

FEDERAL REGISTER



VOLUME 22

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Washington, Tuesday, July 2, 1957

TITLE 3—THE PRESIDENT

PROCLAMATION 3188

UNITED NATIONS DAY, 1957

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the United States of America is one of the founders of the United Nations and has consistently supported it in its unceasing quest for a durable peace based upon freedom and justice; and

WHEREAS the devotion of the people of the United States to the principles of the United Nations Charter is the expression of a faith deeply rooted in American cultural, political, and spiritual convictions; and

WHEREAS the United States considers that further development of the process of the United Nations will enable it to promote justice under international law with increased effectiveness; and

WHEREAS world opinion in support of international morality, law, and order has helped to make the United Nations a constructive force for the development of a stable, prosperous, and peaceful world; and

WHEREAS the United Nations has been instrumental in preventing open conflict between nations by offering its machinery for conciliation, negotiation, and pacific settlement; and

WHEREAS the United Nations, in cooperation with the Specialized Agencies, has been helping to create the basic conditions for peace by encouraging greater production of food, better health, higher standards of living, and greater educational opportunities; and

WHEREAS the General Assembly of the United Nations has resolved that October 24, the anniversary of the coming into force of the United Nations Charter, should be dedicated each year to making known the purposes, principles, and accomplishments of the United Nations:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby urge the citizens of this Nation to observe Thursday, October 24, 1957, as United Nations Day by means of community programs which will demonstrate their faith in, and support of, the United Nations and

will contribute to a better understanding of its accomplishments and of the hopes that inspired its founders.

I also call upon the officials of the Federal and State Governments and upon local officials to encourage citizen groups and agencies of the press, radio, television, and motion pictures, as well as all citizens, to engage in appropriate observance of United Nations Day throughout our country in cooperation with the United States Committee for the United Nations.

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 26th day of June in the year of our Lord nineteen hundred and [SEAL] fifty-seven and of the Independence of the United States of America the one hundred and eighty-first.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 57-5392; Filed, July 1, 1957;
10:35 a. m.]

PROCLAMATION 3188A

IMMIGRATION QUOTA—GHANA

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS under the provisions of section 202 (a) of the Immigration and Nationality Act, each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than independent countries of North, Central, and South America, is entitled to be treated as a separate quota area when approved by the Secretary of State; and

WHEREAS under the provisions of section 201 (b) of the Immigration and Nationality Act, the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, are required to determine the annual quota of any quota

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(As of January 1, 1957)

The following are now available:

Title 6 (Rev. 1956) (\$6.00)

Title 26 (1954), Part 221 to end (Rev. 1956) (\$4.75)

Previously announced: Title 3, 1956 Supp. (\$0.40); Titles 4 and 5 (\$1.00); Title 7, Parts 1-209 (\$1.75), Parts 210-899 (\$2.00), Parts 900-959 (\$0.50), Part 960 to end (\$1.25); Title 8 (\$0.55); Title 9 (\$0.70); Titles 10-13 (\$1.00); Title 14, Part 400 to end (\$1.00); Title 16 (\$1.50); Title 17 (\$0.60); Title 18 (\$0.50); Title 19 (\$0.65); Title 20 (\$1.00); Title 21 (\$0.50); Titles 22 and 23 (\$1.00); Title 24 (\$1.00); Title 25 (\$1.25); Title 26, Parts 1-79 (\$0.35), Parts 80-169 (\$0.50), Parts 170-182 (\$0.35), Parts 183-299 (\$0.30), Part 300 to end, Ch. 1, and Title 27 (\$1.00); Title 26 (1954), Parts 1-169 (Rev. 1956) (\$4.25), Parts 170-220 (Rev. 1956) (\$2.25); Titles 28 and 29 (\$1.50); Titles 30 and 31 (\$1.50); Title 32, Parts 1-399 (\$1.00), Parts 400-699 (\$1.25), Parts 700-799 (\$0.50), Parts 800-1099 (\$0.55), Part 1100 to end (\$0.50); Title 32A (\$2.00); Title 33 (\$1.50); Titles 35, 36, and 37 (\$1.00); Title 38 (Rev. 1956) (\$8.00); Title 39 (\$0.50); Titles 40, 41, and 42 (\$1.00); Title 43 (\$0.60); Titles 44 and 45 (\$1.00); Title 46, Parts 1-145 (\$0.65); Titles 47 and 48 (\$2.75); Title 49, Parts 1-70 (\$0.65), Parts 91-164 (\$0.60), Part 165 to end (\$0.70); Title 50 (\$0.60)

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therewith, an immigration quota for Ghana as hereinafter set forth:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the aforesaid act of Congress, do hereby proclaim and make known that the annual quota of the quota area hereinafter designated has been determined in accordance with the law to be, and shall be, as follows:

Area No.	Quota area	Quota
88	Ghana.....	100

The establishment of an immigration quota for any quota area is solely for the purpose of compliance with the pertinent provisions of the Immigration and Nationality Act and is not to be considered as having any significance extraneous to such purpose.

Proclamation No. 2980 of June 30, 1952, entitled "Immigration Quotas", is amended by the abolishment of the annual immigration quota of one hundred established for the United Nations Trust Territory of British Togoland, and by the addition of the immigration quota for Ghana as set forth in this proclamation.

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 26th day of June in the year of our Lord nineteen hundred and fifty-seven, and of the Independence of the United States of America the one hundred and eighty-first.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 57-5390; Filed, July 1, 1957; 10:35 a. m.]

PROCLAMATION 3189

IMPOSING A QUOTA ON IMPORTS OF RYE, RYE FLOUR, AND RYE MEAL

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U. S. C. 624), the Secretary of Agriculture advised me that there was reason to believe that rye, rye flour, and rye meal are practically certain to be imported into the United States after June 30, 1957, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the price-support program undertaken by the Department of Agriculture with respect to rye pursuant to sections 301 and 401 of the Agricultural Act of 1949, as amended, or to reduce substantially the amount of products

processed in the United States from domestic rye with respect to which such program of the Department of Agriculture is being undertaken; and

WHEREAS, on May 11, 1957, I caused the United States Tariff Commission to make an investigation under the said section 22 with respect to this matter; and

WHEREAS the said Tariff Commission has made such investigation and has reported to me its findings and recommendations made in connection therewith; and

WHEREAS, on the basis of the said investigation and report of the Tariff Commission, I find that rye, rye flour, and rye meal, in the aggregate, are practically certain to be imported into the United States after June 30, 1957, under such conditions and in such quantities as to interfere materially with and to tend to render ineffective the said price-support program with respect to rye, and to reduce substantially the amount of products processed in the United States from domestic rye with respect to which said price-support program is being undertaken; and

WHEREAS I find and declare that the imposition of the quantitative limitations hereinafter proclaimed is shown by such investigation of the Tariff Commission to be necessary in order that the entry, or withdrawal from warehouse, for consumption after June 30, 1957, of rye, rye flour, and rye meal will not render ineffective, or materially interfere with, the said price-support program:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the said section 22 of the Agricultural Adjustment Act, as amended, do hereby proclaim that—

(1) the total aggregate quantity of rye, rye flour, and rye meal which may be entered, or withdrawn from warehouse, for consumption in each of the 12-month periods beginning July 1 in 1957 and in 1958 shall not exceed 186,000,000 pounds, of which not more than 15,000 pounds may be in the form of rye flour or rye meal, which permissible total quantities I find and declare to be proportionately not less than 50 per centum of the total quantity of such rye, rye flour, and rye meal entered, or withdrawn from warehouse, for consumption during the representative period July 1, 1950, to June 30, 1953, inclusive, and

(2) during each such 12-month period, of the foregoing permissible total quantity, not more than 182,280,000 pounds shall be imported from Canada and not more than 3,720,000 pounds shall be imported from other foreign countries.

The provisions of this proclamation shall not apply to certified or registered seed rye for use for seeding and crop-improvement purposes, in bags tagged and sealed by an officially recognized seed-certifying agency of the country of production, if—

(a) the individual shipment amounts to 100 bushels (of 56 pounds each) or less, or

area established pursuant to the provisions of section 202 (a) of the said act, and to report to the President the quota of each quota area so determined; and

WHEREAS the State of Ghana came into existence on March 6, 1957, when the former British West African Colony of the Gold Coast was granted independence by the Government of the United Kingdom within the British Commonwealth of Nations, and at the same time the United Nations Trust Territory of British Togoland became an integral part of the State of Ghana; and

WHEREAS the Secretary of State, the Secretary of Commerce, and the Attorney General have reported to the President that, in accordance with the duty imposed and the authority conferred upon them by section 201 (b) of the Immigration and Nationality Act, they jointly have made the determination provided for and computed under the provisions of section 201 (a) of the said act, and have fixed, in accordance

(b) the individual shipment amounts to more than 100 bushels (of 56 pounds each) and the written approval of the Secretary of Agriculture or his designated representative is presented at the time of entry, or bond is furnished in a form prescribed by the Commissioner of Customs in an amount equal to the value of the merchandise as set forth in the entry, plus the estimated duty as determined at the time of entry, conditioned upon the production of such written approval within six months from the date of entry.

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 27th day of June in the year of our Lord nineteen hundred and [SEAL] fifty-seven, and of the Independence of the United States of America the one hundred and eighty-first.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 57-5391; Filed, July 1, 1957;
10:35 a. m.]

EXECUTIVE ORDER 10717

THE PRESIDENT'S AWARD FOR DISTINGUISHED FEDERAL CIVILIAN SERVICE

By virtue of the authority vested in me by the Government Employees' Incentive Awards Act, approved September 1, 1954 (68 Stat. 1112), and as President of the United States, it is ordered as follows:

SECTION 1. There is hereby established an honorary award for the recognition of distinguished service by civilian officers and employees of the Federal Government. The award shall be known as the President's Award for Distinguished Federal Civilian Service, and shall consist of a gold medal, the design of which accompanies and is hereby made a part of this order, suspended on a ribbon of appropriate material and color, and accompanying appurtenances. Each medal shall be suitably inscribed, and an appropriate citation shall accompany each award.

SEC. 2. The President's Award for Distinguished Federal Civilian Service shall be presented by the President to civilian officers or employees of the Federal Government for exceptionally meritorious or outstanding civilian service performed in connection with or in relation to their official employment. Presentation of the award shall be made at such times as the President may determine; but not more than five awards shall be made in any one year. An award involving a group achievement shall be considered as a single award.

SEC. 3. There is hereby established the Distinguished Civilian Service Awards Board (hereinafter referred to as the Board), which shall consist of five mem-

bers, appointed by the President from the Federal civilian service. The Chairman of the Board shall be designated by the President from the membership of the Board.

SEC. 4. The terms of service of the members of the Board shall be four years, except that the first term of service of two of the original members, other than the Chairman, shall be two years instead of four years. Any member appointed to fill a vacancy on the Board occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of such term.

SEC. 5. The members of the Board shall serve as such without additional compensation. The Chairman of the Civil Service Commission, or his designated representative, shall serve as Executive Secretary of the Board, and the Civil Service Commission is requested to furnish the Board the necessary staff and other services.

SEC. 6. The Board shall advise and assist the President in the selection of persons to whom the award shall be tendered. In performing its functions, the Board shall carefully review recommendations submitted to it and decide which of them, if any, warrant presentation to the President, and shall transmit to the President, for his consideration, the names of those persons deemed by it to merit the award, together with its reasons therefor. Recipients for the award shall be selected by the President.

SEC. 7. Recommendations for the award may be made by the heads of executive departments and agencies. Each recommendation shall be made personally by the head of the department or agency in which the proposed recipient of the award is employed, and shall be submitted, with appropriate supporting material, to the Board for its consideration.

SEC. 8. The Board shall be guided in the performance of its functions by the provisions of subsections (b) and (c) of section 304 of the Government Employees Incentive Awards Act, and by criteria and procedures established by it with the approval of the President. Such criteria shall include, but not be limited to, the following:

(a) The significance and importance of the contribution to the Government or the public interest shall be so outstanding or exceptional that, in the opinion of the Board, the officer or employee is deserving of greater public commendation and official recognition than that which can be accorded by the head of the department or agency in which he is employed.

(b) Awards shall be made only to civilian career officers or employees of the Government, or to officers or employees whose Federal service, in the opinion of the Board, can reasonably be considered as career service.

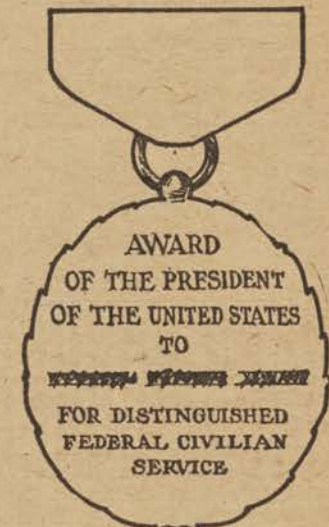
SEC. 9. This order shall become effective on July 1, 1957.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
June 27, 1957.



OBVERSE



REVERSE
Actual Size

[F. R. Doc. 57-5355; Filed, June 28, 1957;
11:27 a. m.]

EXECUTIVE ORDER 10718

DELEGATING TO THE SECRETARY OF STATE AUTHORITY TO PRESCRIBE THE RATES OR TARIFFS OF FEES FOR OFFICIAL SERVICES AT UNITED STATES EMBASSIES, LEGATIONS, AND CONSULATES

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. There is hereby delegated to the Secretary of State the authority vested in the President by section 1745 of the Revised Statutes of the United States (22 U. S. C. 1201) to prescribe, from time to time, the rates or tariffs of fees to be charged for official services, and to designate what shall be regarded as official services, besides such as are expressly declared by law, in the business

of the several embassies, legations, and consulates, and to adapt the same, by such differences as may be necessary or proper, to each embassy, legation, or consulate.

Sec. 2. This order shall not operate to amend, supersede, or terminate any rates or tariffs of fees, designations, or adaptations prescribed or made under authority of the said section 1745 and in force immediately prior to the issuance of this order; but authority to amend, supersede, or terminate the same, and to prescribe regulations necessary or desirable for the implementation of rates or tariffs of fees, designations, or adaptations heretofore or hereafter prescribed or made, shall be deemed to be included within the authority delegated by section 1 of this order.

Sec. 3. The rates or tariffs of fees and the regulations prescribed and any other actions taken by the Secretary of State under authority of this order shall be published in the FEDERAL REGISTER.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
June 27, 1957.

[F. R. Doc. 57-5374; Filed, June 28, 1957;
2:53 p. m.]

REORGANIZATION PLAN NO. 1 OF 1957

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 29, 1957, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949, as amended.

