parts 851 and 850 of this chapter (29 F.R. 12813, 30 F.R. 15403). Regulations in Part 850 do not require that set asides of acreage for new producers, adjustments and appeals be made from acreage committed to a reserve locality. The maximum proportionate share for any farm is the acreage which the State committee determines can be planted on the farm in consideration of availability and suitability of land and of sound rotation practices. The total of the shares established for all farms may not exceed 29,500 acres. The total acreage requested for shares did not exceed 29,500 acres.

Shares for all farms are established to coincide with the acreage contracted by the processor to be grown on the farm as the State committee determined that the operators with whom the processor contracted for acreage from the acreage commitment were selected by the processor on a fair and reasonable basis in consideration of the criteria stated in § 850.179(b).

The bases and procedures for adjusting shares because of unused acreage are designed to provide a fair and equitable share for each farm of the total acreage of sugarbeets required to enable the domestic beet sugar area to meet its quota and provide a normal carryover inventory.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132)

Dated: January 11, 1967.

J. J. SUGDEN,
Chairman, Agricultural Stabilization and Conservation New York State Committee.

Approved: January 26, 1967.

CHAS. M. COX,
Acting Deputy Administrator,
State and County Operations.

[F.R. Doc. 67-1109; Filed, Jan. 30, 1967; 8:48 a.m.]

Chapter XI—Consumer and Marketing Service (Marketing Agreements and Orders; Miscellaneous Commodities), Department of Agriculture

PART 1205—COTTON RESEARCH AND PROMOTION

Subpart—Members of Cotton Board

Pursuant to authority contained in section 15 of the Cotton Research and

Promotion Act (sec. 15, 80 Stat. 285; 7 U.S.C. 2114), the regulations hereinafter set forth are hereby promulgated to be effective upon the date of their publication in the FEDERAL REGISTER.

The purpose of these new regulations is to implement the recently issued Cotton Research and Promotion Order (31 F.R. 16757) by: (1) Defining terms used in said regulations; (2) establishing the basis for determining representation on the Cotton Board for States entitled to more than one member on the Board; and (3) establishing procedures for the conduct of the caucus of certified cotton producer organizations in each State to nominate members of the Cotton Board. The regulations are as follows:

Subpart—Members of Cotton Board

- Sec.
1205.401 Definitions.
1205.402 Determination of Cotton Board membership.
1205.403 Nomination procedure.

AUTHORITY: The provisions of this subpart issued under sec. 15, 80 Stat. 285; 7 U.S.C. 2114.

§ 1205.401 Definitions.

(a) *Cotton Division*. "Cotton Division" means the Cotton Division of the Consumer and Marketing Service of the U.S. Department of Agriculture.

(b) *Director*. "Director" means the Director of the Cotton Division.

§ 1205.402 Determination of Cotton Board membership.

In determining whether any cotton-producing State is entitled to be represented by more than one member on the Cotton Board pursuant to § 1205.318, average annual production of upland cotton in terms of 500 pound gross weight bales for the 5 crop years 1961 through 1965 shall be used as the basis for determination of such additional members for terms of office beginning in calendar year 1967. Accordingly, for terms of office beginning in calendar year 1967, Texas is entitled to be represented on the Cotton Board by a total of five members, California by a total of two members, Mississippi by a total of two members, and each other cotton-producing State by one member each.

§ 1205.403 Nomination procedure.

The Director shall notify all certified cotton producer organizations within each cotton producing State of the location, date, and time of the caucus of such organizations pursuant to § 1205.320 for the purpose of making nominations for members and alternate members of the Cotton Board. The Director will designate a representative from the Cotton Division to attend the caucus meeting in each State. Each eligible cotton producer organization within each cotton-producing State shall be entitled to only one representative at the caucus for the purpose of nominating two qualified persons for each member and for each alternate member to be selected to represent cotton producers of such cotton-producing State on the Cotton Board. Such representative shall be (1) a cotton producer and resident of such State, (2) an officer or member of the

Board of Directors of such association, and (3) duly and unqualifiedly authorized in writing by such association to make nominations for such State on its behalf. The representative of the Director designated to attend the caucus meeting in each State shall ascertain the aforesaid qualifications of each representative to determine his eligibility to participate in said meeting and to make nominations. Each caucus shall be conducted as follows:

(a) The representative from the Cotton Division shall act as temporary chairman and shall explain the procedure for nominations and the duties of the Cotton Board.

(b) The representatives in attendance from the certified cotton producer organizations shall then select a chairman and a secretary.

(c) At each caucus there shall be presented for nomination and there shall be nominated not less than the number of nominees required under the provisions of §§ 1205.318, 1205.320, and 1205.402.

