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Washington, Saturday, November 14, 1953

TITLE 3—THE PRESIDENT

PROCLAMATION 3036

THANKSGIVING DAY, 1953

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

As a Nation much blessed, we feel impelled at harvest time to follow the tradition handed down by our Pilgrim fathers of pausing from our labors for one day to render thanks to Almighty God for His bounties. Now that the year is drawing to a close, once again it is fitting that we incline our thoughts to His mercies and offer to Him our special prayers of gratitude.

For the courage and vision of our forebears who settled a wilderness and founded a Nation; for the "blessings of liberty" which the framers of our Constitution sought to secure for themselves and for their posterity, and which are so abundantly realized in our land today; for the unity of spirit which has made our country strong; and for the continuing faith under His guidance that has kept us a religious people with freedom of worship for all, we should kneel in humble thanksgiving.

Especially are we grateful this year for the truce in battle-weary Korea, which gives to anxious men and women throughout the world the hope that there may be an enduring peace:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, in consonance with the joint resolution of Congress approved December 26, 1941, do hereby call upon our people to observe Thursday, the twenty-sixth day of November, 1953, as a day of national thanksgiving. On that day let all of us, in accordance with our hallowed custom, forgather in our respective places of worship and bow before God in contrition for our sins, in suppliance for wisdom in our striving for a better world, and in gratitude for the manifold blessings He has bestowed upon us and upon our fellow men.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this Seventh day of November in the year of our Lord nineteen hundred and fifty-three, and of the Independence of the United States of America the one hundred and seventy-eighth.

[SEAL]

DWIGHT D. EISENHOWER

By the President:

WALTER B. SMITH,
Acting Secretary of State.

[F. R. Doc. 53-9693; Filed, Nov. 13, 1953; 10:41 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF THE ARMY

Effective upon publication in the FEDERAL REGISTER, § 6.107 (a) (3) is revoked and subparagraph (4) is added to § 6.305 (a) as set out below.

§ 6.305 *Department of the Army*—(a) *Office of the Secretary.* * * *

(4) One Special Assistant to the Secretary.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 53-9637; Filed, Nov. 13, 1953; 8:54 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

PART 664—TOBACCO

SUBPART—1953 TOBACCO LOAN PROGRAM

Set forth below are schedules of advance rates, by grades, for the 1953 crop

(Continued on p. 7221)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

of types 21, 22, 23, 31, 35, 36, and 37 tobacco under the tobacco loan program formulated by Commodity Credit Corporation and Production and Marketing Administration, published May 14, 1953 (18 F. R. 2779).

Sec.
664.524 1953 crop; Virginia fire-cured tobacco, Type 21
664.525 1953 crop; Tennessee and Kentucky fire-cured tobacco, Type 22
664.526 1953 crop; Kentucky and Tennessee fire-cured tobacco, Type 23
664.527 1953 crop; Burley tobacco, Type 31
664.528 1953 crop; bark air-cured tobacco, Types 35 and 36
664.529 1953 crop; Virginia sun-cured tobacco, Type 37

AUTHORITY: §§ 664.524 to 664.529 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, as amended, 1054, sec. 2, 59 Stat. 506; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421, 1312 note.

§ 664.524 *1953 crop; Virginia fire-cured tobacco, Type 21, advance schedule.*[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Length 46	Length 45	Length 44	Grade	
A1F	51.12	52.12	----------	T3F	38.12
A2F	49.12	50.12	49.12	T4F	36.12
A3F	46.12	47.12	46.12	T5F	31.12
A1D	51.12	52.12	----------	T3D	38.12
A2D	49.12	50.12	49.12	T4D	36.12
A3D	46.12	47.12	46.12	T5D	31.12
B1F	48.12	49.12	48.12	T3M	36.12
B2F	46.12	47.12	46.12	T4M	33.12
B3F	41.12	42.12	41.12	T5M	27.12
B4F	38.12	39.12	38.12	T3G	36.12
B5F	34.12	35.12	34.12	T4G	33.12
B1D	48.12	49.12	48.12	T5G	27.12
B2D	46.12	47.12	46.12	X1L	37.12
B3D	41.12	42.12	41.12	X2L	34.12
B4D	38.12	39.12	38.12	X3L	32.12
B5D	34.12	35.12	34.12	X4L	30.12
B3M	37.12	38.12	37.12	X5L	25.12
B4M	36.12	37.12	36.12	X1F	38.12
B5M	32.12	33.12	32.12	X2F	35.12
B3G	37.12	38.12	37.12	X3F	33.12
B4G	36.12	37.12	36.12	X4F	30.12
B5G	32.12	33.12	32.12	X5F	25.12
C1L	50.12	51.12	50.12	X1D	38.12
C2L	48.12	49.12	48.12	X2D	35.12
C3L	42.12	43.12	42.12	X3D	33.12
C4L	38.12	39.12	38.12	X4D	30.12
C5L	33.12	34.12	33.12	X5D	25.12

Footnote 1 on p. 7222.

[Dollars per hundred pounds, farm sales weight]

Grade	Length 46	Length 45	Length 44	Grade	
C1F	50.12	51.12	50.12	X3M	29.12
C2F	48.12	49.12	48.12	X4M	27.12
C3F	42.12	43.12	42.12	X5M	23.12
C4F	38.12	39.12	38.12	X3G	29.12
C5F	33.12	34.12	33.12	X4G	27.12
C2D	37.12	38.12	37.12	X5G	21.12
C3D	32.12	33.12	32.12	N1L	16.12
C4D	31.12	32.12	31.12	N1R	16.12
C5D	28.12	29.12	28.12	N1G	16.12
C3M	32.12	33.12	32.12		
C4M	31.12	32.12	31.12		
C5M	29.12	30.12	29.12		
C3G	32.12	33.12	32.12		
C4G	31.12	32.12	31.12		
C5G	26.12	27.12	26.12		

§ 664.525 *1953 crop; Tennessee and Kentucky fire-cured tobacco, Type 22, advance schedule.*[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Lengths 46 and 45	Length 44	Grade	
A1F	59	----------	T3F	33
A2F	55	48	T4F	29
A3F	46	43	T5F	23
A1D	59	----------	T3D	33
A2D	55	48	T4D	29
A3D	46	43	T5D	23
B1F	51	47	T3M	31
B2F	47	44	T4M	26
B3F	43	41	T5M	20
B4F	39	37	T3G	30
B5F	31	29	T4G	25
B3FV	41	38	T5G	19
B4FV	36	34	X1L	38
B5FV	29	27	X2L	35
B1D	52	48	X3L	31
B2D	48	45	X4L	26
B3D	46	43	X5L	21
B4D	40	38	X1F	38
B5D	30	28	X2F	35
B3M	42	39	X3F	31
B4M	36	34	X4F	26
B5M	26	24	X5F	21
B3G	42	39	X3FV	28
B4G	36	34	X4FV	23
B5G	26	24	X5FV	18
C1L	49	46	X1D	38
C2L	45	42	X2D	35
C3L	43	40	X3D	28
C4L	38	36	X4D	22
C5L	30	28	X5D	15
C1F	49	46	X3M	25
C2F	45	42	X4M	17
C3F	43	40	X5M	14
C4F	38	36	X3G	25
C5F	30	28	X4G	17
C3FV	39	36	X5G	13
C4FV	34	32	N1L	11
C5FV	28	26	N1R	11
C2D	43	40	N1G	11
C3D	40	37		
C4D	34	32		
C5D	27	25		
C3M	38	35		
C4M	32	30		
C5M	26	24		
C3G	36	33		
C4G	29	27		
C5G	22	19		

§ 664.526 *1953 crop; Kentucky and Tennessee fire-cured tobacco, Type 23, advance schedule.*[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Length 46	Length 45	Length 44	Grade	
A1F	57	57	----------	T3F	32
A2F	54	54	47	T4F	28
A3F	44	45	42	T5F	22
A1D	57	57	----------	T3D	32
A2D	54	54	47	T4D	28
A3D	44	45	42	T5D	22
B1F	49	49	46	T3M	30
B2F	45	46	43	T4M	25
B3F	42	42	40	T5M	19
B4F	38	38	36	T3G	29
B5F	31	31	29	T4G	24
B3FV	40	40	37	T5G	18
B4FV	35	35	33	X1L	37
B5FV	29	29	27	X2L	34
B1D	50	50	47	X3L	30
B2D	46	47	44	X4L	25
B3D	45	45	42	X5L	21
B4D	39	39	37	X1F	37

[Dollars per hundred pounds, farm sales weight]

Grade	Length 46	Length 45	Length 44	Grade	
B5D	30	30	28	X2F	34
B3M	40	40	37	X3F	30
B4M	35	35	33	X4F	25
B5M	26	26	24	X5F	21
B3G	41	41	38	X3FV	27
B4G	35	35	33	X4FV	22
B5G	26	26	24	X5FV	18
C1L	48	48	45	X1D	37
C2L	44	44	41	X2D	34
C3L	42	42	39	X3D	27
C4L	37	37	35	X4D	21
C5L	30	30	28	X5D	15
C1F	48	48	45	X3M	24
C2F	44	44	41	X4M	16
C3F	42	42	39	X5M	14
C4F	37	37	35	X3G	24
C5F	30	30	28	X4G	16
C3FV	38	38	35	X5G	13
C4FV	33	33	31	N1L	11
C5FV	28	28	26	N1R	11
C2D	42	42	39	N1G	11
C3D	38	39	36		
C4D	33	33	31		
C5D	27	27	25		
C3M	37	37	34		
C4M	32	32	30		
C5M	26	26	24		
C3G	35	35	32		
C4G	29	29	27		
C5G	22	22	19		

§ 664.527 *1953 crop; Burley tobacco, Type 31, advance schedule.*[1]

[Dollars per hundred pounds, farm sales weight]

Grade:	Advance rate	Grade:	Advance rate
B1F	62.12	B4GF	29.12
B2F	60.12	B5GF	24.12
B3F	56.12	B3GR	23.12
B4F	51.12	B4GR	20.12
B5F	43.12	B5GR	16.12
B3FV	50.12	M3F	47.12
B4FV	45.12	M4F	42.12
B3FK	45.12	M5F	37.12
B4FK	40.12	M3R	37.12
B1FR	51.12	M4R	32.12
B2FR	49.12	M5R	27.12
B3FR	43.12	T3F	43.12
B4FR	39.12	T4F	38.12
B5FR	33.12	T5F	31.12
B1R	39.12	T3FV	37.12
B2R	37.12	T4FV	31.12
B3R	32.12	T3FR	36.12
B4R	28.12	T4FR	31.12
B5R	25.12	T5FR	25.12
B3RV	26.12	T3R	25.12
B4RV	22.12	T4R	22.12
B4D	20.12	T5R	18.12
B5D	17.12	T3RV	23.12
B3M	42.12	T4RV	20.12
B4M	38.12	T4D	17.12
B5M	28.12	T5D	14.12
B3GF	32.12	T4GF	21.12

[1] The Cooperative Associations through which price support is made available for Virginia fire-cured, Type 21; Burley, Type 31; and Virginia sun-cured, Type 37, are authorized to deduct from the amount paid to growers 12 cents per hundred pounds to apply against overhead costs. Only the original producer is eligible to receive advances. Tobacco graded "W" (doubtful keeping order), "U" (unsound), DAM (damaged), N2L, N2R, N2G, N–K, botched, nested, off-type, or decayed will not be accepted, except in Types 22, 23, 35, and 36, were tobacco graded "W" (doubtful keeping order) will be accepted at an advance rate of 10 percent below the regular grade advance rate. Tennessee and Kentucky fire-cured, Types 22 and 23, grades marked with special factor "OS" and dark air-cured, Type 35, grades marked with special factor "BL" in addition to the regular grade symbols shall have an advance rate 20 percent below the advance rate for the regular grades without such special factor.

[Dollars per hundred pounds, farm sales weight]

Grade:	Advance rate	Grade:	Advance rate
T5GF	17.12	C4G	34.12
T4GR	16.12	C5G	27.12
T5GR	14.12	X1L	68.12
C1L	69.12	X2L	67.12
C2L	68.12	X3L	66.12
C3L	67.12	X4L	62.12
C4L	65.12	X5L	53.12
C5L	60.12	X1F	67.12
C1F	68.12	X2F	66.12
C2F	67.12	X3F	65.12
C3F	66.12	X4F	61.12
C4F	64.12	X5F	52.12
C5F	59.12	X3R	55.12
C3FV	61.12	X4R	50.12
C4FV	59.12	X5R	40.12
C3FK	55.12	X4M	47.12
C4FK	53.12	X5M	37.12
C3R	58.12	X4G	37.12
C4R	55.12	X5G	27.12
C5R	47.12	N1L	38.12
C3RV	50.12	N1F	26.12
C4RV	47.12	N1R	13.12
C4M	50.12	N1G	12.12
C5M	44.12		

§ 664.528 *1953 crop; dark air-cured tobacco, Types 35 and 36, advance schedule.*[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Lengths 46 and 45	Length 44	Grade	
A1F	50		T3F	33
A2F	47	45	T4F	28
A3F	43	41	T5F	22
A1R	50		T3R	33
A2R	47	45	T4R	28
A3R	43	41	T5R	22
B1F	50	48	T3D	33
B2F	46	44	T4D	28
B3F	45	43	T5D	22
B4F	41	39	T3M	32
B5F	34	32	T4M	27
B3FV	42	40	T5M	21
B4FV	39	37	T3G	32
B5FV	34	32	T4G	27
B1R	50	48	T5G	21
B2R	46	44	X1L	38
B3R	45	43	X2L	35
B4R	41	39	X3L	31
B5R	34	32	X4L	27
B1D	50	48	X5L	21
B2D	46	44	X1F	38
B3D	43	41	X2F	35
B4D	40	38	X3F	31
B5D	33	31	X4F	27
B3M	41	39	X5F	21
B4M	37	35	X3FV	30
B5M	30	28	X4FV	24
B3G	41	39	X5FV	18
B4G	37	35	X1R	38
B5G	30	28	X2R	34
C1L	46	44	X3R	30
C2L	44	42	X4R	25
C3L	43	41	X5R	18
C4L	39	37	X3D	30
C5L	30	28	X4D	25
C1F	46	44	X5D	16
C2F	44	42	X3M	29
C3F	43	41	X4M	21
C4F	39	37	X5M	15
C5F	30	28	X3G	29
C3FV	40	38	X4G	20
C4FV	37	35	X5G	13
C5FV	28	26	N1L	13
C1R	44	42	N1R	12
C2R	42	40	N1G	12
C3R	41	39		
C4R	38	36		
C5R	28	26		
C3M	39	37		
C4M	35	33		
C5M	26	24		
C4G	35	33		
C5G	25	23		

§ 664.529 *1953 crop; Virginia sun-cured tobacco, Type 37, advance schedule.*[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Length 45	Length 44	Grade	
A1F	47.12		T3F	33.12
A2F	45.12	43.12	T4F	30.12
A3F	42.12	40.12	T5F	23.12
A1R	47.12		T3R	33.12
A2R	45.12	43.12	T4R	30.12
A3R	42.12	40.12	T5R	23.12
B1F	45.12	43.12	T3D	31.12
B2F	42.12	40.12	T4D	27.12
B3F	40.12	38.12	T5D	20.12
B4F	37.12	35.12	T3M	31.12
B5F	32.12	30.13	T4M	27.12
B1R	45.12	43.12	T5M	20.12
B2R	42.12	40.12	T3G	31.12
B3R	40.12	38.12	T4G	27.12
B4R	37.12	35.12	T5G	19.12
B5R	32.12	30.12	X1L	37.12
B1D	45.12	43.12	X2L	34.12
B2D	41.12	39.12	X3L	31.12
B3D	39.12	37.12	X4L	28.12
B4D	35.12	33.12	X5L	21.12
B5D	30.12	28.12	X1F	37.12
B3M	37.12	35.12	X2F	34.12
B4M	33.12	31.12	X3F	31.12
B5M	30.12	28.12	X4F	28.12
B3G	37.12	35.12	X5F	21.12
B4G	33.12	31.12	X1R	37.12
B5G	30.12	28.12	X2R	34.12
C1L	41.12	39.12	X3R	31.12
C2L	39.12	37.12	X4R	27.12
C3L	38.12	36.12	X5R	20.12
C4L	36.12	34.12	X3D	29.12
C5L	30.12	28.12	X4D	26.12
C1F	41.12	39.12	X5D	19.12
C2F	39.12	37.12	X3M	29.12
C3F	38.12	36.12	X4M	25.12
C4F	36.12	34.12	X5M	19.12
C5F	30.12	28.12	X3G	28.12
C1R	40.12	38.12	X4G	23.12
C2R	38.12	36.12	X5G	18.12
C3R	35.12	33.12	N1L	14.12
C4R	32.12	30.12	N1R	14.12
C5R	28.12	26.12	N1G	14.12
C3M	33.12	31.12		
C4M	30.12	28.12		
C5M	26.12	24.12		
C4G	30.12	28.12		
C5G	26.12	24.12		

Issued this 5th day of November 1953.

[SEAL] HOWARD H. GORDON,
President,
Commodity Credit Corporation.

[F. R. Doc. 53–9525; Filed, Nov. 13, 1953; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 4]

PART 418—WHEAT CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1953 AND SUCCEEDING CROP YEARS

POLICY

Correction

In Federal Register Document 53–9345, published on page 6990 of the issue for Thursday, November 5, 1953, "Subsection (a) of section 30", appearing in amendatory paragraph 5, should read "Subsection (d) of section 30".

PART 420—MULTIPLE CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

Correction

The following changes are made in Federal Register Document 53–8108, published at page 6282 of the issue for Friday, October 2, 1953:

1. The word "Average" should read "Acreage" in the second column headnotes of the Production Schedules appearing in §§ 420.55–3, 420.64–3, 420.70–5,

420.70–6, 420.75–2, 420.85–2, 420.90–7, and 420.91–3.

2. The first word of Footnote 1 of the Production Schedule in § 420.55–3 should read "Production".

3. In § 420.75–2 the following changes are made:

a. Paragraph (d) of section 1 of the rider should read:

(d) Winter wheat planted for harvest as grain. (Insurance on wheat to attach the first crop year of the contract only if the application is filed on or before September 30 preceding the calendar year in which the crop for that crop year is normally harvested.)

b. The discount date under section 7 of the rider should read "June 30".

4. First word of the second line of Footnote 1 of the Production Schedule in § 420.80–2 should read "for" instead of "or".

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 3]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.303 *Navel Orange Regulation 3*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 14 (18 F. R. 5638), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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 Navel Orange Administrative Committee held an open meeting on November 5, 1953, 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 was 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 thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., November 15, 1953, and ending at 12:01 a. m., P. s. t., May 2, 1954, no handler shall handle any Navel oranges, grown in District 1, or in District 3, which are of a size smaller than 2.31 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 5 percent, by count, or oranges smaller than such minimum size, but not less than 2.20 inches in diameter, shall be permitted: *Provided,* That in determining the percentage of oranges which are smaller than 2.31 inches in diameter, such percentage shall be based only on those oranges which are of a size 2.43 inches in diameter and smaller, but oranges in any container must average not less than a diameter of 2.375 inches. The aforesaid tolerance is on a container basis but individual packages in any lot may contain not more than double the tolerance specified: *Provided,* That the average for the entire lot is within the tolerance specified: *Provided further,* That at least one orange which does not meet the requirements shall be permitted in any one package.

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

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of November 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53–9660; Filed, Nov. 13, 1953; 8:57 a. m.]

[Navel Orange Reg. 4]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.304 *Navel Orange Regulation 4*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 14 (18 F. R. 5638), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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 of this section effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on November 12, 1953, 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 was 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 thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) The quantity 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., November 15, 1953, and ending at 12:01 a. m., P. s. t., November 22, 1953, is hereby fixed as follows:

(i) District 1: 164.21 carloads;

(ii) District 2: Unlimited movement;

(iii) District 3: 50 carloads;

(iv) District 4: 50 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule

which is attached hereto and made a part hereof by this reference.

(3) As used in this section "handled," "handler," "carloads," "prorate base," "District 1," "District 2," "District 3," and "District 4" shall have the same meaning as when used in said marketing agreement and order.

[Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 13th day of November 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Nov. 15, to 12:01 a. m., P. s. t., Nov. 22, 1953]

PRORATE DISTRICT NO. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	1.7963
A. F. G. Porterville	2.8390
Ivanhoe Cooperative Association	.7423
Lindsay Mutual Groves	1.8820
Martin Ranch	1.4946
Orange Cove Orange Growers	2.5396
Woodlake Packing House	2.1562
Dofflemyer & Son, W. Todd	.4946
Earlibest Orange Association	2.0998
Elderwood Citrus Association	.7383
Exeter Citrus Association	3.3304
Exeter Orange Growers Association	1.3454
Exeter Orchards Association	1.5241
Hillside Packing Association	1.3198
Ivanhoe Mutual Orange Association	1.1430
Klink Citrus Association	3.9871
Lemon Cove Association	.9097
Lindsay Citrus Growers Association	2.5585
Lindsay Cooperative Association	1.6577
Lindsay Fruit Association	2.5304
Lindsay Orange Growers Association	.8212
Naranjo Packing House Co	1.3208
Orange Cove Citrus Association	3.4065
Orange Packing Co	1.0263
Orosi Foothill Citrus Association	1.3693
Paloma Citrus Fruit Association	.8183
Rocky Hill Citrus Association	1.5046
Sanger Citrus Association	2.9390
Sequoia Citrus Association	.9121
Stark Packing Co	2.7602
Visalia Citrus Association	2.1429
Waddell & Son	2.5579
Baird Neece Corp	2.2183
Beattie Association, D. A	.4244
Grand View Heights Citrus Association	2.9596
Magnolia Citrus Association	2.6837
Porterville Citrus Association, The	1.6717
Randolph Marketing Co	2.5627
Richgrove-Jasmine Citrus Association	1.3554
Strathmore Cooperative Citrus Association	.9305
Strathmore District Orange Association	1.8065
Strathmore Fruit Association	.3950
Strathmore Packing House Co	2.3063
Sunflower Packing House Co	2.6355
Sunland Packing House Co	2.6937
Terra Bella Citrus Association	1.4152
Tule River Citrus Association	.9101
Anderson Packing Co	1.2474
Baker Ranch Packing House	.1974
Batkins, Jr., Fred A	.0558
California Citrus Groves, Inc., Ltd.	2.5479
Darby, Fred J	.0287
Dubendorf, John	.1251
Evans Bros. Packing Co	.3252
Far West Produce Distributors	.0599
Foothill Packing Co	0.2030
Foothill Packing Co	.2030
Gluskin, Ludwig E	.0121
Harding & Leggett	1.7028
Independent Growers, Inc	1.5386
LoBue Bros	.7881
Maas, W. A	.0887
Marks, W. & M	.4735
Morin, Carl W	.0274
Orange Belt Fruit Distributors, Inc	.2908
Paramount Citrus Association, The	2.1895
Reimers, Don H	.5661
Riverside Fruit Co	.1822
Sequoia Cider Mills	.0164
Trashjian, John	.2195
Zaninovich Bros., Inc	1.4774

PRORATE DISTRICT NO. 3

Total	100.0000
Allen & Allen Citrus Packing Co	2.1256
Consolidated Citrus Growers	1.0360
McKellips Citrus Co., Inc	11.6283
Phoenix Citrus Packing Co	15.8677
Pioneer Fruit Co	4.0709
Arizona Citrus Growers	14.3726
Chandler Heights Citrus Growers	2.1570
Desert Citrus Growers	6.9105
Mesa Citrus Growers	22.3757
Tal'-Wi-Wi Ranches	2.7070
Tempeco Groves	6.9538
Yuma Mesa Fruit Growers Association	.9883
Commercial Citrus Co	.9123
Ishikawa, Paul	.0491
Leppla, Cecile	.2102
Leppla, Henry	.3160
Leppla, H. Lorain	3.3733
Macchiaroli Fruit Co., James	2.8680
Sunny Valley Citrus Packing Co	1.0777

PRORATE DISTRICT NO. 4

Total	100.0000
Placentia Cooperative Orange Association	28.8477
Richgrove-Jasmine Citrus Association	17.4229
B. & L. Citrus Distributors	5.0424
Edison Citrus Co., Inc	43.6043
Kim, Charles	2.5503
Toy, Chin	2.5324

[F. R. Doc. 53-9702; Filed, Nov. 13, 1953; 11:08 a. m.]

[Docket No. AO 71 A-23]

PART 927—MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

§ 927.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), and in accordance with the notice of hearing issued on December 24, 1952 (18 F. R. 43), a public hearing was held at Syracuse, New York, on January 22–23, 1953, and on February 16–21, 1953, upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area (7 CFR 927.1 et seq.).

The hearing was held with respect to whether the milk marketing order, as amended, for the New York metropolitan marketing area should continue to provide payments, from the producer-settlement fund, to cooperative associations of producers for market-wide services, and, if so, the changes, if any, which should be made in the present provisions of the order, as amended, under which the payments are authorized for market-wide services. The transcript of the testimony at the hearing consists of more than 1,700 pages and numerous exhibits.

The Assistant Administrator, Production and Marketing Administration, on August 17, 1953, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of filing of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on August 21, 1953 (18 F. R. 4998). Subsequent to the expiration of the time for filing exceptions, the Secretary of Agriculture, on October 7, 1953, issued his final decision in this proceeding and directed that a referendum be conducted to determine whether the issuance of this order amending the order, as amended, was approved or favored by the producers who, during the determined representative period (July 1953), were engaged in the production of milk for sale in the said marketing area. The decision and order of the Secretary directing that a referendum be held were published in the FEDERAL REGISTER on October 10, 1953 (18 F. R. 6458, 6465).

Upon the basis of the evidence introduced at said hearing and the record thereof, it is found that:

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

(2) The terms and conditions in § 927.76 of the order, as amended, and as hereby further amended, are incidental to, and not inconsistent with, the terms and conditions specified in subsections (5)–(7) of section 8c of the act (7 U. S. C. sections 608c (5)–(7)) and necessary to effectuate the other provisions of the order.

(3) The terms and conditions in § 927.76 of the order, as amended, and as hereby further amended, are necessary in order equitably to apportion the total value of the milk purchased by all handlers among producers and associations of producers, on the basis of their marketings of milk during each month

which is the proper representative period.

(4) The terms and conditions in § 927.76 of the order, as amended, and as hereby further amended, are necessary to accord such recognition and encouragement to producer-owned and producer-controlled cooperative associations as will be in harmony with the policy toward cooperative associations set forth in the relevant acts of Congress, and as will tend to promote efficient methods of marketing and distribution.

(5) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the marketing agreement and in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

(6) The marketing agreement and the order, as amended, and as hereby further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

In addition to the foregoing findings, numerous other findings have been made in the final decision of October 7, 1953 (18 F. R. 6458), on the basis of the evidence adduced at the hearing.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the New York metropolitan milk marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by 87.88 percent of the 30,684 producers who participated in a referendum on the question of approval of its issuance and who during the determined representative period (July 1953) were engaged in the production of milk for sale in the said marketing area. Of the 18,312 ballots mailed to individual producers only 523 were returned and of these 20 affirmative, 18 negative, and 5 blank ballots were disqualified. Of the 480 qualified individual ballots, 42.5 percent (204) approved and 57.5 percent (276) disapproved the issuance of this amendatory order. There were 49,453 producers who were eligible to vote in the referendum.

Order relative to handling. It is therefore ordered that on and after the effective date hereof, the handling of milk in the New York metropolitan milk marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

Delete § 927.76 of the order as now in effect and substitute therefor the following:

§ 927.76 *Cooperative payments for market-wide services.* Payments shall be made to qualified cooperatives or to federations under the conditions, in the manner, and at the rates set forth in this section.

(a) *Definitions.* As used in this section the following terms shall have the following meanings:

(1) "Cooperative" means a cooperative association of producers which is duly incorporated under the cooperative corporation laws of a state; is qualified under the Capper-Volstead Act (7 U. S. C. 291 et seq.); has all its activities under the control of its members and has full authority in the sale of its members' milk.

(2) "Federation" means a federation of cooperatives.

(3) "Federated cooperative" means a cooperative which is a member of a federation and on whose membership the federation is an applicant for or receives payments under subparagraph (2) of paragraph (f) of this section.

(4) "Member" means, when used with respect to a member of a cooperative or of a federated cooperative, only a member who is also a producer, as defined in § 927.6.