ABOLITION OF THE RECONSTRUCTION FINANCE CORPORATION

SECTION 1. *Definitions.* As used in this reorganization plan: (a) The term "Corporation" means the Reconstruction Finance Corporation.

(b) The term "remaining functions" means (1) all functions of the Corporation, (2) except as otherwise provided in subsections (b) and (c) of section 6 of this reorganization plan, all functions of the Secretary of the Treasury under section 10 of the Reconstruction Finance Corporation Act, as amended (15 U. S. C. 609), and (3) all functions of the Secretary of the Treasury under sections 102 and 106 (b) of the Reconstruction Finance Corporation Liquidation Act (67 Stat. 230, 231), as amended.

(c) The term "transferees" means the Housing and Home Finance Administrator, the Administrator of General Services, the Administrator of the Small Business Administration, and the Secretary of the Treasury.

SEC. 2. *Transfer of functions.* (a) There are hereby transferred to the Housing and Home Finance Adminis-

¹ Effective June 30, 1957, in accordance with the provisions of section 7 of the plan; published pursuant to section 11 of the Reorganization Act of 1949, as amended (sec. 11, 63 Stat. 206; 5 U. S. C. 133z-9).

trator the remaining functions with respect to or arising out of (1) the securities and obligations of, loans made to, and contracts or other agreements with, States, municipalities, political subdivisions thereof, public agencies, boards, commissions or other public bodies, and (2) loans, securities and obligations acquired in connection with programs of financial assistance for drainage and irrigation projects.

(b) There are hereby transferred to the Administrator of General Services the remaining functions with respect to or arising out of (1) the affairs of the Smaller War Plants Corporation which were transferred to the Corporation pursuant to Executive Order No. 9665 of December 27, 1945 (11 F. R. 3) and section 207 of Public Law 132—80th Congress (61 Stat. 209), (2) the national defense, war and reconversion activities with respect to which notes of the Corporation were cancelled pursuant to the provisions of Title II of Public Law 860—80th Congress (62 Stat. 1187), and (3) activities of the RFC Price Adjustment Board and the functions transferred to the Corporation by Executive Order No. 9841 of April 23, 1947 (12 F. R. 2645).

(c) Except as otherwise provided in sections 2 (d) (1) and 2 (d) (2) of this reorganization plan (relating to financial assistance to railroads, etc., and to Schedule A hereto annexed), there are hereby transferred to the Administrator of the Small Business Administration the remaining functions with respect to or arising out of programs of financial assistance to business enterprises and to victims of floods or other disasters.

(d) There are hereby transferred to the Secretary of the Treasury all functions of the Corporation not otherwise transferred by the provisions of this reorganization plan, including, but not limited to, all functions of the Corporation with respect to or arising out of (1) programs of financial assistance to railroad companies, financial institutions, and insurance companies, (2) the obligations and loans listed in Schedule A hereto annexed, and (3) the War Damage Corporation.

(e) The foregoing transfers include the transfer to each transferee, for use in executing his respective functions thereunder, of the powers, authority, rights, and immunities now vested in or available or applicable to the Corporation for carrying out the functions transferred to the transferee under this reorganization plan.

SEC. 3. *Transfer of assets and liabilities.* The loans, obligations, securities, capital stock, and other assets pertaining to the functions transferred by section 2 of this reorganization plan (including accrued interest thereon, and property acquired in connection therewith) and the liabilities, contracts, bonds, mortgages, notes and other instruments relating thereto are hereby transferred from the Corporation to the respective transferees: *Provided, however,* That all assets, liabilities, and commitments relating to the functions transferred by section 2 (a) of this reorganization plan are hereby transferred

to the Revolving Fund (Liquidating Programs) established by the Independent Offices Appropriation Act, 1955 (68 Stat. 295).

SEC. 4. *Administrative property, personnel, funds and records.* In addition to the transfers made by the provisions of section 3 of this reorganization plan, there shall be transferred to the Housing and Home Finance Agency, General Services Administration, Small Business Administration, and Treasury Department so much as the Director of the Bureau of the Budget shall determine to be appropriate by reason of transfers made by sections 2 and 3 of this reorganization plan of the administrative property, personnel, records, liabilities and commitments of the Corporation or of the Office of Production and Defense Lending in the Department of the Treasury and of the authorizations, allocations, and funds available or to be made available with respect to the transferred functions (including, but in no way limiting the generality of the foregoing, the authority to issue notes or other obligations to the Secretary of the Treasury, which may be purchased by the Secretary, under section 7 of the Reconstruction Finance Corporation Act, as amended (15 U. S. C. 606), and the duty of making payments on such notes or obligations issued by or transferred to the respective transferee hereunder). In allocating the administrative expense funds applicable to the functions transferred by the provisions of this reorganization plan the said Director shall allocate and transfer to the General Services Administration as a payment on behalf of the Housing and Home Finance Agency, General Services Administration, Small Business Administration and Treasury Department such sum for rent of building space for the carrying out of the transferred functions during the fiscal year ending June 30, 1958, as the said Director shall determine. Such further measures and disposition as the Director of the Bureau of the Budget shall determine to be necessary in order to effectuate the transfers provided for in this section shall be carried out in such manner and by such agencies as the Director shall direct.

SEC. 5. *Delegation of authority.* Each transferee may from time to time make such provisions as he shall deem appropriate authorizing the performance by any officer, employee, agency, or administrative unit under his jurisdiction of any function transferred to him by the provisions of this reorganization plan.

SEC. 6. *Abolition of the Corporation.*

(a) The Corporation is hereby abolished.
(b) The Secretary of the Treasury shall retire the capital stock of the Corporation and, subject to the provisions of section 4 hereof, shall pay into the Treasury, as miscellaneous receipts, all unused funds of the Corporation.

(c) Not later than June 30, 1959, the Secretary of the Treasury shall transmit a report to the Congress, which report (1) shall cover the affairs of the Corporation up to the time of the taking effect of the provisions of this reorganization

plan, and (2) shall correspond to the final report required by section 10 of the Reconstruction Finance Corporation Act, as amended (15 U. S. C. 609). The function of making the final report provided for in the said section 10 is hereby abolished.

SEC. 7. Effective date. The provisions of this reorganization plan shall take effect at the time determined under the provisions of section 6 (a) of the Reorganization Act of 1949, as amended, or at the close of June 30, 1957, whichever is later.

- 723.858 Failure to keep records or make reports.
- 723.859 Additional records and reports to Director.
- 723.860 Examination of records and reports.
- 723.861 Length of time records and reports to be kept.
- 723.862 Information confidential.

SCHEDULE A

This schedule annexed to Reorganization Plan No. 1 of 1957 lists by name and address of the obligor or borrower the obligations and loans referred to in clause (2) of section 2 (d) of such reorganization plan.

Name of obligor or borrower	Address
Alaska Plywood Corporation.....	Juneau, Alaska
Alford Refrigerated Warehouse.....	Dallas, Texas
Braun Bros. Packing Company.....	Troy, Ohio
Chromcraft Corporation.....	St. Louis, Missouri
Civic Hotel Corporation.....	Odessa, Texas
Deep Water Terminals, Inc.....	Brooklyn, New York
Detroit Steel Corporation.....	Detroit, Michigan
Hal Roach Studios, Inc.....	Culver City, California
Hayward Woolen Company.....	Whittinsville, Massachusetts
The Horle Arms Company.....	Deep River, Connecticut
Jack Tar of Arkansas, Inc.....	Hot Springs, Arkansas
Landers Packing Company.....	Denver, Colorado
Langley Corporation.....	San Diego, California
Lawton Community Hotel.....	Lawton, Oklahoma
Lone Star Steel Company.....	Dallas, Texas
Louisville Builders Supply Company.....	Louisville, Kentucky
Lustron Corporation.....	Columbus, Ohio
Mayfair Extension, Inc.....	Washington, D. C.
New Haven Clock & Watch Company.....	New Haven, Connecticut
Oregon Fibre Products, Inc.....	Pilot Rock, Oregon
The Prudence Company, Inc.....	New York, New York
Seidelhuber Steel Rolling Mills.....	Seattle, Washington
South Water Building Corporation.....	Rockford, Illinois
South Water Machinery Corporation.....	Rockford, Illinois
Texas Consolidated Oils.....	Dallas, Texas
Texas Frozen Foods Corporation.....	Harlingen, Texas
Waltham Watch Company.....	Waltham, Massachusetts
Wheland Company.....	Chattanooga, Tennessee

[P. R. Doc. 57-5389; Filed, July 1, 1957; 9:19 a. m.]

AUTHORITY: §§ 723.830 to 723.862 issued under sec. 375, 52 Stat. 66 as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 313, 314, 372-375, 52 Stat. 38 as amended, 47 as amended, 48 as amended, 65 as amended, 66 as amended, secs. 125, 211, 70 Stat. 198, 202; 1813, 1860, 7 U. S. C. 1301, 1313, 1314, 1372-1375.

GENERAL

§ 723.830 *Basis and purpose.* Sections 723.830 to 723.862 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, the Agricultural Act of 1949 and the Agricultural Act of 1956, and govern the issuance of marketing cards for marketing and price support purposes, the identification of tobacco for purposes of marketing restrictions and price support, the collection and refund of penalties, and the records and reports incident thereto on the marketing of cigar-binder (types 51 and 52) tobacco, and cigar-filler and binder (types 42, 43, 44, 53, 54, and 55) tobacco during the 1957-58 marketing year. Prior to preparing §§ 723.830 to 723.862, public notice (22 F. R. 3201) of their formulation was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003). The data, views, and recommendations pertaining to §§ 723.830 and 723.862 which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended, and the Agricultural Acts of 1949 and 1956.

§ 723.831 *Definitions.* As used in §§ 723.830 to 723.862, and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938, as amended.

(b) "Buyer" means a person who engages to any extent in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue. In the case of a person who employs person(s) to negotiate contracts with producers to purchase their tobacco such person rather than such employed person(s) is the buyer of such tobacco.

(c) "Carry-over" tobacco means, with respect to a farm, tobacco produced prior to the beginning of the calendar year 1957 which has not been marketed or which has not been disposed of under § 723.845.

(d) Committees: (1) "Community committee" means the persons elected within a community as the community committee pursuant to regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees.

(2) "County committee" means the persons elected within a county as the county committee pursuant to regula-

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[1026 (Cigar-Binder and Cigar-Filler and Binder—57)—1]

PART 723—CIGAR-FILLER TOBACCO, CIGAR-BINDER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

CIGAR-BINDER (TYPES 51 AND 52) TOBACCO, AND CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, AND 55) TOBACCO MARKETING QUOTA REGULATIONS, 1957-58 MARKETING YEAR

- GENERAL**
- 723.830 Basis and purpose.
- 723.831 Definitions.
- 723.832 Instructions and forms.
- 723.833 Extent of calculations and rule of fractions.
- IDENTIFICATION AND LOCATION OF FARMS AND DETERMINATION OF ACREAGE**
- 723.834 Identification and location of farms.
- 723.835 Determination of tobacco acreage.
- FARM MARKETING QUOTAS AND MARKETING CARDS**
- 723.836 Amount of farm marketing quota.
- 723.837 Transfer of farm marketing quotas.

- Sec.
- 723.838 Issuance of marketing cards.
- 723.839 Person authorized to issue cards.
- 723.840 Rights of producers in marketing cards.
- 723.841 Successors in interest.
- 723.842 Invalid cards.
- 723.843 Report of misuse of marketing card.
- MARKETING OR OTHER DISPOSITION OF TOBACCO AND PENALTIES**
- 723.844 Extent to which marketings from a farm are subject to penalty.
- 723.845 Disposition of excess tobacco.
- 723.846 Identification of marketings.
- 723.847 Rate of penalty.
- 723.848 Persons to pay penalty.
- 723.849 Marketings deemed to be excess tobacco.
- 723.850 Payment of penalty.
- 723.851 Request for return of penalty.
- RECORDS AND REPORTS**
- 723.852 Producer's records and reports.
- 723.853 Buyer's records.
- 723.854 Buyer's reports.
- 723.855 Buyers not exempt from regular records and reports.
- 723.856 Records and reports of truckers and persons sorting, stemming, packing, or otherwise processing tobacco.
- 723.857 Separate records and reports from persons engaged in more than one business.

tions governing the selection and functions of Agricultural Stabilization and Conservation county and community committees.

(3) "State committee" means the persons in a State designated by the Secretary as the Agricultural Stabilization and Conservation State committee.

(e) "County office manager" means the person employed by the county committee to execute the policies of the county committee and be responsible for the day-to-day operations of the ASC county office, or the person acting in such capacity.

(f) "Deputy Administrator" means the Deputy Administrator or the Acting Deputy Administrator for Production Adjustment, Commodity Stabilization Service, United States Department of Agriculture.

(g) "Director" means the Director or Acting Director, Tobacco Division, Commodity Stabilization Service, United States Department of Agriculture.

(h) "Farm": The definition of this term as set forth in Part 718 of this chapter (22 F. R. 3747) shall apply in the regulations in this part.

(i) "Market" means the disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter, or exchange, or by gift *inter vivos*. "Marketing" and "marketed" shall have corresponding meanings to the term "market."

(j) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(k) "Person" means an individual, partnership, association, corporation, estate or trust, or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision of a State or any agency thereof.

(l) "Producer" means a person who as owner, landlord, tenant or sharecropper, is entitled to share in the tobacco available for marketing from the farm or in the proceeds thereof.

(m) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight.

(n) "Sale" means the first marketing of farm tobacco on which the gross amount of the sales price therefor has been or could be readily determined.

(o) "Sale date" means the date on which the gross amount of the sales price of the first marketing of farm tobacco has been or could be readily determined.

(p) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(q) "State administrative officer" means the person employed by the State committee to execute the policies of the State committee and be responsible for the day-to-day operations of the ASC State office, or the person acting in such capacity.