The Cotton Board will have many duties and responsibilities to fulfill in further implementing the provision of the Cotton Research and Promotion Order. In order to start the collection of the \$1 per bale assessments from producers at the beginning of the 1967 ginning season it is urgent that the Cotton Board be established and start functioning at the earliest practicable date. Therefore, it will be in the best interests of cotton producers and certified cotton producer organizations to have the benefit of these regulations on Cotton Board membership and nomination procedure immediately. Also, these regulations are primarily interpretative or procedural in nature. Accordingly, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553 (1966)), it is found upon good cause that notice and public procedure on these regulations are impracticable, unnecessary, and contrary to the public interest and good cause is found for making the regulations effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. This subpart shall become effective on the date of its publication in the FEDERAL REGISTER.

Dated: January 26, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-1110; Filed, Jan. 30, 1967; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1438—NAVAL STORES

Subpart—1967 Gum Naval Stores Price Support Loan Program

Statement with respect to the Gum Naval Stores Price Support Loan Program for the calendar year 1967, formulated by the Commodity Credit Corporation and the Agricultural Stabilization and Conservation Service (hereinafter referred to as "CCC" and "ASCS").

Sec.
1438.1636 General statement and administration.
1438.1637 Definitions.
1438.1638 Loan to ATFA.
1438.1639 Advances to producers.
1438.1640 Rate of advance to producers.
1438.1641 Maturity of loan.
1438.1642 Redemption by ATFA.
1438.1643 Net gains.
1438.1644 Right of CCC upon maturity.
1438.1645 Personal liability.

AUTHORITY: The provisions of this subpart issued under sec. 4(d), 62 Stat. 1070, sec. 5(a), 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U.S.C. 714b, 15 U.S.C. 714c, 7 U.S.C. 1421, 1447.

§ 1438.1636 General statement and administration.

CCC and ASCS will make price support available to producers of gum naval stores during the calendar year 1967 through the American Turpentine Farmers Association Cooperative (hereinafter referred to as ATFA), under the terms and conditions in this statement. The Producer Associations Division, ASCS, will supervise the administration of the program. The Data Processing Center, Kansas City, Mo., will perform accounting functions.

§ 1438.1637 Definitions.

(a) "Eligible producer" means a producer who (1) is a member of ATFA in good standing under membership requirements approved by CCC (no producer who is otherwise eligible may be excluded from membership in ATFA), (2) is a cooperator in the 1967 Naval Stores Conservation Program of the U.S. Department of Agriculture or otherwise follows one or more forestry conservation practices established by State and Federal Forestry services, as determined by ATFA, (3) has made satisfactory arrangements to pay any indebtedness to the U.S. Department of Agriculture or any of its agencies, as evidenced by the debt records maintained by the Agricultural Stabilization and Conservation County Committees of the U.S. Department of Agriculture, and (4) has executed, and has not breached his obligations under, the Producer's Marketing Agreement (ATFA Form 1—1967), or any other similar agreement.

(b) "Eligible naval stores" means eligible rosin and the rosin content in eligible oleoresin.

(c) "Eligible oleoresin" means oleoresin (1) which was produced in 1967 in the United States by an eligible producer, (2) which is free and clear from all liens and encumbrances, (3) the rosin content in which has not been theretofore delivered for an advance under this or any similar program and in which the beneficial interest is and always has been in the producer, and (4) which will yield rosin of the grades and quality prescribed in paragraph (d) of this section.

(d) "Eligible rosin" means gum rosin which (1) was processed by the Olustee or a similar method from eligible oleoresin, (2) grades "K" or better, (3) is free and clear from all liens and encum-

branches, (4) has not previously been delivered for an advance under this or any similar program, and in which the beneficial interest is and always has been in the producer: *Provided*, That, when a producer's eligible oleoresin was commingled in the processing operation with oleoresin produced in the United States by other producers, the rosin tendered for advance by the producer, as representing the processed equivalent of his eligible oleoresin, will be deemed to be, if otherwise eligible, eligible rosin produced by such producer, (5) is packed to a net weight of 517 pounds, in eligible metal drums, (6) is transparent, (7) is free from visible foreign materials and contains no extraneous matter resulting from chemical or other treatment of the rosin, or of the oleoresin or the trees from which it came, and (8) conforms as to softening point to not less than Federal Specifications LLL-R-626b, to wit: 158 degrees Fahrenheit (American Society for Testing and Materials Method No. E-28-58T). Rosin must be federally inspected and weighed or the weights checked prior to delivery for an advance.

(e) "Eligible metal drums" means drums conforming to the specifications for metal drums approved by CCC, obtainable from and on file in the office of ATFA.

§ 1438.1638 Loan to ATFA.