(b) *Qualified cooperatives and federations.* A cooperative or federation may submit an application to the Market Administrator for payments under the provisions of this section. In accordance with the requirements of the rules and regulations issued by the Market Administrator, any such application shall include a written description of the applicant's program for the performance of market-wide services, including evidence that adequate facilities and personnel will be maintained by it so as to enable it to perform the market-wide services; and the application shall contain a statement by the applicant that it will perform the required market-wide services for which it is applying for payments. The application shall set forth all necessary data so as to enable the Market Administrator to determine whether it meets the qualification requirements with respect to the payments for which the application is submitted. An application shall be approved by the Market Administrator only if he determines that:

(1) In the case of a cooperative:

(i) It has not less than 4,000 members and receives from its members not less than 1 cent per hundredweight of milk delivered by them: *Provided,* That no person shall be counted in this respect as a member if he is a member of another cooperative which is an applicant for or which receives cooperative payments, or if he is a member of a federated cooperative.

(ii) If the application is also for an additional payment under subparagraph (3) of paragraph (f) of this section, it has not less than 6,000 members and receives from its members not less than 1 cent per hundredweight of milk delivered by them, subject to the proviso in subdivision (i) of this subparagraph.

(iii) If the application is also for an additional payment under subparagraph (4) of paragraph (f) of this section, the cooperative is an operating cooperative which operates marketing facilities, i. e., pool plant(s), at which it receives at least 25 per centum, by weight, of the milk marketed by all of its members: *Provided,* That in determining whether the 25 per centum minimum requirement is complied with there shall be excluded the milk delivered by a member of the cooperative who is a member of another cooperative which is an applicant for or which receives cooperative payments on the same milk or which is a federated cooperative in a federation which is an applicant for or receiving cooperative payments on the same milk.

(2) In the case of a federation:

(i) It is duly incorporated under the laws of a State.

(ii) It has contracts with each of its federated cooperatives under which the cooperatives agree to remain in the federation for at least one year, and such contracts cover or will be renewed for a yearly period for every subsequent year for which the federated cooperatives are to be included within the membership of the federation for cooperative payment purposes.

(iii) Its federated cooperatives have an aggregate of not less than 4,000 members and the federated cooperatives receive from their members not less than 1 cent per hundredweight of milk delivered by them; and its federated cooperatives will pay to the federation, when required by rules and regulations issued by the market administrator, the minimum monthly payment specified in the rules and regulations to finance the activities of the federation that are not market-wide in character: *Provided,* That no person shall be counted in this respect as a member if he is a member of a cooperative which is an applicant for or which receives cooperative payments, or if he is a member of another federated cooperative.

(iv) If the application is also for an additional payment under subparagraph (3) of paragraph (f) of this section, the aggregate membership of the federated cooperatives is not less than 6,000 members and the federated cooperatives receive from their members not less than 1 cent per hundredweight of milk delivered by their members, subject to the proviso in subdivision (iii) of this subparagraph.

(v) If the application is also for an additional payment under subparagraph (5) of paragraph (f) of this section, the federation operates marketing facilities, i. e., pool plant(s), or the federated cooperatives operate marketing facilities, at which is received at least 25 per centum, by weight, of the milk marketed by the members of the federated cooperatives: *Provided,* That in determining whether the 25 percentum minimum requirement is complied with, there shall be excluded the milk delivered by members of a cooperative which is an applicant for or which receives cooperative payments on the same milk, or which is a federated cooperative in another federation which is an applicant for or receiving cooperative payments on the same milk, or which is not meeting the requirements of this section applicable to it.

(3) The applicant cooperative or federation demonstrates that it has the ability to perform the market-wide services for which application is made, and that such services will be performed.

(4) The applicant cooperative or the federated cooperatives of an applicant federation are in no way precluded from arranging for the utilization of milk under their respective control so as to yield the highest available net return to all producers without displacing an equivalent quantity of other producer milk in the preferred classification.

(c) *Notice of qualification or denial; effective date.* Upon determination by the market administrator that a cooperative or a federation is qualified to receive payment for performance of the market-wide services, he shall transmit such determination to the applicant cooperative or federation and publicly announce the issuance of the determination. The determination shall be effective with respect to milk delivered on and after the first day of the month following issuance of the determination. If, after consideration of an application for payments for market-wide services, the market administrator determines that the cooperative or federation is not qualified to receive such payments, he shall promptly notify the applicant and specifically set forth in such notice his reasons for denial of the application.

(d) *Requirements for continued qualification.* From time to time and in accordance with rules and regulations which may be issued by the market administrator, each qualified cooperative or federation must demonstrate to the market administrator that it continues to meet the qualification requirements for the payments and is fully performing the market-wide services for which it is being paid.

(e) *Market-wide services.* Each cooperative or federation shall perform the market-wide services enumerated in this paragraph. Such services are: (1) Analyzing milk marketing problems and their solution, conducting market research and maintaining current information as to all market developments, preparing and assembling statistical data relative to prices and marketing conditions, and making an economic analysis of all such data; (2) determining the need for the formulation of amendments to the order and proposing such amendments or requesting other appropriate action by the Secretary or the market administrator in the light of changing conditions; (3) participating in proceedings with respect to amendments to the order, including the preparation and presentation of evidence at public hearings, the submission of appropriate briefs and exceptions, and also participating, by voting or otherwise, in the referenda relative to amendments; (4) participating in the meetings called by the market administrator, such as meetings with respect to rules and regulations issued under the order, including activities such as the preparation and presentation of data at such meetings and briefs for submission thereafter; (5) conducting a comprehensive educational program among producers—i. e., members and nonmembers of cooperatives—and keeping such producers well informed for participation in the activities under the regulatory order and, as a part of such program, issuing publications that contain relevant data and information about the order and its operation, and the distribution of such publication to members and, on the same subscription basis, to nonmembers who request it, and holding meetings at which members and nonmembers may attend; and (6) in the case of a cooperative or federation which receives an additional payment under subparagraph (4) or (5) of paragraph (f) of this section, operating marketing facilities, or having within its membership federated cooperatives operating marketing facilities, i. e., pool plant(s), at which is received at least 25 per centum, by weight, of the milk marketed by all the members of the cooperative or by all the members of the federated cooperatives.

(f) *Rate, computation, time, and method of payment.* (1) Subject to the provisions of paragraph (g) of this section, the market administrator, on or before the 25th day of each month, shall make payment out of the producer-settlement fund, or issue equivalent credit therefor, to each cooperative or federation which is qualified for such payments for market-wide services. The payment to a cooperative shall be based upon the milk reported by cooperative or proprietary handlers to have been received during the preceding month from its members, and the payment to a federation shall be based upon the milk reported by cooperative or proprietary handlers to have been received during the preceding month from the members of its federated cooperatives, subject in both instances to adjustment upon verification by the market administrator.

(2) Such payment or credit shall be at the rate of 2 cents per hundredweight of milk in accordance with subparagraph (1) of this paragraph: *Provided,* That in computing payment to a cooperative there shall be excluded all of the milk of its members who belong to another cooperative which is an applicant for or which receives cooperative payments on the same milk or which is a federated cooperative in a federation which is an applicant for or receiving cooperative payments on the same milk: *And provided further,* That in computing payment to a federation there shall be excluded all of the milk of members of a cooperative which is an applicant for or which receives cooperative payments on the same milk or which is a federated cooperative in another federation which is an applicant for or receiving cooperative payments on the same milk, or which is not meeting the requirements of this section applicable to it.

(3) Any cooperative that has at least 6,000 members and any federation which has an aggregate membership of its federated cooperatives of at least 6,000 members shall receive a payment, in addition to the payment provided for in subparagraph (2) of this paragraph, of 1 cent per hundredweight of milk in accordance with subparagraph (1) of this paragraph and subject to the provisos contained in subparagraph (2) of this paragraph.

(4) Any cooperative that operates marketing facilities, i. e., pool plant(s), at which is received at least 25 per centum, by weight, of the milk marketed by all of its members shall receive a payment, in addition to the payment provided for in subparagraph (2) or subparagraph (3) of this paragraph, of 1 cent per hundredweight of all milk marketed by its members in accordance with subparagraph (1) of this paragraph: *Provided,* That in computing the payment under this subparagraph there shall be excluded the milk delivered by a member of the cooperative who is a member of another cooperative which is an applicant for or which receives cooperative payments on the same milk or which is a federated cooperative in a federation which is an applicant for or receiving cooperative payments on the same milk.

(5) Any federation that operates marketing facilities, i. e., pool plant(s), or whose members include one or more federated cooperatives that operate marketing facilities, at which is received at least 25 per centum, by weight, of the milk marketed by all the members of its federated cooperatives shall receive a payment, in addition to the payment provided for in subparagraph (2) or subparagraph (3) of this paragraph, of 1 cent per hundredweight of all milk marketed by such members in accordance with subparagraph (1) of this paragraph: *Provided,* That in computing the payment under this subparagraph there shall be excluded the milk delivered by members of a cooperative which is an applicant for or which receives cooperative payments on the same milk, or which is a federated cooperative in another federation which is an applicant for or receives cooperative payments on the same milk, or which is not meeting the requirements of this section applicable to it.

(6) If an individually qualified cooperative is affiliated with a federation, the cooperative payment shall be made to such cooperative unless its contract with the federation specifies in writing that the federation is to receive the payments. Any such contract must authorize the federation to receive the payments for at least one year, and such

agreement must cover or be renewed for a yearly period for every subsequent year for which the federation is to receive the payments.

(g) *Disqualification.* (1) The market administrator shall issue an order wholly or partly disqualifying a previously qualified cooperative or federation for payments authorized pursuant to this section and such payments shall not thereafter be made to it if he determines that:

(i) The cooperative or federation no longer complies with the requirements of this section: *Provided,* That in the case of the federation, if one of its federated cooperatives has failed to comply with the requirements of this section applicable to it or has failed, promptly after demand by the market administrator, to arrange for the utilization of milk under its control so as to yield the highest available net return to all producers without displacing an equivalent quantity of other producer milk in the preferred classification, the federation shall be disqualified only to the extent that its qualification for payments or the amount of its payments are based upon the membership, milk or operations of such non-complying federated cooperatives;

(ii) The cooperative or federation has failed to make reports or furnish records pursuant to this section or pursuant to rules and regulations issued by the market administrator; or

(iii) In the case of the cooperative, it has failed, promptly after demand by the market administrator, to arrange for the utilization of milk under its control so as to yield the highest available net return to all producers without displacing an equivalent quantity of other producer milk in the preferred classification.

(2) An order of the market administrator wholly or partly disqualifying a cooperative or federation shall not be issued until after the cooperative or federation has had opportunity for hearing thereon following not less than 15 days' notice to it specifying the reasons for the proposed disqualification. If the cooperative or federation fails to file a written request for hearing with the market administrator within such period of 15 days, the market administrator may issue an order of disqualification without further notice; but if within such period a request for hearing is filed, the market administrator shall promptly proceed to hold such hearing pursuant to rules and regulations issued by him under paragraph (i) of this section.

(3) A disqualification order issued by the market administrator shall set forth the findings and conclusions on the basis of which it is issued.

(h) *Appeals*—(1) *From denials of application.* Any cooperative or federation whose application for qualification has been denied by the market administrator may, within 30 days after notice of such denial, file with the Secretary a written petition for review. But the failure to file such petition shall not bar the cooperative or federation from again applying to the market administrator for qualification.

(2) *From disqualification orders.* A disqualification order by the market administrator shall become final 30 days after its service on the cooperative or federation unless within such 30-day period the cooperative or federation files a written petition with the Secretary for review thereof. If such petition for review is filed, payments for which the cooperative or federation has been disqualified by the order shall be held in reserve by the market administrator pending ruling of the Secretary, after which the sums so held in reserve shall either be returned to the producer-settlement fund or paid over to the cooperative or federation depending on the Secretary's ruling on the petition. If such petition for review is not filed, any payments which otherwise would be made within the 30-day period following issuance of the disqualification order shall be held in reserve until such order becomes final and shall then be returned to the producer-settlement fund.

(3) *Record on appeal.* If an appeal is taken under subparagraphs (1) or (2) of this paragraph, the market administrator shall promptly certify to the Secretary the ruling or order appealed from and the evidence upon which it was issued: *Provided,* That if a hearing was held the complete record thereof, including the applications, petitions, and all exhibits or other documentary material submitted in evidence shall be the record so certified. Such certified material shall constitute the sole record upon which the appeal shall be decided by the Secretary.

(i) *Regulations.* The market administrator is authorized to issue regulations and amendments thereto to effectuate the provisions of this section and to facilitate and implement the administration of its provisions. Such regulations shall be issued in accordance with the following procedure:

(1) All proposed rules and regulations and amendments thereto shall be the subject of a meeting called by the market administrator, at which all interested persons shall have opportunity to be heard. Not less than five days prior to the meeting, notice thereof and of the proposed regulations or amendments shall be published in the FEDERAL REGISTER and mailed to qualified cooperatives and federations. A stenographic record shall be made at such meetings which shall be public information and be available for inspection at the office of the market administrator.

(2) A period of at least five days after the meeting shall be allowed for the filing of briefs.

(3) All regulations and amendments thereto issued by the market administrator pursuant to this section must be submitted in tentative form to the Secretary for approval, shall not be effective without such approval, and shall be published in the FEDERAL REGISTER following such approval. The regulations or amendments in tentative form shall be forwarded also to cooperatives and federations qualified under this section and to other persons upon request in writing. The Secretary shall either approve the regulations or amendments thereto submitted by the market administrator or direct the market administrator to reconsider the tentative rules or amendments. In the event the market administrator is directed to give reconsideration to the matter, the market administrator shall either issue revised tentative regulations or amendments or call another meeting pursuant to this section for additional consideration of the rules or amendments.

(j) *Reports and records.* A qualified cooperative or federation and any federated cooperative in a qualified federation shall make such reports to the market administrator as may be requested by him for the administration of the provisions of this section, and shall maintain and make available to the market administrator or his representative such records as will enable the market administrator to verify such reports.

(k) *Notices, demands, orders, etc.* All notices, demands, orders or other papers required by this section to be given to or served upon a cooperative or federation shall be deemed to have been given or served as of the time when mailed to the last known secretary of the cooperative or federation at his last known address.

(l) *Adjustment period.* Any cooperative which was qualified, on the effective date of this section, to receive payments pursuant to the provisions of this section as effective December 31, 1952 (referred to in this paragraph as the "former provisions"), shall continue to receive payments pursuant to and subject to the conditions specified in such former provisions on milk received from producers during the 90-day period immediately following the effective date of this section; and if such cooperative has applied, or is a federated cooperative of a federation which has applied, for qualification pursuant to this section prior to the expiration of such 90-day period, it shall continue to receive payments pursuant to the former provisions beyond such 90-day period until such time as the market administrator has ruled upon such application: *Provided,* That a cooperative or a federation may be qualified to receive payments pursuant to this section within such 90-day period: *And provided further,* That in no event shall a cooperative, or a federated cooperative in a federation, receive payment under the former provisions for any period following the effective date of qualification of the cooperative or federation under this section. For the purposes and to the extent specified in this paragraph, the provisions of this section as effective December 31, 1952, shall remain in force and effect after the effective date of this section.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 9th day of November 1953, to be effective on and after December 16, 1953.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 53-9640; Filed, Nov. 13, 1953; 8:55 a. m.]

[Grapefruit Reg. 188]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.644 *Grapefruit Regulation 188*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, 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 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 in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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 not later than November 16, 1953. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 16, 1953, the recommendation and supporting information for continued regulation subsequent to November 15 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 10; 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 persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., November 16, 1953, and ending at 12:01 a. m., e. s. t., November 30, 1953, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seedless grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iv) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vi) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section, "handler," and "ship," shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," "U. S. No. 2," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§ 51.193 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of November 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-9657; Filed, Nov. 13, 1953; 8:56 a. m.]

[Orange Reg. 243]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.645 *Orange Regulation 243*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, 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 that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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 not later than November 16, 1953. Shipments of oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 16, 1953; the recommendation and supporting information for continued regulation subsequent to November 15 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 10; 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 oranges; 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 oranges; 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) During the period beginning at 12:01 a. m., e. s. t., November 16, 1953, and ending at 12:01 a. m., e. s. t., November 30, 1953, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than $2^{1}\frac{5}{6}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges 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 revised United States Standards for Florida oranges (§ 51.302 of this title): *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2^{1}\frac{5}{6}$ inches in diameter, such percentage shall be based only on those oranges in such lots which are of a size $2^{1}\frac{1}{6}$ inches in diameter and smaller.

(2) During the period beginning at 12:01 a. m., e. s. t., November 16, 1953, and ending at 12:01 a. m., e. s. t., November 23, 1953, no handler shall ship:

(i) Any Temple oranges, grown in the State of Florida, which do not grade at least U. S. Fancy.

(3) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. Fancy," and "U. S. No. 1 Russet" shall have the same meaning as when used in the revised United States Standards for Florida Oranges (§ 51.302 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of November 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-9658; Filed, Nov. 13, 1953; 8:56 a. m.]

[Tangerine Reg. 139]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.646 *Tangerine Regulation 139*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, 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 that the limitation of shipments of tangerines, 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 (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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 not later than November 16, 1953. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until November 16, 1953; the recommendation and supporting information for continued regulation subsequent to November 15 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 10; 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 tangerines; 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 tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., November 16, 1953, and ending at 12:01 a. m., e. s. t., November 23, 1953, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1; or

(ii) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches).

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1" and "standard pack" shall have the same meaning as when used in the United States Standards for Tangerines (§ 51.416 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of November 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-9659; Filed, Nov. 13, 1953; 8:56 a. m.]

[Lemon Reg. 511]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.618 *Lemon Regulation 511*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, 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 (60 Stat. 237; 5 U. S. C. 1001 et seq.) 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 of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on November 10, 1953, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; 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 hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., November 15, 1953, and ending at 12:01 a. m., P. s. t., November 22, 1953, is hereby fixed as follows:

(i) District 1: 12 carloads;

(ii) District 2: 227 carloads;

(iii) District 3: 11 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

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

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of November 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage Date: Nov. 8, 1953]

DISTRICT NO. 1

[12:01 a. m. Nov. 15, 1953, to 12:01 a. m. Nov. 29, 1953]

Handler	Prorate base (percent)
Total	100.000
Klink Citrus Association	28.230
Lemon Cove Association	18.263
Tulare County Lemon & Grapefruit Association	17.924
Harding & Leggett	16.514
Zaninovich Bros., Inc	19.069

DISTRICT NO. 2

Total	100.000
American Fruit Growers, Inc., Corona	.050
American Fruit Growers, Inc., Fullerton	.248
American Fruit Growers, Inc., Upland	.268
Buenaventura Lemon Co	1.583
Consolidated Lemon Co	.539
Ventura Pacific Co	3.602
Chula Vista Mutual Lemon Association	.465
Euclid Lemon Association	.012
Index Mutual Association	.054
La Verne Cooperative Association	1.794
Ventura Coastal Lemon Co	2.557
Ventura County Orange & Lemon Association	3.187
Ventura Processors	.000
Glendora Lemon Growers Association	.918
La Verne Lemon Association	.403
La Habra Citrus Association	.282
Yorba Linda Citrus Association	.376
Escondido Lemon Association	2.026
Cucamonga Mesa Growers	.911
Etiwanda Citrus Fruit Association	.319
San Dimas Lemon Association	.299
Upland Lemon Growers Association	3.426
Central Lemon Association	.495
Irvine Citrus Association, The	.534
Placentia Mutual Orange Association	.525
Corona Citrus Association	.089
Corona Foothill Lemon Co	1.021
Jameson Co	.485
Arlington Heights Citrus Co	.390
College Heights Orange & Lemon Association	3.394
Chula Vista Citrus Association, The	.884
Escondido Cooperative Citrus Association	.170
Fallbrook Citrus Association	.998
Lemon Grove Citrus Association	.113
Carpinteria Lemon Association	4.350
Carpinteria Mutual Citrus Association	4.952
Goleta Lemon Association	6.045
Johnston Fruit Co	8.623
Briggs Lemon Association	2.681
Fillmore Lemon Association	.456
Oxnard Citrus Association	5.905
Rancho Sespe	.471
San Fernando Heights Lemon Association	.493
Santa Clara Lemon Association	5.637
Santa Paula Citrus Fruit Association	2.126
Saticoy Lemon Association	6.676
Seaboard Lemon Association	6.414
Somis Lemon Association	4.508
Ventura Citrus Association	1.895
Ventura County Citrus Association	.574
Limoneira Co	3.768

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

Handler	Prorate base (percent)
Teague-McKevett Association	0.744
East Whittier Citrus Association	.096
Murphy Ranch Co	.342
North Whittier Heights Citrus Association	.056
Sierra Madre-Lamanda Citrus Association	.235
Dunning Ranch	.000
Far West Produce Distributors	.028
Paramount Citrus Association, Inc	.489
Santa Rosa Lemon Co	.109

DISTRICT NO. 3

Total	100.000
Consolidated Citrus Growers	2.706
Phoenix Citrus Packing Co	6.681
Pioneer Fruit Co	4.312
Arizona Citrus Growers	45.828
Desert Citrus Growers Co	15.678
Tempeco Groves	8.414
Arlington Heights Citrus Co	7.026
James Macchiaroli Fruit Co	2.535
Morris Bros. Fruit Co	4.804
Mutual Citrus Products Co	.000
Sunny Valley Citrus Packing Co	2.016
Valley Citrus Packing Co	.000

[F. R. Doc. 53-9680; Filed, Nov. 13, 1953; 8:57 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I — Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

[Hearing Docket CE-P 10]

PART 150—ORDERS OF THE COMMODITY EXCHANGE COMMISSION

LIMITS ON POSITION AND DAILY TRADING IN SOYBEANS FOR FUTURE DELIVERY

Findings of fact. On September 22, 1953, public notice was given (18 F. R. 5654) that the Commodity Exchange Commission proposed to amend its order of August 13, 1951 (16 F. R. 8107), establishing limits on position and daily trading in soybeans for future delivery, by increasing such limits from 1,000,000 bushels to 2,000,000 bushels. The said notice set forth the considerations which were the basis for the proposed amendment, stated that a hearing with respect thereto would be held if any interested person desired a hearing and notified the Presiding Officer to that effect on or before October 10, 1953, and specified that written statements with reference to the proposed amendment could be submitted by any interested person in addition to or in lieu of testimony at such hearing. No requests for a hearing have been received.

Pursuant to the provisions of section 4a of the Commodity Exchange Act (7 U. S. C. 6a), the Commodity Exchange Commision, after investigation and full consideration of written statements submitted by interested persons, and of representations made and evidence furnished by the Commodity Exchange Authority of the United States Department of Agriculture, which statements, representations, and evidence are made a part of the record, does hereby find:

(a) The volume of trading in soybean futures on the Chicago Board of Trade has been maintained at a level approximately equal to those for wheat and corn on the same market during the two and one-half years from January 1951 to June 1953. The volume of trading in soybeans during this period has approximated 25 to 30 percent of total trading in all grains on the Chicago Board of Trade. The ratio of volume of trading to open contracts in soybean futures is consistently higher than comparable ratios for other commodities.

(b) The level of open contracts in the January 1951–June 1953 period of approximately 46,100,000 bushels is not significantly higher than the average of 40,500,000 bushels in the representative period, October 1948 through December 1950, to warrant an increase in the position limit. However, the same limit for positions as for daily trading would avoid confusion and difficulties in enforcement.

(c) Trading in soybeans for future delivery on or subject to the rules of a contract market by a person who holds or controls a speculative net position of more than 2,000,000 bushels, long or short, in any one future or in all futures combined in soybeans, on or subject to the rules of such contract market, tends to cause sudden or unreasonable fluctuations or changes in the price of soybeans not warranted by changes in the conditions of supply or demand.

(d) Speculative buying or selling by a person during one business day of more than 2,000,000 bushels in any one future or in all futures combined in soybeans, on or subject to the rules of a contract market, tends to cause sudden or unreasonable fluctuations or changes in the price of soybeans not warranted by changes in the conditions of supply or demand.

Conclusions. Upon the foregoing facts, it is concluded that in order to prevent excessive speculation in soybean futures which will cause sudden, unreasonable, or unwarranted fluctuations or changes in price resulting in an undue and unnecessary burden on interstate commerce in soybeans, it is necessary to maintain limits on the amount of speculative trading under contracts of sale of soybeans for future delivery on or subject to the rules of contract markets which may be done by any person; that an increase in the limit on daily trading in soybean futures is warranted; that there should be a similar increase in the limit on position; that 2,000,000 bushels is a reasonable limit on the net long or net short speculative position which any person may hold or control and upon the daily speculative purchases or sales which any person may make, in any one future or in all futures combined in soybeans, on or subject to the rules of any contract market.

Order. Section 150.4 (a) and (b) of the order of the Commodity Exchange Commission, promulgated August 13, 1951 (17 CFR, 1952 Supp. 150.4 (a), (b)), is hereby amended by deleting the figure "1,000,000" appearing in each paragraph of such section and substituting in lieu thereof the figure "2,000,000."

(Sec. 4a, as added by sec. 5, 49 Stat. 1492; 7 U. S. C. 6a)

This amendment increases the limit on the maximum net long or net short position which any person may hold or control in soybeans on or subject to the rules of any one contract market from 1,000,000 bushels in any one future or in all futures combined to 2,000,000 bushels in any one future or in all futures combined, and raises the limit on the maximum quantity of soybeans which any person may buy and on the maximum quantity which such person may sell, on or subject to the rules of any one contract market during any one business day, from 1,000,000 bushels in any one future or in all futures combined to 2,000,000 bushels in any one future or in all futures combined. Since the amendment will operate to relieve or liberalize an existing restriction and will not adversely affect the public, it is hereby found upon good cause, in accordance with section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)), that the amendment should be made effective within less than 30 days after publication in the FEDERAL REGISTER.

This amendment shall become effective November 16, 1953.

Issued this 10th day of November 1953.

COMMODITY EXCHANGE COMMISSION,
[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture, Chairman.
SINCLAIR WEEKS,
Secretary of Commerce.
HERBERT BROWNELL, JR.,
Attorney General.

[F. R. Doc. 53-9638; Filed, Nov. 13, 1953; 8:55 a. m.]

Chapter II—Securities and Exchange Commission

PART 210—FORM AND CONTENT OF FINANCIAL STATEMENTS, SECURITIES ACT OF 1933, SECURITIES EXCHANGE ACT OF 1934, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 AND INVESTMENT COMPANY ACT OF 1940

TREATMENT OF COMPENSATION IN THE FORM OF STOCK OPTIONS GRANTED BY CORPORATIONS TO THEIR OFFICERS AND EMPLOYEES

On February 25, 1953, the Commission announced, in Securities Exchange Act of 1934 Release No. 4803–X, that it had under consideration the adoption of a proposed rule concerning treatment of compensation in the form of stock options granted by corporations to their officers and employees. All interested persons were invited to submit views and comments on the proposal.

The rule was proposed because of the apparent lack of unanimity of opinion among corporate and public accountants as to the appropriate manner in which the amounts, if any, to be charged against income representing compensation to recipients of stock options should be determined. The principal point of disagreement was the time at which the determination should be made. Persuasive arguments were advanced for each of three dates, i. e., when the options were (1) granted, (2) exercisable, or (3) exercised.

The Commission considered the comments and suggestions received and concluded that the propriety of using any one of these dates in all cases had not been established, and that determination of, and accounting for, cost to the grantor based upon the excess of fair value of the optioned shares over the option price at any one of the three dates advocated might, in some cases, result in the presentation of misleading profit and loss or income statements.

In these circumstances the Commission deemed it inappropriate to prescribe a procedure for determining the amount of cost, if any, of these stock options to be reflected in profit and loss or income statements filed with the Commission. However, in order that investors may be apprised of the monetary significance of the concessions made by registrants to officers and employees through the granting of stock options, the Commission announced, on August 25, 1953, in Securities Exchange Act Release No. 4926–X, a proposal to adopt a rule to be added to Regulation S–X (Part 210), and to be designated § 210.3–20 (d) (Rule 3–20 (d)), which will require full and complete disclosure of all stock option arrangements in financial statements filed with the Commission.

Only a small number of comments were received with respect to this latter proposal, and the Commission has determined that the rule should be adopted with certain minor modifications in wording. The principal change in the rule as adopted is the addition to § 210.3–20 (d) (2) of the sentence "The required information may be summarized as appropriate with respect to each of these categories."

The text of the Commission's action follows:

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 6, 7, 8, 10 and 19 (a) thereof, the Securities Exchange Act of 1934, particularly sections 12, 13, 15 (d) and 23 (a) thereof, the Public Utility Holding Company Act of 1935, particularly section 20 thereof, and Investment Company Act of 1940, particularly sections 8, 30, 31 (c) and 38 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by the said acts, hereby adopts the following rule to be added to Article 3 of Regulation S–X:

(d) *Capital stock optioned to officers and employees.* (1) A brief description of the terms of each option arrangement shall be given, including (i) the title and amount of securities subject to option; (ii) the year or years during which the options were granted; and (iii) the year or years during which the optionees became, or will become, entitled to exercise the options.