(r) "Tobacco" means:

(1) (i) Type 42 tobacco—that type of cigar-leaf tobacco commonly known as Gebhardt, Ohio Seedleaf, or Ohio Broadleaf, produced principally in the Miami Valley section of Ohio and extending into Indiana; (ii) type 43 tobacco—that type of cigar-leaf tobacco commonly known as Zimmer, Spanish, or Zimmer Spanish, produced principally in the Miami Valley section of Ohio and extending into Indiana; (iii) type 44 tobacco—that type of cigar-leaf tobacco commonly known as Dutch, Shoestring Dutch, or Little Dutch, produced principally in the Miami Valley section of Ohio; (iv) type 51 tobacco—that type of cigar-leaf tobacco commonly known as Connecticut Valley Broadleaf or Connecticut Broadleaf, produced primarily in the valley area of Connecticut; (v) type 52 tobacco—that type of cigar-leaf tobacco commonly known as Connecticut Valley Havana Seed, or Havana Seed of Connecticut and Massachusetts, produced primarily in the Connecticut Valley area of Massachusetts and Connecticut; (vi) type 53 tobacco—that type of cigar-leaf tobacco commonly known as York State Tobacco, or Havana Seed of New York and Pennsylvania, produced principally in the Big Flats section of New York, extending into Pennsylvania and in the Onondaga section of New York State; (vii) type 54 tobacco—that type of cigar-leaf tobacco commonly known as Southern Wisconsin cigar-leaf or Southern Wisconsin binder type, produced principally south and east of the Wisconsin river; and (viii) type 55 tobacco—that type of cigar-leaf tobacco commonly known as Northern Wisconsin cigar-leaf or Northern Wisconsin binder type, produced principally north and west of the Wisconsin river, as classified in Service and Regulatory Announcement No. 118 (Part 30 of this title) of the Bureau of Agricultural Economics of the United States Department of Agriculture.

(2) Tobacco which has the same characteristics and corresponding qualities, colors, and lengths shall be treated as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco. The term "tobacco" shall include all leaves harvested, including trash.

(3) For the purpose of discovering and identifying all tobacco subject to marketing quotas the term "tobacco" with respect to any farm located in an area in which any kind of tobacco subject to marketing quotas is normally produced, shall include all acreage of tobacco on the farm, including any acreage which the farm operator may contend is not devoted to the production of tobacco as defined herein. The acreage of each kind of tobacco (cigar-binder (types 51 and 52) and cigar-filler and binder (types 42, 43, 44, 53, 54, and 55)) shall be determined by the county committee on the basis of seeding, cultivating, curing, and marketing practices commonly known to the area. Such determination shall include all acreage of tobacco on the farm. The production

of the acreage of each kind of tobacco so determined shall be considered to be tobacco of the kind available for marketing until such time as the operator of the farm furnishes to the county committee satisfactory proof that a part or all of the production of such acreage has been classified pursuant to Part 29, of this title when marketed, as a different kind of tobacco. Any amount of tobacco so classified as a different kind shall be converted to acres on the basis of the average yield per acre of the entire acreage of tobacco grown on the farm in 1957 for the purpose of determining the harvested acreage of such kind of tobacco produced on the farm.

(s) "Tobacco available for marketing" means all tobacco produced on the farm in the calendar year 1957 plus any carry-over tobacco, less any tobacco disposed of in accordance with § 723.845.

(t) "Tobacco subject to marketing quotas" means any cigar-binder (types 51 and 52) tobacco or any cigar-filler and binder (types 42, 43, 44, 53, 54, and 55) tobacco marketed during the period October 1, 1957, to September 30, 1958, inclusive, and any cigar-binder (types 51 and 52) tobacco or any cigar-filler and binder (types 42, 43, 44, 53, 54, and 55) tobacco produced in the calendar year 1957 and marketed prior to October 1, 1957.

(u) "Trucker" means a person who engages to any extent in the business of trucking or hauling tobacco for producers to a point where it may be marketed or otherwise disposed of in the form and in the condition in which it is usually marketed by producers.

§ 723.832 *Instructions and forms.* The Director shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions with respect to internal management as are necessary for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Deputy Administrator.

§ 723.833 *Extent of calculations and rule of fractions.* (a) The acreage of tobacco harvested on a farm in 1957 shall be expressed in hundredths and fractions of less than one hundredth of an acre shall be dropped. For example, 1.550, 1.555, or 1.559 acres would be 1.55 acres.

(b) The percentage of excess tobacco available for marketing from a farm, hereinafter referred to as the "percent excess," shall be expressed in tenths and fractions of less than one-tenth shall be dropped. For example, 12.59 percent would be 12.5 percent.

(c) The amount of penalty per pound upon marketings of tobacco subject to penalty, hereinafter referred to as the "converted rate of penalty", shall be expressed in tenths of a cent and fractions of less than a tenth shall be dropped, except that if the resulting converted rate of penalty is less than a tenth of a cent, it shall be expressed in hundredths and fractions of less than a hundredth shall be dropped. For example, 3.68 cents per pound would be 3.6 cents, and 0.068 cent per pound would be 0.06 cent.

IDENTIFICATION AND LOCATION OF FARMS
AND DETERMINATION OF ACREAGE

§ 723.834 *Identification and location of farms.* (a) Each farm as operated for the 1957 crop of tobacco shall be identified by a farm serial number assigned by the county office manager and all records pertaining to marketing quotas for the 1957 crop of tobacco shall be identified by such number.

(b) A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

§ 723.835 *Determination of tobacco acreage—(a) County committees.* For the purpose of ascertaining with respect to each farm whether there is excess tobacco of the 1957 crop available for marketing, the county committee shall determine the acreage of tobacco on each farm in the county for which a 1957 tobacco acreage allotment has been established and on any other farms in the county on which the county committee has reason to believe tobacco was planted. The county committee's determination shall be based upon acreage and performance determined as provided in the applicable provisions of Part 718 of this chapter (22 F. R. 3747).

(b) *Notice to farm operators.* The county committee shall notify the farm operator of the measured acreage of tobacco on each farm as determined under the provisions of this section.

(c) *Harvested acreage of tobacco.* The acreage of tobacco determined or as redetermined for a farm by the county committee pursuant to this section shall be the harvested acreage of tobacco for the farm for the purpose of issuing the correct marketing card for the farm as provided in § 723.838 unless the farm operator furnishes to the county committee satisfactory proof that a portion of the acreage planted will not be harvested or that a representative portion of the production of the acreage physically harvested will be disposed of other than by marketing, in which case the harvested acreage shall be the acreage as adjusted by taking into account the portion of the acreage planted which will not be harvested or the portion of the production of the acreage physically harvested which will be disposed of other than by marketing.

(d) *Acreage not determined.* If the farm operator or his representative prevents the county committee from obtaining information necessary to determine the correct acreage of tobacco on a farm, in addition to any other liability which might be imposed upon the operator, and until the farm operator or his representative permits a determination of the correct acreage, all acreage of tobacco on the farm shall be deemed to be in excess of the farm acreage allotment for the purpose of issuing a marketing card for the farm.

(e) *Prior measurements.* Measurements made prior to the effective date of this section, and in accordance with procedures then in effect may be utilized where pertinent for the purpose of

ascertaining with respect to any farm the 1957 tobacco acreage and the tobacco acreage in excess of the 1957 farm tobacco acreage allotment.

FARM MARKETING QUOTAS AND MARKETING CARDS

§ 723.836 *Amount of farm marketing quota.* (a) The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment as established for the farm in accordance with 1023 (Cigar-Filler and Binder—57)—1, Marketing Quota Regulations 1957-58 (§§ 723.812 to 723.828; 21 F. R. 7202, 9398). The actual production of the farm acreage allotment shall be the average yield per acre of the entire acreage of tobacco harvested on the farm in 1957 times the farm acreage allotment.

(b) The excess tobacco on any farm shall be (1) that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1957 times the number of acres harvested in excess of the farm acreage allotment, plus (2) any excess carryover tobacco.

§ 723.837 *Transfer of farm marketing quotas.* There shall be no transfer of farm marketing quotas except as provided in §§ 723.820 and 723.826 of the cigar-binder and cigar-filler and binder tobacco marketing quota regulations for determining acreage allotments and normal yields, 1957-58 marketing year.

§ 723.838 *Issuance of marketing cards.* (a) A marketing card shall be issued for each farm having tobacco available for marketing.

(b) *Excess marketing card (MQ-77—Tobacco).* The provisions of this paragraph govern the issuance of excess marketing cards except with respect to the issuance of marketing cards for the identification of tobacco grown for experimental purposes only, as provided in paragraph (c) (2) of this section.

(1) *Excess marketing card showing full rate of penalty.* An excess marketing card (ineligible for price support loans) showing the full rate of penalty set forth in § 723.847 (b) shall be issued for a farm in any case:

(i) Where tobacco is harvested in 1957 from a farm for which no 1957 acreage allotment was established, or

(ii) Where tobacco is harvested in 1957 from a farm and the farm operator or his representative prevents the county committee or its representative from obtaining information necessary to determine the correct acreage of tobacco on the farm.

(2) *Excess marketing card showing converted rate of penalty or zero penalty.* An excess marketing card (ineligible for price support loans) showing the extent to which marketings of tobacco from a farm are subject to penalty, determined as provided in § 723.844 (including zero penalty except where the provisions of subdivision (ii) of this subparagraph apply), shall be issued in any case:

(i) Where tobacco is harvested in 1957 from a farm in excess of the farm acreage allotment therefor, or

(ii) Where tobacco is to be marketed from a farm in 1957 having carryover

tobacco available for marketing and the percent excess determined pursuant to § 723.844 (b) exceeds zero percent, or

(iii) Where tobacco is produced on newly irrigated or drained land which was not used for the production of tobacco prior to May 28, 1956 and which is within any Federal irrigation or drainage project (as defined in section 211 of the Agricultural Act of 1956) authorized on or after May 28, 1956; or where tobacco is produced on land reclaimed by a flood-control project authorized on or after May 28, 1956; or where tobacco is produced on land owned by the Federal Government in violation of the provisions of a lease restricting the production of tobacco.

(3) *Excess marketing cards showing zero penalty only.* An excess marketing card (ineligible for price support loans) showing zero penalty only shall be issued under the following conditions:

(i) If more than one kind of tobacco is produced on a farm in 1957, a zero penalty excess marketing card shall be issued for each kind of tobacco produced thereon for which the harvested acreage is not in excess of the farm acreage allotment therefor if at the time of issuing marketing cards for the farm the harvested acreage of any kind of tobacco is in excess of the farm acreage allotment for such kind of tobacco; or

(ii) For any kind of tobacco produced on a farm in 1957 the acreage of which is in excess of the farm acreage allotment therefor and the operator or any other producer on the farm fails to file with the county ASC office a written request (with deposit to cover the cost as estimated by the county committee) to dispose of excess tobacco or to have a remeasurement made of the tobacco acreage within ten (10) days from the date of notice to the farm operator on Form CSS-595—Tobacco, Notice of Excess Tobacco Acreage, and the tobacco produced on the excess acreage is disposed of other than by marketing, unless the county committee with the approval of a representative of the State committee determines that failure to file such written request was due to circumstances beyond the control of the farm operator or producer, or

(iii) For any kind of tobacco physically harvested from a farm in 1957 from an acreage in excess of the acreage allotment for the farm and disposed of in accordance with § 723.845, (a) unless the county committee with the approval of a representative of the State committee determines that the acreage of tobacco was not measured in sufficient time to afford the farm operator an opportunity to dispose of the excess acreage prior to harvest.

(c) *Within Quota Marketing Card (MQ-76—Tobacco).* In any case where an excess marketing card is not required to be issued for a farm under paragraph (b) of this section, a Within Quota Marketing Card (eligible for price support loans and marketing without penalty) shall be issued for such farm under the following conditions:

(1) If the harvested acreage of tobacco for the farm in 1957 is not in excess of the farm acreage allotment therefor and any excess carryover tobacco can be mar-

keted without penalty under the provisions of § 723.884 (b).

(2) If the Director of a publicly-owned Agricultural Experiment Station furnishes to the ASC State office a list by counties showing the following information with respect to each kind of tobacco and farms on which tobacco is grown for experimental purposes only:

(i) Name and address of the publicly-owned experiment station,

(ii) Name of the owner, and name of the operator if different from the owner of each farm on which tobacco is grown for experimental purposes only,

(iii) The amount of acreage of tobacco grown on each farm for experimental purposes only, and

(iv) A certification signed by the Director of the publicly-owned agricultural experiment station to the effect that such acreage of tobacco was grown on each farm for experimental purposes only; the tobacco was grown under his direction; and the acreage on each plot was considered necessary for carrying out the experiment: *Provided, however*, That if the Director of a publicly-owned agricultural experiment station does not furnish the information and certification as required above in this subparagraph, an excess marketing card showing zero penalty shall be issued for the purpose of identifying tobacco produced for experimental purposes only under the direction of such Director. The list required in this subparagraph shall be posted and kept available for public inspection in the ASC office of the county in which the farms included in the list are located.

(d) *Stamping Within Quota Marketing Cards (MQ-76) to show producer indebtedness.* If any producer on a farm is indebted to the United States and such indebtedness is listed on the county debt register, any within quota marketing card (MQ-76) issued for such farm in accordance with subparagraph (c) of this paragraph shall bear the notation "Indebted to U. S." on the front cover thereof and on the county office copy of each memorandum of sale, and the name of the debtor and the amount of the indebtedness shall be shown on the inside back cover of the marketing card: *Provided*, That if the producer named as debtor on the card objects to the issuance of or after issuance to the use of a within quota marketing card (MQ-76) bearing the notation and information of indebtedness to the United States thereon as provided in this subparagraph, an excess marketing card (ineligible for price support loans) showing "zero penalty" shall be issued for such farm. The acceptance and use of a within quota marketing card bearing a notation and information of indebtedness to the United States by the producer named as debtor on such card, shall constitute an authorization by such producer to any tobacco loan organization to pay to the United States the price support advance due the producer to the extent of his indebtedness set forth on such card but not to exceed that portion of the price support advance remaining after deduction of usual loan organization charges, authorized price

support charges and amounts due prior lien holders. The acceptance and use of a within quota marketing card bearing a notation and information of indebtedness to the United States shall not constitute a waiver of any right by the producer to contest the validity of such indebtedness by appropriate administrative appeal or legal action.

(e) *Replacing or issuing additional marketing cards.* (1) Subject to the approval of the county office manager or the State administrative officer as provided in § 723.839, two or more marketing cards may be issued for any farm. Upon the return to the ASC issuing office of the marketing card after all of the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm have been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. A new marketing card of the same kind shall be issued to replace a card which has been determined by the State administrative officer or county office manager, who issued the card, to have been lost, destroyed or stolen.

§ 723.839 *Persons authorized to issue marketing cards.* (a) The State administrative officer shall be responsible for the issuance of marketing cards issued for the purpose of identifying tobacco grown for experimental purposes pursuant to the provision of § 723.838 (c) (2).

(b) Except as provided in paragraph (a) of this section, the county office manager shall be responsible for the issuance of marketing cards for farms in the county.