Under a Loan Agreement, CCC will make a loan to ATFA which will enable ATFA to make price support advances or to make price support advances available to eligible producers on eligible naval stores. As security for such loan ATFA will pledge such naval stores to CCC. The loan will be in an amount equal to (a) the amount of the price support advances made by ATFA to producers, except that loans will be made only on full drums of eligible naval stores, (b) the administrative and operating expenses, approved by CCC, incurred by ATFA in making advances to producers and in making such advances available, and in the handling, preservation, and redemption of pledged naval stores, and (c) storage charges or other charges on pledged naval stores.

§ 1438.1639 Advances to producers.

ATFA will make advances to eligible producers on eligible naval stores only when such naval stores have been (a) processed (except where CCC and ATFA determine that unprocessed rosin content in oleoresin may be offered for advance), (b) placed in storage in the custody of an approved warehouseman who has entered into and is fully complying with a Warehouse Agreement (ATFA Form 2-1967) with ATFA, or in the custody of ATFA acting under a Storage Agreement with CCC, and (c) offered for advance on a Producer's Offer (ATFA Form 4). No warehouseman will be authorized to store unprocessed rosin except upon approval by CCC of ATFA's written recommendation therefor and written demonstration by ATFA that there exists an immediate and substantial need for such storage. If there are any liens or encumbrances on the naval

stores offered for advance, proper waivers are required on a Lienholders' Waiver and Agreement (ATFA Form 3). All processing charges, including the cost of the eligible metal drums for rosin, and all storage and other warehouse charges to the date of tender for advance will be borne by the producer.

§ 1438.1640 Rate of advance to producers.

ATFA will make advances to eligible producers on eligible rosin or rosin content only, based on the support level of \$35.60 per standard barrel (435 lbs. net weight each) of oleoresin (crude pine gum), processed basis. Although no advance is made on turpentine, an allowance is made for the estimated 1967 market value of the turpentine content in a barrel of oleoresin in determining the advance rate for rosin or rosin content. The price support advance rates on rosin are \$10.01 for grade WG, \$10.66 for grades X and WW, and \$9.21 for grades N, M, and K per hundred pounds net packed in eligible metal drums. CCC reserves the right to reduce rosin support rates if the actual turpentine market price during 1967 exceeds the allowance made for it in the support level for crude pine gum. Also, CCC may increase or decrease grade premiums and discounts whenever market conditions warrant. ATFA will advance to any eligible producer on the basis of the applicable advance rates in effect on the date of the applicable Producer's Offer.

§ 1438.1641 Maturity of loan.

The loan made by CCC to ATFA will be due and payable upon demand.

§ 1438.1642 Redemption by ATFA.

(a) ATFA's right to redeem naval stores pledged by ATFA to CCC shall be subject to the terms and conditions of the Loan Agreement and any amendments thereto. Redemption shall be made upon application to CCC therefor, prior to maturity of the loan, and upon payment of the redemption cost.

(b) The redemption cost will be determined by CCC and will be the amount outstanding under the Loan Agreement, including any unpaid accrued expenses and charges, plus interest, applied ratably to the naval stores to be redeemed. Any naval stores redeemed will not be thereafter offered for price support.

§ 1438.1643 Net gains.

ATFA will disburse in cash on a fair and equitable basis to participating producers all net gains, less cost of disbursements, resulting from ATFA's sale of redeemed naval stores, unless a disposition other than cash disbursement has been approved by CCC. For example, when net gains are insufficient to justify disbursement expenses, ATFA may, upon request to and approval of CCC, utilize such net gains for and in behalf of all of its producer-members.

§ 1438.1644 Right of CCC upon maturity.

Upon maturity and nonpayment of the loan, CCC will take title to any unredeemed naval stores, without a sale

thereof, and CCC will have no obligation to pay or account to ATFA for any market value which such naval stores may have in excess of the amount of the loan, plus interest and charges.

§ 1438.1645 Personal liability.

Any fraudulent representation by ATFA or the producer in the program documents will render it or him subject to criminal prosecution under applicable law, and personally liable for the amount by which the proceeds received upon the disposition of the naval stores involved are less than the amount of indebtedness incurred by ATFA with respect to such naval stores.

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

Signed at Washington, D.C., on January 24, 1967.

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

[P.R. Doc. 67-1093; Filed, Jan. 30, 1967;
8:47 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that the position of Deputy Assistant Secretary for Water Pollution Control is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER subparagraph (31) is added to paragraph (a) of § 213.3312 as set out below.

§ 213.3312 Department of the Interior.

(a) *Office of the Secretary.* * * *

(31) One Deputy Assistant Secretary for Water Pollution Control.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[P.R. Doc. 67-1073; Filed, Jan. 30, 1967;
8:45 a.m.]

PART 213—EXCEPTED SERVICE

Small Business Administration

Section 213.3332 is amended to show that the position of Special Assistant to the Administrator for Advisory Councils is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (jj) is added to § 213.3332 as set out below.

§ 213.3332 Small Business Administration.

(jj) One Special Assistant to the Administrator for Advisory Councils.