(2) State (i) the number of shares under option at the balance sheet date, and the option price and the fair value thereof, per share and in total, at the dates the options were granted; (ii) the number of shares with respect to which options became exercisable during the period, and the option price and the fair value thereof, per share and in total, at the dates the options became exercisable; and (iii) the number of shares with respect to which options were exercised during the period, and the option price and the fair value thereof, per share and in total, at the dates the options were exercised. The required information may be summarized as appropriate with respect to each of these categories.

(3) State the basis of accounting for such option arrangements and the amount of charges, if any, reflected in income with respect thereto.

The foregoing action shall be effective with respect to financial statements for any fiscal year ending on or after December 31, 1953, filed as a part of any registration statement, application for registration, or report.

(Secs. 19, 23, 48 Stat. 85, 901 as amended, sec. 38, 54 Stat. 841; 15 U. S. C. 77s, 78w, 80a–37. Interpret or apply secs. 6, 7, 8, 10, 12, 13, 15, 48 Stat. 78, 79, 81, 892, 894, 895, as amended, sec. 20, 49 Stat. 833; secs. 8, 30, 31, 54 Stat. 803, 836, 838, 15 U. S. C. 77f, 77g, 77h, 77j, 781, 78m, 78o, 79t, 80a–8, 80a–29, 80a–30)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

NOVEMBER 3, 1953.

[F. R. Doc. 53-9597; Filed, Nov. 13, 1953; 8.47 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter V—Bureau of Employment Security, Department of Labor

PART 604—POLICIES OF THE UNITED STATES EMPLOYMENT SERVICE

SERVICE TO MINORITY GROUPS

Pursuant to the authority vested in me by section 12, 48 Stat. 117, as amended, 29 U. S. C. 49k, Reorganization Plan No. 2 of 1949 and by delegation from the Secretary of Labor, this part is amended in the manner set forth below:

1. Section 604.8 is amended to read as follows:

§ 604.8 *Service to minority groups.* It is the policy of the United States Employment Service:

(a) To promote employment opportunity for all applicants on the basis of their skills, abilities and job qualifications.

(b) To make definite continuous effort with employers with whom relationships are established, to the end that their hiring specifications be based exclusively on job performance factors.

(c) To assist the United States Civil Service Commission in effectuating Executive Order 9980 by disregarding nonperformance factors of race, color, religion, or national origin in the recruitment, selection, and referral of workers on job orders from Federal establishments.

(d) To cooperate with procurement agencies and other appropriate agencies

of the Government in their efforts to secure compliance with nondiscrimination clauses in Government contracts.

(Sec. 12, 48 Stat. 117; 29 U. S. C. 49k)

Signed at Washington, D. C., this 5th day of November 1953.

ROBERT C. GOODWIN,
Director of the Bureau of Employment Security.

[F. R. Doc. 53-9595; Filed, Nov. 13, 1953; 8:47 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

LABEL DECLARATION OF SALT IN FROZEN VEGETABLES

Pursuant to section 3 of the Administrative Procedure Act (60 Stat. 237, 238; 5 U. S. C. 1002), the following statement of policy is issued:

§ 3.31 *Label declaration of salt in frozen vegetables.* (a) In a number of diseases or disease conditions it is important to restrict the intake of sodium. Sodium occurs in all natural foods, but added salt makes the most important contribution to the total sodium intake in the diet. Most fresh vegetables are of low sodium content and consumers generally regard frozen vegetables as being free of added salt and suitable for use in low-sodium diets. While salt may not be added directly as a seasoning ingredient during the processing of frozen vegetables, the use of salt brine in quality separation of such vegetables as peas and lima beans preparatory to freezing may contribute substantial amounts of salt to the finished article. The failure of the labels of frozen vegetables to declare the presence of salt has been the basis of complaints to the Food and Drug Administration.

(b) Section 403 (i) (2) of the Federal Food, Drug, and Cosmetic Act requires the label of a fabricated food to bear the common or usual name of each ingredient present. The Department of Health, Education, and Welfare regards any frozen vegetable containing salt, added directly or indirectly, as misbranded in violation of section 403 (i) (2) of the Federal Food, Drug, and Cosmetic Act unless its label names salt as an ingredient.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 403, 52 Stat. 1048; 21 U. S. C. 343)

Dated: November 9, 1953.

[SEAL] OVETA CULP HOBBY,
Secretary.

[F. R. Doc. 53-9603; Filed, Nov. 13, 1953; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter B—Economic Regulations

[Reg. No. ER-190]

PART 233 — TRANSPORTATION OF MAIL; FREE TRAVEL FOR POSTAL EMPLOYEES

POSTAL EMPLOYEES TO BE CARRIED FREE; REQUESTS TO BE FILED

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 10th day of November 1953.

The Post Office Department has requested the Board to amend Part 233 of the Economic Regulations, which governs free travel for postal employees pursuant to section 405 (m) of the Civil Aeronautics Act. At the present time, § 233.1 specifies certain officials by title who are authorized to receive free transportation by air traveling on official business relating to transportation of mail by air. Section 233.3 requires copies of transportation requests issued to air carriers by postal travelers to be forwarded to the Secretary of the Board and to the Deputy Second Assistant Postmaster General.

The basis upon which the Postmaster General has urged the Board to amend the foregoing sections is that the titles as now set forth do not correspond with the titles presently in use in the Department. While certain of the duties of the officials heretofore authorized by the Board to receive free transportation by air have been eliminated as a result of the reorganization of the Post Office Department, and while certain of the officials named in the Post Office request will perform additional duties, the net effect of the reorganization is to decrease the list of persons specifically authorized to receive free transportation from 54 to 51.

On the basis of the information furnished the Board by the Postmaster General, the Board finds that this amendment is primarily a formal one not imposing further substantive burdens on the air carriers concerned, and accordingly, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 233 of the Economic Regulations (14 CFR Part 233), effective December 15, 1953.

1. By amending § 233.1 to read as follows:

§ 233.1 *Postal employees to be carried free.* Every air carrier carrying the mails shall carry, on any plane that it operates and without charge therefor, the persons in charge of the mails when on duty, and the following officers, agents, and inspectors of the Post Office Department, when such persons are traveling on official business relating to the transportation of mail by aircraft and are duly accredited as provided in this section:

(a) The Postmaster General.

(b) The Deputy Postmaster General; the Assistant Postmaster General—Transportation; the Assistant Postmaster General—Operations; the Assistant Postmaster General—Facilities; the Assistant Postmaster General—Finance; and the Assistant Postmaster General—Personnel.

(c) The Executive Assistant to the Postmaster General; the Special Assistant to the Postmaster General; the Confidential Assistant to the Postmaster General; the Technical Assistant to the Assistant Postmaster General—Transportation; and the Confidential Assistant to the Assistant Postmaster General—Transportation.

(d) The Chief Post Office Inspector; the Assistant Chief Post Office Inspector; the Solicitor, and the Associate Solicitors, of the Post Office Department.

(e) The following officers and agents of the Bureau of Transportation, viz.: the Executive Director; the Director, Budget and Accounts; the Director, and the Assistant Director, Division of Air Service; the Administrative Officers, Division of Air Service; the Director, and Assistant Director, Division of International Service; the Director, Division of Employee Relations; the Regional Directors, Air Service; the General Superintendents, Postal Transportation Service; the District Superintendent, and the Assistant District Superintendent, 13th Division (Alaska), Postal Transportation Service.

(f) The Executive Director, and the Assistant Executive Director, Bureau of Post Office Operations; the Director, Division of Real Estate, Bureau of Facilities.

(g) Any Inspector of the Post Office Department.

(h) Any additional agent or officer of the Post Office Department designated by the Postmaster General.

2. By amending § 233.3 to read as follows:

§ 233.3 *Requests to be filed.* Each air carrier on or before the 20th day of each month shall forward one copy of every Request for Free Transportation by Air accepted by it during the preceding calendar month, to the Secretary, Civil Aeronautics Board, Washington 25, D. C., and one copy to the Director, Division of Air Service, Post Office Department, Washington, D. C.[1]

(Sec. 205, 54 Stat. 984; 49 U. S. C. 425. Interprets or applies sec. 405, 52 Stat. 994; 49 U. S. C. 485)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 53-9636; Filed, Nov. 13, 1953; 8:54 a. m.]

[1] The third copy shall be preserved by the air carrier in its records in compliance with the requirements of this subchapter. See § 249.4 of this subchapter, item 48-B.

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 47]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
DOUGLAS, ARIZ. Bisbee-Douglas International, 4158′ BMRLZ-VDT DUG Procedure No. 1 May 21, 1953	PROCEDURE CANCELED Effective Nov. 12, 1953									
HILO, HAWAII General Lyman Airport, 30′ SBRAZ ITO Procedure No. 1 Nov. 1, 1953	MEA, all directions	----------	----------	N side E course: 079 outbound. 259 inbound. 1500′ within 25 miles.	500	251—1.9	T-d T-n C-d C-n A-dn	400-1 600-1½ 500-1 600-1½ 800-2	400-1# 600-2# 500-1½ 600-2 800-2	Within 1.0 mile, climb to 3,000′ on N course (342°) within 25 miles. #Westerly take-offs 800-2 day or night.
HONOLULU, HAWAII Honolulu International Airport 10′ SBRAZ HNL Procedure No. 1 Nov. 1, 1953	MEA, all directions Barbers Point FM (Final)	---------- 055—8	---------- 500	S side of SW course: 235 outbound. 055 inbound. 2,000′ within 25 miles.	500 ----------	075—2.6 ----------	T-d T-n C-d C-n A-dn	*500-1 *600-2 500-1 600-2 800-2	500-1 600-2 500-1½ 600-2 800-2	Within 2.6 miles, climb to 2,000′ on S course (169°) and proceed to Southgate Intersection. *All take-offs to NW (32) will be restricted to 700-2, with left hand turn recommended; sliding scale will not apply.
LIHUE, KAUAI, HAWAII Lihue, 148′ SBRAZ PAK Procedure No. 1 Dec. 1, 1953	MEA, all directions	----------	----------	S side* of SE course: 109 outbound. 289 inbound. 3,000′ within 25 miles.	2,000	**260—6.0	#T-d T-n C-d C-n A-d A-n	600-1 700-2 1,000-1 1,000-3 1,000-2 1,000-3	600-1 700-2 1,000-1 1,000-3 1,000-2 1,000-3	Within 6.0 miles, climb to 6,000′ on S course (169°) within 25 miles. **Contact must be established at shoreline 6 miles from Range Station with 1,000-1 day or 1,000-3 night and flight to Lihue Airport made under visual flight conditions by following shoreline in easterly and northeasterly direction, 15 miles from Port Allen LFR. *High terrain to N. #Take-off on runway 21 will be restricted to 600-2; sliding scale will not apply.
NEW YORK, N. Y. LaGuardia Field 20′ SBRAZ-DTXV LGA Procedure No. 1 Oct. 22, 1953	Port Chester FM (Final)	222-16	1,000	N side NE course: 042 outbound. 222 inbound. 1500′ within 15 miles. 2000′ within 25 miles.	*1,000	222—3.2	T-dn C-dn S-dn 22 A-dn	300-1 600-1 600-1 800-2	300-1 600-1½ 600-1½ 800-2	Within 3.2 miles, climb to 1,500′ on SW course (or to a higher altitude when directed by ATC). *Descent to 800′ authorized after passing New Rochelle RBN; descent to landing minimums authorized only after passing LaGuardia LFR. Deviation authorized in landing minimums, procedure turn altitude and missed approach altitude. Standard clearance not provided over 422′ tank 1.1 miles NW of final approach course, 383′ bridge towers 1.1 and 1.5 miles SE of final approach course, 350′ bridge tower approximately 2 miles W of airport. Also, 930′ broadcast tower 10 miles NW of range STN and Empire St. Bldg. 3.8 miles NW of missed approach course.

LFR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h	
1	2	3	4	5	6	7	8	9	10	11
NEW YORK, N. Y. LaGuardia Field 20' SBRAZ-DTXV; LGA Procedure No. 2 Oct. 22, 1953	Flatbush RBN (Final)	042—16	1,200	S side SW course 222 outbound. 042 inbound. 1,500' within 25 miles.	1,200* (over LGA LOM)	042—4.5 (from LGA LOM)	T-DN C-DN S-DN 4 A-DN	300-1 600-1 600-1 800-2	300-1 600-1½ 600-1 800-2	Within 4.5 miles of LGA LOM, climb to 1,500' on NE course (or to a higher altitude when directed by ATC). *Descent to landing minimums authorized after passing LGA LOM. Deviation authorized; standard obstruction clearance not provided over tank 422' MSL 1.9 miles N of airport, 968' bldg. 4 miles W of LGA LOM and 578' bldg. 3 miles SW of LOM.
PUUNENE, HAWAII Maui Airport, 137' SBRAZ MAU Procedure No. 1 Nov. 1, 1953	MEA, all directions			E side of S course: 164 outbound. 344 inbound. 4,000' within 25 miles.	2,500	*344—12.3	T-d T-n C-d C-n A-d A-n	500-1 600-2 1,000-2 1,000-3 1,500-2 1,500-3	500-1 600-2 1,000-2 1,000-3 1,500-2 1,500-3	Within 6 miles, climb to 8,000' on N course (344°) within 25 miles. *Contact must be established at shoreline 6 miles from range station at 1,000'. Flight to airport under visual contact conditions. CAUTION: Rapidly rising terrain NE of range station. 1,000' at 2 miles, 3,000' at 3 miles, 10,025' at 10 miles.

2. The automatic direction finding procedures prescribed in § 609.9 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	8	10	11
CANTON ISLAND, PHOENIX ISLANDS Topham Field 9' HW CIS Procedure No. 1 Nov. 1, 1953	All directions		2,000	E side of course: 185 outbound. 005 inbound. 1,000' within 25 miles.	600	005—2.6	T-dn C-dn A-dn	500-1½ 500-1½ 800-2	500-1½ 500-1½ 800-2	Within 2.6 miles, climb to 2,000' on course of 005° within 25 miles.

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

No. 223——3

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
SPOKANE, WASH. Geiger Field 2,372' LOM-GE Procedure No. 1 Oct. 16, 1953	Rockford FM to GEG LFR.	254–15	4,700	S side of course: 203° outbound. 023° inbound. 4,000' within 15 miles of LOM, 20 and 25 miles NA.	3,560	023–4.4	T-DN	300–1	300–1	Within 4.4 miles, execute climbing left turn, so as to intercept and climb to 4,500' on the 360° outbound course from LOM within 15 miles, all turns on W side. Alternate missed approach—when directed by ATC, execute climbing left turn to intercept and climb on 300° outbound course from LOM, within 15 miles, all turns on W side; or execute climbing left turn, climb to 4,000' proceeding direct to the LOM and hold on the E side of the 203° outbound–023° inbound course at 4,000' within 15 miles of LOM.
							C-D	500–1	500–1½	
							C-N	600–1	600–1½	
	Pine City FM/H to GEG LFR.	360–24	4,700				S-DN2	500–1	500–1	
							A-DN	800–2	800–2	
	Harrington FM to INT. 203° bearing from LOM and 276° bearing from Pine City "H".	096–18	4,000							
	INT. 203° bearing from LOM and 276° bearing from Pine City "H" (final).	023–21	4,000							
	Pine City "H" to INT. 203° bearing from LOM and 330° bearing from Pine City "H".	330–19	4,100							
	Pine City FM/H	343–22	4,100							
	GEG VOR	045–0.6	4,000							
	GEG LFR	244–8	4,000							
WAKE ISLAND Wake Airport 10' HHW AWK Procedure No. 1 Nov. 1, 1953	All directions		1,500	N side of course: 95 outbound. 275 inbound. 1,000' within 25 miles.	830	*190—1.6	T-d	500–1½	500–1½	Within 2.5 miles, climb to 1,500' on course of 275° within 25 miles. *Contact must be established at reef (shoreline) 2½ miles from station on course of 275° magnetic and flight to airport under visual contact conditions.
							T-n	600–2	600–2	
							C-d	500–1½	500–1½	
							C-n	600–2	600–2	
							A-dn	800–2	800–2	
WAKE ISLAND Wake Airport 10' MHW AXX Procedure No. 2 Nov. 1, 1953	All directions		1,500	S side of course: 275 outbound. 95 inbound. 1,000' within 25 miles.	500	095—0.6	T-d	500–1½	500–1½	Within 0.6 miles, climb to 1,500' on course of 095° within 25 miles.
							T-n	600–2	600–2	
							C-d	500–1	500–1½	
							C-n	600–2	600–2	
							A-dn	800–2	800–2	

3. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Transition to ILS				Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude at glide slope interception inbound (ft.)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft.)			Outer marker	Middle marker	Condition	Type aircraft: 75 m.p.h. or less	Type aircraft: More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11	12	13
SALEM, OREG. McNary Field (Municipal), 207′ ILS SLE LOM SL Procedure No. 1 Combination ILS and ADF Oct. 28, 1953	Int. 182° outbound course from UBG VOR and 272° outbound course from SLE LOM	LOM	092—15	3,000	S side of SE course: 129° outbound. 309° inbound. 2,200 feet within 5 miles 2,500 feet within 10 miles 15, 20, and 25 miles NA. Procedure turn to east NA due to high terrain.	2,200 ADF 1,700 over LOM	1,520—4.6	470—0.8	T-dn C-dn	300–1 800–1	300–1 800–1½	Within 4.6 miles after passing LOM (ADF), execute climbing right turn, climb to 2,500′ on SE course of ILS within 10 miles of LOM, all turns on S side. CAUTION: approach lights not installed. 688′ MSL terrain located 3½ miles south of airport.
									S-dn RWY 31 ILS ADF	400– ¾ 800–1	400– ¾ 800–1½	
									A-dn ILS	800–2	800–2	
									A-dn ADF	1000–2 BOOB	1000–2 BOOB	

4. The very high frequency omnirange procedures prescribed in § 609.15 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums: Condition	Type aircraft: 75 m. p. h. or less	Type aircraft: More than 75 m. p. h.	If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
1	2	3	4	5	6	7	8	9	10	11
HILO, HAWAII General Lyman Airport, 30′. BVOR ITO Procedure No. 1. Nov. 1, 1953.	MEA, all directions			N side of course: 080 outbound. 260 inbound. 2,000′ within 25 miles.	600	260–2.1	T-d T-n C-d C-n A-dn	400–1 600–1½ 500–1 600–1½ 800–2	*400–1 *600–2 500–1½ 600–2 800–2	Within 2.1 miles, climb to 3,000′ on course 355° within 25 miles. *Westerly take-offs 800–2 day or night.
HONOLULU, HAWAII Honolulu International Airport, 10′ BVOR HNL Procedure No. 1 Nov. 1, 1953	Int. brg. 127° to Lanai VOR and brg. 230° to HNL VOR (Kaneohe Int.)	230—29	6,000	S side of course: 235 outbound. 055 inbound. 2,000′ within 25 miles.	1,000	078–5.6	*T-d *T-n C-d C-n A-dn	500–1 600–2 500–1 600–2 800–2	500–1 600–2 500–1½ 600–2 800–2	Within 5.6 miles, climb to 2,000′ on course 168° and proceed to Southgate Int. (Int. SE course Port Allen LFR and bearing 348° to HNL VOR). *All take-offs to NW (32) will be restricted to 700–2, with left hand turn recommended; sliding scale will not apply.
	Int. SE crs. Port Allen LFR and brg. 348° to HNL VOR (Southgate Int.)	348—18	5,000							
	Int. SE crs. Port Allen LFR and brg. 055° to HNL VOR (Makai Int.)	055—17	2,000							
	Barbers Point FM (FINAL)	055—5	1,000							

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility: class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
KAHULUI, MAUI, HAWAII Kahului Airport, 59′ BVOR MAU Procedure No. 1 Dec. 1, 1953	Rainbow Int. (final) MEA, all other directions.	360–12	3,000	*W side of course: 180 outbound. 360 inbound. 4,000′ within 10 miles. Beyond 10 miles NA account danger area to south.	3,000	354–7.9	T-d T-n C-d C-n A-dn	500–1 600–2 700–1½ 700–2 800–2	500–1 600–2 700–1½ 700–2 800–2	Within 7.9 miles, climb to 3,000′ on course 354° within 20 miles of VOR facility, reverse course, continue climb to 5,000′, proceed to Pineapple Int. via course 225° from Maui VOR. Hold 2 minutes west of Pineapple Int. on course 100° from Lanai VOR. Make turns to north account danger area to south. *High terrain to east.
LANAI CITY, HAWAII Lanai Airport, 1,315′ BVOR LNY Procedure No. 1 Dec. 1, 1953	MEA, all directions			*N side of course: 270 outbound. 090 inbound. 3,000′ within 25 miles.	#2,500	305–1.5	T-d T-n C-d C-n A-d A-n	800–2 NA 1,200–2 NA 1,200–2 NA	800–2 NA 1,200–2 NA 1,200–2 NA	#Contact 1.5 miles before reaching VOR station, climb to 5,000′ on course 100° within 15 miles, or when directed by ATC, make right turn and climb to 5,000′ on course 287° within 25 miles. *Warning area 5 miles S of course. CAUTION: High terrain 5 miles NE of airport.
LIHUE, KAUAI, HAWAII Lihue 148′ BVOR LIH Procedure No. 1 Dec. 1, 1953.	MEA, all directions			E side of course: 025 outbound. 205 inbound. 2000′ within 15 miles. Beyond 15 miles NA account warning area to NE.	#740	320–0.6	%T-d T-n C-d C-n A-d A-n	500–1 700–2 600–1½ 800–3 1,000–2 1,000–3	500–1 700–2 600–1½ 800–3 1,000–2 1,000–3	#Contact 3 miles before reaching VOR station, make left turn, climb to 3000′ on course 025° within 15 miles reverse course climbing to course 5000′ over VOR station. High terrain to W. %Take-offs on runway 21 restricted to 600–2; sliding scale will not apply.
SPOKANE, WASH. Geiger Field, 2,372′. BVOR GEG. Procedure No. 1. Oct. 16, 1953.	Rockford FM	252–24	4,700	S side of course: 206° outbound. 026° inbound. 4,000′ within 15 miles of GEG VOR 20 and 25 miles NA.	3,700	026°–5.1	T-dn C-d C-n S-dn 2 A-dn	300–1 500–1 600–1 500–1 800–2	300–1 500–1½ 600–1½ 500–1 800–2	Within 5.1 miles, execute climbing left turn to intercept and climb to 4,500′ on the 360° outbound course from GEG VOR, within 25 miles—All turns on W side. Alternate missed approach—when directed by ATC, execute climbing left turn to intercept and climb to 4,500′ on the 300° outbound course from GEG VOR, within 25 miles, all turns on W side; or execute climbing left turn, climb to 4,000′, proceed direct to the GEG VOR and hold on the E side of the 206° outbound—026° inbound course at 4,000′ within 15 miles of GEG VOR.
	GEG LFR	245–8	4,000							
	GEG LOM	225–0.6	4,000							
	Pine City FM/H	339–22	4,100							
	Harrington FM to Int. 206° course from GEG VOR and 279° course from Pine City "H".	099–18	4,000							
	Pine City "H" to Int. 206° course from GEG VOR and 323° course from Pine City "H".	323–18	4,100							
	Int. of 206° course from GEG VOR and 279° course from Pine City "H" to GEG VOR (Final).	026–20	4,000							
UPOLU POINT, HAWAII Upolu Point Airport 96′ BVOR UPP Procedure No. 1 Dec. 1, 1953	MEA, all directions			N.* side of course: 250 outbound. 070 inbound. 3,000′ within 25 miles.	1,400	360–1.5	T-d T-n C-d C-n A-d A-n	500–1½ 600–3 1,200–1½ 1,200–3 1,200–2 1,200–3	500–1½ 600–3 1,200–1½ 1,200–3 1,200–2 1,200–3	Within 1.5 miles, climb to 4,000′ on course 291° within 25 miles. *High terrain to SE.

5. The very high frequency omnirange procedures prescribed in § 609.15 (b) are amended to read in part:

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.

TVOR STANDARD INSTRUMENT APPROACH PROCEDURE

If a TVOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility: class and identification; Procedure No. (TVOR); effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance from int. runway center line extended and final course to approach end of runway	Ceiling and visibility minimums			If visual contact not established at TVOR, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
SALISBURY, MD. Wicomico County Airport 52′ BVOR SBY TVOR #4 Nov. 19, 1953				E side course: 218 outbound. 038 inbound. 1500′ within 10 miles.	600	044—0.25	T-Dn C-Dn S-D4 A-Dn	300–1 500–1 500–1 800–2	300–1 500–2 500–1 800–2	Within 0.0 mile, climb to 1,500′ on course of 038° within 10 miles of Salisbury VOR. NOTE: Lights available on Runways 13–31 only.
SALISBURY, MD. Wicomico County Airport 52′ BVOR SBY TVOR #13 Nov. 19, 1953				W side course: 326 outbound. 146 inbound. 1,500′ within 10 miles.	800	134—0.5	T-dn C-dn S-dn 13 A-dn	300–1 700–1 700–1 800–2	300–1 700–1½ 700–1 800–2	Within 0.0 mile, climb to 1,500′ on course of 146° within 10 miles of Salisbury VOR. NOTE: Lights available on runways 13–31 only.
SALISBURY, MD. Wicomico County Airport 52′ BVOR SBY TVOR #22 Nov. 19, 1953				W side course: 050 outbound. 230 inbound. 1,500′ within 10 miles.	600	224—0.25	T-dn C-dn S-d 22 A-dn	300–1 500–1 500–1 800–2	300–1 500–2 500–1 800–2	Within 0.0 mile, climb to 1,500′ on course of 230° within 10 miles of Salisbury VOR. NOTE: Lights available on runways 13–31 only.
SALISBURY, MD. Wicomico County Airport 52′ BVOR SBY TVOR #31 Nov. 19, 1953				N side course: 124 outbound. 304 inbound. 1,500′ within 10 miles.	600	314—0.5	T-dn C-dn S-dn 3 A-dn	300–1 500–1 500–1 800–2	300–2 500–2 500–1 800–2	Within 0.0 mile, climb to 1,500′ on course of 304° within 10 miles of Salisbury VOR. NOTE: Lights available on runways 13–31 only.

These procedures shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53–9481; Filed, Nov. 13, 1953; 8:45 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[Regs. 46; T. D. 6029]

PART 316—EXCISE TAXES ON SALES BY THE MANUFACTURER

MISCELLANEOUS AMENDMENTS

Correction

In Federal Register Document 53-6232, appearing at page 4113 of the issue for Wednesday, July 15, 1953, paragraphs (m) through (p), as added to § 316.204 in paragraph 35, should have been designated paragraphs (n) through (q), respectively. In redesignated paragraph (o) reference to paragraph (o) should read "paragraph (p)"; in redesignated paragraph (p) reference to paragraph (n) should read "paragraph (o)".

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiaton Board Regulations Under the 1951 Act

PART 1453—MANDATORY EXEMPTIONS FROM RENEGOTIATION

CONTRACTS AND SUBCONTRACTS FOR CERTAIN AGRICULTURAL COMMODITIES AND RAW MATERIALS

Section 1453.2, paragraph (d) *Profits from increment in value of excess inventory*, subparagraph (3) *Definitions* is amended by deleting the second sentence of subdivision (ii).

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: November 10, 1953.

NATHAN BASS,
Secretary.

[F. R. Doc. 53-9634; Filed, Nov. 13, 1953; 8:54 a. m.]

PART 1457—FISCAL YEAR BASIS FOR RENEGOTIATION AND EXCEPTIONS

PART 1499—STATUTES, ORDERS AND DELEGATIONS

FISCAL YEAR OF PARTNERSHIPS; PARTNERSHIP RETURNS

1. Section 1457.7 is amended by deleting paragraphs (b) and (c) in their entirety and inserting in lieu thereof the following:

(b) *Application of statutory provision.* The fiscal year of a partnership is the taxable year thereof under chapter 1 of the Internal Revenue Code. If the composition of the partnership changes before the completion of a full fiscal year by reason of the death, withdrawal, substitution, or addition of a partner, or a shift of interests among the partners, but the partnership business, or a substantial portion thereof, is continued, the fiscal year of the partnership shall continue to be the taxable year previously established by the partnership, unless the Board determines otherwise. If on or before December 31, 1953, a partnership so continuing has filed a Standard Form of Contractor's Report for a fiscal year shorter than the fiscal year prescribed by this section, and final action with respect to such fiscal year has not been taken by the Board, such shorter fiscal year shall be considered to be the fiscal year of the partnership unless the contractor, within a reasonable time, or the Board, gives notice by registered mail that it desires that the contractor be renegotiated for such full fiscal year. Such notice by the contractor shall contain a statement that in determining the time limited under section 105 (c) of the act for commencement of renegotiation, such notice shall be considered the filing required by section 105 (e) of the act for such full fiscal year, unless renegotiation has already been commenced with respect to such shorter fiscal year. In the latter event, such notice shall contain a statement that the contractor agrees that, in lieu of the period of limitations prescribed in section 105 (c) of the act, renegotiation for such full fiscal year may be completed within two years following the date of the mailing of such notice by the contractor to the Board.