(c) Each marketing card shall be signed either by the State administrative officer or the county office manager or in his name and on his behalf by an employee under his supervision who shall place his initials immediately below the name of the State administrative officer or the name of the county office manager, as the case may be.

§ 723.840 *Rights of producers in marketing cards.* Each producer having a share in the tobacco available for marketing from a farm shall be entitled to the use of the marketing card for marketing his proportionate share.

§ 723.841 *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from a farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 723.842 *Invalid cards.* (a) A marketing card shall be invalid if:

- (1) It is not issued or delivered in the form and manner prescribed;
- (2) Entries are omitted or incorrect;
- (3) It is lost, destroyed, stolen, or becomes illegible; or
- (4) Any erasure or alteration has been made and not properly initialed.

(b) In the event any marketing card becomes invalid (other than by loss, destruction, or theft, or by omission, alteration or incorrect entry which has been

corrected by the State administrative officer or the county office manager who issued the card), the farm operator, or the person having the card in his possession, shall return it to the ASC office at which it was issued.

(c) If an entry is not made on a marketing card as required, either through omission or incorrect entry, and the proper entry is made and initialed by the State administrative officer or the county office manager who issued the card, then such card shall become valid.

§ 723.843 *Report of misuse of marketing card.* Any information which causes a member of a State, county, or community committee, or an employee of an ASC State or county office, to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to the ASC county or State office.

MARKETING OR OTHER DISPOSITION OF TOBACCO AND PENALTIES

§ 723.844 *Extent to which marketings from a farm are subject to penalty.* (a) Marketings of tobacco from a farm having no carryover tobacco available for marketing shall be subject to penalty by the percent excess determined as follows: Divide the acreage of tobacco harvested in excess of the farm acreage allotment and not disposed of under § 723.845 by the total acreage of tobacco harvested from the farm.

(b) Marketings of tobacco from a farm having carryover tobacco available for marketing shall be subject to penalty by the percent excess determined as follows:

(1) Determine the number of "carryover acres" by dividing the number of pounds of carryover tobacco from the prior years by the normal yield for the farm for that year.

(2) Determine the number of "within quota carryover acres" by multiplying the "carryover acres" (subparagraph (1) of this paragraph) by the "percent within quota" (i. e., 100 percent minus the "percent excess") for the year in which the carryover tobacco was produced except that if the excess portion of the carryover tobacco has been disposed of under § 723.845, the "percent within quota" shall be 100.

(3) Determine the "total acres" of tobacco by adding the "carryover acres" (subparagraph (1) of this paragraph) and the acreage of tobacco harvested in the current year.

(4) Determine the "excess acres" by subtracting from the "total acres" (subparagraph (3) of this paragraph) the sum of the 1957 allotment and the "within quota carryover acres" (subparagraph (2) of this paragraph).

(5) Determine the percent excess by dividing the "total acres" into the "excess acres" (subparagraph (4) of this paragraph).

(6) Those persons having an interest in the carryover tobacco for a farm shall be liable for the payment of any penalty due thereon.

(c) For the purpose of determining the penalty due on each marketing by a producer of tobacco subject to penalty,

the converted rate of penalty per pound shall be determined by multiplying the applicable rate of penalty by the percent excess tobacco prior to the marketing of (b) of this section. The memorandum of sale issued to identify each such marketing shall show the amount of penalty due.

§ 723.845 *Disposition of excess tobacco.* (a) The farm operator may elect to give satisfactory proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by furnishing to the county committee satisfactory proof that excess tobacco representative of the entire crop will not be marketed.

(b) If the 1957 harvested acreage is less than the 1957 allotment an amount of any tobacco from the farm which was placed under storage for a prior marketing year equal to the normal production of the acreage by which the 1957 harvested acreage plus any acreage added with respect to any excess carryover tobacco for the farm pursuant to § 723.844 (b) is less than the 1957 allotment may be marketed penalty free.

§ 723.846 *Identification of marketings.* Each marketing of tobacco from a farm shall be identified by an executed memorandum of sale from the 1957 marketing card (MQ-76—Tobacco or BQ-77—Tobacco) issued for the farm on which the tobacco was produced.

(a) *Memorandum of sale.* (1) If a memorandum of sale is not issued by the buyer to identify a sale of producer's tobacco by the end of the sale date and recorded and reported on MQ-95, Buyer's Record, by the 10th day of the calendar month next following the month during which the sale date occurred, the marketing shall be identified on MQ-95, Buyer's Record, as a marketing of excess tobacco, and reported not later than the 10th day of the calendar month next following the month during which the sale date occurred.

(2) Each excess memorandum of sale issued by a buyer shall be verified by the buyer to determine whether the amount of penalty shown to be due has been correctly computed and such buyer shall not be relieved of any liability with respect to the amount of penalty due because of any error which may occur in issuing the memorandum of sale.

§ 723.847 *Rate of penalty.* Marketings of excess tobacco from a farm shall be subject to a penalty per pound equal to seventy-five (75) percent of the average market price for the 1956-57 marketing year as determined by the Crop Reporting Board, Agricultural Marketing Service, United States Department of Agriculture. The rate of penalty per pound shall be calculated to the nearest whole cent.

(a) *Average market price.* The average market price as determined by the Crop Reporting Board, Agricultural Marketing Service, United States Department of Agriculture, for the 1956-57 marketing year was 27.6 cents per pound for cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco, and 52.2 cents per pound for cigar-binder (types 51 and 52) tobacco.

(b) *Rate of penalty per pound.* The penalty per pound upon marketings of excess tobacco subject to marketing quotas during the 1957-58 marketing year shall be 21 cents per pound for cigar-filler and binder (types 42, 43, 44, 53, 54 and 55) tobacco, and 39 cents per pound in the case of cigar-binder (types 51 and 52) tobacco.

(c) *Proportional rate of penalty.* With respect to tobacco marketed from farms having excess tobacco available for marketing, the penalty shall be paid upon that percentage of each lot of tobacco marketed which the tobacco available for marketing in excess of the farm marketing quota is of the total amount of tobacco available for marketing from the farm as determined under § 723.844.

§ 723.848 *Persons to pay penalty.* The person to pay the penalty due on any marketing of tobacco subject to penalty shall be determined as follows:

(a) *Sale.* The penalty due on tobacco purchased directly from a producer, other than a buyer outside the United States, shall be paid by the buyer of the tobacco who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) *Marketings through an agent.* The penalty due on marketings by a producer through an agent who is not a buyer shall be paid by the agent who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) *Marketings outside the United States.* The penalty due on marketings by a producer directly to any person outside the United States shall be paid by the producer.

§ 723.849 *Marketings deemed to be excess tobacco.* Any marketing of tobacco under any one of the following conditions shall be deemed to be a marketing of excess tobacco:

(a) *Without memorandum of sale.* Any sale of tobacco by a producer which is not identified by a valid memorandum of sale by the end of the sale date shall be deemed to be a marketing of excess tobacco. The penalty thereon shall be paid by the buyer who may deduct an amount equivalent to the penalty from the amount due the producer.

(b) *Unrecorded sale.* Any sale which is not recorded in MQ-95—Tobacco by the 10th day of the month next following the month during which the sale date occurred, shall be deemed to be a marketing of excess tobacco unless and until the buyer furnishes proof acceptable to the State administrative officer showing that such marketing is not a marketing of excess tobacco. The penalty thereon shall be paid by the buyer.

(c) *Marketings falsely identified.* If any marketing of tobacco by a person other than the producer thereof is identified by a marketing card other than the marketing card issued for the farm on which such tobacco was produced, such marketing shall be deemed to be a marketing of excess tobacco and the penalty thereon shall be paid by such person.

(d) *Producer marketings.* (1) If any producer falsely identifies or fails to ac-

count for the disposition of any tobacco produced on a farm, an amount of tobacco equal to the normal yield of the number of acres harvested in 1957 in excess of the farm acreage allotment shall be deemed to have been a marketing of excess tobacco from such farm.

If any producer who manufactures tobacco products from tobacco produced by or for him fails to make the reports, or makes a false report, required under § 723.852 (c), he shall be deemed to have failed to account for the disposition of tobacco produced on the farm and shall be subject to penalty on such tobacco. The penalty thereon for false identification or failure to account shall be paid by the producer and shall be due on the date of false identification or failure to account. The filing of a report by a producer under § 723.852 (c) or (e) which the State committee finds to be incomplete or incorrect shall constitute a failure to account for the disposition of tobacco produced on the farm.

(2) If, after part or all of the tobacco produced on a farm has been marketed, the State or county committee concludes that the harvested acreage for the farm was more than that shown by the prior determination, any penalty due on the basis of the harvested acreage as re-determined pursuant to § 723.835 shall be paid by the producer.

§ 723.850 *Payment of penalty.* (a) Penalties shall become due at the time the tobacco is marketed, except in the case of tobacco removed from storage as provided in § 723.845 (b), or in the case of false identification or failure to account for disposition. Penalty shall be paid by remitting the amount thereof to the ASC State office not later than the 10th day of the calendar month next following the month in which the tobacco became subject to penalty. A draft, money order, or check drawn payable to the Treasurer of the United States may be used to pay any penalty, but any such draft or check shall be received subject to payment at par.

(b) The penalty due on any sale of tobacco by a producer as determined under §§ 723.830 to 723.862 shall be paid as specified in § 723.848, even though the penalty may exceed the proceeds for the tobacco.

§ 723.851 *Request for return of penalty.* Any producer of tobacco after the marketing of all tobacco available for marketing from the farm and any other person who bore the burden of the payment of any penalty may request the return of the amount of such penalty which is in excess of the amount required under §§ 723.830 to 723.862 to be paid. Such request shall be filed on MQ-85—Tobacco with the ACS county office within two (2) years after the payment of the penalty.

RECORDS AND REPORTS

§ 723.852 *Producer's records and reports.* (a) *Report of tobacco acreage.* The farm operator or his representative shall file a report with the ASC county office or a representative of the county committee on Form CSS-578, Report of 1957 Acreage, showing all fields of tobacco on the farm in 1957. If any pro-

ducer on a farm files or aids or acquiesces in the filing of any false report with respect to the acreage of tobacco grown on the farm even though the farm operator or his representative refuses to sign such report, the allotment next established for such farm shall be reduced as provided in the Cigar-Filler Tobacco, Cigar-Binder Tobacco, and Cigar-Filler and Binder Tobacco Marketing Quota Regulations for Determining Acreage Allotments and Normal Yields, 1958-59 Marketing Year.

(b) *Report on marketing card.* The operator of each farm on which tobacco is produced in 1957 shall return to the ASC county office each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than June 1, 1958. Failure to return the marketing card within fifteen (15) days after written request by certified mail from the county office manager shall constitute failure to account for disposition of tobacco marketed from the farm and in the event that a satisfactory account of such disposition is not furnished otherwise to the county committee, the allotment next established for such farm shall be reduced as provided in the Cigar-Filler Tobacco, Cigar-Binder Tobacco, and Cigar-Filler and Binder Tobacco Marketing Quota Regulations for Determining Acreage Allotments and Normal Yields, 1958-59 Marketing Year. The county office manager or the State administrative officer who issued the marketing card may reissue the same marketing card or issue a new marketing card for any farm from which the marketing of tobacco has not been completed by June 1, 1958.

(c) *Reports by producer-manufacturers.* (1) Each producer who manufactures tobacco products from tobacco produced by or for him as a producer shall report to the ASC State office as follows with respect to such tobacco.

(i) If the 1957 harvested acreage is not in excess of the 1957 farm tobacco acreage allotment: The producer-manufacturer shall furnish the ASC State office a report, as soon as the tobacco has been weighed, and not later than the date specified in writing by the State administrative officer, showing the total pounds of tobacco produced, the date(s) on which such tobacco was weighed, the farm serial number of the farm on which it was produced, and the estimated value of such tobacco.

(ii) If the 1957 harvested acreage is in excess of the 1957 farm acreage allotment: The producer-manufacturer shall furnish the ASC State office a report, as soon as the tobacco has been weighed, and not later than the date specified in writing by the State administrative officer, showing the total pounds of tobacco produced on the farm, the date(s) on which the tobacco was weighed, the farm serial number of the farm on which it was produced, the estimated value of the tobacco, and the location of the tobacco. Unless it has become penalty free under circumstances described in § 723.844 (b), or unless he makes the reports outlined in this section, penalty shall be paid on the tobacco by the producer-manufacturer, at the converted rate of penalty

shown on the marketing card issued for the farm, when it is moved from the place where it can be conveniently inspected by the county committee at any time separate and apart from any other tobacco.

(2) If the producer-manufacturer has excess tobacco and does not pay the penalty thereon at the converted rate of penalty shown on the marketing card, as provided in this section, he shall notify the buyer of the manufactured product, or the buyer of any residue resulting from processing the tobacco, in writing, at time of sale of such product or residue of the precise amount of penalty due on such manufactured product or residue. In such event, the producer-manufacturer shall immediately notify the Director and shall account for the disposition of such tobacco by furnishing the Director a report, on a form to be furnished him by the Director, showing the name and address of the buyer of the manufactured products or residue, a detailed account of the disposition of such tobacco and the exact amounts of penalty due with respect to each such sale of such products or residue, together with copies of the written notice of the exact amounts of the penalty due given to the buyers of such products or residue. Failure to file such report, or the filing of a report which is found by the State committee to be incomplete or incorrect, shall constitute failure of the producer-manufacturer to account for the production and disposition of tobacco produced on his farm and in the event of such failure the allotment next established for such farm shall be reduced as provided in the Cigar-Filler Tobacco, Cigar-Binder Tobacco, and Cigar-Filler and Binder Tobacco Marketing Quota Regulations for Determining Acreage Allotments and Normal Yields, 1958-59 Marketing Year, and the producer-manufacturer shall be liable for the payment of penalty as provided in § 723.849 (d).

(3) The reports required by this paragraph shall be in addition to the reports required by paragraph (a) of this section with respect to tobacco produced by or for the producer-manufacturer but not used by him in the manufacture of products therefrom.

(d) *False identification.* If tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotment next established for both such farms and kind of tobacco shall be reduced, except that such reduction for any such farm shall not be made if the county and State committees determine that no person connected with such farm caused, aided or acquiesced in such marketing, as provided in the applicable tobacco marketing quota regulations for determining acreage allotments and normal yields, 1958-59 marketing year.

(e) *Report of production and disposition.* In addition to any other reports which may be required under §§ 723.830 to 723.862, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even

though the harvested acreage does not exceed the acreage allotment or even though no allotment was established for the farm) shall upon written request by certified mail from the State administrative officer within fifteen days after the deposit of such request in the United States mails, addressed to such person at his last known address, furnish the Secretary on Form MQ-108—Tobacco a written report of the acreage, production and disposition made of all tobacco produced on the farm by sending the same to the ASC State office showing, as to the farm at the time of filing said report,

(1) The number of fields (patches or areas) from which tobacco was harvested, the acres of tobacco harvested from each such field, and the total acreage of tobacco harvested from the farm,

(2) The total pounds of tobacco produced,

(3) The amount of tobacco on hand and its location, and

(4) As to each lot of tobacco marketed, the name and address of the buyer or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of the marketing. Failure to file the report as requested, or the filing of a report which is found by the State committee to be incomplete or incorrect, shall constitute failure of the producer to account for disposition of tobacco produced on the farm and the allotment next established for such farm shall be reduced as provided in the Cigar-Filler Tobacco, Cigar-Binder Tobacco, and Cigar-Filler and Binder Tobacco Marketing Quota Regulations for Determining Acreage Allotments and Normal Yields, 1958-59 Marketing Year.

§ 723.853 *Buyer's records.*—(a) *Record of marketing.* (1) Each buyer shall keep such records as will enable him to furnish the ASC State office with respect to each sale of tobacco made by producers to such buyer the following information:

(i) The name of the operator of the farm on which the tobacco was produced and the name of the seller and the seller's address in the case of a sale by a person other than the farm operator.

(ii) Date of sale.

(iii) The serial number of the memorandum of sale used to identify the sale.

(iv) Number of pounds sold.

(v) Gross sale price.

(vi) Amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer(s).

(2) Any buyer or any other person who grades tobacco for farmers shall maintain records which will enable him to furnish the ASC State office the name of the farm operator and the amount of each grade of tobacco obtained from the grading of tobacco from each farm.

(b) *Identification of sale on buyer's records.* The serial number of the memorandum of sale issued to identify each sale by a producer shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco. The serial number of such memorandum shall also be entered on the buyer's copy of the receipt furnished

the producer by the buyer, or the buyer's copy of the contract to purchase, or on the document customarily used in recording the purchase, and on MQ-95—Tobacco.

(c) *Marketing card and memorandum of sale.* A valid memorandum of sale to cover each sale of tobacco by a producer shall be properly issued by the buyer. The buyer shall also properly record the sale on the marketing card.

(d) *Records of buyer's disposition of tobacco.* Each buyer shall maintain records which will show the disposition made by him of all tobacco purchased by or for him from producers.

(e) *Additional records and reports by buyers.* Each buyer shall keep such records and furnish such reports to the ASC State office, in addition to the foregoing, as the State administrative officer may find necessary to insure the proper identification of the marketings of tobacco and the collection of penalties due thereon as provided in §§ 723.830 to 723.862.

§ 723.854 *Buyer's reports*—(a) *Report of buyer's name, address, and registration number.* Each buyer shall properly execute, detach and promptly forward to the ASC State office "Receipt for Buyer's Record" contained in MQ-95—Tobacco which is issued to the buyer.

(b) *Record and report of purchases of tobacco from producers.* (1) Each buyer shall keep a record and make reports on MQ-95—Tobacco, Buyer's Record, showing all purchases of tobacco made by or for him from producers. Such record and report show for each sale, the sale date, the name of the farm operator (and the name and address of the person selling the tobacco if other than the farm operator), the serial number of the memorandum of sale issued with respect to the sale, the pounds of tobacco represented in the sale, the gross amount; the rate of penalty shown on the memorandum of sale, and the amount of the penalty. If no marketing card is presented by the producer, the buyer shall record and report the purchase as provided above except that the buyer shall enter the word "none" in the space for the serial number of the memorandum of sale, the applicable rate of penalty per pound shown in § 723.847 (b) in the space for rate of penalty, and shall show the name and address of the seller in the space for the seller's name.

(2) The original of MQ-95—Tobacco, the memorandum of sale, and a remittance for all penalties shown by the entries on MQ-95—Tobacco and on the memorandum of sale to be due shall be forwarded to the ASC State office not later than the 10th day of the calendar month next following the month during which the sale date occurred.

§ 723.855 *Buyers not exempt from regular records and reports.* No buyer shall be exempt from keeping the records and making the reports required by the regulations in this part. Any organization which receives tobacco from producers for (a) the purpose of selling it for the producer, or (b) the purpose of placing it under a Federal loan, shall keep the

records, make the reports, and remit penalties in case of receiving such tobacco for sale, as required in §§ 723.830 to 723.862 for buyers.

§ 723.856 *Records and reports of truckers and persons sorting, stemming, packing, or otherwise processing tobacco.*

(a) Each person engaged to any extent in the business of trucking or hauling tobacco for producers to a point where it may be marketed or otherwise disposed of in the form and in the condition in which it is usually marketed by producers shall keep such records as will enable him to furnish the ASC State office a report with respect to each lot of tobacco received by him showing:

- (1) The name and address of the farm operator,
- (2) The date of receipt of the tobacco,
- (3) The number of pounds received, and
- (4) The name and address of the person to whom it was delivered.

(b) Each person engaged to any extent in the business of sorting, stemming, packing, or otherwise processing tobacco for producers shall keep such records as will enable him to furnish the Director a report showing:

- (1) The information required above for truckers, and in addition,
- (2) The purpose for which the tobacco was received,
- (3) The amount of advance made by him on the tobacco, and
- (4) The disposition of the tobacco.

§ 723.857 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a buyer or as a person engaged in the business of sorting, stemming, packing, or otherwise processing tobacco for producers and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged to the same extent for each such business as if he were engaged in no other business.

§ 723.858 *Failure to keep records or make reports.* Any buyer, trucker, or person engaged in the business of sorting, stemming, packing, or otherwise processing tobacco for producers, who fails to make any report or keep any record as required under §§ 723.830 to 723.862 or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$500; and any tobacco buyer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of \$100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed \$5,000; and notice of such violation shall be served upon the tobacco buyer by mailing the same to him by registered mail or by posting the same at an established place

of business operated by him, or both. Notice of any violation by a buyer or trucker shall be given by the State administrative officer and notice of violation by a person engaged in the business of sorting, stemming, packing, or otherwise processing tobacco for producers shall be given by the Director.

§ 723.859 *Additional records and reports to Director.* Any buyer, trucker, or person engaged in the business of sorting, stemming, packing or otherwise processing tobacco for producers shall, in addition to any records required to be kept or any reports required to be made, under §§ 723.830 to 723.862, keep such records and make such reports to the Director as he may find necessary to enforce §§ 723.830 to 723.862.

§ 723.860 *Examination of records and reports.* For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report but not so furnished, any buyer, trucker, or person engaged in the business of sorting, stemming, packing, or otherwise processing tobacco for producers shall make available for examination by employees of the ASC State office, and by employees of the Compliance and Investigation Division, Audit Division, and of the Tobacco Division of the Commodity Stabilization Service, United States Department of Agriculture, and upon written request by the State administrative officer or Director, such books, papers, records, accounts, correspondence, contracts, checks, check registers, check stubs, and documents and memoranda as the State administrative officer or Director has reason to believe are relevant and are within the control of such person.

§ 723.861 *Length of time records and reports to be kept.* Records required to be kept and copies of the reports required to be made by any person under §§ 723.830 to 723.862 for the 1957-58 marketing year shall be kept by him until September 30, 1960. Records shall be kept for such longer period of time as may be requested in writing by the State administrative officer or the Director.

§ 723.862 *Information confidential.* All data reported to or acquired by the Secretary pursuant to the provisions of §§ 723.830 to 723.862 shall be kept confidential by all officers and employees of the United States Department of Agriculture and by all members of county and community committees and all ASC county office employees and only such data so reported or acquired as the Deputy Administrator deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the act.

NOTE: The record keeping and reporting requirements of these regulations have been approved by and subsequent reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D. C., this 27th day of June, 1957. Witness my hand

and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 57-5343; Filed, July 1, 1957;
8:50 a. m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas
[Sugar Reg. 814.24, Amdt. 2]

PART 814—ALLOTMENT OF SUGAR QUOTAS

**MAINLAND CANE SUGAR AREA, 1957;
MISCELLANEOUS AMENDMENTS**

Basis and purpose. This amendment is issued under section 205 (a) of the

Sugar Act of 1948, as amended (hereinafter called the "act"), for the purpose of further amending Sugar Regulation 814.24 (22 F. R. 5, 3700, 4133) which established allotments amounting to 541,125 tons, of the 1957 sugar quota for the Mainland Cane Sugar Area totaling 601,250 short tons, raw value.

This amendment is necessary to substitute final data for estimated data on the processings of sugar from 1956-crop cane, marketings of sugar in 1956, and January 1, 1957, inventories of sugar used in the determination of allotments and to allot the increase in quota for the area established by Sugar Regulation 811, Amendment 3 (22 F. R. 4360) which increased continental sugar requirements from 9,000,000 to 9,100,000 short tons, raw value, and which declared and prorated a deficit in the 1957 quota for Puerto Rico totaling 163,061 short tons,

raw value. The increases in requirements increased the area quota by 6,887 tons, and of the deficit prorated, 20,287 tons were prorated to the Mainland Cane Sugar Area. Such increases in the area quota results in a total quota of 628,424 tons to be allocated by this order.

It was found after notice and public hearing that this order shall be revised, without further notice or hearing, for the purpose of (1) substituting final data for estimated data used in the determination of allotments, and (2) adjusting allotments to take account of any change in the quota for the area resulting from any change in sugar requirements for the continental United States and the proration of any deficit in the quota for another supply area.

The quantities of sugar and the percentages, based upon final data, to be used in the determination of allotments are as set forth in the following table:

Processor	Processings of sugar from 1956-crop cane		Past marketings average within allotments, 1952-56		Effective inventory Jan. 1, 1957	Ability to market short tons, raw value				Processor's percentage share of quota to be allotted ¹
	Short tons, raw value	Percent of total	Short tons, raw value	Percent of total		New-crop marketings		Measures used		
						Average within allotments 1952-56	"Shares" of difference ¹	Column (5) plus column (7)	Percent of total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
Albania Sugar Coop., Inc.	5,885	1.057	5,743	1.067	2,547	4,362	4,012	6,559	1.091	1.096
Alma Plantation, Ltd.	7,752	1.392	6,395	1.183	3,905	4,954	4,556	8,461	1.407	1.353
J. Aron & Co., Inc.	12,438	2.198	11,516	2.139	5,779	8,225	7,565	13,344	2.220	2.191
Billeaud Sugar Factory	7,530	1.352	8,230	1.530	1,734	6,850	6,300	8,034	1.336	1.384
Breaux Bridge Sugar Coop., Inc.	6,051	1.087	6,594	1.225	1,765	5,307	4,881	6,646	1.106	1.118
J. M. Burguières Co., Ltd., The	7,415	1.331	5,565	1.034	4,141	4,169	3,834	7,975	1.327	1.271
Burton-Sutton Oil Co., Inc.	7,462	1.340	5,083	1.056	6,547	1,169	1,075	7,622	1.268	1.209
Cairo & Graugnard	3,660	.649	3,090	.574	911	2,576	2,369	3,280	.546	.553
Caldwell Sugar Coop., Inc.	9,921	1.781	10,152	1.886	5,015	6,268	5,765	10,780	1.793	1.804
Catherine Sugar Co., Inc.	7,205	1.294	8,201	1.524	2,659	6,028	5,544	8,203	1.365	1.354
Columbia Sugar Co.	5,733	1.029	4,815	.895	3,968	1,907	1,764	5,712	.950	.986
Cora-Texas Mfg. Co., Inc.	2,663	.478	2,139	.397	1,745	1,156	1,063	2,808	.467	.496
Dugas & LeBlanc, Ltd.	11,295	2.028	10,250	1.904	5,077	7,493	6,892	11,969	1.991	1.996
Dube & Bourgeois Sugar Co., Inc.	9,134	1.640	7,533	1.399	4,933	5,297	4,872	9,805	1.631	1.590
Erath Sugar Co., Ltd.	4,359	.783	4,892	.909	851	4,189	3,853	4,704	.783	.808
Evan Hall Sugar Coop., Inc.	19,926	3.678	18,252	3.391	9,248	13,554	12,456	21,714	3.612	3.547
Evangeline Pepper & Food Prod., Inc.	4,232	.760	4,883	.907	704	4,214	3,876	4,580	.762	.790
Fellsmere Sugar Prod. Assoc.	7,072	1.270	8,759	1.627	7,523	695	556	8,079	1.344	1.356
Frisco Cane Co., Inc.	780	.140	728	.135	514	480	442	956	.159	.144
Glenwood Coop., Inc.	14,045	2.522	12,869	2.391	7,569	7,814	7,187	14,745	2.453	2.482
Gulf States Land & Industries, Inc.	18,159	3.261	20,720	3.849	9,975	11,442	10,524	20,499	3.410	3.408
Helvetia Sugar Coop., Inc.	8,384	1.506	9,725	1.110	4,962	4,540	4,176	9,138	1.529	1.430
Iberia Sugar Coop., Inc.	13,187	2.368	12,796	2.377	4,484	10,491	9,649	14,133	2.351	2.396
La Fourche Sugar Company	12,981	2.331	12,802	2.339	5,908	8,861	8,150	14,058	2.339	2.344
Harry L. Laws & Co., Inc.	9,999	1.796	8,287	1.539	5,402	6,046	5,561	10,963	1.824	1.760
Levert-St. John, Inc.	7,947	1.427	9,070	1.685	1,210	7,982	7,341	8,551	1.422	1.478
Loisel Sugar Co., Inc.	4,762	.855	5,866	1.090	1,095	4,398	4,045	5,140	.855	.902
Louisiana State Penitentiary	2,629	.472	2,837	.527	783	1,940	1,784	2,567	.427	.474
Lula Factory, Inc.	10,008	1.797	10,375	1.927	3,642	7,968	7,328	10,970	1.825	1.829
Meeker Sugar Coop., Inc.	4,460	.801	3,218	.598	2,350	2,570	2,364	4,714	.784	.757
Milliken & Farwell, Inc.	11,802	2.119	10,720	1.991	6,822	6,122	5,631	12,453	2.072	2.084
National Sugar Refining Co., The	11,714	2.103	10,934	2.031	6,290	5,385	4,953	11,213	1.895	2.041
Okeelanta Sugar Refinery, Inc.	16,564	2.990	11,809	2.194	17,467	996	916	18,383	3.058	2.838
M. A. Patout & Son, Ltd.	8,902	1.589	7,903	1.468	3,590	6,324	5,816	9,406	1.565	1.566
Poplar Grove Pkg. & Ref. Co., Inc.	6,576	1.181	5,946	1.105	2,994	4,630	4,258	7,192	1.196	1.169
St. Mary Sugar Coop., Inc.	11,465	2.059	10,545	1.959	5,827	7,467	6,868	12,695	2.112	2.050
South Coast Corp.	19,542	3.533	11,755	2.184	1,795	10,176	9,359	11,154	1.855	1.944
Southdown Sugars, Inc.	38,717	6.952	38,715	7.192	22,912	18,772	17,265	40,177	6.683	6.946
Sterling Sugars, Inc.	37,696	6.753	37,628	6.990	26,960	11,947	10,988	37,948	6.313	6.712
J. Supple's Sons Pkg. Co., Inc.	4,859	.873	15,731	2.922	10,181	10,992	10,110	20,291	3.375	3.265
United States Sugar Corp.	104,194	18.710	102,625	19.064	3,081	2,261	2,080	5,161	.859	.834
Valentine Sugars, Inc.	8,711	1.584	11,011	2.046	5,237	7,545	6,939	117,425	19.533	18.945
Vermillion Sugar Co., Inc.	2,100	.377	2,473	.459	60	4,438	4,082	9,319	1.550	1.658
Vida Sugars, Inc.	3,949	.709	4,357	.809	643	2,367	2,177	2,177	.362	.390
A. Wilbert's Sons Lbr. & Sh. Co.	8,761	1.573	7,636	1.419	4,512	3,858	3,548	4,191	.697	.727
Young's Industries, Inc.	5,514	.990	6,514	1.210	967	5,397	4,964	9,476	1.576	1.543
Total	556,893	100.000	538,306	100.000	346,589	276,776	254,561	601,150	100.000	100.000