(c) *Comment.* Originally this section, following the rulings of the Internal Revenue Service, provided that, when a partnership before the completion of a full fiscal year had a readjustment of interests by reason of the death, withdrawal, substitution, or addition of a partner, or a shift of interests among the partners, the fiscal year of such partnership terminated on the date such readjustment occurred and a new fiscal year for the partnership commenced if the business continued. By Revenue Ruling 144 (Int. Rev. Bull. 1953-16, 29, dated August 3, 1953), set forth, in part, in § 1499.34 of this subchapter, the Internal Revenue Service declared that such readjustment did not, of itself, effect a termination of the partnership for Federal income tax purposes; and that, when the business of the partnership, or a substantial portion thereof, continued, the returns of such partnership should continue to be filed on the basis of the annual accounting period previously established by the partnership. This section has been amended as set forth in paragraph (b) of this section to conform the practice of the Board with that of the Internal Revenue Service. The ruling is not limited in its retroactive effect, and therefore, with the exceptions indicated, the Board will give it effect in all open cases under the 1951 Act. The former provisions of this section remain effective as to any cases concluded thereunder.

2. Part 1499 is amended by adding § 1499.34 to read as follows:

§ 1499.34 *Internal Revenue Service Rev. Rul. 144.* Section 187: Partnership returns.

Advice is requested respecting the effect on a partnership, for Federal income tax purposes, of the death, withdrawal, substitution, or addition of a partner.

As defined in section 3797 (a) (2) of the Internal Bureau Code, the term "partnership" for tax purposes is broader than the term under common law, the Uniform Partnership Act, or individual State laws. Accordingly, the Federal tax consequences of transactions involving partnerships and interests in partnerships will be determined upon the basis of their substance and in accordance with the Federal tax laws without regard to the technical refinements of State laws. (See Commissioner v. Francis E. Tower, 327 U. S. 280; Ct. D. 1670, C. B. 1946-1, 11, and Heiner v. Mellon, 304 U. S. 271; Ct. D. 1345, C. B. 1938-1, 349.)

Sections 187 and 188 of the Code, which refers to the "taxable year" of the partnership, recognizes a partnership as a unit for the purpose of filing returns. These sections do not contemplate that a partnership may terminate its taxable year and thus change its accounting period by the mere act of admitting or retiring a partner, nor that the Commissioner may force a change of accounting period under such circumstances.

* * * * *

Accordingly, it is held that a change in the membership of a partnership resulting from the death, withdrawal, substitution, or addition of a partner, or a shift of interests among existing partners does not, in itself, effect a termination of a partnership for Federal income tax purposes. Ordinarily, a partnership will be treated as continuing where the business of the partnership, or a substantial portion thereof, is continued. The returns of a continuing partnership should continue to be filed on the basis of the annual accounting period previously established by the partnership. * * *

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: November 10, 1953.

NATHAN BASS,
Secretary.

[F. R. Doc. 53-9635; Filed, Nov. 13, 1953; 8:54 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order V-1]

DMO V-1—CREATING AN INTERDEPARTMENTAL MATERIALS ADVISORY COMMITTEE

By virtue of the authority vested in me pursuant to Defense Production Act of 1950 as amended; Executive Order No 10480 of August 15, 1953; Public Law 520, 79th Congress; and Reorganization Plan No. 3, effective June 12, 1953; and in order to facilitate the coordination of Federal policies and programs with respect to the supply of materials to meet the requirements for both current defense activities and readiness for any future national emergency, it is hereby ordered:

1. There is established in the Office of Defense Mobilization an Interdepartmental Materials Advisory Committee which shall consist of the Assistant Director for Materials as Chairman and a representative from each of the following departments and agencies:

Department of Agriculture.
Department of Commerce.
Department of Defense.
Department of the Interior.
Department of State.
Foreign Operations Administration.
General Services Administration.

2. The Interdepartmental Materials Advisory Committee shall advise the Assistant Director for Materials on policies, plans, programs, and problems relating to defense materials which come within his jurisdiction, including:

a. The stockpiling of strategic and critical materials.

b. The content, status, rate of progress, and completion dates of defense materials programs.

c. Changes in program emphasis necessary to meet major problems and objectives.

d. New programs that may be required to improve the supply of defense materials.

3. This order supersedes DPA Administrative Order No. 26–2, and shall become effective immediately.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 53–9707; Filed, Nov. 13, 1953; 11:37 a. m.]

Chapter XXI—Defense Rental Areas Division, Office of Defense Mobilization

[Rent Regulation 1, Amdt. 166 to Schedule A]

[Rent Regulation 2, Amdt. 164 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

MISSOURI

Effective November 13, 1953, Rent Regulation 1 and Rent Regulation 2 are amended so that the item of Schedule A indicated below reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 12th day of November 1953.

GLENWOOD J. SHERRARD,
Director,
Defense Rental Areas Division.

(172) [Revoked and decontrolled.]

These amendments decontrol the following defense-rental area on the initiative of the Director, Defense Rental Areas Division, Office of Defense Mobilization, under section 204 (c) of the act: Fort Leonard Wood (Missouri) Defense-Rental Area.

[F. R. Doc. 53–9665; Filed, Nov. 12, 1953; 3:15 p. m.]

[Rent Regulation 3, Amdt. 156 to Schedule A]

[Rent Regulation 4, Amdt. 100 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

MISSOURI

Effective November 13, 1953, Rent Regulation 3 and Rent Regulation 4 are amended so that the item of Schedule A indicated below reads as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 12th day of November 1953.

GLENWOOD J. SHERRARD,
Director,
Defense Rental Areas Division.

(172) [Revoked and decontrolled.]

These amendments decontrol the following defense-rental area on the initiative of the Director, Defense Rental Area Division, Office of Defense Mobilization, under section 204 (c) of the act: Fort Leonard Wood (Missouri) Defense-Rental Area.

[F. R. Doc. 53–9664; Filed, Nov. 12, 1953; 3:15 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART E—VETERANS' READJUSTMENT ASSISTANCE ACT OF 1952

MISCELLANEOUS AMENDMENTS

Correction

In Federal Register Document 53–9397, appearing at page 7008 of the issue for Friday, November 6, 1953, the signature at the end should read "H. V. Stirling, *Deputy Administrator.*"

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10685]

PART 3—RADIO BROADCAST SERVICES

EXTENSION OF USE OF CERTAIN FREQUENCIES IN TERRITORIES AND POSSESSIONS OF U. S.

In the matter of amendment of § 3.25 of Part 3 of the Commission's rules and regulations (Radio Broadcast Services) to permit more extensive use to be made of certain standard broadcasting frequencies in the territories and possessions of the United States; Docket No. 10685.

1. The Commission has under consideration its notice of proposed rule making issued September 11, 1953 (FCC 53–1162) proposing to amend § 3.25 of its rules to permit more extensive use to be made of certain standard broadcast frequencies in the territories and possessions of the United States.

2. Comments in support of the proposal were filed by William J. Wagner, trading as Alaska Broadcasting Company, licensee of KFQD, Anchorage, KFRB, Fairbanks, KTKN, Ketchikan, KINY, Juneau, KIFW, Sitka, and KIBH, Seward. It was urged that the Commission adopt the instant proposal and to make it effective as soon as possible. No oppositions to the proposal were filed.

3. Authority for the adoption of the amendment herein is contained in sections 4 (i), 303 (a), (b), (c), (d), (f), and (r), and 307 (b) of the Communications Act of 1934, as amended.

4. In view of the foregoing: *It is ordered,* That effective 30 days from publication in the FEDERAL REGISTER, § 3.25 (d) of the Commission's rules and regulations is amended to read as follows:

§ 3.25 *Clear channels: Class I and II stations.* * * *

(d) In continental United States, for Class II stations which operate daytime only with power not in excess of 1 kilowatt and which will not deliver over 5 microvolts per meter groundwave at any point on the Mexican border, and in Alaska, Hawaii, Puerto Rico, and the Virgin Islands, for Class II stations which will not deliver over 5 microvolts per meter groundwave or 25 microvolts per meter 10 percent time skywave at any point on the said border: 730, 800, 900, 1050,[6] 1220[7] and 1570 kilocycles.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended, sec. 307, 48 Stat. 1084; 47 U. S. C. 303, 307)

Adopted: November 5, 1953.

Released: November 9, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53–9604; Filed, Nov. 13, 1953; 8:48 a. m.]

[Docket No. 10688]

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS FOR TELEVISION BROADCAST STATIONS

In the matter of amendment of § 3.606 *Table of assignments,* rules governing television broadcast stations; Docket No. 10688.

1. The Commission has under consideration its notice of proposed rule making issued on September 11, 1953 (FCC 53–1174), and published in the FEDERAL REGISTER on September 17, 1953 (18 F. R. 5572), proposing to assign additional channels in a number of communities.

2. The time for filing comments in the above-entitled proceeding expired October 13, 1953. No comments have been filed opposing any of the proposed assignments with the exception of Channel 70 proposed for Lexington, Kentucky.

3. The University of Kentucky filed a comment requesting that the proposed assignment of Channel 70 to Lexington, Kentucky, be reserved for use by a noncommercial educational television station. The University states that while it will be adequately served for the time being by commercial television operations, "It is conceivable * * * that future needs and conditions may dictate a re-evaluation of [its] position and indicate the desirability of [its] own educational television station." Therefore,

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[6] See North American Regional Broadcasting Agreement, Havana, 1937 (Appendix I, Table IV).

[7] See agreement with Mexico for further use of this channel.

the University desires that it have a frequency available for such future use. It is pointed out that Lexington presently has two channels available for commercial operations, and it is urged that the channel to be added should therefore be made available for educational use.

4. The purpose for the assignment of additional channels to Lexington and the other communities in this proceeding, as stated in our notice of proposed rule making of September 11, 1953, was to make possible the affording of television service to large portions of the country as soon as possible. Reserving the additional channel to be assigned to Lexington, however, would not accomplish this desired result. The Commission in any event is of the view that the University has not made a sufficient showing warranting the reservation of a channel at this time. We are, therefore, of the view that the request of the University of Kentucky should be denied. However it is pointed out that additional channels are available for assignment in Lexington and that the Commission will reconsider the reservation of a channel for educational use upon an appropriate showing.

5. Bluegrass Broadcasting Company, Inc., an applicant for a construction permit on one of the presently assigned television channels in Lexington, has filed a comment in this proceeding requesting that Channel 15 or 18 be assigned to Lexington in addition to Channel 70 as proposed in this proceeding. This assignment could be accomplished by shifting Channel 15 from Louisville, Kentucky, to Lexington, and substituting Channel 69 in Louisville, or by shifting Channel 18 from Gallipolis, Ohio, to Lexington and substituting Channel 72 in Gallipolis. It is urged that the additional assignment as proposed by Bluegrass would comply fully with the Commission's minimum assignment spacing requirements. It is noted that no applications have been filed for either Channel 15 in Louisville or Channel 18 in Gallipolis. On the other hand, it is pointed out that there are two applications pending for each of the two presently assigned channels in Lexington. The addition of only one more channel to Lexington as proposed by the Commission in the subject proceeding would mean that a comparative hearing would still be required since four applicants would be seeking three channels. Bluegrass submits that if its proposal is adopted, a comparative hearing in Lexington may be averted.

6. It is the Commission's view that the Bluegrass proposal to add a fourth assignment for Lexington has merit. Accordingly, the Commission, in addition to the assignment of Channel 70 as proposed in this proceeding, is also adding Channel 18 to Lexington, Kentucky. The proposal to accomplish this assignment by substituting Channel 72 for Channel 18 in Gallipolis is preferred since the proposal to assign Channel 15 to Lexington by substituting Channel 69 for Channel 15 in Louisville involves an adjacent channel spacing only 2 miles above the minimum.

7. Authority for the adoption of the amendment herein is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

8. In view of the foregoing: *It is ordered*, That effective 30 days from publication in the FEDERAL REGISTER, the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is amended as follows:

City	*Channel No.*
Arkansas:	
Fort Smith	5−, *16, 22, 39
California:	
El Centro	16, 56
Merced	34−, 66
Modesto	14+, 58
Stockton	13+, 36, *42, 64
Florida:	
Clearwater	32+, 50
Daytona Beach	2−, 53
Orlando	6−, 9, 18, *24−, 47
Indiana:	
Terre Haute	10, *57+, 63−, 73+
Iowa:	
Ottumwa	15+, 63
Waterloo	7+, 16−, *22−, 46+
Kentucky:	
Lexington	18+, 27−, 64, 70+
Paducah	6+, 43, 72
Louisiana:	
Alexandria	5, 62+, 74
Bogalusa	69, 78
Lake Charles	7−, *19, 25, 60+
Maryland:	
Cumberland	17+, 30−
Hagerstown	52, 68+
Missouri:	
Cape Girardeau	12, 18+, 69
North Carolina:	
Asheville	13−, *56−, 62+, 78
Durham	11+, *40−, 46+, 73−
Fayetteville	18−, 54−
Goldsboro	34, 72
Oregon:	
Klamath Falls	2−, 17
Salem	3+, *18−, 24+, 66
Ohio:	
Gallipolis	72
South Carolina:	
Charleston	2+, 5+, *13, 17+
Florence	8−, 60
Spartanburg	7+, 17−, 74−
Texas:	
Big Spring	4−, 34+
Tyler	7, 19−, 72
Washington:	
Wenatchee	*45, 55, 67
West Virginia:	
Beckley	6−, 21, 66
Clarksburg	12+, 22, 69−
Wisconsin:	
Green Bay	2+, 6, 70+
La Crosse	8+, *32+, 38−, 72

Change the offset carrier requirements only as follows:

City	Channel No.	
	From−	To−
Red Wing, Minn.	63	63−
Duncan, Okla.	39	39−
Aiken, S. C.	54−	54

9. *It is further ordered*, That § 3.606 (b) is revised to include the amendments adopted this date as well as all outstanding amendments.

(b) *Table of assignments.*

City	*Channel No.*
Alabama:	
Andalusia	29
Anniston	70+
Auburn	*56
Bessemer	54
Birmingham	6−, *10−, 13−, 42+, 48
Brewton	23+,
Alabama—Continued	
Clanton	14
Cullman	60+
Decatur	23−
Demopolis	18
Dothan	9+, 19−
Enterprise	40+
Eufaula	44
Florence	41
Fort Payne	19
Gadsden	15+, 21+
Greenville	49−
Guntersville	40−
Huntsville	31+
Jasper	17
Mobile	5+, 10+, *42, 48+
Montgomery	12, 20, *26+, 32
Opelika	22−
Selma	58+
Sheffield	47−
Sylacauga	24−
Talladega	64
Thomasville	27−
Troy	38−
Tuscaloosa	45, 51−
Tuskegee	16−
University	*7
Arizona:	
Ajo	14−
Bisbee	15
Casa Grande	18−
Clifton	25−
Coolidge	30+
Douglas	3−
Eloy	24
Flagstaff	9, 13
Globe	34+
Holbrook	14
Kingman	6−
Mesa	12−
Miami	28+
Morenci	31
Nogales	17−
Phoenix	3+, 5−, *8+, 10−
Prescott	15
Safford	21
Tucson	4−, *6+, 9−, 13−
Williams	25
Winslow	16−
Yuma	11−, 13+
Arkansas:	
Arkadelphia	34+
Batesville	30−
Benton	40
Blytheville	64+, 74
Camden	50
Conway	62
El Dorado	10−, 26−
Fayetteville	*13−, 41−
Forrest City	22+
Fort Smith	5−, *16, 22, 39
Harrison	24
Helena	54−
Hope	15−
Hot Springs	9+, 52+
Jonesboro	8, 39+
Little Rock	*2−, 4, 11+, 17−, 23+
Magnolia	28+
Malvern	46
Morrilton	43−
Newport	28
Paragould	58−
Pine Bluff	7−, 36
Russellville	19
Searcy	33
Springdale	35−
Stuttgart	14+
California:	
Alturas	9
Bakersfield	10−, 29
Brawley	25+
Chico	12−
Corona	52
Delano	37+
El Centro	16, 56
Eureka	3−, 13−
Fresno	12+, *18−, 24, 47, 53
Hanford	21
Los Angeles	2, 4, 5, 7, 9, 11, 13, 22, *28, 34
Madera	30+
Merced	34−

California—Continued	Channel No.
Modesto	14+
Monterey. (*See* Salinas.)	
Napa	62
Oakland. (*See* San Francisco.)	
Oxnard	32
Palm Springs	14
Petaluma	56
Port Chicago	15
Porterville	55
Red Bluff	16
Redding	7
Riverside	40, 46
Sacramento	3, *6, 10, 40−, 46+
Salinas-Monterey	8+, 28−
San Bernardino	18, *24−, 30
San Buenaventura	38−
San Diego	8, 10, *15+, 21−, 27, 33, 39
San Francisco-Oakland	2+, 4−, 5+ 7−, *9+, 20−, 26−, 32+, 38, 44−
San Jose	11+, 48, *54, 60
San Luis Obispo	6+
Santa Barbara	3−, 20, 26
Santa Cruz	16
Santa Maria	44
Santa Paula	16+
Santa Rosa	50
Stockton	13+, 36, *42, 64
Tulare	27+
Ukiah	18
Visalia	43, 49
Watsonville	22−
Yreka City	11
Yuba City	52−
Colorado:	
Alamosa	19+
Boulder	*12, 22+
Canon City	36
Colorado Springs	11, 13, *17+, 23+
Craig	19
Delta	24−
Denver	2, 4−, *6−, 7, 9−, 20, 26+
Durango	6+, 15
Fort Collins	44+
Fort Morgan	15+
Grand Junction	5−, 21+
Greeley	50
La Junta	24
Lamar	18−
Leadville	14+
Longmont	32
Loveland	38
Montrose	10+, 18
Pueblo	3−, 5, *8, 28−, 34−
Salida	25
Sterling	25−
Trinidad	21−
Walsenburg	30−
Connecticut:	
Bridgeport	43−, 49−, *71
Hartford	3+, 18−, *24
Meriden	65−
New Britain	30+
New Haven	8+, 59+
New London	26+, 81
Norwalk. (*See* Stamford.)	
Norwich	57+, *63−
Stamford-Norwalk	27
Waterbury	53
Delaware:	
Dover	40
Wilmington	12, *59−, 83+
District of Columbia:	
Washington	4−, 5−, 7+, 9−, 20+, *26−, 50−
Florida:	
Belle Glade	25−
Bradenton	28−
Clearwater	32+, 50
Daytona Beach	2−, 53
De Land	44+
Fort Lauderdale	17−, 23−
Fort Myers	11+
Fort Pierce	19
Gainesville	*5−, 20+
Jacksonville	4+, *7, 12−, 30+, 36−
Key West	14+, 20
Lake City	33+
Lakeland	16+, 22+
Lake Wales	14

Florida—Continued	Channel No.
Leesburg	26−
Marianna	17+
Melbourne	37−
Miami	*2, 4, 7−, 10+, 27+, 33
Ocala	15+
Orlando	6−, 9, 18, *24−, 47
Palatka	17
Panama City	7+, *30, 36+
Pensacola	3−, 15−, *21, 46
Quincy	54+
St. Augustine	25+
St. Petersburg. (*See* Tampa.)	
Sanford	35+
Sarasota	34+
Tallahassee	*11−, 24, 51
Tampa-St. Petersburg	*3, 8−, 13−, 38
West Palm Beach	5, 12, *15, 21+
Georgia:	
Albany	10, 25
Americus	31
Athens	*8, 60−
Atlanta	2, 5−, 11+, *30, 36
Augusta	6+, 12+
Bainbridge	35−
Brunswick	28+, 34−
Cairo	45+
Carrollton	33
Cartersville	63−
Cedartown	53−
Columbus	4, 28, *34
Cordele	43
Dalton	25+
Douglas	32−
Dublin	15
Elberton	24+
Fitzgerald	23
Fort Valley	18+
Gainesville	52
Griffin	39+
La Grange	50
Macon	*41+, 47+
Marietta	57+
Milledgeville	51+
Moultrie	48−
Newnan	61+
Rome	9, 59
Savannah	3+, *9−, 11
Statesboro	22
Swainsboro	20−
Thomasville	6, 27
Tifton	14−
Toccoa	35
Valdosta	37+
Vidalia	26
Warner Robins	13+
Waycross	16
Idaho:	
Blackfoot	33
Boise	*4+, 7, 9−
Burley	15−
Caldwell	2
Coeur d'Alene	12−
Emmett	26−
Gooding	23
Idaho Falls	3, 8+
Jerome	17
Kellogg	33−
Lewiston	3−
Moscow	*15
Nampa	6, 12+
Payette	14+
Pocatello	6−, 10
Preston	41
Rexburg	27+
Rupert	21
Sandpoint	9+
Twin Falls	11, 13−
Wallace	27−
Weiser	20−
Illinois:	
Alton	48
Aurora	16
Belleville	54+
Bloomington	15−
Cairo	24−
Carbondale	34, *61−
Centralia	32+, 59+
Champaign-Urbana	3+, *12−, 21, 27, 33

Illinois—Continued	Channel No.
Chicago	2−, 5, 7, 9+, *11, 20, 26, 32, 38, 44
Danville	24
Decatur	17, 23+
De Kalb	*67
Dixon	47+
Elgin	28+
Freeport	23
Galesburg	40−
Harrisburg	22
Jacksonville	29
Joliet	48+
Kankakee	14
Kewanee	60−
La Salle	35
Lincoln	53+
Macomb	61+
Marion	40
Mattoon	46−
Moline. (*See* Davenport, Iowa.)	
Mt. Vernon	38−
Olney	16−
Pekin	69+
Peoria	8, 19, *37−, 43+
Quincy	10−, 21+
Rockford	13+, 39+, *45+
Rock Island. (*See* Davenport, Iowa.)	
Springfield	2+, 20+, *66+
Streator	65−
Urbana. (*See* Champaign.)	
Vandalia	28−
Waukegan	22+
Indiana:	
Anderson	61
Angola	15+
Bedford	68
Bloomington	4, *30−, 36
Columbus	42−
Connersville	38+
Elkhart	52
Evansville	7, 50−, *56, 62
Fort Wayne	*27+, 33−, 69
Gary	50, *66
Hammond	56−
Hatfield*	9+
Indianapolis	6, 8−, 13−, *20−, 26+, 67−
Jasper	19+
Kokomo	31
Lafayette	47, 59
Lebanon	18
Logansport	51
Madison	25−
Marion	29+
Michigan City	62+
Muncie	49, 55+, *71
Princeton	52+
Richmond	32−
Shelbyville	58+
South Bend	34−, *40+, 46
Tell City	31−
Terre Haute	10, *57+, 63−, 73+
Vincennes	44+
Washington	60+
Iowa:	
Algona	37+
Ames	5, 25−
Atlantic	45−
Boone	19−
Burlington	32−, 38+
Carroll	39
Cedar Rapids	2, 9−, 20−, *26+
Centerville	31−
Charles City	18−
Cherokee	14
Clinton	64
Creston	43
Davenport-Rock Island-Moline, Ill.	4+, 6+, *30+, 36+, 42−
Decorah	44+
Des Moines	8−, *11+, 13−, 17+, 23−
Dubuque	56+, 62−
Estherville	24+
Fairfield	54

* This assignment is made subject to such action as the Commission may take in the light of the final decision of the courts on the Petition for Review filed by the Logansport Broadcasting Company (C. A. D. C. Case No. 11601).

Iowa—Continued	Channel No.
Fort Dodge	21
Fort Madison	50+
Grinnell	71
Iowa City	*12+, 24−
Keokuk	44−
Knoxville	33−
Marshalltown	49
Mason City	3+, 35−
Muscatine	58
Newton	65+
Oelwein	28
Oskaloosa	52+
Ottumwa	15+, 63
Red Oak	32+
Shenandoah	20+
Sioux City	4−, 9, *30, 36−
Spencer	42+
Storm Lake	34+
Waterloo	7+, 16−, *22−, 46+
Webster City	27
Kansas:	
Abilene	31+
Arkansas City	49
Atchison	60+
Chanute	50−
Coffeyville	33−
Colby	22−
Concordia	47−
Dodge City	6+, 23
El Dorado	55+
Emporia	39−
Fort Scott	27
Garden City	9, 11+
Goodland	31
Great Bend	2, 28
Hays	7−, 20−
Hutchinson	12, 18
Independence	20
Iola	44+
Junction City	29+
Larned	15−
Lawrence	*11, 17−
Leavenworth	54−
Liberal	14
McPherson	26−
Manhattan	*8, 23+
Newton	14+
Olathe	52−
Ottawa	21−
Parsons	46−
Pittsburg	7+, 38−
Pratt	36+
Salina	34
Topeka	13+, 42, *48+
Wellington	24−
Wichita	3−, 10−, 16−, *22+
Winfield	43+
Kentucky:	
Ashland	59−
Bowling Green	13, 17+
Campbellsville	40+
Corbin	16
Danville	35+
Elizabethtown	23
Frankfort	43−
Glasgow	28+
Harlan	73+
Hazard	19−
Hopkinsville	20
Lexington	18+, 27−, 64, 70+
Louisville	3−, 11+, *15, 21−, 41−, 51−
Madisonville	26
Mayfield	63
Maysville	24+
Middlesborough	57, 63+
Murray	33−
Owensboro	14−
Paducah	6+, 43, 72
Pikeville	14−
Princeton	45−
Richmond	60
Somerset	29−
Winchester	37+
Louisiana:	
Abbeville	27+
Alexandria	5, 62+, 74
Bastrop	53+
Baton Rouge	2, 28, *34, 40−
Bogalusa	69, 78
Crowley	21+

Louisiana—Continued	Channel No.
De Ridder	14
Eunice	64−
Franklin	46+
Hammond	57
Houma	30+
Jackson	18−
Jennings	48
Lafayette	10, 38−, 67−
Lake Charles	7−, *19, 25, 60+
Minden	30
Monroe	8+, 43+
Morgan City	36+
Natchitoches	17+
New Iberia	15+
New Orleans	4+, 6+, *8, 20−, 26, 32+, 61
Oakdale	54+
Opelousas	58
Ruston	20
Shreveport	3−, 12
Thibodaux	24
Winnfield	22−
Maine:	
Auburn	23+
Augusta	10−, 29+
Bangor	2−, 5+, *16−
Bar Harbor	22−
Bath	65
Belfast	41−
Biddeford	59
Calais	7, 20−
Dover-Foxcroft	18+
Fort Kent	17+
Houlton	24
Lewiston	8−, 17
Millinocket	14+
Orono	*12−
Portland	6+, 13+, *47−, 53+
Presque Isle	8, 19
Rockland	25−
Rumford	55−
Van Buren	15−
Waterville	35+
Maryland:	
Annapolis	14−
Baltimore	2+, 11−, 13+, 18, *24+, 60−
Cambridge	22+
Cumberland	17+, 30−
Frederick	62+
Hagerstown	52, 68+
Salisbury	16+
Massachusetts:	
Amherst	*82
Barnstable	52
Boston	*2+, 4−, 5−, 7+, 44+, 50−, 56
Brockton	62
Fall River	46−, 68
Greenfield	58−
Holyoke. (*See* Springfield.)	
Lawrence	72
Lowell	32+
New Bedford	28−, 34+
North Adams	74+, *80
Northampton	36+
Pittsfield	64+
Springfield-Holyoke	55, 61
Worcester	14, 20
Michigan:	
Alma	41+
Alpena	9+, 30−
Ann Arbor	20+, *26−
Bad Axe	46−
Battle Creek	58−, 64−
Bay City	5−, 63−, *73+
Benton Harbor	42
Big Rapids	39
Cadillac	13−, 45
Calumet	13+
Cheboygan	4+, 36+
Coldwater	24−
Detroit	2+, 4, 7−, 50−, *56, 62
East Lansing	60+
East Tawas	25−
Escanaba	3+
Flint	12−, 16−, *22−, 28
Gladstone	40−
Grand Rapids	8+, *17+, 23−
Hancock	10−
Houghton	19
Iron Mountain	9, 27