¹ The difference between 601,150 tons (quota established by S. R. 811, Amdt. 1, amounting to 601,250 tons less 100-ton allotment to Louisiana State University) and 346,589 tons (January 1, 1957 Effective Inventory) amounting to 254,561 tons prorated on the basis of each processor's 1952-56 average new-crop marketings within allotments (column 6).
² Determined by weighting "processings" (column 2) by 60 percent, "marketings" (column 4) by 20 percent; and "ability" (column 9) by 20 percent.

The allotments set forth herein have been established on the same basis as those in Sugar Regulation 814.24, Amendment 1 (22 F. R. 3700, 4133), except that final data have been substituted for estimated data, and have been established in accordance with findings heretofore made by the Secretary in the course of this proceeding. Such allot-

ments afford a fair, efficient and equitable distribution of the quota as required by section 205 (a) of the act. Pursuant to provisions of the act, finding 10 of the Findings and Conclusions heretofore made (21 F. R. 3700) is amended by deleting "§ 811.86 of S. R. 811 (21 F. R. 10332)" and substituting in lieu thereof "§ 811.96 of S. R. 811, as

amended (21 F. R. 10332; 22 F. R. 4466)." *Effective date.* Allotments established by this order are larger than the allotments established in S. R. 814.24, Amendment 1 (22 F. R. 3700). To afford adequate opportunities to plan marketings and to market the additional quantities of sugar in an orderly manner, it is imperative that this order be effective

RULES AND REGULATIONS

as soon as possible. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237), is impracticable and contrary to the public interest and, consequently, this order shall be effective when published in the FEDERAL REGISTER.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act: *It is hereby ordered,* That paragraph (a) of § 814.24, as amended, be further amended to read as follows:

§ 814.24 *Allotment of the 1957 sugar quota for the Mainland Cane Sugar Area—(a) Allotments.* The 1957 sugar quota for the Mainland Cane Sugar Area of 628,424 short tons, raw value, is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processor	Allotments (short tons, raw value)
Albana Sugar Coop., Inc.	6,698
Alma Plantation, Ltd.	8,501
J. Aron & Co., Inc.	13,767
Billeaud Sugar Factory	8,696
Breaux Bridge Sugar Coop.	7,025
J. M. Burgulieres Co., Ltd., The	7,986
Burton-Sutton Oil Co., Inc.	7,973
Caire & Graugnard	3,475
Caldwell Sugar Coop., Inc.	11,335
Catherine Sugar Co., Inc.	8,508
Columbia Sugar Company	6,195
Corra-Texas Mfg. Co., Inc.	2,890
Dugas & LeBlanc, Ltd.	12,541
Duhe & Bourgeois Sugar Co., Inc.	9,990
Erath Sugar Co., Ltd.	5,077
Evan Hall Sugar Coop., Inc.	22,287
Evangeline Pepper & Food Products, Inc.	4,964
Fellsmere Sugar Producers Assoc.	8,520
Frisco Cane Co., Inc.	905
Glenwood Coop., Inc.	15,595
Gulf States Land & Industries, Inc.	21,413
Helvetia Sugar Coop., Inc.	8,985
Iberia Sugar Coop., Inc.	14,866
LaFourche Sugar Company	14,728
Harry L. Laws & Co., Inc.	10,996
Levert-St. John, Inc.	9,287
Loisel Sugar Co., Inc.	5,667
Louisiana State Penitentiary	2,978
Lula Factory, Inc.	11,492
Meeker Sugar Coop., Inc.	4,756
Milliken & Farwell, Inc.	13,094
National Sugar Refining Co.	12,824
Okeelanta Sugar Refinery, Inc.	17,832
M. A. Patout & Son, Ltd.	9,840
Poplar Grove Pltg. & Ref. Co., Inc.	7,345
St. James Sugar Coop., Inc.	12,881
St. Mary Sugar Coop., Inc.	12,215
South Coast Corp.	43,643
Southdown Sugars, Inc.	42,173
Sterling Sugars, Inc.	20,515
J. Supple's Sons Pltg. Co., Inc.	5,240
United States Sugar Corp.	119,036
Valentine Sugars, Inc.	10,418
Vermilion Sugar Co., Inc.	2,450
Vida Sugars, Inc.	4,568
A. Wilbert's Sons Lbr. & Sh. Co.	9,695
Young's Industries, Inc.	6,459
Louisiana State University	100
All other persons	00
Total	628,424

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 205, 209; 61 Stat. 926, as amended, 928; 7 U. S. C. 1115, 1119)

Done at Washington, D. C., this 25th day of June 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-5290; Filed, July 1, 1957; 8:45 a. m.]

Subchapter H—Determination of Wage Rates

[Sugar Determination 863.10]

PART 863—SUGARCANE; FLORIDA

PERIOD OF JULY 1, 1957—JUNE 30, 1958

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in Clewiston, Florida on May 9, 1957, the following determination is hereby issued:

§ 863.10 *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Florida during the period July 1, 1957 through June 30, 1958—(a) Requirements.* A producer of sugarcane in Florida shall be deemed to have complied with the wage provisions of the act during the period July 1, 1957 through June 30, 1958 if all persons employed on the farm in production, cultivation or harvesting work shall have been paid in accordance with the following:

(1) *Wage rates.* All such persons shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the worker, and after July 1, 1957, or the date of publication of this section in the FEDERAL REGISTER, whichever is later, not less than the following:

(i) *For work performed on a time basis.*

	Cents per hour
Tractor drivers and operators of mechanical harvesting or loading equipment	75.0
All other workers	65.0

(ii) *For work performed on a piecework basis.* The piecework rate for any operation shall be as agreed upon between the producer and the worker: *Provided,* That the hourly rate of earnings of each worker employed on piecework during each pay period (such pay period not to be in excess of two weeks) shall average for the time involved not less than the applicable hourly rate prescribed in subdivision (i) of this subparagraph.

(2) *Compensable working time.* For work performed under subparagraph (1) of this paragraph, compensable working time includes all time which the worker spends in the performance of his duties except time taken out for meals during the work day. Compensable working time commences at the time the worker is required to start work and ends upon completion of work in the field. However, if the producer requires the operator of mechanical equipment, driver of animals or any other class of worker to report to a place other than the field, such as an assembly point, tractor shed, etc., located on the farm, the time spent in transit from such place to the field and from the field to such place is compensable working time. Any time spent in performing work directly related to the principal work performed by the worker, such as servicing equipment, is compensable working time. Time of the worker while being transported from a central recruiting point or labor camp

to the farm is not compensable working time.

(3) *Equipment necessary to perform work assignment.* The producer shall furnish without cost to the worker any equipment required in the performance of any work assignment. However, a charge may be made for equipment furnished any worker for the cost of such equipment in the event of its loss or destruction through negligence of the worker. Equipment includes, but is not limited to, hand and mechanical tools and special wearing apparel, such as boots and raincoats, required to discharge the work assignment.

(b) *Applicability.* The requirements of this section are applicable to all persons employed on the farm, except as provided in paragraph (c) of this section, in the production, cultivation, or harvesting of sugarcane grown on the farm for the extraction of sugar or liquid sugar: *Provided,* That such requirements shall not apply to any person engaged in such work with respect to sugarcane grown on acreage in excess of the proportionate share for the farm, which is marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed, if the producer furnishes to the appropriate County Agricultural Stabilization and Conservation Committee acceptable and adequate proof which satisfies the Committee that the work performed was related solely to such sugarcane.

(c) *Workers not covered.* The requirements of this section are not applicable to workers performing services which are indirectly connected with the production, cultivation, or harvesting of sugarcane, including, but not limited to mechanics, welders, and other maintenance workers and repairmen.

(d) *Proof of compliance.* The producer shall furnish upon request to the appropriate Agricultural Stabilization and Conservation County Committee acceptable and adequate proof which satisfies the Committee that all workers have been paid in accordance with the requirements of this section.

(e) *Subterfuge.* The producer shall not reduce the wage rates to workers below those determined in this section through any subterfuge or device whatsoever.

(f) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this section may file a wage claim with the local County Agricultural Stabilization and Conservation Office against the producer on whose farm the work was performed. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage claim forms are available at the local County ASC office. Upon receipt of a wage claim the County office shall thereupon notify the producer against whom the claim is made concerning the representation made by the worker. The County ASC Committee shall arrange for such investigation as it deems necessary and the producer and worker shall be notified in writing of its recommendation for settlement of the claim. If either party

is not satisfied with the recommended settlement, an appeal may be made to the State Agricultural Stabilization and Conservation Office, Cheops Building, Gainesville, Florida, which shall likewise consider the facts and notify the producer and worker in writing of its recommendation for settlement of the claim. If the recommendation of the State ASC Committee is not acceptable, either party may file an appeal with the Director of the Sugar Division, Commodity Stabilization Service, U. S. Department of Agriculture, Washington 25, D. C. All such appeals shall be filed within 15 days after receipt of the recommended settlement from the respective committee, otherwise such recommended settlements will be applied in making payments under the act. If a claim is appealed to the Director of the Sugar Division, his decision shall be binding on all parties insofar as payments under the act are concerned.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination provides fair and reasonable wage rates to be paid for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane in Florida during the period from July 1, 1957 through June 30, 1958, as one of the conditions with which producers must comply to be eligible for payments under the act.

(b) *Requirements of the act and standards employed.* Section 301 (c) (1) of the act requires that all persons employed on the farm in the production, cultivation, or harvesting of sugarcane with respect to which an application for payment is made, shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, (i. e., cost of living, prices of sugar and by-products, income from sugarcane, and cost of production), and the differences in conditions among various sugar-producing areas.

(c) *1957-58 wage determination.* This determination continues unchanged the wage levels and other provisions of the 1956-57 determination, except that producers are required to furnish to the County Committee upon request proof that workers have been paid in accordance with the wage provisions of this determination, and that workers who are not directly connected with the production, cultivation, or harvesting of sugarcane are excluded from the provisions of this determination.

A public hearing was held in Clewiston, Fla., on May 9, 1957, at which interested persons were afforded the opportunity to present testimony with respect to fair and reasonable wage rates during the period July 1, 1957, to June 30, 1958. Representatives of producers recommended that there be no increase

in wage rates over those provided in the 1956-57 determination, stating that wage rates had increased substantially more than either sugar prices or labor productivity during the past several years. They also pointed out that the majority of the workers continue to be imported from the British West Indies; that the majority of hand labor is performed on a piecework or task basis; and that the average hourly earnings of the majority of workers are above the minimum hourly rates specified in the determination. A representative of a labor union which negotiates a contract with one producer for a portion of the field workers employed on the farm, recommended a minimum wage of \$1.25 per hour. This witness stated that present wage rates in Florida are too low for an adequate standard of living, and that profits of the Florida sugar industry are sufficient to enable growers to pay higher wages to field workers.

Consideration has been given to the recommendations and supporting testimony presented at the hearing; to the standards customarily considered in wage determinations; to information obtained through investigations; and to other pertinent factors. Data obtained by a field cost study for a recent crop covering the returns, costs, and profits of sugarcane production have been recast to reflect prospective price and production conditions for the 1957-58 crop.

This determination provides that the producer shall furnish the County Committee upon request, adequate proof of compliance with the wage requirements. Such proof may be in the form of payroll records, receipts, or other evidence clearly demonstrating that workers have been properly paid. These records should show with respect to each worker employed, depending upon the method of payment (i. e., time basis or piecework basis) (1) hours worked; (2) acres worked or tons handled; (3) rate per hour or piecework rate; (4) total amount paid; and (5) average hourly earnings. A receipt form signed by a worker may be accepted as prima facie evidence of compliance but, in such instances, the County Committee may also require the producer to furnish payroll records.

The provision excluding workers not directly connected with the production, cultivation, or harvesting operations, incorporates into the determination administrative interpretations heretofore applicable to wage determinations.

On the basis of an analysis and consideration of the pertinent factors involved the provisions of this determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. 1132)

Issued this 27th day of June 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 57-5344; Filed, July 1, 1957; 8:51 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 927—MILK IN NEW YORK-NEW JERSEY MILK MARKETING AREA

AMENDED ORDER REGULATING HANDLING

All of the findings, terms, and provisions of the "Order Regulating the Handling of Milk in the New York-New Jersey Milk Marketing Area" which were annexed to and made a part of the decision of the Acting Secretary of Agriculture issued June 10, 1957 (22 F. R. 4194; Doc. 57-4838), with respect to a proposed marketing agreement and to a proposed amended order regulating the handling of milk in the New York-New Jersey marketing area shall be and are the findings, terms, and provisions of this order subject to the following revisions and additions:

1. In the fifth line of § 927.25 (c) change the word "part" to "section";
2. In § 927.46 (b) (9) change the figure "18" to "12"; and
3. Add paragraph (b) to § 927.0.

Sec.	
927.0	Findings and determinations.
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- Sec.
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BASE RATING PLAN

- 927.60 Computation of producer's base.
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EXPENSE OF ADMINISTRATION

- 927.90 Payment by handler.

MISCELLANEOUS

- 927.95 Termination of obligations.
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927.99 Agents.

AUTHORITY: §§ 927.0 to 927.99 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c.

§ 927.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and 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 governing the formulation of marketing agreements and marketing orders (7 CFR 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the New York-New Jersey milk marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) 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 and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby 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;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 2 cents per hundredweight or such amount not to exceed 2 cents per hundredweight as the Secretary may prescribe, with respect to milk received from producers.

(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 amended order which is marketed within the New York-New Jersey 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 amended order 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 amended order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of its issuance and who, during the determined representative period March 1957, were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the New York-New Jersey 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 to read as follows:

DEFINITIONS

§ 927.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agri-

cultural Marketing Agreement Act of 1937, as amended.

§ 927.2 *Secretary.* "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

§ 927.3 *Marketing area.* "New York-New Jersey milk marketing area" (hereinafter called the "marketing area") means all of the territory within the boundaries of the city of New York, and the counties and parts of counties set forth in paragraphs (a) and (b) of this section together with all piers, docks and wharves connected therewith, and all craft moored thereat, and including territory within such boundaries which is occupied by Government (Municipal, State, Federal or International) reservations, installations, institutions or other establishments.

(a) The city of New York and counties of Nassau, Suffolk (except Fisher's Island) and Westchester in the State of New York (such territory being referred to hereinafter as the "New York metropolitan district").

(b) The following counties and parts of counties in the State of New York: Albany; Broome; Cayuga (except the townships of Sterling, Victory, Conquest, and Montezuma); Chemung; Chenango; Columbia; Cortland; Delaware; Dutchess; that part of Essex consisting of the townships of Schroon, Ticonderoga, Crown Point, and Moriah; Fulton (except the township of Stratford); Greene; Herkimer (except the townships of Webb, Ohio, and Salisbury); Madison; Montgomery; Oneida (except the townships of Ava, Boonville, Forestport, and Florence); Onondaga; Orange; Oswego (except the townships of Redfield and Boyleston); Otsego; Putnam; Rensselaer; Rockland; Saratoga (except the townships of Day, Edinburg, and Providence); Schenectady; Schoharie; Schuyler; that part of Steuben consisting of the townships of Addison, Corning, and Erwin; Sullivan; Tioga; Tompkins; Ulster; Warren (except the townships of Johnsburg, Thurman, and Stony Creek); Washington; and Yates (except the townships of Italy, Middlesex, and Potter); and in the State of New Jersey: Bergen; Essex; Hudson; Hunterdon; Middlesex; Monmouth; Morris; Ocean (except the boroughs of Barnegat Light, Beach Haven, Harvey Cedars, Ship Bottom, Surf City, Tucker-ton, and the townships of Eagleswood, Lacey, Little Egg Harbor, Long Beach, Ocean, Stafford, and Union); Passaic; Somerset; Sussex; Union; and Warren.

§ 927.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 927.5 *Dairy farmer.* "Dairy farmer" means any person who produces milk.

§ 927.6 *Producer.* "Producer" means any dairy farmer whose milk is delivered direct from farm to a pool plant.

§ 927.7 *Handler.* "Handler" means (a) any person who engages in the handling of milk or products therefrom, which milk was received at a pool plant,

or at a plant approved by any health authority as a source of milk for the marketing area, (b) any person who engages in the handling of milk, concentrated fluid milk, cultured or flavored milk drinks, cream, half and half, or skim milk, all or a portion of which is shipped to, or received in, the marketing area, or (c) any cooperative association of dairy farmers with respect to any milk which it causes to be delivered from dairy farmers to a pool plant of any other handler for the account of such association and for which such association receives payment.

§ 927.8 *Plant.* "Plant" means the land, buildings, surroundings facilities, and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk or milk products as determined by the market administrator.

§ 927.9 *Pool plant.* "Pool plant" means any plant which is designated as a pool plant pursuant to §§ 927.25, 927.28, or 927.29.

§ 927.10 *Market administrator.* "Market administrator" means the agency, which is described in §§ 927.20 through 927.23 for the administration of this part.

§ 927.11 *Base.* "Base" means a quantity of milk expressed in pounds per day or month computed pursuant to § 927.60.

§ 927.12 *Base milk.* "Base milk" means the milk delivered by a producer during the month in an amount which is not in excess of his base.

§ 927.13 *Excess milk.* "Excess milk" means all milk delivered by a producer in excess of base milk.

MARKET ADMINISTRATION

§ 927.20 *Selection, removal, and bond.* The agency for the administration of this part shall be a market administrator who shall be a person selected and subject to removal by the Secretary. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

§ 927.21 *Compensation.* The market administrator shall be entitled to such reasonable compensation as shall be determined by the Secretary.

§ 927.22 *Powers.* The market administrator shall have the following powers:

- (a) To administer the terms and provisions of this part;
- (b) To make rules and regulations to effectuate the terms and provisions of this part;
- (c) To receive, investigate, and report to the Secretary complaints of violations of this part; and
- (d) To recommend to the Secretary amendments to this part.

§ 927.23 *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(a) Keep such books and records as will clearly reflect the transactions provided for in this part;

(b) Submit his books and records to examination by the Secretary at any and all times;

(c) Furnish such information and such verified reports as the Secretary may request;

(d) Obtain a bond with reasonable security thereon covering each employee who handles funds entrusted to the market administrator.

(e) Publicly disclose, after reasonable notice, the name of any person who has not made reports pursuant to §§ 927.50, 927.51, and 927.53, or made payments required by §§ 927.70, 927.71, 927.72, 927.77, 927.80, 927.82, 927.83, 927.84, and 927.90;

(f) Prepare and disseminate for the benefit of producers, consumers, and handlers such statistics and information concerning the operation of this part as do not reveal confidential information;

(g) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of this part;

(h) Pay out of the funds received pursuant to § 927.90 the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties;

(i) Maintain a main office and such branch offices as may be necessary; and

(j) Promptly notify a handler, upon receipt of the handler's written request therefor, of his determination; as to whether one or more plants exist at a specified location, as to whether any specified item constitutes a part of the handler's plant, or as to which plant a specified item is a part in the event that the particular premises in question constitutes more than one plant: *Provided*, That if the request of the handler is for revision or affirmation of a previous determination, there is set forth in the request a statement of what the handler believes to be the changed conditions which make a new determination necessary. If a handler has been notified in writing of a determination with respect to an establishment operated by him, any revision of such determination shall not be effective prior to the date on which such handler is notified of the revised determination.

POOL PLANTS

§ 927.25 *Regular pool plants.* Any plant shall be designated a pool plant upon determination by the Secretary that the provisions of paragraphs (a) through (d) of this section have been met. Not later than the end of the month following the month in which an application is received by the Secretary pursuant to paragraph (a) of this section, the Secretary shall either determine that the provisions of paragraphs (a) through (d) of this section either have been met or have not been met, or notify the applicant that additional in-

formation is needed prior to making a determination. Such designation shall be effective the first of the month following the date of designation and shall continue until such designation is cancelled pursuant to § 927.27: *Provided*, That notwithstanding the provisions of paragraphs (a) through (d) of this section, any plant which for the month of June 1957 had a designation pursuant to § 927.20, § 927.22, or this section, as then in effect, and which is not cancelled prior to the effective date of this section, is hereby designated a regular pool plant from the effective date of this section until such designation is cancelled pursuant to § 927.27: *Provided further*, That notwithstanding the provisions of paragraphs (a) through (d) of this section, any plant for which an application is filed by the operator with the market administrator by not later than 15 days after the effective date of this section, and (1) which had a pool plant designation of any kind for each of the 12 months of April 1956 through March 1957, or (2) as to which it is determined by the market administrator that 50 percent or more of the milk received at the plant from dairy farmers during the 12-month period of April 1956 through March 1957 was utilized as fluid milk in the marketing area, is hereby designated a regular pool plant from the effective date of this section until such designation is cancelled pursuant to § 927.27.

(a) An application by the operator of the plant for such determination has been addressed to the Secretary and filed at the office of the market administrator: *Provided*, That if 50 percent or more of the dairy farmers delivering milk at such plant deliver such milk for the account of a cooperative association which does not operate the plant but for which milk such association receives payment, an application must be filed by such cooperative association as well as the person operating the plant.

(b) The plant is located in New York, New Jersey, or Pennsylvania: *Provided*, That if such plant is located in Pennsylvania within 200 miles of Philadelphia, it shall be eligible only if it is in a county bordering the marketing area or is closer to the marketing area than it is to Philadelphia, distance to the marketing area being the same as that used for zoning plants pursuant to § 927.42, and distance to Philadelphia being the shortest highway mileage computed by the market administrator from data contained in Mileage Guide No. 5 issued on July 20, 1949, effective August 21, 1949, by the Household Goods Carriers' Bureau, Agent, Washington, D. C.

(c) The plant was a pool plant either pursuant to paragraphs (a) and (b) of § 927.29, or pursuant to § 927.27 as in effect immediately prior to the effective date of this section, for each of the 12 months immediately preceding the month during which an application is filed.

(d) The operating requirements of § 927.26 are being met.

§ 927.26 *Operating requirements.* The person operating the plant shall meet each of the following requirements:

(a) Be willing to dispose of as Class I-A milk in the marketing area milk received at the plant from dairy farmers;

(b) Keep such control over the sanitary conditions under which milk received at the plant is produced and handled, that the plant can meet the requirements of a source of milk for the marketing area: *Provided*, That approval by a health authority of the plant as a source of milk for the marketing area shall constitute sufficient evidence that this requirement is being met even though such approval is restricted to prohibit shipment to the marketing area of milk for specified periods during which permission is given by such health authority for receiving unapproved milk or skim milk at the plant or for shipment of approved skim milk from such plant; and

(c) Have no commitments for disposition of milk that prevent him from utilizing milk as set forth in § 927.27 (g).

§ 927.27 *Suspension and cancellation of designation.* The designation of a pool plant pursuant to § 927.25 or § 927.28 may be suspended or cancelled under any of the following provisions:

(a) The designation shall be cancelled effective on the first of the month following the filing with the market administrator, and on a form prescribed by him, of an application by the handler operating the plant: *Provided*, That such application for cancellation shall be accompanied by proof that the handler, if not a cooperative association qualified pursuant to § 927.81, has notified any qualified cooperative association which has any members who deliver milk to such plant, and has notified individually all producers delivering to such plant who are not members of such qualified cooperative association, of his intention to make such application: *Provided further*, That if 50 percent or more of the producers delivering milk at such plant deliver such milk for the account of a cooperative association which does not operate the plant, but for which milk such association receives payment, an application must be made by such cooperative association as well as by the handler operating the plant: *Provided further*, That such plant shall not be a pool plant on any basis from the effective date of cancellation until after the next continuous period of April through June.

(b) The designation of any plant which on June 15 of any year is not approved by a health authority as a source of milk for the marketing area shall be automatically suspended effective on August 1 of such year unless the absence of such approval is a temporary condition covering a period of not more than 15 days: *Provided*, That the designation of a plant approved by a health authority as a source of milk for the marketing area, even though such approval is restricted to prohibit shipment to the marketing area of milk for specified periods during which permission is given by such health authority for receiving unapproved milk or skim milk at the plant or for shipment of approved skim milk from such plant, shall not be suspended pursuant to this provision.

(c) The designation of any plant shall be suspended, effective no sooner than 10 days nor later than 20 days after the date of mailing of notice, by registered letter, to the handler, whenever the market administrator, subject to the limitations set forth in paragraphs (g) and (i) of this section, finds on the basis of available information that the handler operating the plant is not meeting the requirements set forth in § 927.26: *Provided*, That, if the handler operating the plant is not a cooperative association qualified pursuant to § 927.81, the market administrator shall also notify any qualified cooperative association which has any members who deliver milk to such plant, and shall notify individually all producers delivering to such plant who are not members of such qualified cooperative association, of such suspension of designation.

(d) In the case of the suspension pursuant to this section of the designation of one or more plants for failure to meet the requirements of § 927.26 (a) or (c), the handler operating such plant may select, prior to the effective date of such suspension, some other pool plant or plants to be substituted for the plant or plants suspended if, during the preceding month, the quantity of milk received from producers at such substituted plant or plants was not less than the quantity of milk received from producers at the suspended plant or plants. The handler may also select the order in which plant designations are to be cancelled in the event of a later determination by the Secretary cancelling the designation of some but not all of the plants suspended.

(e) Not later than 10 days after the effective date of suspension of designation pursuant to this section, the handler operating the plant may apply to the Secretary for a review. If the handler fails to so apply for such review, the designation of the plant as a pool plant shall be cancelled as of the effective date of the suspension. If the handler does so apply, the Secretary shall, after review, either determine that the requirements set forth in § 927.26 have been met and order the suspension revoked, or determine that such requirements have not been met and order the designation cancelled as of the effective date of the suspension: *Provided*, That, if the Secretary has made no determination within two months after the end of the month in which the suspension was made effective, but later orders the designation cancelled, such cancellation shall be effective as of the first of the month following the date of such determination.

(f) Beginning with the effective date of a suspension pursuant to this section, and until the Secretary has either ordered the designation cancelled or ordered the suspension revoked, the plant shall be treated as a pool plant: *Provided*, That all payments into or out of the producer settlement fund (except such payments on the basis of operations during a month in which the plant meets the requirements of § 927.29) shall be held in reserve by the market administrator until an order is issued by the Secretary, but not longer than two months

after the end of the month in which the suspension was made effective.

(g) No pool plant designation shall be suspended for failure to meet the requirements of § 927.26 (a) except under the following conditions:

(1) A meeting has been held no sooner than three days after notice by the market administrator to all handlers operating pool plants designated pursuant to § 927.25 or § 927.28 for consideration of the desirable utilization of milk received from producers during a period ending not later than the end of the second month after the month during which such meeting is held.

(2) There has been issued by the market administrator, following such meeting, and mailed to all handlers operating pool plants designated pursuant to § 927.25 or § 927.28, the market administrator's determination of the desirable utilization of milk received from producers each month during all or a part of the period set forth in subparagraph (1) of this paragraph. Such determination shall include a schedule setting forth, by months, the desired minimum percentage of milk received from producers to be utilized in specified classes. Such specified classes shall include Class I-A, and may include all or a part of Class I-B and Class II.