Michigan—Continued	Channel No.
Iron River	12−
Ironwood	31−
Jackson	48
Kalamazoo	3−, 36−
Lansing	6−, 54
Ludington	18+
Manistee	15−
Manistique	14+
Marquette	5+, 17
Midland	19+
Mount Pleasant	47−
Muskegon	29−, 35+
Petoskey	31
Pontiac	44+
Port Huron	34+
Rogers City	24
Saginaw	51−, 57
Sault Ste. Marie	8, 10+, 28−, *34
Traverse City	7+, 20−, *26+
West Branch	21
Minnesota:	
Albert Lea	57−
Alexandria	36
Austin	6−, 51+
Bemidji	24−
Brainerd	12
Cloquet	44
Crookston	21−
Detroit Lakes	18+
Duluth-Superior, Wis.	3, 6+, *8−, 32, 38
Ely	16
Fairmont	40+
Faribault	20
Fergus Falls	16−
Grand Rapids	20−
Hastings	29+
Hibbing	10+
International Falls	11
Little Falls	14+
Mankato	15−
Marshall	22+
Minneapolis-St. Paul	*2−, 4, 5−, 9+, 11−, 17, 23+
Montevideo	19
New Ulm	43−
Northfield	26
Owatonna	45
Red Wing	63−
Rochester	10, 55−
St. Cloud	7, 33
St. Paul. (*See* Minneapolis.)	
Stillwater	39−
Thief River Falls	15
Virginia	26+
Wadena	27+
Willmar	31+
Winona	61
Worthington	32
Mississippi:	
Biloxi	13, *44+, 50−
Brookhaven	37+
Canton	16
Clarksdale	6, 32
Columbia	35+
Columbus	4−, 28−
Corinth	29−
Greenville	21−, 27
Greenwood	24+
Grenada	15
Gulfport	56−
Hattiesburg	9−, 17−
Jackson	3+, 12+, *19+, 25−, 47
Kosciusko	52−
Laurel	33−
Louisville	46−
McComb	31−
Meridian	11, 30−, *36−
Natchez	29+
Pascagoula	22
Picayune	14−
Starkville	34−
State College	*2+
Tupelo	38
University	*20+
Vicksburg	41+
West Point	56+
Yazoo City	49
Missouri:	
Cape Girardeau	12, 18+, 69
Carthage	56−

Missouri—Continued	Channel No.
Caruthersville	27—
Chillicothe	14—
Clinton	49—
Columbia	8+, 16+, 22—
Farmington	52
Festus	14+
Fulton	24+
Hannibal	7—, 27+
Jefferson City	13, 33+
Joplin	12+, 30+
Kansas City	4, 5+, 9+, *19+, 25+, 65
Kennett	21
Kirksville	3—, 18
Lebanon	23
Marshall	40+
Maryville	26
Mexico	45
Moberly	35+
Monett	14
Nevada	18—
Poplar Bluff	15+
Rolla	46
St. Joseph	2—, 30—, *36
St. Louis	4—, 5—, *9, 11—, 30, 36—, 42+
Sedalia	6—, 28+
Sikeston	37
Springfield	3+, 10, *26+, 32
West Plains	20—
Montana:	
Anaconda	2+
Billings	2, 8, *11
Bozeman	*9, 22—
Butte	4, 6+, *7—, 15+
Cut Bank	20+
Deer Lodge	25+
Dillon	20
Glasgow	16
Glendive	18—
Great Falls	3+, 5+, *23—
Hamilton	17+
Hardin	4+
Havre	9+, 11+
Helena	10+, 12
Kalispell	8—
Laurel	14+
Lewistown	13
Livingston	16—
Miles City	3—, *6, 10
Missoula	*11—, 13—, 21+
Polson	18
Red Lodge	18+
Shelby	14—
Sidney	14
Whitefish	16+
Wolf Point	20—
Nebraska:	
Alliance	13—, 21
Beatrice	40
Broken Bow	14—
Columbus	49+
Fairbury	35
Falls City	38
Fremont	52
Grand Island	11—, 21+
Hastings	5—, 27—
Kearney	13, 19
Lexington	23—
Lincoln	10+, 12—, *18+, 24
McCook	8—, 17
Nebraska City	50
Norfolk	33+
North Platte	2—, 4+
Omaha	3, 6+, 7, *16, 22, 28—
Scottsbluff	10—, 16+
York	15
Nevada:	
Boulder City	4+
Carlin	14
Carson City	37
Elko	10—
Ely	3—, 6+
Fallon	29—
Goldfield	5—
Hawthorne	31
Henderson	2—
Las Vegas	8—, *10+, 13—
Lovelock	18+
McGill	8+
Reno	4, 8, *21+, 27—

Nevada—Continued	Channel No.
Tonopah	9—
Winnemucca	7+
Yerington	33
New Hampshire:	
Berlin	26
Claremont	37
Concord	27+
Durham	*11
Hanover	*21+
Keene	45—
Laconia	43
Littleton	24—
Manchester	9—, 48+
Nashua	54
Portsmouth	19+
Rochester	51
New Jersey:	
Andover	*69
Asbury Park	58
Atlantic City	46, 52+
Bridgeton	64—
Camden	*80
Freehold	*74
Hammonton	*70
Montclair	*77
Newark	13—
New Brunswick	*19—, 47+
Paterson	37+
Trenton	41+
Wildwood	48—
New Mexico:	
Alamogordo	17
Albuquerque	4+, *5+, 7+, 13+
Artesia	21+
Atrisco-Five Points	18+
Belen	24+
Carlsbad	6—, 23
Clayton	27—
Clovis	12+, 35
Deming	14+
Farmington	17—
Gallup	3, *8—, 10
Hobbs	46
Hot Springs	19
Las Cruces	22—
Las Vegas	14—
Lordsburg	23+
Los Alamos	20—
Lovington	27
Portales	22+
Raton	46—, *52
Roswell	*3+, 8, 10—
Santa Fe	2+, *9+, 11—
Silver City	*10+, 12
Socorro	15+
Tucumcari	25+
New York:	
Albany-Schenectady-Troy	6, *17+, 23—, 41
Amsterdam	52—
Auburn	37—
Batavia	33—
Binghamton	12—, 40—, *46+
Buffalo (*also see* Buffalo-Niagara Falls)	17, *23
Buffalo-Niagara Falls	2, 4—, 7+, 59
Cortland	56+
Dunkirk	46
Elmira	18+, 24—
Glens Falls	39+
Gloversville	29—
Hornell	50
Ithaca	*14+, 20—
Jamestown	58+
Kingston	66—
Lake Placid	5
Malone	20+, *66
Massena	14—
Middletown	60
New York	2—, 4, 5+, 7, 9+, 11+, *25, 31—
Niagara Falls. (*See* Buffalo-Niagara Falls.)	
Ogdensburg	24+
Olean	54+
Oneonta	62—
Oswego	31
Patchogue	75
Plattsburg	28+

New York—Continued	Channel No.
Poughkeepsie	21—, *83
Rochester	5—, 10+, 15—, *21, 27+
Rome. (*See* Utica.)	
Saranac Lake	18
Schenectady (*also see* Albany)	35
Syracuse	3—, 8, *43+
Troy. (*See* Albany.)	
Utica-Rome	13, 19, *25+
Watertown	48
North Carolina:	
Ahoskie	53
Albemarle	20
Asheville	13—, *56—, 62+, 78
Burlington	63
Burnsville	18
Chapel Hill	*4+
Charlotte	3, 9+, 36+, *42+
Durham	11+, *40—, 46+, 73—
Elizabeth City	31+
Fayetteville	18—, 54—
Gastonia	48
Goldsboro	34, 72
Greensboro	2—, *51—, 57—
Greenville	9
Henderson	52—
Hendersonville	27
Hickory	30—
High Point	15+
Jacksonville	16
Kannapolis	59+
Kinston	45
Laurinburg	41—
Lumberton	21+
Mount Airy	55
New Bern	13—
Raleigh	5, *22—, 28—
Roanoke Rapids	30+
Rocky Mount	50+
Salisbury	80
Sanford	38
Shelby	39
Southern Pines	49
Statesville	64—
Washington	7
Wilmington	3—, 6, 29—, *35+
Wilson	56
Winston-Salem	12, 26+, *32—
North Dakota:	
Bismarck	5, 12—, 18, *24
Bottineau	16+
Carrington	26—
Devils Lake	8+, 14—
Dickinson	2+, 4, *17
Fargo	6, 13—, *34—, 40
Grafton	17
Grand Forks	*2, 10
Harvey	22+
Jamestown	7—, 42
Lisbon	23
Minot	*6+, 10—, 13+
New Rockford	20+
Rugby	38—
Valley City	4—, 32—
Wahpeton	45+
Williston	8—, 11—, *34+
Ohio:	
Akron	49+, *55—, 61+
Ashtabula	15
Athens	62—
Bellefontaine	63
Bowling Green	*70
Cambridge	23
Canton	29
Chillicothe	56+
Cincinnati	5—, 9, 12, *48—, 54—, 74—
Cleveland	3, 5+, 8, 19, *25+, 65+
Columbus	4—, 6+, 10+, *34, 40—
Coshocton	20
Dayton	2, 7+, *16+, 22+
Defiance	43
Findlay	53
Fremont	59+
Gallipolis	72
Hamilton-Middletown	65
Lancaster	28—
Lima	35—, 73
Lorain	31—
Mansfield	36+
Marion	17—

Ohio—Continued	Channel No.
Massillon	23+
Middletown. (*See* Hamilton.)	
Mount Vernon	58
Newark	60—
Oxford	*14+
Piqua	44—
Portsmouth	30
Sandusky	42+
Springfield	52—, 76
Steubenville. (*See* Wheeling, W. Va.)	
Tiffin	47+
Toledo	11—, 13, *30+
Warren	67+
Youngstown	21—, 27, 73—
Zanesville	50+
Oklahoma:	
Ada	10+, 50+
Altus	36
Alva	30
Anadarko	58—
Ardmore	12—, 55—
Bartlesville	62—
Blackwell	51—
Chickasha	64
Claremore	15
Clinton	32—
Duncan	39—
Durant	27—
Elk City	15+, 26+
El Reno	56+
Enid	5, 21, *27+
Frederick	44
Guthrie	48
Guymon	20+
Hobart	23+
Holdenville	14—
Hugo	21+
Lawton	7+, *28+, 34—
McAlester	47
Miami	58+
Muskogee	8—, *45+, 66+
Norman	31—, *37—
Oklahoma City	4—, 9—, *13, 19+, 25—
Okmulgee	26
Pauls Valley	61
Ponca City	40—
Pryor Creek	54
Sapulpa	42—
Seminole	59
Shawnee	53—
Stillwater	29—, *69
Tulsa	2+, 6, *11—, 17+, 23
Vinita	28—
Woodward	8+
Oregon:	
Albany	55+
Ashland	14—
Astoria	30—
Baker	37+
Bend	15—
Burns	16
Corvallis	*7—, 49—
Eugene	*9+, 13, 20+, 26
Grants Pass	30
Klamath Falls	2—, 17
La Grande	13+
Lebanon	43+
McMinnville	46—
Medford	5
North Bend	16+
Pendleton	28
Portland	6+, 8—, *10, 12, 21—, 27+
Roseburg	4+, 28+
Salem	3+, *18—, 24+, 66
Springfield	37—
The Dalles	32
Pennsylvania:	
Allentown	39, 67
Altoona	10—, 19+, 25—
Bethlehem	51—
Bradford	70—
Butler	43—
Chambersburg	46—
Du Bois	31+
Easton	57—
Emporium	42—
Erie	12, 35+, *41—, 66+
Harrisburg	27—, 55+, 71+

Pennsylvania—Continued	Channel No.
Hazleton	63
Irwin	4+
Johnstown	6, 56—
Lancaster	8—, 21+
Lebanon	15+
Lewistown	38
Lock Haven	32—
Meadville	37
New Castle	45—
Oil City	64
Philadelphia	3, 6—, 10, 17—, 23+, 29, *35—
Pittsburgh	2—, 11, *13—, 16, 47—, 53+
Reading	33+, 61—
Scranton	16—, 22—, 73
Sharon	39+
State College	*44
Sunbury	65
Uniontown	14
Washington	63+
Wilkes-Barre	28, 34
Williamsport	36—
York	43, 49
Rhode Island:	
Providence	10+, 12+, 16, *22
South Carolina:	
Aiken	54
Anderson	40, 58—
Camden	14
Charleston	2+, 5+, *13, 17+
Clemson	*68
Columbia	10—, *19+, 25—, 67+
Conway	23—
Florence	8—, 60
Georgetown	27—
Greenville	4—, 23+, *29
Greenwood	21—
Lake City	55+
Lancaster	31—
Laurens	45—
Marion	43—
Newberry	70
Orangeburg	44—
Rock Hill	61—
Spartanburg	7+, 17—, 74—
Sumter	47
Union	65—
South Dakota:	
Aberdeen	9—, 17+
Belle Fourche	23+
Brookings	*8, 25
Hot Springs	17+
Huron	12+, 15+
Lead	5—, 26
Madison	46
Mitchell	5+, 20—
Mobridge	27—
Pierre	6—, 10+, *22+
Rapid City	7+, 15—
Sioux Falls	11, 13+, 38+, *44—
Sturgis	20
Vermillion	*2+, 41
Watertown	3—, 35+
Winner	18—
Yankton	17—
Tennessee:	
Athens	14+
Bristol, Tenn.-Bristol, Va.	5+, 46—
Chattanooga	3+, 12—, 43+, 49+, *55—
Clarksville	53
Cleveland	38+
Columbia	39—
Cookeville	24
Covington	19—
Dyersburg	46+
Elizabethton	22+
Fayetteville	27+
Gallatin	48+
Harriman	67
Humboldt	25
Jackson	9—, 16+
Johnson City	11—, 34+
Kingsport	28
Knoxville	6, 10+, *20+, 26—
Lawrenceburg	50+
Lebanon	58
McMinnville	46
Maryville	51
Memphis	3, 5+, *10+, 13+, 42—, 48—
Morristown	54+
Murfreesboro	18—

Tennessee—Continued	Channel No.
Nashville	*2—, 4+, 8+, 30+, 36+
Oak Ridge	32+
Old Hickory	5
Paris	51+
Pulaski	44—
Shelbyville	62—
Springfield	42
Tullahoma	68—
Union City	55
Texas:	
Abilene	9+, 33—
Alice	34+
Alpine	12—
Amarillo	*2—, 4, 7, 10
Athens	25+
Austin	7+, 18—, 24, *70—
Ballinger	25
Bay City	33
Beaumont-Port Arthur	4—, 6—, 31+, *37
Beeville	38—
Big Spring	4—, 34+
Bonham	43
Borger	33
Brady	15—
Breckenridge	14+
Brenham	52—
Brownfield	15
Brownsville (*also see* Brownsville-Harlingen-Weslaco)	36
Brownsville-Harlingen-Weslaco [1]	4+, 5—
Brownwood	19
Bryan	54—
Childress	40
Cleburne	57
Coleman	21—
College Station	*3+, 48—
Conroe	20+
Corpus Christi	6+, 10—, *16+, 22, 43
Corsicana	47+
Crockett	56
Crystal City	28+
Cuero	25—
Dalhart	16
Dallas	4+, 8, *13+, 23, 29, 73
Del Rio	16—
Denison	52
Denton	*2, 17
Eagle Pass	26
Edinburg	26—
El Campo	27
El Paso	4, *7, 9, 13, 20+, 26+
Falfurrias	52
Floydada	45
Fort Stockton	22
Fort Worth	5+, 11—, 20—, *26—
Gainesville	49—
Galveston	11+, 35—, 41—, *47—
Gonzales	64+
Greenville	69—
Harlingen (*also see* Brownsville-Harlingen-Weslaco)	23
Hebbronville	58
Henderson	42+
Hereford	19—
Hillsboro	63
Houston	2—, *8—, 13—, 23+, 29—, 39—
Huntsville	15
Jacksonville	36—
Jasper	49+
Kermit	14
Kilgore	59—
Kingsville	40
Lamesa	28
Lampasas	40—
Laredo	8, 13, *15+
Levelland	38—
Littlefield	32
Longview	32, 38+
Lubbock	5—, 11, 13—, *20, 26
Lufkin	9, 46—
McAllen	20—
McKinney	65—
Marfa	19+
Marshall	16—

[1] These assignments may be utilized in any community lying within the area of the triangle formed by Brownsville, Harlingen and Weslaco.

Texas—Continued	Channel No.
Mercedes	32
Mexia	50—
Midland	2+, 18
Mineral Wells	38
Mission	14
Monahans	9—
Mount Pleasant	35
Nacogdoches	40+
New Braunfels	62—
Odessa	7—, 24—
Orange	43—
Pampa	17—
Paris	33+
Pearsall	31
Pecos	16+
Perryton	22
Plainview	29+
Port Arthur. (*See* Beaumont.)	
Quanah	42
Raymondville	42
Rosenberg	17—
San Angelo	3—, 8+, 17+, *23—
San Antonio	4, 5, *9—, 12+, 35+, 41+
San Benito	48
San Marcos	53+
Seguin	14—
Seymour	24+
Sherman	46+
Snyder	30+
Stephenville	32+
Sulphur Springs	41
Sweetwater	12
Taylor	58+
Temple	6, 16, 22+
Terrell	53
Texarkana	6+, *18, 24—
Tyler	7, 19—, 72
Uvalde	20
Vernon	18+
Victoria	19+
Waco	10+, *28—, 34
Waxahachie	45—
Weatherford	51
Weslaco. (*See* Brownsville-Harlingen-Weslaco.)	
Wichita Falls	3, 6—, *16+, 22—
Utah:	
Brigham	36—
Cedar City	5
Logan	12—, 30, *46
Ogden	9+, *18—, 24
Price	6
Provo	11+, 22, *28
Richfield	13+
St. George	18+
Salt Lake City	2—, 4— 5+, *7—, 20+, 26
Tooele	44
Vernal	3+
Vermont:	
Bennington	33
Brattleboro	77+
Burlington	*16+, 22+
Montpelier	3, 40
Newport	46
Rutland	49+
St. Albans	34—
St. Johnsbury	30
Virginia:	
Blacksburg	*60+
Bristol. (*See* Bristol, Tenn.)	
Charlottesville	*45+, 64+
Covington	44+
Danville	24—
Emporia	25+
Farmville	19
Fredericksburg	47
Front Royal	39—
Harrisonburg	3—, 34—
Lexington	54
Lynchburg	13, 16—
Marion	50
Martinsville	35—
Newport News. (*See* Norfolk-Portsmouth-Newport News.)	
Norfolk-Portsmouth (*also see* Norfolk-Portsmouth-Newport News)	27
Norfolk-Portsmouth-Newport News (*also see* Norfolk-Portsmouth)	3+, 10+, 15, *21—, 33

Virginia—Continued	Channel No.
Norton	52+
Petersburg	8, 41
Portsmouth. (*See* Norfolk-Portsmouth and *also see* Norfolk, Portsmouth-Newport News.)	
Pulaski	37—
Richmond	6+, 12—, *23, 29+
Roanoke	7—, 10, 27+, *33—
South Boston	14+
Staunton	36
Waynesboro	42
Williamsburg	17
Winchester	28+
Washington:	
Aberdeen	58
Anacortes	34
Bellingham	12+, 18+, 24—
Bremerton	44, 50
Centralia	17
Ellensburg	49, *65
Ephrata	43
Everett	22—, 28—
Grand Coulee	37
Hoquiam	52
Kelso	39
Kennewick (*also see* Kennewick-Richland-Pasco)	25
Kennewick-Richland-Pasco	*41
Longview	33
Olympia	60
Omak-Okanogan	*35—
Okanogan. (*See* Omak.)	
Pasco (*also see* Kennewick-Richland-Pasco)	19—
Port Angeles	16—
Pullman	*10—, 24
Richland (*also see* Kennewick-Richland-Pasco)	31
Seattle	4, 5+, 7, *9, 20, 26+
Spokane	2—, 4—, 6—, *7+
Tacoma	11+, 13—, *56, 62
Walla Walla	5—, 8, *22
Wenatchee	*45, 55, 67
Yakima	23+, 29+, *47
West Virginia:	
Beckley	6—, 21, 66
Bluefield	41+
Charleston	8+, *43+, 49—
Clarksburg	12+, 22, 69—
Elkins	40+
Fairmont	35
Fayetteville	4
Hinton	31
Huntington	3+, 13+, *53—
Logan	23—
Martinsburg	58—
Morgantown	*24
Parkersburg	15—
Welch	25
Weston	5, 32
Wheeling (*also see* Wheeling-Steubenville, Ohio)	*57+
Wheeling-Steubenville, Ohio	7, 9+, 51+
Williamson	17
Wisconsin:	
Adams	*58+
Appleton	42+
Ashland	15+
Beaver Dam	37
Beloit	57
Chilton	*24+
Eau Claire	13, *19+, 25+
Fond du Lac	54+
Green Bay	2+, 6, 70+
Janesville	63+
Kenosha	61—
La Crosse	8+, *32+, 38—, 72
Madison	3, *21—, 27—, 33+
Manitowoc	65
Marinette	11+, 32—, *38+
Milwaukee	4—, *10+, 12, 19—, 25, 31+
Oshkosh	48—
Park Falls	*18
Portage	17—
Prairie du Chien	34
Racine	49—, 55
Rhinelander	22
Rice Lake	21+
Richland Center	15, *66—

Wisconsin—Continued	Channel No.
Sheboygan	59—
Shell Lake	*30—
Sparta	50—
Stevens Point	20+, 26—
Sturgeon Bay	44—
Superior. (*See* Duluth, Minn.)	
Wausau	7—, 16+, *46—
Wisconsin Rapids	14—
Wyoming:	
Buffalo	29
Casper	2+, 6+
Cheyenne	3, 5+
Cody	24—
Douglas	14
Evanston	14—
Gillette	31—
Green River	16
Greybull	40
Lander	17—
Laramie	*8+, 18+
Lovell	36+
Lusk	19—
Newcastle	28+
Powell	30+
Rawlins	11—
Riverton	10+
Rock Springs	13
Sheridan	9—, 12+
Thermopolis	15
Torrington	27
Wheatland	24+
Worland	34

U. S. TERRITORIES AND POSSESSIONS

Alaska:	
Anchorage	2—, *7—, 11—, 13—
Fairbanks	2+, 4+, 7+, *9+, 11+, 13+
Juneau	*3, 8, 10
Ketchikan	2, 4, *9
Seward	4—, 9—
Sitka	13
Hawaiian Islands:	
Hilo, Hawaii	2, *4, 7, 9, 11, 13
Honolulu, Oahu	2+, 4—, *7+, 9—, 11+, 13—
Lihue, Kauai	3+, *8—, 10+, 12—
Wailuku, Maui	3, 8, *10, 12
Puerto Rico:	
Arecibo	13+
Caguas	11—
Mayaguez	3+, 5—
Ponce	7+, 9—
San Juan	2+, 4—, *6+
Virgin Islands:	
Charlotte Amalie	10—, 12+
Christiansted	8+

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 301, 48 Stat. 1081, sec. 303, 48 Stat. 1082, as amended, sec. 307, 48 Stat. 1084; 47 U. S. C. 301, 303, 307)

Adopted: November 5, 1953.

Released: November 6, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9633; Filed, Nov. 13, 1953; 8:54 a. m.]

[Docket No. 10651]

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS FOR TELEVISION BROADCAST STATIONS

In the matter of amendment of § 3.606 *Table of assignments,* rules governing television broadcast stations; Docket No. 10651.

1. On August 3, 1953, Charles A Casmus, Jr., Montgomery, Alabama, filed a

petition with the Commission requesting an amendment of § 3.606 *Table or assignments,* rules governing television broadcast stations so as to assign Channel 8 or Channel 3 to Montgomery, Alabama. On August 21, 1953, the Commission issued a notice of proposed rule making (FCC 53–1069) on the said proposal which was published in the FEDERAL REGISTER on August 28, 1953 (18 F. R. 5148.)

2. The time for filing comments in this proceeding expired October 5, 1953. The Alabama Telecasting Company and the Deep South Broadcasting Company of Montgomery, Alabama, supported the proposed assignments for Montgomery.

3. The assignment of Channel 8 to Montgomery was proposed as follows:

City	Channel No.	
	Present	Proposed
Montgomery, Ala.	12, 20, *26+, 32	8−, 12, 20, *26+, 32
West Point, Miss.	8, 56+	4−, 56+

On October 16, 1953, petitioner amended its proposal so as to delete the request for Channel 3 at Montgomery [1] and amended its proposal to assign Channel 8 to Montgomery as follows:

City	Channel No.	
	Present	Proposed
Montgomery, Ala.	12, 20, *26+, 32	8−, 12, 20, *26+
Columbus, Miss.	28−	4−, 28−
West Point, Miss.	8, 56+	56+

4. Capitol Broadcasting Co., the permittee of television Station WCOV–TV on Channel 20 in Montgomery, Alabama opposed the assignment of an additional channel to Montgomery. Capitol stated that there were 2 applications on file for Channel 12 at Montgomery; [2] that WCOV–TV has commenced commercial operation on Channel 20; and that there are no applications on file for Channel 32 presently assigned to Montgomery. Capitol urged that the assignments to Montgomery are consonant with the number assigned to communities of comparable size; that the proposed assignments are not necessary to effect a fair and equitable distribution of facilities; that there is no special need for a second VHF assignment in Montgomery in view of the rather smooth terrain in the area; that the addition of a second VHF assignment would be unfair to the UHF operator who pioneered in developing the service in the area; and that it would hinder the development of the UHF service as an integral part of television service. Capitol further urged that the requested assignments be withheld pending a request therefor in a city for which there is need shown.

5. Dallas Broadcasters, Inc., Selma, Alabama, opposed the assignment of Channel 8 to Montgomery and proposed that this channel be assigned instead to Selma, Alabama. In support of its counterproposal Dallas Broadcasters urged that Selma is a city of 22,840 population; that it is not economically feasible to construct a UHF station at Selma in order to obtain the coverage necessary to serve the population around the city; that that proposed assignment of Channel 8 to Selma would meet the requirements of the Commission's Rules and would represent a fair and equitable distribution of television facilities.

6. Mr. Birney Imes, Jr., Columbus, Mississippi, opposed the proposal to assign Channel 8 to Montgomery insofar as it assigned Channel 4 to West Point, Mississippi. Mr. Imes requested that Channel 4 be assigned to Columbus, Mississippi, instead of West Point. In support of his counterproposal Mr. Imes urged that Columbus had a population of 17,172 as against 6,432 for West Point; that the separation between West Point and Columbus was only 17 miles so that the assignment of Channel 4 to Columbus would provide VHF service to West Point; that the assignment as proposed would meet the requirements of the Commission's Rules; and that in view of the greater size and importance of Columbus the assignment would make possible greater coverage and availability of programming. As indicated above, in its reply to oppositions and counterproposals, petitioner amended his request to conform to Mr. Imes counterproposal insofar as it assigned Channel 4 to Columbus in lieu of West Point.

7. The Commission is presented with a request to assign Channel 8 to Montgomery and the conflicting counterproposal to assign that channel to Selma. In addition the Commission is presented with the choice of retaining the assignment of Channel 4 in West Point or assigning that channel to Columbus. With respect to the Channel 8 assignment, we are of the view that the assignment of a first VHF channel to Selma, a community of 22,800 is to be preferred over the assignment of a second VHF channel to Montgomery.[3] Further, we are of the view that the assignment of a first VHF channel to Columbus, a city of 17,200 is to be preferred over the assignment of a first VHF channel to West Point, a community of only 6,400. Accordingly, the petition of Charles A. Casmus, Jr., is denied, and the counterproposals of Dallas Broadcasters, Inc., and Mr. Birney Imes, Jr., are granted.

8. Authority for the adoption of the proposed amendments is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r), and 307 (b) of the Communications Act of 1934, as amended.

9. In view of the foregoing: *It is ordered,* That effective 30 days after publication in the FEDERAL REGISTER, the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is amended as follows:

City:	*Channel No.*
Selma, Ala.	8−, 53+
Columbus, Miss.	4−, 28−
West Point, Miss.	56+

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 301, 48 Stat. 1081, sec. 303, 48 Stat. 1082, as amended, sec. 307, 48 Stat. 1084; 47 U. S. C. 301, 303, 307)

Adopted: November 5, 1953.

Released: November 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53–9628; Filed, Nov. 13, 1953; 8:53 a. m.]

[Docket No. 10597]

PART 3—RADIO BROADCAST SERVICES

NORMAL LICENSE PERIOD FOR TELEVISION BROADCAST STATIONS

In the matter of amendment of § 3.630 of the Commission's rules relating to license periods of television broadcast stations; Docket No. 10597.

1. The Commission has under consideration its notice of proposed rule making (FCC 53–932) issued in this proceeding on July 24, 1953, proposing to amend § 3.630 of the Commission's rules and regulations by extending the license term for television broadcast stations to a period of three years.

2. Comments supporting the proposed amendment were filed by National Broadcasting Company, Inc., WGN, Inc., Allen B. DuMont Laboratories, Inc., American Broadcasting-Paramount Theaters, Inc., National Association of Radio and Television Broadcasters, Columbia Broadcasting System, Inc., Storer Broadcasting Company, WDEL, Inc., WGAL, Inc., Associated Broadcasters, Inc., WTOP, Inc., WAAM, Inc., and The Washington Post Company.

3. In support of the proposed amendment it is urged that the extension of the license period for television stations to three years will facilitate the development of a nation-wide television system, will reduce substantially the workload for both television licensees and the Commission, and will systematize and ease the burden on the Commission and licensees where such licensees also hold authorizations for standard and FM broadcast stations. It is contended that the formative stage in the development of the television service has passed and that this service has now become sufficiently stabilized and mature to warrant the same license period currently in effect in the standard and FM broadcast fields. It is urged that increasing the license term to three years will free the Commission from entanglement in many routine cases and permit it to concentrate on those licensees whose operation and practices merit particular attention.

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[1] In view of this amendment the proposal to assign Channel 3 to Montgomery and the oppositions thereto will not be considered further.

[2] There is outstanding an Initial Decision to grant one of the applications.

[3] The assignment of Channel 8 to Selma conflicts with an alternative proposal contained in a petition for rule making filed by the Logansport Broadcasting Company, Logansport, Indiana. Logansport proposes to assign Channel 8 to Dothan, Alabama, at a distance of approximately 125 miles from Selma. In view of the fact that the minimum co-channel spacing for VHF channels in Zone II is 190 miles only one of these proposals may be granted. In a Memorandum Opinion and Order, issued this day with this Report and Order, the request of Logansport is denied.

[4] Commissioner Bartley concurring in view of the Commission's action on the petition of the Logansport Broadcasting Corporation.

Adoption of the three-year period as proposed, it is argued, will stabilize television operation and afford added incentive thereby facilitating the development of a nation-wide competitive television service.

4. The American Veterans Committee, a national organization of veterans, filed a comment in opposition to the proposed amendment. AVC urges that the present one-year license period should be maintained until the Commission "shall have had the opportunity to engage in a factual study of television programming and the public shall have had the opportunity to present its views in an open public hearing on the rule proposed in this proceeding." AVC submits that renewal applications are the primary source of information relating to the operation of television stations available to the Commission and that information reflected by such applications must be forthcoming annually if the Commission is to be in a position to examine effectively the operation of television stations. AVC contends that the television broadcast service is still in its formative stage, and that the operation of each of the many new stations should be examined annually "to insure that the owners and operators commence operation with an attitude and feeling of public interest implicit in its operation." AVC argues that the advantages resulting from a procedure that will enable the Commission to examine effectively into television operations far outweigh any disadvantages inherent in the Commission's present workload.

5. The San Francisco Branch of the American Association of University Women also filed a letter opposing the adoption of the proposed amendment. It is urged that monitoring surveys of television programs indicate that the obligations of television broadcast stations to serve the public interest, convenience and necessity have not been fulfilled, and that until such time as the broadcasters "completely meet these responsibilities" the performance of the television stations should "be compared with their promises at least as frequently as once a year."

6. AVC urged that the Commission have "an open public hearing in this proceeding." [1] The Commission is of the view that a formal hearing is not necessary or desirable in this proceeding. All interested parties have been afforded full opportunity to file written data, views and arguments directed to the proposed rule, and a number of such comments have been filed. We are aware of no evidence relating to the issues in this proceeding that could be presented only during the course of an oral hearing and which could not be presented to us for consideration in the form of written comments. A formal public hearing in this proceeding would serve no useful purpose at this time and would merely result in unnecessary delay.

7. The Commission is of the view that the proposed amendment extending the normal license term for television broadcast stations to a three-year period should be adopted. This service, we believe, has now reached the stage where the license period for future television licenses and for renewals of existing licenses may be extended to three years to conform with the term currently authorized for both standard and FM broadcast stations. Extension of the license term as proposed will reduce substantially the workload for both television licensees and the Commission, and will also ease the burden on those television licensees also holding authorizations for standard and FM broadcast stations since the licenses of all such stations in the same geographical area will now expire on the same date. We do not believe, as AVC contends, that a factual study of television programming is a prerequisite to the extension of the license term for television broadcast stations.

8. In extending the license period, we wish to make clear that we are in no way modifying the responsibility of broadcasters to operate their stations in the public interest. On the contrary, as pointed out by a number of the parties in their comments, extending the term to three years will afford us more time to assure a complete and adequate review of the operation of such stations.

9. It should be noted that since § 4.18 of the rules (47 CFR 4.18) provides that "Licenses for stations in the Auxiliary Broadcast Service will be issued for a period running concurrently with the licenses of the broadcast station with which such auxiliary stations are acting", the adoption of the proposed rule also will have the effect of increasing to a three-year period the license term for television STL stations, television inter-city relay stations, and television pick-up stations.

10. Authority for adoption of the subject amendment is contained in sections 4 (i), 303 (r), 370 (b), (d), and (e), and 308 (a) and (b) of the Communications Act of 1934, as amended.

11. In view of the foregoing: *It is ordered*, That effective 30 days after publication in the FEDERAL REGISTER, § 3.630 of the Commission's rules and regulations is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended, secs. 307, 308, 48 Stat. 1084, 1085; 47 U. S. C. 307, 308)

Adopted: November 5, 1953.

Released: November 9, 1953.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] WM. P. MASSING,
Acting Secretary.

Section 3.630 is amended to read as follows:

§ 3.630 *Normal license period.* (a) All television broadcast station licenses will be issued for a normal license period of three years. Licenses will be issued to expire at the hour of 3:00 a. m., e. s. t., in accordance with the following schedule and at three-year intervals thereafter.[1]

(1) For stations located in Delaware and Pennsylvania, August 1, 1954.

(2) For stations located in Maryland, District of Columbia, Virginia, West Virginia, October 1, 1954.

(3) For stations located in North Carolina, South Carolina, December 1, 1954.

(4) For stations located in Florida, Puerto Rico, and Virgin Islands, February 1, 1955.

(5) For stations located in Alabama and Georgia, April 1, 1955.

(6) For stations located in Arkansas, Louisiana, and Mississippi, June 1, 1955.

(7) For stations located in Tennessee, Kentucky, and Indiana, August 1, 1955.

(8) For stations located in Ohio and Michigan, October 1, 1955.

(9) For stations located in Illinois and Wisconsin, December 1, 1955.

(10) For stations located in Iowa and Missouri, February 1, 1956.

(11) For stations located in Minnesota, North Dakota, South Dakota, Montana, and Colorado, April 1, 1956.

(12) For stations located in Kansas, Oklahoma, Nebraska, June 1, 1956.

(13) For stations located in Texas, August 1, 1956.

(14) For stations located in Wyoming, Nevada, Arizona, Utah, New Mexico, and Idaho, October 1, 1956.

(15) For stations located in California, December 1, 1953.

(16) For stations located in Washington, Oregon, Alaska, and Hawaii, February 1, 1954.

(17) For stations located in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, April 1, 1954.

(18) For stations located in New Jersey and New York, June 1, 1954.

[F. R. Doc. 53-9605; Filed, Nov. 13, 1953; 8:49 a. m.]

[1] On August 21, 1953, the Commission considered requests filed by The Americans for Democratic Action (ADA) and the International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), for a "public hearing" in the above-entitled matter. On that date the Commission adopted an Order denying the requests but pointing out that ADA and UAW-CIO could resubmit their requests developing more fully the necessity and desirability for a public hearing and that the Commission would consider such requests in the proceeding. However, no additional comments have been filed by these parties.

[2] Commissioner Hennock dissenting and issuing an opinion which was filed as part of the original document.

[1] Renewals of licenses will be granted for the period specified in the rule: *Provided, however*, That if as a result of the transition from the previous schedule to the above schedule the period for which a license is renewed is 6 months or less, the licensee may within the period 60 days to 30 days before the expiration date of such renewed license file, in lieu of renewal application (FCC Form 303), a written application under oath for the next renewal of license which shall consist of (1) a request that its license be renewed; (2) a statement that no substantial changes have been made in its operations or in its plans for future operations since its last renewal application; or if changes have been made or proposed, a statement specifying such changes; and (3) a statement that the applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise. Upon review of such statements, the Commission may grant a renewal of license for the full period provided for in the rule; or if the Commission requires additional information, it may require the filing of renewal application (FCC Form 303).

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 921]

[Docket No. AO 222—A5 R01]

HANDLING OF MILK IN SPRINGFIELD, MO., MARKETING AREA

NOTICE OF REOPENING OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the reopening of the public hearing held at Springfield, Missouri, September 28–30, 1953, on proposed amendments to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Springfield, Missouri, marketing area.

The purpose of the reopened hearing is to afford interested parties opportunity to introduce additional evidence with respect to economic conditions which relate to the handling of milk in the Springfield, Missouri, marketing area, and to the material issues of the record of said hearing which were not decided in the Assistant Secretary's decision of October 26, 1953 (18 F. R. 6829), and to receive evidence concerning the additional proposals for amendment hereinafter set forth, or appropriate modifications thereof. None of the proposals to be considered at the hearing has received the approval of the Secretary of Agriculture.

The reopened hearing will be held in the Washington County Court House, Fayetteville, Arkansas, beginning at 10:00 a. m., December 1, 1953.

The following additional amendments have been proposed:

By the Northwest Arkansas Dairy Farmers Association:

1. Amend § 921.7 to include in the marketing area the county of McDonald in the State of Missouri and the counties of Benton and Washington in the State of Arkansas.

2. Amend the appropriate sections of the order to provide for the use of location differentials in calculating minimum handler and producer prices with respect to milk received in certain parts of the marketing area.

By the Producers Creamery Company of Springfield, Missouri:

3. Consider the inclusion of McDonald county, Missouri, and Benton and Washington counties, Arkansas, in the marketing area.

Copies of this notice of reopening of hearing and of the order now in effect may be procured from the Market Administrator, 4030 Chouteau Avenue, St. Louis 10, Missouri, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: November 10, 1953.

[SEAL] GEORGE A. DICE,
Acting Assistant Administrator.

[F. R. Doc. 53-9641; Filed, Nov. 13, 1953; 8:55 a. m.]

[7 CFR Part 927]

[Docket No. AO-71-A-26]

HANDLING OF MILK IN NEW YORK METROPOLITAN MILK MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE AGREEMNT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applictble rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Hotel Utica, in Utica, New York on November 18, 1953 beginning at 10:00 a. m., for the purpose of receiving evidence with respect to the proposed amendment hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. This proposed amendment has not received the approval of the Secretary of Agriculture.

Following is the proposed amendment:

Amend § 927.40 (a) to prevent the interruption of utilization of fluid milk during the month of October 1953, resulting from the strike of dairy plant employees and drivers which occurred during such month, from being reflected in the computation of Class I–A prices for the month, of December 1953 and thereafter.

Copies of this notice of hearing, the said order, as amended, and the said tentative marketing agreement may be procured from the Market Administrator, 205 East Forty-second Street, New York 17, New York, or from the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington, D. C., or may be there inspected.

Dated: November 10, 1953.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 53-9639; Filed, Nov. 13, 1953; 8:55 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 125]

[Docket No. FDC-24 (a)]

LABEL STATEMENTS CONCERNING DIETARY PROPERTIES OF FOOD PURPORTING TO BE OR REPRESENTED FOR SPECIAL DIETARY USES

NOTICE OF HEARING

In the matter of amending the regulations pertaining to label statements concerning dietary properties of food purporting to be or represented for special dietary uses:

Upon the initiative of the Secretary of Health, Education, and Welfare, and in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 403 (j), 701, 52 Stat. 1047, 1055; 21 U. S. C. 343 (j), 371; 67 Stat. 18), notice is hereby given that a public hearing will be held commencing at 10 o'clock in the morning of December 15, 1953, in Room 3724, Health, Education, and Welfare Building, 330 Independence Avenue SW., Washington, D. C., for the purpose of receiving evidence upon a proposal to amend the regulations pertaining to label statements concerning dietary properties of food purporting to be or represented for special dietary uses (21 CFR Part 125), in the following respects:

1. In § 125.4 *Label statements relating to minerals* it is proposed to amend paragraph (a) (2) by changing the second sentence to read as follows: "Except as provided in § 125.9, the quantity of food specified as required in this section shall be the quantity customarily or usually consumed during a period of one day, or a quantity reasonably suitable for and practicable of consumption within such period."

2. It is proposed to amend Part 125 by adding the following new section:

§ 125.9 *Label statements relating to certain foods used as a means of regulating the intake of sodium for the purposes of dietary management with respect to disease.* If a food purports to be or is represented for special dietary use by man by reason of its use as a means of regulating the intake of sodium for the purposes of dietary management with respect to disease, the label shall bear a statement of the number of milligrams of sodium in 100 grams of such food.

At the hearing, evidence will be restricted to testimony and exhibits relevant and material to such proposals. The hearing will be conducted in accordance with the rules of practice provided therefor. Mr. Leonard D. Hardy is hereby designated as presiding officer to conduct the hearing in place of the Secretary, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing.

The proposed amendments for consideration at the hearing are subject to adoption, rejection, or modification by the Secretary of Health, Education, and Welfare, in whole or in part, as the evidence adduced at the hearing may require.

Dated: November 9, 1953.

[SEAL] OVETA CULP HOBBY, *Secretary.*

[F. R. Doc. 53-9602; Filed, Nov. 13, 1953; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[Docket Nos. 10107, 10746]

ANNUAL REPORT FORMS APPLICABLE TO STANDARD BROADCAST, FM, TELEVISION AND INTERNATIONAL STATIONS

NOTICE OF FURTHER PROPOSED RULE MAKING

In the matter of amendment of Annual Report Form 324 and deletion of Annual Report Form 324-A; applicable to Standard Broadcast, FM, Television and International Stations; Docket No. 10746; amendment of Schedules 10-A and 10-B (Employees and Their Compensation) of Annual Report Form 324, applicable to Standard Broadcast, FM, Television and International Stations; Docket No. 10107.

1. Notice is hereby given of further proposed rule making in the above-entitled matter.

2. On January 11, 1952, the Commission issued a notice of proposed rule making (17 F. R. 527) looking toward the amendment in certain respects of Schedules 10-A and 10-B (Employees and Their Compensation) of Annual Report Form 324. The Commission is now proposing to delete these schedules, and is herewith consolidating that docket (Docket No. 10107) in the instant proceeding.

3. The Commission is also herewith proposing to amend Annual Report Form 324 in other particulars as set forth in Appendix A.[1] The proposed revisions provide for the deletion of certain schedules and for the simplification of other schedules. In addition, it is proposed to delete Annual Roport Form 324-A, Summary Estimates of Station Broadcast Revenues and Expenses.

4. As a result of the above, changes are required in section 0.206 (c), and § 1.341 (a) and (b) of the Commission's rules and regulations. The proposed changes are set forth below.

5. Annual Report Form 324 is prescribed in § 1.341 (a) of the Commission's rules and regulations. Authority for the issuance of the proposed amendment is contained in sections 4 (i), 303 (r) and 308 (b) of the Communications Act of 1934, as amended.

6. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the manner proposed herein, may file with the Commission on or before December 7, 1953, a statement or brief setting forth his comments. At the same time persons favoring the amendment as proposed may file statements in support thereof. Statements or briefs in reply to the original comments may be filed on or before December 17, 1953. Before taking action in the matter the Commission will consider all such comments that are presented, and if any comments are submitted which appear to warrant the holding of oral argument, notice of the time and place of such oral argument will be given.

7. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and fourteen copies of all statements or briefs filed, plus one extra copy for each party to the proceeding in the case of comments in reply to the original statements or briefs, shall be furnished to the Commission.

Adopted: November 5, 1953.

Released: November 9, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WM. P. MASSING, *Acting Secretary.*

1. Amend section 0.206 (c) to read as follows:

(c) All applications and amendments thereto filed under Title II and Title III of the act, including all documents and exhibits filed with and made a part thereof, and all communications protesting or endorsing any such applications, authorizations, and certifications issued upon such applications; all pleadings, depositions, exhibits, transcripts of testimony, reports of examiners or presiding officers, exceptions, briefs, proposed reports, or findings of fact and conclusions; all minutes and orders of the Commission. The information filed under § 1.341 and network and transcription contracts filed pursuant to § 1.342 shall not be open to public inspection. The Commission may, however, either on its own motion, or on motion of an applicant, permittee or licensee, for good cause shown, designate any of the material in this subsection as confidential.

2. Amend § 1.341 (a) to read, as follows:

§ 1.341 *Financial report, broadcast licensees and permittees.* Each licensee of a broadcast station (standard, FM, television and international) and each permittee of a broadcast station engaged in interim operation shall file with the Commission on or before April 1 of each year on Form 324 an operating statement for the preceding calendar year together with a statement as to investment in tangible broadcast property as of December 31 of the preceding calendar year.

3. Delete paragraph (b) of § 1.341.

[F. R. Doc. 53-9609; Filed, Nov. 13, 1953; 8:50 a. m.]

[1] Filed as part of original document; copies obtainable upon request to Federal Communications Commission.

[47 CFR Parts 2, 11]

[Docket Nos. 9703, 10742]

SPECIAL INDUSTRIAL RADIO SERVICES AND TABLE OF FREQUENCY ALLOCATIONS

SECOND NOTICE OF FURTHER PROPOSED RULE MAKING

In the matter of revision of Subpart K of Part 11, rules governing the Special Industrial Radio Services; Docket No. 9703; and amendment of § 2.104, *Table of frequency allocations*, of Part 2 of the Commission's rules; Docket No. 10742.

1. The Special Industrial Radio Service was established by the Commission's Report and Order of April 27, 1949, effective July 1, 1949. The service was intended to provide radiocommunications for a wide variety of industrial enterprises outside of population centers where other communications facilities were not readily available. Since its inception it has grown steadily to the point where there are now more than 4500 licensed stations in operation. This growth has given rise to many problems, not the least of which has been the difficulty experienced in applying some of the standards set forth in § 11.501.

2. In an effort to resolve some of these problems, two notices of proposed rule making have been issued. The comments filed in response thereto have served to accentuate the many questions confronting the Commission in promulgating reasonable and workable standards for this service. A First Report and Order which substituted the criterion of operation outside "Standard Metropolitan Areas" of 500,000 or more population for the term "remote or sparsely settled region" was issued May 13, 1953. The remaining issues in the proceeding, however, were left unresolved pending further study and it was indicated that further proposed rule making might be necessary.

3. The experience with the service since its inception together with the many comments and requests filed relative thereto indicate that a new approach might be the most expedient method of solution. Accordingly, a completely new set of rules is hereby proposed. These are set forth below. While the proposed rules speak for themselves there are certain features to which we believe specific attention should be directed.

4. At the outset it should be noted that an attempt has been made to delineate as specifically as possible the various categories of industrial activities for which it is proposed to make available radio communications in the Special Industrial Radio Service. The classification of industries has been based to a large extent on the Standard Industrial Classification Manual prepared by the Bureau of the Budget: Volume I, Manufacturing Industries, 1945; and Volume II, Non-Manufacturing Industries, 1949. In cases of doubt as to the proper classification for a particular activity, reference to that manual is recommended.

5. The major activities delineated are agriculture, manufacturing, mining,

heavy construction, and certain of the trades and services. There is little change in the eligibility requirements governing agriculture, manufacturing, and mining. The heavy construction category, however, specifically excludes building construction. Furthermore, within Standard Metropolitan Areas with a population of 500,000 or more, Base Stations must be located within one quarter mile of the particular construction project to be served.

6. One of the most significant changes in the new rules is the inclusion of certain service and trade activities. These are divided into four groups. The first, § 11.507, concerns those persons who provide specialized functions under contract to single categories of persons who would be eligible in certain of the Industrial Radio Services to use radio in the performance of the same function. Examples of the type of activities that would be included under this rule are the petroleum industry specialists such as well acidizers, loggers, perforators, and the like; pipeline repairers; agricultural specialists who spray or harvest crops for others. Those found eligible under this section may locate their radio system any place the industry served would be able to operate. However, the general limitations on use contained in § 11.512 apply to these licensees as well as all others in the Special Industrial Radio Service.

7. The second service and trade activity rule, § 11.508, provides for the use of radio by persons who perform specialized functions for several different categories of industry as distinguished from the single industry concept contained in § 11.507. Persons found eligible under § 11.508 are limited to station location and operation outside Standard Metropolitan Areas of 500,000 or more population. It will be noted that whereas the delivery and pouring of ready-mixed concrete and hot asphalt mix are included in this group, sand and gravel deliveries are not. The distinction is based upon the fact that ready-mixed concrete and asphalt are perishable products and proper timing of deliveries is essential to avoid loss.

8. The third category, § 11.509, provides on-the-job communications for a variety of engineering activities. There are no population limitations on where radio may be used by this group.

9. The final service and trade group is tied in with the proposal issued concurrently herewith to create a Motor Carrier Radio Service under Part 16 of the Commission's rules, "Rules Governing the Land Transportation Radio Services." This new service will provide for the use of radio in connection with the operation of busses, streetcars, and trucks operated by common or contract carriers. The so-called "private truckers", such as persons engaged in the delivery of fuel oil and butane gas, who operate trucks as an incident to a regular business, are being carried over into the Special Industrial Service under § 11.510. In this connection, six of the seven frequencies presently available to the Highway Truck Service are being reallocated to permit assignment in the Special Industrial Service. The proposed reallocation is set forth below.

10. We wish to call attention to the fact that each of the service and trade groups list certain activities as coming within the meaning of the particular definition under which they are set forth. We have attempted to be as specific as possible in this regard and if a particular activity has not been specifically delineated, any application to use radio in connection therewith must be accompanied by a petition to amend the rule to include that activity. It is believed that adherence to this policy will alleviate one of the problems associated with the present rules, i, e. the question of interpretations.

11. As is indicated in the section on scope of service, the proposed rules are designed to make mobile radio available to a wide variety of individual industrial enterprises. We anticipate that the Special Industrial Service will continue to grow. Hence, the limited number of frequencies available and suitable for mobile operations precludes unrestricted use thereof. Accordingly, we have found it necessary to place certain limitations not only on where radio may be used but also on the manner of operation. These are found in §§ 11.511 and 11.512. There are two limitations to which we direct attention. Since mobile relay operation is inherently wasteful of spectrum space, such stations will not be authorized within the limits of continental United States. Furthermore, because the service which the rules are designed to provide is mobile, except for safety messages communication between base stations is prohibited. Until the demands for mobile service are satisfied, we believe these prohibitions are reasonable.

12. The bands 3500–3700 Mc, 6425–6575 Mc, and 11,700–12,200 Mc available to the mobile service and the band 890–940 Mc available to the fixed service under the Table of Frequency Allocations in Part 2 of the Commission's rules have not been carried over into the new rules. The reason for this is that the Commission is undertaking a comprehensive study of the use of microwaves for private radio systems. (See Withdrawal of Notice of Proposed Rule Making and Termination of Proceedings in Docket 10500, released October 29, 1953.) Pending completion of this study, it is believed that no assignments should be made in these bands in this Service.

13. All persons presently licensed in the Special Industrial Radio Service who at the time of renewal or modification of their existing license are found to be ineligible under the new rules, will be given five years from the date of final action in this proceeding within which to amortize their equipment. Those required to change frequency shall do so within one year. All grants made during the pendency of the proceeding will be expressly made subject to such modification without hearing as may be necessary to effect compliance with the rules as finalized.

14. Final action in this matter will dispose of petitions filed by the National Ready Mixed Concrete Association and the National Sand and Gravel Association filed December 30, 1952, the Federal Communications Consulting Engineers Association dated February 4, 1952, and the Hawaiian Commercial and Sugar Company, Limited, filed August 5, 1953.

15. The proposed rules are issued under the authority contained in section 4 (i) and 303 of the Communications Act of 1934, as amended.

16. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before February 5, 1954 a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 14 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

17. In connection with the filing of comments, it is desired to point out that much of the material filed in response to the previous notices is outdated. Accordingly, it is requested that interested persons not rely on statements already on file but submit them anew.

18. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: November 4, 1953.

Released: November 6, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

Part 11, Industrial Radio Services, is proposed to be amended in the following particulars:

1. Insert the following new paragraph in § 11.3 *Definition of terms:*

(x) *Standard Metropolitan area.* Any or all of the areas within the continental limits of the United States described and enumerated as Standard Metropolitan Areas in the U. S. Census of Population, 1950; Vol. I, Number of Inhabitants; Chapter 1, U. S. Summary; Bureau of the Census, United States Department of Commerce. (The Standard Metropolitan Areas in the United States are listed in that publication in Table 26, beginning on Page 1–66. The publication is sold by the U. S. Government Printing Office, Washington 25, D. C.)

2. Delete the present index reference and text of Subpart K, Special Industrial Radio Service, and substitute the following new index reference and text:

SUBPART K—SPECIAL INDUSTRIAL RADIO SERVICE

Sec.
11.501 Scope of service.
11.502 Availability of service.
11.503 Agricultural activities.
11.504 Heavy construction activities.
11.505 Manufacturing activities.
11.506 Mining activities.

Sec.
11.507 Specialized industrial service and trade activities.
11.508 General industrial service and trade activities.
11.509 Engineering service activities.
11.510 Miscellaneous public service activities.
11.511 Permissible communications.
11.512 Station limitations.
11.513 Mobile service frequencies for use at temporary locations.
11.514 Frequencies available for base and mobile stations.
11.515 Frequencies available for operational fixed stations.
11.516 Frequencies available for base, mobile and operational fixed stations.

SUBPART K—SPECIAL INDUSTRIAL RADIO SERVICE

§ 11.501 *Scope of service.* (a) The rules set forth in this subpart are designed to make available to a variety of individual industrial enterprises mobile radiocommunication systems which can contribute materially to the safety and efficiency of the operations involved. The limited number of frequencies available for assignment in this service precludes making it available to all classes of persons who might have a need for mobile radiocommunication, particularly in or near large population centers. Accordingly, the Commission has been obliged to adopt strict eligibility limitations on industrial radio usage in such areas and, in addition, other limitations have been placed on the use of licensed stations. Nevertheless, those persons who do qualify for their own radio systems in this service are cautioned that a substantial amount of interference can be expected and are urged to cooperate in the solution of mutual interference problems.

(b) Certain frequencies are available for assignment for fixed service operations in this service on a limited basis; however, extensive licensing of point-to-point systems must await further development of the Commission's microwave program. Accordingly, requests for point-to-point facilities will be considered on a case-by-case basis. In general, requests for such point-to-point facilities should clearly establish either (1) that a number of fixed stations at permanent locations are required to provide communications between isolated establishments or from such establishments to points at which established communication facilities are available, or (2) that the use of a remotely located base station, with which a requested fixed control and fixed relay link is proposed to be used, is necessary to maintain communications with mobile units for the conduct of authorized communications. Point-to-point facilities will not be authorized for the transmission of any type of signal or communication between two locations within the same Standard Metropolitan Area except for the purpose of providing a fixed control and fixed relay link where the remote placement of a base station has been justified.

(c) The initial application from a person claiming eligibility under the provisions of this subpart shall be accompanied by a full description of the type, location and extent of the particular activity in which engaged and the proposed use of radio in connection therewith, together with a full description of any other activities in connection with which the radio-equipped vehicles will be used and the extent of such use.

§ 11.502 *Availability of service.* (a) Authorizations to operate stations in the Special Industrial Radio Service are available only to the extent and for the purposes set forth in this subpart. To the extent that the provisions of this subpart may be at variance with those contained in Subparts A, B, C, D or E of this part, the provisions of this subpart shall be controlling.

(b) Authorizations to operate stations in the Special Industrial Radio Service are not available to persons who are eligible to operate substantially the same radiocommunication facilities in other Radio Services.

(c) A subsidiary corporation furnishing a non-profit communications service to its parent corporation or its subsidiaries may be considered eligible in the Special Industrial Radio Service, if the parent or its subsidiaries are engaged in one of the activities set forth in this subpart. The use of any radio system authorized pursuant to this paragraph will be subject to all the limitations and conditions applicable to the particular activity upon which eligibility is predicated.

(d) The classification of certain industries and activities into specified categories for the purposes of this subpart is based upon the general classification of all industrial activities ocntained in the Standard Industrial Classification Manual (Executive Office of the President, Bureau of the Budget: Volume I, Manufacturing Industries, 1945; and Volume II, Nonmanufacturing Industries, 1949) with certain specific additions to and exclusions from the general categories for the purposes of the rules in this subpart. To determine whether or not a particular industrial activity falls within one of the categories delineated in this subpart, reference to that manual is recommended. (The manual is available from the Superintendent of Documents, Government Printing Office, Washington 25, D. C.)

§ 11.503 *Agricultural activities*—(a) *Definition.* For the purposes of this part, agricultural activities are defined as the activities directly involved in the operation of farms or ranches for the production of crops or plants, vines or trees (excluding forestry operations), or for the keeping, grazing or feeding of livestock for animal products, animal increase, or value enhancement. Included as farms are such agricultural enterprises as orchards, vineyards, nurseries, greenhouses, hothouses, fur farms, mushroom cellars, apiaries, cranberry bogs, fish farms, fish hatcheries, oyster farms and frog farms. The processing (curing, packing, canning, smoking, freezing, etc.) of food on a farm is classed as an agricultural rather than a manufacturing activity if the raw materials are grown on that farm.

(b) *Eligibility.* Persons engaged in agricultural activities, as that term is defined in this section, are eligibile in this service when it is shown that the use of radio will be exclusively in connection with the conduct of the agricultural activities involved and that all such activities take place exclusively in areas other than Standard Metropolitan Areas of 500,000 or more population.

(c) *Limitation on station locations.* Each station authorized in accordance with the provisions of this section shall be located and operated at all times in areas other than Standard Metropolitan Areas of 500,000 or more population.

§ 11.504 *Heavy construction activities*—(a) *Definition.* For the purposes of this part, heavy construction activities are defined as the activities directly involved in the construction of engineering projects, such as highways and streets, bridges, sewers, railroads, irrigation projects, flood control projects and marine construction, and miscellaneous types of construction work other than buildings. Not included as heavy construction activities are the functions performed by general contractors engaged in the construction of residential, farm, industrial, commercial, public, or other building, or by establishments specializing in plumbing, painting, electrical work, masonry, plastering, carpentry, or other special construction trades. Although marine construction is included as a heavy construction activity, dredging solely for the recovery of sand, gravel, fuels, minerals or metals shall be classed as a mining activity.

(b) *Eligibility.* Persons engaged in heavy construction activities, as that term is defined in this section, are eligible in this service when it is shown that the use of radio will be exclusively in connection with the conduct of the heavy construction activities involved and either (1) that all such activities take place exclusively in areas other than Standard Metropolitan Areas of 500,000 or more population, or (2) that the use of radio will be exclusively for on-the-job communications at the site of a particular heavy construction project within such Standard Metropolitan Area.

(c) *Limitation on station locations.* Each station authorized in accordance with the provisions of this section shall be located and operated at all times in areas other than Standard Metropolitan Areas of 500,000 or more population. Exceptions to the above may be made by the Commission in specific cases and for limited periods of time when it is shown that one or more base stations, to be associated with a specified heavy construction project and to be located within one quarter mile thereof, will be used exclusively in the conduct of that project; however, each authorization so issued, for the operation of base stations or mobile units within such Standard Metropolitan Areas of 500,000 or more population, will be limited in term to the expected duration of the construction project in connection with which it is proposed to be used, but in no event beyond a period of one year, and to a location, for any base station, within one quarter mile from the construction project it proposes to serve.

§ 11.505 *Manufacturing activities*—(a) *Definition.* For the purposes of this

part, manufacturing activities are defined as the activities directly involved in the mechanical or chemical transformation of organic or inorganic substances into new products within establishments usually described as plants, factories, shipyards, or mills and which employ, in that process, power-driven machines and materials-handling equipment. Establishments engaged in assembling components of manufactured products in plants, factories, shipyards or mills are also engaged in manufacturing activities if the new product is neither a new structure nor other fixed improvement. Establishments primarily engaged in the wholesale or retail trade, or in service activities, even though they fabricate or assemble any or all of the products or commodities handled, shall not be considered to be engaged in manufacturing activities.

(b) *Eligibility.* Persons engaged in manufacturing activities, as that term is defined in this section, are eligible in this service when it is shown that the use of radio will be exclusively in connection with the conduct of the manufacturing activities involved and either (1) that those activities take place exclusively in areas other than Standard Metropolitan Areas of 500,000 or more population, or (2) that the use of radio will be exclusively within the yard area of a single plant for mobile service communications within such Standard Metropolitan Area and that the use of the Low Power Industrial Radio Service does not meet the operational requirements of the manufacturing activity otherwise found eligible under this paragraph.

(c) *Limitation on station location.* (1) Each station authorized in accordance with the provisions of paragraph (b) (1) of this section shall be located and operated at all times in areas other than Standard Metropolitan Areas of 500,000 or more population.

(2) Each base station authorized in accordance with the provisions of paragraph (b) (2) of this section shall be permanently located at a point within the yard area to be served by it, and the mobile units associated therewith shall not be operated beyond the boundaries of that yard area except that, upon specific authorization by the Commission after adequate showing that such operation is necessary in the interest of national defense, mobile units may be operated outside of such yard area for the purpose of maintaining plant security only.

§ 11.506 *Mining activities*—(a) *Definition.* For the purposes of this part, mining activities are defined as the activities directly involved in the process of recovery of solid fuels, minerals, or metals from the earth or from the sea by means of mining, quarrying, dredging, chemical extraction, deep-well operation, or similar processes. The operations involved in the exploration for and the development of mining properties are considered mining activities. The process of crushing, washing, sorting, grading, dressing, or other beneficiation or preparation for delivery as raw material to smelting, refining or other manufacturing processes or to the wholesale market is considered a part of the mining activity only when carried on by the same person who recovers the basic materials from the earth or from the sea.

(b) *Eligibility.* Persons engaged in mining activities, as that term is defined in this section, are eligible in this service when it is shown that the use of radio will be exclusively in connection with the conduct of the mining activities involved.

(c) *Limitation on station location.* No base station or operational fixed station shall be authorized in accordance with the provisions of this section for operation at temporary locations within any Standard Metropolitan Area of 500,000 or more population.

§ 11.507 *Specialized industrial service and trade activities*—(a) *Definition.* For the purposes of this part, specialized industrial service and trade activities are defined as those commercial or industrial activities directly involved in providing specialized functions, services or materials, under contract, to single categories of persons who are themselves eligible, in certain of the Industrial Radio Services, to use radio in connection with the performance of the same functions. Activities normally classed as building trade or special construction trade activities are not included. Only the following are recognized as specialized industrial service and trade activities in accordance with the foregoing:

(1) Plowing, spraying, dusting or harvesting for agricultural or forestry activities.

(2) Livestock breeding service.

(3) Cleaning and repair of oil, gas or water pipe lines.

(4) Acidizing, cementing, logging, perforating, or shooting activities incident to the drilling of new oil or gas wells or the maintenance or production from established wells.

(5) Supplying of chemicals, mud, tools, pipe and special equipment to the petroleum production industry, other than to refining, cracking or processing plants.

(6) Clearing and maintaining rights-of-way for public utilities.

(7) Crushing, washing, sorting, grading, dressing or other benefication or preparation of ores, minerals or solid fuels, when performed by a person who is not engaged in either a mining or a manufacturing activity and when all such operations, including all use of radio in connection therewith, are confined to a single yard area.

(b) *Eligibility.* Persons primarily engaged in specialized industrial service and trade activities, as that term is defined in this section, are eligible in this service when it is shown (1) that the use of radio will be exclusively in connection with the conduct of such specialized industrial service and trade activities, (2) that every basic industrial actvity served would be eligible for a station authorization in the Industrial Radio Services at the station locations proposed by the applicants in this service, (3) that the persons engaged in the specialized industrial service and trade activities are not otherwise eligible under this part for the use of radio in connection with those activities except in the Low Power Industrial Radio Services, and (4) that the use of the Low Power Industrial Radio Service would not meet the operational requirements of those activities.

(c) *Limitation on station locations.* Except for stations which exclusively serve the Petroleum, Power, Forest Products or Motion Picture Industries, as defined in Subparts F, G, H, or I of this part, or the mining industry, as defined in this Subpart, each station authorized in accordance with the provisions of this section shall be located and operated at all times in areas other than Standard Metropolitan Areas of 500,000 or more population.

§ 11.508 *General industrial service and trade activities*—(a) *Definition.* For the purposes of this part, general industrial service and trade activities are defined as those commercial or industrial activities directly involved in providing specialized functions, services or materials which are essential to the efficient conduct of the industrial processes involved in a wide variety of industrial activities, and which are performed by persons other than those conducting the basic industrial activities making use thereof. Only the following are recognized as general industrial service and trade activities in accordance with the foregoing:

(1) Servicing, repairing and maintaining heavy machinery (not including automobiles or trucks) when such operations are performed at the place where such machinery is used, and when such use is exclusively in connection with agricultural, heavy construction, manufacturing or mining activities, as those terms are defined in this subpart, or in connection with activities conducted by persons who are eligible for license in the Power, Petroleum, Forest Products or Motion Picture Radio Services in connection therewith.

(2) Delivering and pouring ready-mixed concrete or hot asphalt mix.

(b) *Eligibility.* Persons primarily engaged in general industrial service and trade activities, or in a combination of general and specialized industrial service and trade activities, as those terms are defined in this subpart, are eligible in this service when it is shown (1) that the use of radio will be exclusively in connection with the conduct of those activities and (2) that all such activities take place exclusively in areas other than Standard Metropolitan Areas of 500,000 or more population.

(c) *Limitation on station locations.* Each station authorized in accordance with the provisions of this section shall be located and operated at all times in areas other than Standard Metropolitan Areas of 500,000 or more population.

§ 11.509 *Engineering service activities*—(a) *Definition.* For the purposes of this part, engineering service activities are defined as those activities directly involved in the conduct of certain engineering field activities by professional engineers or consulting engineering firms. Only the following are rec-

ognized as engineering service activities in accordance with the foregoing:

(1) The conduct of topographical or geological surveys.

(2) The siting, construction and adjustment of antennas for commercial or educational or State or Local Government radio transmitting and receiving stations.

(b) *Eligibility.* Persons primarily engaged in engineering service activities, as that term is defined in this section, are eligible in this service when it is shown (1) that the use of radio will be exclusively in connection with the conduct of such engineering service activities, and (2) that the use of radio will be exclusively for on-the-job communications between members of the same engineering field party working on a single project.

(c) *Limitation on station locations.* No base station or operational fixed station shall be authorized in accordance with the provisions of this section for operation at any permanent location.

§ 11.510 *Miscellaneous public service activities*—(a) *Definition.* For the purposes of this part, miscellaneous public service activities are defined as those activities directly involved in the conduct of commercial or industrial enterprises which are considered essential to the health or immediate welfare of a large segment of the general public and are not classed among those commercial or industrial activities for which other specific provision has been made in the Commission's rules. Only the following are recognized as miscellaneous public service activities in accordance with the foregoing:

(1) The servicing and repair of heating or refrigerating equipment.

(2) The delivery of ice or fuel to the consumer in solid, liquid or gaseous form for heating, lighting, refrigerating or power generation purposes, by means other than pipe lines or railroad.

(3) The spraying or dusting of insecticides, herbacides or fungicides but not including the fumigation or other treatment of buildings (or other structures) or their contents for the control of rodents, pests, parasites or plant diseases.

(4) The repair of public streets, highways, and bridges.

(b) *Eligibility.* Persons primarily engaged in miscellaneous public service activities, or in a combination of those activities with general and specialized industrial service and trade activities, as those terms are defined in this subpart, are eligible in this service when it is shown (1) that the use of radio will be exclusively in connection with the conduct of those activities and (2) that all such activities take place exclusively in areas other than Standard Metropolitan Areas of 50,000 or more population.

(c) *Limitation on station locations.* Each station authorized in accordance with the provisions of this section shall be located and operated at all times in areas other than Standard Metropolitan Areas of 50,000 or more population.

§ 11.511 *Permissible communications.* (a) Except for the transmission of communications relating directly to the safety of life or to the protection of property, stations licensed to persons in the Special Industrial Radio Service may be used only for the transmission of communications relating to the immediate control of the movement of mobile units, or the supervisory control of other functions, directly involved in the conduct of the specific activity or activities in connection with which eligibility has been established.

(b) In addition to the foregoing provisions of this section, stations licensed to persons found eligible under the provisions of § 11.505 (b) (2) shall be limited in the transmission of such communications to those between stations or units within the same yard area; however, the transmission of communications relating directly to the maintenance of plant security may be made by or to associated mobile stations outside the specified plant area when such operation has been authorized by the Commission in accordance with the provisions of § 11.505 (c) (2).

(c) Communications relating directly or indirectly to the following shall not be transmitted by any base or mobile stations licensed in the Special Industrial Radio Service:

(1) Sales reports, or the dispatch of salesmen;

(2) Payrolls, accounts, or inventory control; or

(3) Any message or information where the time element is not of immediate importance.

§ 11.512 *Station limitations.* (a) Mobile relay stations will not be licensed in the Special Industrial Radio Service within the continental limits of the United States.

(b) Where a radio station authorization in the Special Industrial Radio Service is held by a person or organization engaged in activities beyond those indicated in the eligibility provisions of this service, the operation of such station shall be confined to those activities on which eligibility has been established, except for messages relating to the safety of life or to the protection of property.

(c) Except for the transmission of communications relating directly to the safety of life or to the protection of property, no base station in the Special Industrial Radio Service shall be used for the transmission of communications addressed to or to be relayed by any other base station.

§ 11.513 *Mobile service frequencies for use at temporary locations.* (a) Subject to the applicable provisions of § 11.54, authorization to operate a base station in this service at temporary locations will be granted only on the frequencies 27.31, 27.35, 27.39, 43.02, 43.06, 43.10, 43.14, 49.70, or 152.87 Mc: *Provided, however,* That this paragraph shall not be applicable in the case of such stations when they are to be operated only within direct communication range of one or more permanently located base stations operated by the same licensee.

(b) A mobile station not associated with one or more base stations installed at permanent locations will be authorized to operate on the frequencies 27.31, 27.35, 27.39, 43.02, 43.06, 41.10, 45.14, 49.70 or 152.87 Mc only.

§ 11.514 *Frequencies available for base and mobile stations.* (a) The following frequencies are available for assignment to base stations and mobile stations in the Special Industrial Radio Service only:

Mc.	*Mc.*	*Mc.*	*Mc.*
27.31	30.62	35.94	49.86
27.35	35.74	43.02	49.90
27.39	35.78	43.06	49.94
27.43	35.82	43.10	49.98
27.47	35.86	43.14	154.49
30.58	35.90	43.18	

(b) The following frequencies are available for assignment to base stations and mobile stations in the Special Industrial Radio Service on a shared basis with other services:

kc.	*Mc.*	*Mc.*
[1] 2292	49.54	49.78
[1] 2398	49.58	49.82
[2] [3] 4637.5	49.62	152.87
	49.66	152.93
	49.70	152.99
	49.74	173.375

[1] Use of this frequency by stations licensed in the Special Industrial Radio Service is on a shared basis with other stations in the Industrial Radio Services, but is subject to the condition that harmful interference shall not be caused to the service of any station not in these services which, in the discretion of the Commission, may have priority on the frequency or frequencies used for the service to which interference is caused.

[2] This frequency is limited to daytime use only, with a maximum plate power input to the final radio frequency stage not to exceed 100 watts.

[3] This frequency may be subject to change when the Atlantic City table of frequency allocations between 4 Mc and 27.5 Mc comes into force.

(c) In addition to the frequencies listed in this section, mobile service frequencies above 152 Mc listed elsewhere in this part as available to the Petroleum, Forest Products, Motion Picture or Relay Press Radio Services also are available for assignment in this Service for use outside the continental limits of the United States and waters adjacent thereto: *Provided, however,* That operation on such frequencies is subject to the condition that harmful interference shall not be caused to licensees operating in the other Services.

§ 11.515 *Frequencies available for operational fixed stations.* (a) Subject to the condition that no harmful interference will be caused to reception of television channel No. 4 or 5, the following frequencies are available for assignment to operational fixed stations in the Special Industrial Radio Service on a shared basis with other services: [1]

Mc.	*Mc.*	*Mc.*	*Mc.*
72.02	72.34	72.66	72.98
72.06	72.38	72.70	73.02
72.10	72.42	72.74	73.06
72.14	72.46	72.78	73.10
72.18	72.50	72.82	73.14
72.22	72.54	72.86	73.18
72.26	72.58	72.90	73.22
72.30	72.62	72.94	73.26

[1] Subject to the proceedings in Docket No. 10315.

Mc.	Mc.	Mc.	Mc.
73.30	73.78	74.26	75.54
73.34	73.82	74.30	75.58
73.38	73.86	74.34	75.62
73.42	73.90	74.38	75.66
73.46	73.94	74.42	75.70
73.50	73.98	74.46	75.74
73.54	74.02	74.50	75.78
73.58	74.06	74.54	75.82
73.62	74.10	74.58	75.86
73.66	74.14	75.42	75.90
73.70	74.18	75.46	75.94
73.74	74.22	75.50	75.98

(b) Frequencies in the bands listed below are available for assignment to operational fixed stations in the Special Industrial Radio Service on a shared basis with other services, under the terms of a developmental grant only; the exact frequency and the authorized bandwidth will be specified in the authorization:

Mc.	Mc.
952– 960	6575– 6875
1850–1990	9800– 9900
2110–2200	12,200–12,700
[1] 2450–2500	[1] 16,000–18,000
2500–2700	26,000–30,000

[1] Use of frequencies in the bands 2450–2500, and 17,850–18,000 Mc is subject to no protection from interference due to the operation of industrial, scientific, and medical devices on the frequencies 2450 and 18,000 Mc.

(c) Pursuant to the provisions of § 11.8, and for the specific purpose of transmitting hydrological or meteorological data, the frequencies listed in this paragraph are available for assignment to Operational Fixed Stations in this Service: *Provided, however,* That harmful interference shall not be caused to Federal Government stations: *And provided further,* That the hydrological or meteorological data is made available to interested government agencies. Notwithstanding the provisions of § 11.151, operational fixed stations authorized to operate on frequencies listed in this paragraph shall not communicate with or accept communications from any mobile station or base station unless written authorization to do so has been obtained from the Commission. Persons who desire to operate stations in accordance with the provisions of this paragraph should communicate with the Commission prior to filing formal application and request instructions concerning the procedure to be followed. The following frequencies are available for assignment:

Mc.	Mc.	Mc.
169.425	171.025	[1] 406.050
169.475	171.075	[1] 406.150
169.525	171.725	[1] 406.250
169.575	171.125	[1] 406.350
170.225	171.825	[1] 412.450
170.275	171.875	[1] 412.550
170.325	171.925	[1] 412.650
170.375	171.975	[1] 412.750

[1] Primarily for use by Fixed Relay Stations.

§ 11.516 *Frequencies available for base, mobile, and operational fixed stations.* (a) The frequencies listed in paragraph (c) of this section are available for assignment to stations in the Special Industrial Radio Service for Developmental Operation only (see Subpart E of this part), and are shared with other radio services.

(b) The frequencies listed in paragraph (c) of this section are primarily for assignment to Mobile and Base Stations operating in the mobile service. However, the frequencies also are available for assignment to operational fixed stations, subject to the following restrictions and limitations on assignment and use:

(1) All use by operational fixed stations is subject to the condition that harmful interference shall not be caused to stations operating in the mobile service on frequencies in the 450–460 Mc. band in accordance with the table of frequency allocations as set forth in Part 2 of this chapter.

(2) The frequencies are available for assignment only to those operational fixed stations which function as integral and essential parts of a mobile service radio system. Such operational fixed stations include only those which are operated as part of a radio circuit over which messages normally are sent to or from a mobile station without interruption for manual relaying at intermediate points.

(3) Fixed relay stations may be used to provide two automatic retransmissions of a mobile service message. Additional automatic retransmissions on these frequencies by means of such stations is prohibited.

(c) Frequencies available for assignment as provided in paragraphs (a) and (b) of this section are as follows: [2]

Mc.	Mc.	Mc.	Mc.
451.05	451.55	456.05	456.55
451.15	451.65	456.15	456.65
451.25	451.75	456.25	456.75
451.35	451.85	456.35	456.85
451.45	451.95	456.45	456.95

Part 2, Rules Governing Frequency Allocations and Radio Treaty Matters, is proposed to be amended in the following particulars:

In the table of frequency allocations contained in § 2.104 (a) (5), change the entries in column 11 opposite the frequencies 35.74 to 35.94 Mc, inclusive, to read "Industrial", and that opposite the frequency 35.98 Mc to read "Land Transportation".

[F. R. Doc. 53-9606; Filed, Nov. 13, 1953; 8:49 a. m.]

[47 CFR Part 16]

[Docket No. 10743]

Land Transportation Radio Services

Motor Carrier Radio Service

In the matter of amendment of Part 16, rules governing Land Transportation Radio Services, to establish a Motor Carrier Radio Service and to make other related changes.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission's rules governing the Land Transportation Radio Services were made effective July 1, 1949. A study of the use made of the frequencies allocated to the Highway Truck, Intercity Bus and Urban Transit Radio Services indicates that a general revision of this group of services appears to be desirable.

3. The Highway Truck Radio Service was intended primarily to provide communication along intercity highways for trucks operating on a route basis. It now appears that the trucking industry may have a more pressing requirement for intracity communication, not now authorized. Furthermore, the records of the Commission indicate that the majority of Highway Truck Service licensees are not engaged in the trucking business as such, but operate trucks only as an adjunct to their regular business.

4. An examination of all related factors indicates that by combining the Highway Truck, Intercity Bus and Urban Transit Radio Services, by transferring certain truck operations other than those of common and contract truckers to the Special Industrial Radio Service, and by making frequency assignments on the basis of the type of function performed, the use of radio may be expanded, greater frequency utilization may be achieved, limitations on area of operation may be removed, and administration simplified. Acordingly, the Commission contemplates the creation of a new service to be entitled the "Motor Carrier Radio Service." This service will take the place of the present Highway Truck, Intercity Bus, and Urban Transit Radio Services.

5. The proposed rules are set forth below. Interested persons also should refer to two other rule making proposals issued concurrently herewith, concerning amendment of the Automobile Emergency and Special Industrial Radio Services. Although the proposed rules in general speak for themselves, the following points should be noted:

(a) Although the seven frequencies presently allocated to the Highway Truck Radio Service are being transferred to other Services, together with many of the licensees now assigned thereon, four pairs of frequencies in the 450–460 Mc range heretofore available only to the Urban Transit Radio Service, on a shared basis with the Railroad Service, become available on the same shared basis to all persons eligible for the Motor Carrier Radio Service.

(b) One half of the frequencies available to common and contract carriers of property have been designated for assignment to Mobile Stations only. This has been done in an effort to assure maximum frequency utilization and a minimum of interference for all concerned.

6. Certain frequencies are listed in the proposed rules as available for assignment for fixed service operations. However, pending further development of the Commission's microwave program, all requests for point-to-point facilities in the Motor Carrier Radio Service will be considered on a case-by-case basis. This policy is set forth in some detail in the proposed rules.

7. The bands 3500–3700 Mc, 6425–6575 Mc, and 11,700–12,200 Mc available to the mobile service and the band 890–940 Mc available to the fixed service under the Table of Frequency Allocations in Part 2 of the Commission's rules have not been carried over into the new rules.

[2] Subject to the proceedings in Docket No. 10554.

The reason for this is that the Commission is undertaking a comprehensive study of the use of microwaves for private radio systems. (See Withdrawal of Notice of Proposed Rule Making and Termination of Proceedings in Docket 10500, released October 29, 1953.) Pending completion of this study, it is believed that no assignments should be made in these bands in this service.

8. At the time the rules are finalized, it is proposed to adopt the following policy with respect to existing licensees in the Highway Truck, Urban Transit, and Intercity Bus Radio Services:

(a) Each licensee of a station operating under present Subparts F, G, and J of Part 16 of the Commission's rules, the Intercity Bus, Highway Truck and Urban Transit Services respectively, shall submit an application for modification of his station license to change classification and, if necessary, frequency to that which is appropriate for his particular case. All applications shall be sufficiently complete to indicate clearly the applicant's eligibility for the classification desired. Such application may be submitted at any time after those rules are made effective, but no later than 60 days before the expiration date of the current license.

(b) During the pendency of this proceeding all grants will be made subject to such modification without hearing as may be necessary to effect compliance with the rules as finalized.

9. Final action in this matter will dispose of a petition filed by American Trucking Associations, Inc., in June 1951, for "Modification of Eligibility Provisions of Section 16.301 of Highway Truck Radio Service Rules". Said petition is incorporated as a part of the record in this docket.

10. The proposed rules are issued under authority of sections 4 (i) and 303 of the Communications Act of 1934, as amended.

11. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before February 5, 1954, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 14 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

12. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: November 4, 1953.

Released: November 6, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

Proposed amendments to Part 16, rules governing Land Transportation Radio Services:

A. In § 16.6 *Definition of terms* delete the present terms and definitions in paragraphs (g), (h), and (u) and substitute the following:

(g) *Motor Carrier Radio Service.* A radiocommunication service for use in connection with the operation of a motor carrier.

(h) *Motor carrier.* Any motor vehicle or streetcar operated by a common or contract carrier and used for the transportation of passengers and/or property: *Provided, however,* That motor vehicles used as taxicabs, school busses, or for sightseeing purposes are not included within the meaning of this term as used in the Motor Carrier Radio Service.

* * * * *

(u) *Common carrier.* As used in the Motor Carrier Radio Service any person who holds himself out to the general public to engage in the transportation of passengers and/or property by motor carrier for compensation as a regular occupation or business.

* * * * *

(x) *Contract carrier.* As used in the Motor Carrier Radio Service, any person who under individual contracts or agreements engages in the transportation of passengers and/or property by motor carrier for compensation as a regular occupation or business.

B. Delete Subpart G, Highway Truck Radio Service.

C. Delete Subpart J, Urban Transit Radio Service.

D. Delete the title and text of Subpart F, Intercity Bus Radio Service, and substitute the following:

SUBPART F—MOTOR CARRIER RADIO SERVICE

§ 16.251 *Eligibility for license.* Authorizations for stations in the Motor Carrier Radio Service will be issued only to:

(a) Persons regularly engaged in the operation of a common or contract carrier transportation service by motor carrier. For the purpose of establishing eligibility under this paragraph, a certified copy of a certificate of public convenience and necessity issued by the Interstate Commerce Commission, or similar document issued by a state or local regulatory body will be accepted. If such certificate is not available, complete details of applicant's operations, including a satisfactory explanation of why such a certificate is not available, must be submitted.

(b) A non-profit corporation or association organized for the purpose of furnishing a radiocommunication service on a cost-sharing basis solely to persons who are actually engaged in the activities set forth in paragraph (a) of this section.

§ 16.252 *Frequencies available for base and mobile stations.* (a) The following frequencies are available to the Motor Carrier Radio Service for assignment to base stations and mobile stations of common or contract carriers of property:

Base and Mobile	*Mobile only*
Mc.	*Mc.*
43.70	43.94
43.74	43.98
43.78	44.02
43.82	44.06
43.86	44.10
43.90	44.14

(b) The following frequencies are available to the Motor Carrier Radio Service for assignment to base stations and mobile stations of common or contract carriers of passengers:

Mc.	*Mc.*
44.18	44.42
44.22	44.46
44.26	44.50
44.30	44.54
44.34	44.58
44.38	

(c) The following frequencies are available to the Motor Carrier Radio Service on a shared basis with other services, for assignment to base stations and mobile stations of common or contract carriers of passengers:

Mc.	*Mc.*
30.66	30.94
30.70	30.98
30.74	31.02
30.78	31.06
30.82	31.10
30.86	31.14
30.90	

(d) The following frequencies[1] are available to all persons eligible in the Motor Carrier Radio Service on a shared basis with other services, for assignment to base stations and mobile stations under the terms of a developmental authorization only:

Base and mobile	*Mobile only*
Mc.	*Mc.*
452.65	457.65
452.75	457.75
452.85	457.85
452.95	457.95

§ 16.253 *Frequencies available for operational fixed stations.* (a) Frequencies listed in this section are available for assignment for fixed service operations in this service on a limited basis; however, extensive licensing of point-to-point systems must await further development of the Commission's microwave program. Accordingly, requests for point-to-point facilities will be considered on a case-by-case basis. In general, requests for such point-to-point facilities should clearly establish either (1) that a number of fixed stations at permanent locations are required to provide communications between isolated establishments or from such establishments to points at which established communication facilities are available, or (2) that the use of a remotely located base station, with which a requested fixed control and fixed relay link is proposed to be used, is necessary to maintain communications with mobile units for the conduct of authorized communications. Point-to-point facilities will not be authorized for the transmission of any type of signal or communication between two locations within the same Standard Metropolitan Area except for the purpose of providing a fixed control and fixed relay link where the remote

[1] Subject to outcome of the proceedings in Docket No. 10554.

placement of a base station has been justified.

(b) Subject to the conditions that no harmful interference will be caused to reception of television channel No. 4 or 5, the following frequencies[2] are available for assignment to operational fixed stations in the Motor Carrier Radio Service on a shared basis with other services:

Mc.	Mc.	Mc.	Mc.
72.02	72.82	73.62	74.42
72.06	72.86	73.66	74.46
72.10	72.90	73.70	74.50
72.14	72.94	73.74	74.54
72.18	72.98	73.78	74.58
72.22	73.02	73.82	75.42
72.26	73.06	73.86	75.46
72.30	73.10	73.90	75.50
72.34	73.14	73.94	75.54
72.38	73.18	73.98	75.58
72.42	73.22	74.02	75.62
72.46	73.26	74.06	75.66
72.50	73.30	74.10	75.70
72.54	73.34	74.14	75.74
72.58	73.38	74.18	75.78
72.62	73.42	74.22	75.82
72.66	73.46	74.26	75.86
72.70	73.50	74.30	75.90
72.74	73.54	74.34	75.94
72.78	73.58	74.38	75.98

(c) Frequencies in the bands listed below are available for assignment to operational fixed stations in the Motor Carrier Radio Service on a shared basis with other services, under the terms of a developmental grant only; the exact frequency and the authorized band width will be specified in the authorization:

Mc.	Mc.
952– 960	6575– 6875
1850–1990	9800– 9900
2110–2200	12,200–12,700
[1] 2450–2500	[1] 16,000–18,000
2500–2700	26,000–30,000

[1] Use of frequencies in the bands 2450–2500 and 17,850–18,000 Mc is subject to no protection from interference due to the operation of industrial, scientific, and medical devices on the frequencies 2450 and 18,000 Mc.

§ 16.254 *Limitation on installation of mobile units.* Mobile units authorized in this service may be installed only in vehicles used for the carriage of passengers and/or property, and in vehicles used to supervise, tow, repair and maintain such vehicles and, in the case of street-car systems, associated trackage, rights-of-way and electric power facilities, if any.

[F. R. Doc. 53-9607; Filed, Nov. 13, 1953; 8:50 a. m.]

[47 CFR Part 16]

[Docket No. 10744]

LAND TRANSPORTATION RADIO SERVICES

AUTOMOBILE EMERGENCY RADIO SERVICE

In the matter of revision of sub-allocations in the Automobile Emergency Radio Service, § 16.503 of Subpart K of Part 16 of the Commission's rules.

1. At the present time the following frequencies are available for assignment to the Automobile Emergency Radio Service:

35.70 Mc—shared by auto clubs and public garages.

452.55 and 457.55 Mc—proposed to be shared by auto clubs and public garages under Docket 10554.

2. In addition a proposal issued concurrently herewith to create a Motor Carrier Radio Service would make the frequency 35.98 Mc available to the Automobile Emergency Service.

3. It is believed that, by dividing the four frequencies equally between automobile clubs and public garages, a more orderly pattern of assignments may be made and interference reduced. Accordingly, it is proposed to make the frequencies 35.70 and 35.98 Mc[1] available to public garages exclusively, and 452.55 and 457.55 Mc[1] to automobile clubs exclusively. Persons who may be required to shift frequency in the event the changes are finalized as proposed will be given an amortization period of five years from the date of final action herein.

4. The proposed changes are issued under the authority contained in 4 (i) and 303 of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before December 14, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.784 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: November 4, 1953.

Released: November 6, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9608; Filed, Nov. 13, 1953; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

TOWN SITE OF WALLULA, WASHINGTON

SALE OF TOWN LOTS

NOVEMBER 6, 1953.

1. *Authority.* Pursuant to the authority delegated by section 2.78 of Bureau of Land Management Order No. 427 (15 F. R. 5639, 5642) the unsold lots in the town site of Wallula, Washington, will be disposed of under the provisions of sections 2382 to 2386, Revised Statutes. The plat of survey of this town site was approved on November 4, 1952.

2. *Area and price.* The area and minimum price of the lots which will be offered for sale are shown in the schedule set forth below.

3. *Preemption claims.* Preemption rights to purchase at the minimum price fixed by law and not exceeding 2 lots by any one individual were provided for in public notice issued February 18, 1953, in which preemption claimants were required to file in the Washington Land and Survey Office, not later than March 18, 1953, proof of preemption claims in order that publication might be made and proofs submitted prior to date of the public sale held May 14, 1953. The preemption claimants did not file and submit acceptable proofs of the preemption claims as to the lots herein listed, and this notice, announcing the public sale of the lots, contains no provisions pursuant to which preemption claims may be filed.

4. *Public sale.* The lots listed will be offered for sale at public auction by the Regional Administrator, or his designated representative, and will be sold to the highest bidder at the United States Post Office, Wallula, Washington, starting at 1:00 p. m. December 10, 1953, and continuing until all lots are offered. Any qualified person, including preemption claimants and purchasers of lots at the public sale held pursuant to the notice published February 18, 1953, may purchase any number of the lots for which he or she is the highest bidder.

5. *Payment.* No lot will be sold for less than the appraised price. Payment for lots must be made at the time of sale, unless the total sum due from any purchaser exceeds the amount of $500.00. If the total sum due from any purchaser exceeds the amount of $500.00, such purchaser may elect to pay one-half of the total amount in cash on the sale date, and pay the balance within one year from the date of sale, plus interest at four percent per annum to the date of payment. Any deferred payments must be made to the Manager, Washington Land and Survey Office, Spokane, Washington. Failure to make full payment of any deferred installments, with interest, within the time allowed will cause an automatic forfeiture of all payments made, and of all interest under the sale, and the cancellation of the memoran-

[2] Subject to outcome of the proceedings in Docket No. 10315.

[1] Mobile only.

dum certificate of sale issued to the purchaser.

6. *Citizenship requirements.* Every individual purchasing a lot will be required to furnish evidence that he is a citizen of the United States, or that he has declared his intention to become a citizen and every corporation purchasing a lot will be required to furnish evidence, including a certified copy of its articles of incorporation, showing that it was organized under the laws of the United States or of some State, Territory, or possession thereof, and it is authorized to acquire and hold real estate in the State of Washington.

7. *Manner of sale.* Bids and payments may be made in person or by agent, but it may not be made by mail nor at any time or place other than that fixed by this notice.

8. *Authority of officer conducting the sale.* The officer conducting the sale is hereby authorized to reject any and all bids for any lot and to suspend, adjourn, or postpone the sale of any lot or lots. After all the lots to be sold have been offered in the manner herein provided, the sale will be adjourned or closed as the officer conducting the sale deems proper. If the sale is adjourned, the unsold lots will be held for future disposition at public sale. If the sale is closed, the unsold lots will become subject to private entry at the appraised price, and said lots may be purchased from the Manager, Washington Land and Survey Office, Spokane, Washington.

9. *Reservations.* Patents for lots, when issued, will contain a reservation of fissionable source materials and the conditions and limitations as provided by the act of August 1, 1946 (60 Stat. 755), and a reservation of rights-of-way for ditches and canals in accordance with the act of August 30, 1890 (26 Stat. 391).

10. *Warning.* All persons are warned against bargaining in a manner, forming any combination, or entering any agreements, which will prevent any lot from selling advantageously or which will, in any way, hinder or prevent this sale. Any person so offending will be subject to prosecution under 18 U. S. C. 1860.

WILLIAM G. GUERUSEY,
Regional Administrator.

SCHEDULE OF LOTS, BLOCKS, AREAS AND APPRAISED PRICES

TOWN SITE OF WALLULA, WASHINGTON

Block	Lot	Area in square feet	Appraised prices per lot
		Each	
4	1 to 4, inclusive	4,200	$75
6	8	4,200	25

[F. R. Doc. 53-9592; Filed, Nov. 13, 1953; 8:46 a. m.]

Bureau of Reclamation

CENTRAL VALLEY PROJECT, CALIFORNIA

ORDER OF REVOCATION

JUNE 3, 1953.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby revoke Departmental Order of November 15, 1940, insofar as said order affects the following described land; provided, however, that such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the land hereinafter described:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 32 N., R. 5 W.,
Sec. 11, SE¼NW¼, E½SW¼.

The above areas aggregate 120 acres.

G. W. LINEWEAVER,
Assistant Commissioner.

NOVEMBER 9, 1953.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The following-described lands released from withdrawal by this order have, with consent of the Bureau of Reclamation, been classified for lease under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended, and are presently under lease:

MOUNT DIABLO MERIDIAN

T. 32 N., R. 5 W.,
Sec. 11, SW¼SE¼SE¼SW¼, SE¼SW¼SE¼SW¼, SE¼SE¼SE¼SW¼, S½NE¼SE¼SE¼SW¼, S½N½SE¼NE¼SW¼ and N½S½SE¼NE¼SW¼.

The remaining lands released from withdrawal by this order shall not become subject to the initiation of any rights or to any disposition under the public-land laws until it is so provided by an order of classification to be issued by an authorized officer opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended, with a 91-day preference right period for filing such applications by veterans of World War II and others entitled to preference.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Manager, Land Office, Sacramento, California.

WILLIAM PINCUS,
Assistant Director,
Bureau of Land Management.

[F. R. Doc. 53-9593; Filed, Nov. 13, 1953; 8:46 a. m.]

LABARGE PROJECT, WYOMING

ORDER OF REVOCATION

JANUARY 30, 1953.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby revoke Commissioner's Order of May 8, 1951, insofar as said order affects the following described land; *Provided, however,* That such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the land hereinafter described:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 27 N., R. 112 W.,
Sec. 30, Lot 7.

The above area aggregates 22.15 acres.

G. W. LINEWEAVER,
Assistant Commissioner.

NOVEMBER 9, 1953.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The land is cultivable level bench land above the Green River, having a sandy loam soil.

No applications for this land may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon the consideration of an application.

This order shall not otherwise become effective to change the status of the described land until 10:00 a. m. on the 35th day after the date of this order. At that time the said land shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended.

Inquiries concerning the lands shall be addressed to the Manager, Land and Survey Office, Bureau of Land Management, Cheyenne, Wyoming.

WILLIAM PINCUS,
Assistant Director,
Bureau of Land Management.

[F. R. Doc. 53-9594; Filed, Nov. 13, 1953; 8:46 a. m.]

FEDERAL POWER COMMISSION

PENNSYLVANIA GAS CO.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS

NOVEMBER 9, 1953.

Notice is hereby given that on November 6, 1953, the Federal Power Commission issued its order adopted November 4, 1953, approving and directing disposition of amounts classified in Account 107, gas plant adjustments in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-9615; Filed, Nov. 13, 1953; 8:51 a. m.]

[Docket No. E-6515]

DETROIT EDISON CO.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND RELEASING PERMIT

NOVEMBER 9, 1953.

Notice is hereby given that on November 6, 1953, the Federal Power Commission issued its order adopted November 4, 1953, in the above-entitled matter, authorizing transmission of electric energy

to Canada and releasing Permit in Docket No. E–6516.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–9610; Filed Nov. 13, 1953; 8:50 a. m.]

[Docket No. G–1506]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF APPLICATION

NOVEMBER 9, 1953.

Take notice that on October 15, 1953, New York State Natural Gas Corporation (Applicant), a New York corporation, address, New York City, filed an application for modification of the Commission's order issued on January 17, 1951 in Docket No. G–1506, issuing a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities and the delivery and sale of natural gas by means thereof to Crystal City Gas Company (Crystal City) in the Town of Horseheads, Chemung County, New York.

The order issued on January 17, 1951, authorized the delivery and sale of natural gas as described in the application filed in Docket No. G–1506, which application contains a form of service agreement providing for maximum daily deliveries during December, January, February, and March, of 3,150 Mcf in 1953, increasing to 3,600 Mcf in 1956, with provision for election by Crystal City to receive up to 130 percent of the said volumes during the winter months. Applicant now requests authority to sell and deliver to Corning Natural Gas Corporation (Corning), the successor to Crystal City, additional volumes of natural gas, thereby increasing Applicant's daily deliveries to Corning from 3,150 Mcf in December 1953 to 5,150 Mcf, and for the first three months of 1954 from 3,450 Mcf to 5,450 Mcf per day. No new facilities are proposed to be constructed by Applicant to render the proposed increased service.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 30th day of November 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–9616; Filed, Nov. 13, 1953; 8:51 a. m.]

[Docket Nos. G–2051, G–2165]

HOPE NATURAL GAS CO.

NOTICE OF MEMORANDUM OPINION NO. 262 AND ORDER

NOVEMBER 9, 1953.

Notice is hereby given that on November 6, 1953, the Federal Power Commission issued its opinion and order adopted November 4, 1953, in the above-entitled matters, accepting proposed settlement, making effective revised tariff changes, and terminating proceedings in said dockets, upon conditions specified in the order.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–9611; Filed, Nov. 13, 1953; 8:50 a. m.]

[Docket No. G–2160]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

NOTICE OF FINAL DECISION

NOVEMBER 9, 1953.

Notice is hereby given that the Presiding Examiner's Decision issuing a certificate of public convenience and necessity in the above-designated matter was issued and served upon all parties on October 8, 1953. No exceptions thereto having been filed or review initiated by the Commission, in conformity with the Commission's rules of practice and procedure, said Decision became effective on November 9, 1953, as the final decision and order of the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–9617; Filed, Nov. 13, 1953; 8:51 a. m.]

[Docket Nos. G–2215, G–2221, G–2223, G–2224, G–2249]

EL PASO NATURAL GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDERS

NOVEMBER 9, 1953.

In the matters of El Paso Natural Gas Company, Docket No. G–2215; East Tennessee Natural Gas Company, Docket No. G–2221; Natural Gas Pipeline Company of America, Docket Nos. G–2223 and G–2224; The Narragansett Electric Company, Docket No. G–2249.

Notice is hereby given that on November 6, 1953, the Federal Power Commission issued its orders adopted November 4, 1953, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–9612; Filed, Nov. 13, 1953; 8:51 a. m.]

[Docket No. G–2233]

SOUTHERN NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

NOVEMBER 9, 1953.

Notice is hereby given that on November 6, 1953, the Federal Power Commission issued its order adopted November 4, 1953, issuing certificate of public convenience and necessity and permitting and approving abandonment of natural-gas facilities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–9613; Filed, Nov. 13, 1953; 8:51 a. m.]

[Project No. 2000]

POWER AUTHORITY OF THE STATE OF NEW YORK

NOTICE OF OPINION NO. 255 AND ORDER

NOVEMBER 9, 1953.

Notice is hereby given that on July 15, 1953, the Federal Power Commission issued its opinion and order adopted July 10, 1953, issuing license for major project in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–9614; Filed, Nov. 13, 1953; 8:51 a. m.]

GENERAL SERVICES ADMINISTRATION

POSTMASTER GENERAL, POST OFFICE DEPARTMENT

DELEGATION OF AUTHORITY WITH RESPECT TO MAINTENANCE, OPERATION, PROTECTION, MANAGEMENT, AND DISPOSAL OF POST OFFICE SITES AND ADDITIONS THERETO

1. Pursuant to the authority vested in me by the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, hereinafter called the act, I hereby delegate to the Postmaster General the authority vested in me for the maintenance, operation, protection, and management of sites or additions to sites acquired pursuant to the provisions of the act of May 25, 1926, 44 Stat. 630, as amended, and the act of June 16, 1949, 63 Stat. 176, heretofore or hereafter transferred and assigned to the Post Office Department including authority vested in me by the provisions of the third paragraph of section 5 (exclusive of the last proviso) of the act of May 25, 1926, 44 Stat. 630, as amended by the act of June 16, 1949, 63 Stat. 199 (40 U. S. C. 345).

2. Pursuant to the authority vested in me by the act, I hereby further authorize the Postmaster General to determine whether such sites are required for the needs and responsibilities of Federal agencies and, should the property be determined to be surplus to the needs of the Government, to dispose of such sites by sale, exchange, lease, permit or transfer, for cash, credit or other property, as the interest of the Government may require.

3. Prior to such termination and disposal of the sites, the Postmaster General shall take such steps as may be appropriate to determine whether any Federal agency has need therefor, and, if so, shall transfer the sites to such agency upon such terms as to reimbursement as may be prescribed in accordance with the provisions of section 202 (a) of the act, as amended.

4. In the event that disposal of any or all of the particular sites will be accomplished by negotiation, the Postmaster General shall submit to the appropriate committees of Congress an explanatory statement of the type required by section 203 (e) of the act, as amended by section 1 (i) of Public Law 522, 82d Congress, at least thirty (30) days prior to the consummation of the negotiated sale. A

copy of such statement shall be provided this Administration.

5. The authority conferred by sections 2 and 3 hereof shall be exercised in accordance with the act and regulations of this Administration issued pursuant thereto.

6. The authority delegated herein may be redelegated to any officer or employee of the Post Office Department.

7. This delegation of authority shall be effective as of September 17, 1953.

Dated: November 6, 1953.

EDMUND F. MANSURE,
Administrator.

[F. R. Doc. 53-9596; Filed, Nov. 13, 1953; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10413]

KENEDY BROADCASTING CO., LTD.

ORDER CONTINUING HEARING

In re application of Kenedy Broadcasting Company, Ltd., Kenedy, Texas, Docket No. 10413, File No. BP-8578; for AM construction permit.

It appearing, that there was filed in behalf of the above applicant on November 5, 1953, a petition to reconsider and grant its application without hearing, and that such hearing is presently scheduled for November 9, 1953;

It is ordered, This 6th day of November 1953, on the Commission's own motion, that the hearing herein is continued indefinitely.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9629; Filed, Nov. 13, 1953; 8:53 a. m.]

[Docket Nos. 10657, 10658]

SOUTH JERSEY BROADCASTING CO. AND PATRICK JOSEPH STATION

NOTICE CONTINUING HEARING

In re applications of South Jersey Broadcasting Company, Camden, New Jersey, Docket No. 10657, File No. BPCT-1522; Patrick Joseph Station, Philadelphia, Pennsylvania, Docket No. 10658, File No. BPCT-1674; for construction permits for new commercial television stations.

Hearing in the above-entitled proceedings is continued on the Examiner's own motion from 10:00 a. m., November 9, 1953, to 10:00 a. m., November 30, 1953.

Dated: November 6, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9630; Filed, Nov. 13, 1953; 8:53 a. m.]

[Docket Nos. 10660, 10661]

BOOTH RADIO & TELEVISION STATIONS, INC., AND WOODWARD BROADCASTING CO.

ORDER RE ISSUES

In re applications of Booth Radio & Television Stations, Inc., Detroit, Michigan, Docket No. 10660, File No. BPCT-724; Woodward Broadcasting Company, Detroit, Michigan, Docket No. 10661, File No. BPCT-1418; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of November 1953;

The Commission having under consideration a Petition for Declaratory Ruling or for Alternative Relief filed by Woodward Broadcasting Company on October 21, 1953, and a reply filed in opposition thereto by Booth Radio & Television Stations, Inc., on October 30, 1953;

It appearing, that, contrary to the view urged by petitioner, the Commission's ruling of October 1, 1953, in South Central Broadcasting Corporation et al., 9 Pike & Fischer RR 1035, does not constitute a general authorization to Hearing Examiners in similar cases to enlarge specified hearing issues to determine whether the funds available to applicants will give reasonable assurances that the proposals set forth in the applications will be effectuated; and

It further appearing, that, following our ruling in South Central Broadcasting supra, the order of designation in the instant proceeding should be modified authorizing the Examiner, upon sufficient allegations of supporting facts, to enlarge the hearing issues to determine whether the funds available to Booth Radio & Television will give reasonable assurance that the proposals set forth in its application will be effectuated; and

It further appearing, that there is now pending before the Examiner herein a request by petitioner that the parties be required to exchange additional financial data relating to the question of ability to effectuate applicant's proposals; that under the Commission's hearing procedures Examiners possess the authority to require parties to exchange additional information to assure that statements of points of difference may be recited with reasonable specificity; and that, therefore, petitioner's request that we instruct the Examiner to require the exchange of such additional data is premature;

It is ordered, That the issues specified in this proceeding may be enlarged by the Examiner, upon sufficient allegations of fact made in support of said enlargement, by the addition of the following issue: To determine whether the funds available to Booth Radio & Television Stations, Inc., will give reasonable assurance that the proposals set forth in its application will be effectuated.

It is further ordered, That in all other respects the petition of Woodward Broadcasting Company is denied.

Released: November 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9631; Filed, Nov. 13, 1953; 8:53 a. m.]

[Docket Nos. 10672, 10673]

PERKINS BROTHERS CO. AND KCOM BROADCASTING CO.

ORDER DELETING ISSUES

In re applications of Perkins Brothers Company, Sioux City, Iowa, Docket No. 10672, File No. BPCT-688; KCOM Broadcasting Company, Sioux City, Iowa, Docket No. 10673, File No. BPCT-864; for a construction permit for new television station.

At a session of the Federal Communications Commision held at its offices in Washington, D. C., on the 5th day of November 1953;

There being under consideration a Petition to Change Issues filed by Perkins Brothers Company on September 23, 1953; and

It appearing, that the petition of Perkins Brothers Company seeks to delete issues No. 1 and 2 of the Commission's order of September 2, 1953, for the reason that a petition for leave to amend petitioner's application covering the matters which it seeks to delete was granted by Order dated September 25, 1953; and

It further appearing, that issues Nos. 1 and 2 of the Commision's order of September 2, 1953, relating to the above-entitled matter, have now become moot;

It is ordered, That the Commission's order of September 2, 1953, is modified by the deletion of issues Nos. 1 and 2.

Released: November 10, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53-9632; Filed, Nov. 13, 1953; 8:54 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[Amdt. 29]

ORGANIZATION AND FUNCTIONS

AVIATION SAFETY DISTRICT OFFICE AT PITTSBURGH

In accordance with the public information requirements of the Administrative Procedure Act, the description of Organization and Functions of the Civil Aeronautics Administration is hereby amended. The purpose of this amendment is to publish a change in address

of the Aviation Safety District Office at Pittsburgh, Pennsylvania. Section 43 (h) (4) (ii), published on October 15, 1953, in 18 F. R. 6572, is amended to read:

SEC. 43. *Regions 1–6.* * * *

(h) *Aviation Safety Division.* * * *

(4) *Aviation Safety District Offices.* * * *

(ii) *Locations and specialties.* * * *

OFFICE OF AVIATION SAFETY—REGION I—DISTRICT OFFICES

State	City	Location	Mailing address	Specialty
*	*	* *	* *	*
Pennsylvania	Allentown	Allentown-Bethlehem-Easton Airport.	Allentown-Bethlehem-Easton Airport.	(G)
	Harrisburg	Harrisburg State Airport, New Cumberland.	Harrisburg State Airport, New Cumberland, Pa.	(G)
	Pittsburgh	Room 303, Administration Bldg., Greater Pittsburgh Airport.	Room 303, Administration Bldg., Greater Pittsburgh Airport.	(C)
		Allegheny County Airport, Dravosburg.	Allegheny County Airport, Dravosburg, Pa.	(G)
	Williamsport	Lycoming Division, Aviation Corp.	P. O. Box 928	(F)
*	*	* *	* *	*

This amendment shall become effective on November 15, 1953.

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53–9668; Filed, Nov. 13, 1953; 8:57 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–3139]

STANDARD POWER AND LIGHT CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

NOVEMBER 9, 1953.

Standard Power and Light Corporation ("Standard Power"), a registered holding company, having filed a declaration and amendments thereto, pursuant to section 12 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-44 and U-46 thereunder, regarding its proposals (a) to pay a dividend of 25 cents per share out of capital surplus, to the holders of its outstanding 1,320,000 shares of Common Stock and 110,000 shares of Common Stock, Series B, and (b) to sell from 10,000 to 15,000 shares of the 290,000 shares of common stock of Duquesne Light Company held by Standard Power; and

A public hearing having been held after appropriate notice and the Commission having this day issued its findings and opinion herein;

Standard Power having requested that the Commission's order herein become effective forthwith and the Commission deeming it appropriate to grant such request:

It is ordered, Pursuant to the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the following additional terms and conditions and reservations of jurisdiction:

1. That Standard Power shall accompany the dividend checks with a statement to the effect

a. That the Commission's action in permitting the declaration to become effective is not to be construed as a determination by the Commission that such dividend payment is or is not taxable to the recipients pursuant to the provisions of the Internal Revenue Code; and

b. That Standard Power filed a declaration with the Commission pursuant to section 12 of the act and Rule U-46 thereunder and the Commission permitted the declaration to become effective without determining whether the payment is being made out of capital or unearned surplus.

2. That the proposed sale of the common stock of Duquesne Light Company by Standard Power shall not be consummated until the results of negotiation by Standard Power for such sale shall have been made a matter of record herein and a further order shall have been entered by the Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

3. That jurisdiction be, and it hereby is, specifically reserved to determine and pass upon, in this or any other appropriate proceeding:

a. The reasonableness of all counsel fees and expenses incurred or to be incurred in connection with the proposed transactions.

b. The accounting entries with respect to the proposed transactions.

c. The extent, if any, to which Standard Power may be liable to H. M. Byllesby and Company by reason of the payment of the dividend proposed herein.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53–9598; Filed, Nov. 13, 1953; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28629]

FERTILIZERS FROM LUMBERTON, N. C., TO OFFICIAL AND ILLINOIS TERRITORIES

APPLICATION FOR RELIEF

NOVEMBER 10, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Fertilizer and fertilizer materials, carloads.

From: Lumberton, N. C.

To: Official and Illinois territories.

Grounds for relief: Rail competition, circuity, market competition, grouping, and additional origin.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1366, supp. 14.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 53–9618; Filed, Nov. 13, 1953; 8:52 a. m.]

[4th Sec. Application 28630]

PHOSPHATE ROCK FROM FLORIDA TO THE SOUTHWEST

APPLICATION FOR RELIEF

NOVEMBER 10, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedules, listed below.

Commodities involved: Phosphate rock, carloads.

From: Bartow, Fla. and points in Florida taking same rates.

To: Points in Arkansas, Louisiana, Oklahoma, and Texas.

Grounds for relief: Rail competition, circuity, market competition, grouping, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad Company tariff I. C. C. No. B–3232, supp. 91; Seaboard Air Line Railroad Company tariff I. C. C. No. A–8153, supp. 85.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than

applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-9619; Filed, Nov. 13, 1953; 8:52 a. m.]

[4th Sec. Application 28634]

SUPERPHOSPHATE FROM SOUTHERN TERRITORY TO ARMOUR, IOWA

APPLICATION FOR RELIEF

NOVEMBER 10, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr. Agent, for carriers parties to schedule listed below.

Commodities involved: Superphosphate (acid phosphate) other than ammoniated or defluorinated, carloads.

From: Points in southern territory.

To: Armour, Iowa.

Grounds for relief: Rail competition, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1286, supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-9623; Filed, Nov. 13, 1953; 8:52 a. m.]

[4th Sec. Application 28635]

CEMENT FROM OKLAHOMA, MISSOURI AND KANSAS TO FLORIDA

APPLICATION FOR RELIEF

NOVEMBER 10, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provisions of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Cement and related articles, carloads.

From: Dewey, Okla., Sugar Creek, Mo., Kansas City, Mo.-Kans., and points in Kansas.

To: Points in Florida.

Grounds for relief: Rail competition, circuity, grouping, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates; F. C. Kratzmeir, Agent, I. C. C. No. 4050, supp. 7.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-9624; Filed, Nov. 13, 1953; 8:52 a. m.]

[4th Sec. Application 28636]

BEVERAGE PREPARATIONS FROM CHICAGO, ILL., TO TEXAS AND NEW MEXICO

APPLICATION FOR RELIEF

NOVEMBER 10, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved: Beverage preparations, dry, carloads.

From: Chicago, Ill.

To: Abilene and Lubbock, Tex., and Albuquerque, N. Mex.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3912, supp. 217.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-9625; Filed, Nov. 13, 1953; 8:53 a. m.]

[4th Sec. Application 28637]

TALL OIL FROM LOUISIANA, ARKANSAS AND TEXAS TO GREENVILLE, MISS.

APPLICATION FOR RELIEF

NOVEMBER 10, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Tall oil, crude, in barrels, carloads and in tank-car loads.

From: Points in Louisiana, Arkansas, and Texas.

To: Greenville, Miss.

Grounds for relief: Rail competition, circuity, and to apply rates constructed on the basis of short line distance formula, and additional destination.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3967, supp. 283; F. C. Kratzmeir, Agent, I. C. C. No. 3908, supp. 165; F. C. Kratzmeir, Agent, I. C. C. No. 3906, supp. 194.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 53-9626; Filed, Nov. 13, 1953; 8:53 a. m.]