(3) The market administrator finds on the basis of available information that the handler operating a plant or the cooperative reporting a plant is not utilizing milk received from producers in accordance with the minimum percentage set forth in the determination of the market administrator previously announced pursuant to subparagraph (2) of this paragraph: *Provided*, That the suspension of the pool plant designation of a plant may be made effective during the months of November and December if the market administrator finds that the handler is utilizing any milk received from producers in classes other than those set forth in the determination of the market administrator announced pursuant to subparagraph (2) of this paragraph.

(h) The cancellation of pool plant designations for failure to meet the requirements of § 927.26 (a) shall be subject to the following conditions:

(1) No pool plant designation shall be cancelled if the handler operating the plant utilized the milk received by him at all pool plants from producers during the month in which the suspension is made effective in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section.

(2) No pool plant designation shall be cancelled if the handler operating the plant utilized in the specified classes set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section a percentage of the total milk received by him at all pool plants from producers during the month in which the suspension is made effective which is not less than the percentage of the total milk reported by all handlers to have been received from producers during such month which was

reported to have been used in the specified classes.

(3) In the event that all milk received from producers at a plant is reported to the market administrator by a cooperative association qualified pursuant to § 927.81 and such association pays the producers for such milk, the pool plant designation of such plant shall not be cancelled if a percentage of all milk reported by such cooperative association is utilized in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section, or in accordance with the percentage set forth in subparagraph (2) of this paragraph.

(4) Cancellation of designations shall be limited to those plants necessary to result in a utilization of milk received at the remaining pool plants operated by the handler, or reported by the cooperative, as the case may be, in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section.

(i) Loss of approval by health authorities of a plant as a source of milk for the marketing area may in itself constitute adequate reason for the market administrator to suspend the designation of plant for failure to meet the requirements of § 927.26 (b), only if the absence of such approval continues for more than 15 days.

§ 927.28 *Plant replacements and change of operator.* (a) A plant may be designated at any time as a pool plant upon application made by the person operating the plant to the Secretary showing that the plant is a replacement for one or more pool plants designated pursuant to § 927.25, or this section, which are operated by him and that substantially all of the dairy farmers delivering milk at the plant previously delivered milk to the pool plant or plants replaced. Upon designation of a plant pursuant to this section, the designation of the plant or plants which is replaced shall be automatically cancelled.

(b) The designation of pool plants pursuant to § 927.25 or this section shall be considered as applicable to the plant as such, and subject to cancellation only pursuant to § 927.27 or this section, regardless of change in the person owning or operating the plant. The market administrator shall be notified, by the handlers involved, of any transfer from one person to another of ownership or operation of a pool plant.

§ 927.29 *Temporary pool plants.* Except for plants which, pursuant to paragraph (a) of § 927.27 or pursuant to the proviso of paragraph (c) or (e) of this section, are not eligible for designation, any plant not designated pursuant to § 927.25 or § 927.28 shall automatically be designated a pool plant in accordance with provisions of paragraphs (a) through (d) of this section.

(a) For any of the months of January through March and July through December, any plant at which 25 percent or more of the receipts of milk from dairy farmers is classified in Class I-A on some

basis other than the failure to account for such milk shall automatically be designated a pool plant for such month.

(b) For any of the months of April, May, or June, any plant at which, during the preceding period of October, November, and December either (1) no milk was received from dairy farmers, or (2) 60 percent or more of the milk received from dairy farmers was classified in Class I-A on some basis other than the failure to account for such milk, shall automatically be designated a pool plant for any of such months of April, May, or June in which 10 percent or more of the milk received from dairy farmers is classified in Class I-A on some basis other than the failure to account for such milk.

(c) Any plant which is a pool plant in any of the months of April, May, or June on the basis of paragraph (b) of this section shall be a pool plant in any of the months of July through March following in which 60 percent or more of the milk received at the plant from dairy farmers is classified in Class I-A and Class I-B: *Provided*, That upon written request presented to the market administrator by the handler, the plant shall not be a pool plant on any basis from the month following receipt of such request until the following July 1.

(d) Any plant which for any month is not a pool plant because of failure to meet the requirements of paragraphs (a), (b), or (c) of this section (except a plant which is not a pool plant pursuant to the proviso in paragraph (c)), but from which Class I-A milk is distributed in the marketing area other than to another plant shall be a pool plant in any month at the option of the handler, exercised at the time of filing the report pursuant to § 927.50, if at least 55 percent of the milk received from dairy farmers at the plant during such month is classified in Class I-A and Class I-B: *Provided*, That a plant at which, except for this paragraph, milk received from farmers would be classified and priced under another order issued pursuant to the act, shall not be a pool plant pursuant to this paragraph unless the percentage of the milk received from dairy farms at the plant which is classified in Class I-A is greater than the percentage of such milk which is classified in Class I-B and disposed of in the marketing area defined in such other order.

(e) No plant shall be a pool plant on the basis of this section during the months of January through July if the designation of the plant as a pool plant was cancelled for failure to meet the requirements of § 927.26 during the preceding year.

(f) At the time of announcing the uniform price for each month, the market administrator shall make public the location and name of the operator of any plant for which a report of receipts from dairy farmers was used pursuant to this section in the computation of that uniform price.

CLASSIFICATION

§ 927.30 *Basis of classification.* All milk the butterfat from which is received at a plant at which the classification of milk received from producers is to be determined pursuant to § 927.33,

and all milk entering the marketing area in the form of milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, half and half, fluid cream products, or skim milk, shall be classified in accordance with the form in which it is held at, or moved from, the plant at which classification is determined. Such classification shall be subject to the conditions set forth in §§ 927.31 through 927.35.

§ 927.31 *Burden of proof.* In establishing the classification of milk received from producers, the burden rests upon the handler who received the milk from producers to show that the milk should not be classified as Class I-A, and that the skim milk in Class II and Class III milk should not be subject to the fluid skim differential. The burden rests upon the handler who receives in the marketing area or at a pool plant, or distributes in the marketing area, milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, half and half, fluid cream products, or fluid skim milk to establish the source of all of his milk and milk products, and in the absence of such proof such milk and the milk equivalent of such enumerated products shall be subject to the provisions of § 927.84.

§ 927.32 *Period for establishing classification.* A period ending with the last day of the month following the month during which the milk was received from dairy farmers shall be allowed for handling such milk as a basis for establishing the classification as other than Class I-A: *Provided*, That the holding of milk in the form of cream in a licensed cold storage warehouse for at least 7 days shall constitute that portion of the handling of such cream required pursuant to § 927.37 (d) (2) that is required to be performed during the month following its receipt from dairy farmers.

§ 927.33 *Plant at which classification is to be determined.* Classification shall be determined at the plant at which milk is received from dairy farmers: *Provided*, That if such milk is shipped in the form of milk or cream to another plant or other plants, it shall be classified, subject to the provisions of paragraphs (a) and (b) of this section, at the plant or plants to which it is shipped, and there shall be no limit on the number of interplant movements in the form of milk or cream except as set forth in paragraphs (a) and (b) of this section.

(a) Except as set forth in paragraph (b) of this section, the classification of milk shipped in the form of milk and of milk the butterfat from which is shipped in the form of cream to a non pool plant shall be determined at the non pool plant (unless such non pool plant is in the marketing area, receives no milk from dairy farmers and is engaged substantially either in distributing packaged milk or cream in the marketing area or in shipping bulk milk or cream to a pasteurizing and bottling plant in the marketing area), unless the handler operating the pool plant from which such shipments are made to the non pool plant elects in writing on his monthly reports to have classification of

all milk or cream received during the month at such handler's pool plant and shipped as milk or cream to the non pool plant determined at the pool plant from which the milk or cream is shipped to the non pool plant.

(b) The classification of milk shipped in the form of milk more than 65 miles from the plant where received from dairy farmers and of milk the butterfat from which is shipped in the form of cream more than 65 miles from the plant where the milk was separated to a plant outside Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York State, Ohio, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, or the District of Columbia shall be determined at the plant from which the milk or cream is so shipped.

§ 927.34 *Plant loss.* Allowances for plant loss not to exceed 5 percent of the butterfat in the product resulting from any specific plant operation, which plant loss may be classified the same as the milk equivalent of the butterfat in the product, shall be determined by the market administrator pursuant to § 927.36

§ 927.35 *Accounting procedure.* The accounting procedure for classifying milk pursuant to §§ 927.30 through 927.37 shall be set up by the market administrator pursuant to § 927.36. Such accounting procedure shall include conversion factors to be used in the absence of specific weights and tests, specific definitions of products, and such methods for assignment of milk to classes according to source and form as may be necessary to effectuate the provisions of §§ 927.30 through 927.37 and which are not inconsistent with the following general principles:

(a) Milk, concentrated fluid milk, fluid milk products, cream, half and half, fluid cream products, and skim milk received from pool plants or from producers shall be assigned, as far as possible, to Class I-A, Class II, or to skim milk subject to the fluid skim milk differential. The assignment of milk shall be subject to the additional requirements set forth in subparagraphs (1) through (5) of this paragraph.

(1) If the plant is not a pool plant pursuant to § 927.25 or § 927.28, milk received directly from dairy farmers in an amount sufficient to qualify such plant as a pool plant pursuant to paragraph (a) or (b) of § 927.29 shall be assigned to Class I-A milk leaving the plant which is distributed to outlets which are not other plants: *Provided*, That if such Class I-A milk is not sufficient to qualify such plant as a pool plant pursuant to paragraph (a) or (b) of § 927.29, no assignment pursuant to this subparagraph is to be made by the handler.

(2) After any required assignment pursuant to subparagraph (1) of this paragraph, milk from the following sources shall be assigned as far as possible to Class I-A:

(i) Milk received from producers delivering to the plant if the plant is designated as a pool plant pursuant to § 927.25 or § 927.28.

(ii) The balance of the milk received from producers if the plant is a pool plant pursuant to § 927.29 on the basis of the assignment pursuant to subparagraph (1) of this paragraph.

(iii) Milk received from other pool plants designated pursuant to § 927.25 or § 927.28.

(iv) Milk received from other plants which are pool plants pursuant to § 927.29 on the basis of the assignment pursuant to subparagraph (1) of this paragraph at such other plants.

(3) After assignments pursuant to subparagraphs (1) and (2) of this paragraph, milk from other sources shall be assigned to remaining Class I-A at the option of the handler.

(4) Notwithstanding the other provisions of this paragraph, milk received from the plant of a handler at which milk is received from farms which is eliminated from the computation of the handler's net pool obligation pursuant to § 927.65 (h) (1) shall be assigned, as far as possible, to Class III milk at the plant unless such assignment results in nonpooled milk being assigned to Class I-A, Class II, or skim milk subject to the fluid skim differential.

(5) Notwithstanding other provisions of this paragraph, milk received (except packaged milk produced in accordance with methods and standards of the American Association of Medical Milk Commissions for the production of certified milk) from a handler's plant receiving milk which, pursuant to § 927.65 (h) (2) or (3), is excluded from such handler's net pool obligation shall be considered to be nonpool milk with respect to assignments pursuant to this section and payments pursuant to § 927.83.

(b) After the assignments prescribed in paragraph (a) of this section, the remaining whole milk received at a plant from producers or from pool plants and in like form from dairy farmers not producers or from nonpooled plants shall be assigned pro rata to the total classification of all milk on hand at or leaving such plant as whole milk.

(c) After the assignments prescribed in paragraphs (a) and (b) of this section, the then remaining milk or cream received from producers or from pool plants and the milk or cream received from dairy farmers not producers or from nonpooled plants shall be assigned pro rata to the total remaining classification of such products received in like form.

(d) After the assignment of skim milk prescribed in paragraph (a) of this section, skim milk received from nonpool plants shall be assigned to the remaining skim milk subject to the fluid skim differential.

(e) Milk from a handler's own farm which is excluded from the computation of the handler's net pool obligation pursuant to § 927.65 (h) (2) shall be assigned pro rata to the classification of milk at the plant after first assigning all milk from other pool plants to Class I-A: *Provided*, That any milk shipped to another plant on which the handler operating the other plant is required to make payments pursuant to § 927.83 shall be

considered to be Class III at this plant, and shall be considered to be subject to the butter-cheese adjustment if such butter-cheese adjustment was used in determining the rate of payment pursuant to § 927.83.

§ 927.36 *Rules and regulations.* The rules and regulations to effectuate the terms and provisions of §§ 927.30 through 927.37 shall be made, and may from time to time be amended, by the market administrator in accordance with the procedure set forth in this section: *Provided*, That at any time upon a determination by the Secretary that an emergency exists which requires the immediate adoption of rules and regulations, the market administrator may issue, with the approval of the Secretary, temporary rules and regulations without regard to the following procedure: *Provided further*, That if any interested person makes written request for the issuance, amendment, or repeal of any rule, the market administrator shall within 30 days either issue notice of meeting pursuant to paragraph (a) of this section or deny such request, and except in affirming a prior denial, or where the denial is self-explanatory, shall state the grounds for such denial.

(a) All proposed rules and regulations and amendments thereto shall be the subject of a meeting called by the market administrator, at which time all interested persons shall have opportunity to be heard. Notice of such meeting shall be given by the market administrator, and a copy of the proposed rules and regulations shall be sent at least five days prior to the date of the meeting to all handlers operating pool plants. A stenographic record shall be made at all such meetings and such record shall be public information available for inspection at the office of the market administrator.

(b) A period of at least five days after the meeting held pursuant to paragraph (a) of this section shall be allowed for the filing of briefs. Such briefs shall be public information available for inspection at the office of the market administrator.

(c) Not later than 30 days after a meeting held pursuant to paragraph (a) of this section, the market administrator shall issue and send to all handlers operating pool plants the tentative rules and regulations or amendments thereto relating to the issues considered at such meeting, or a tentative notice that no rules or regulations or amendments thereto are to be issued prior to further consideration at another meeting. The tentative rules and regulations, or tentative notice, together with copies of the stenographic record and briefs, shall also at the same time be forwarded by the market administrator to the Secretary.

(d) Not later than 30 days after issuance by the market administrator, the Secretary shall either approve the tentative rules and regulations or tentative notice as issued, or direct the market administrator to reconsider. In which latter event, the market administrator shall within 30 days either issue revised tentative rules and regulations or tenta-

tive notice, or call another meeting pursuant to paragraph (a) of this section.

(e) The tentative rules and regulations and amendments thereto or tentative notice issued pursuant to paragraph (c) of this section shall be effective as of the first of the month following approval by the Secretary, but not sooner than ten days after issuance by the market administrator.

§ 927.37 *Classes of utilization.* Subject to all of the conditions set forth in §§ 927.30 through 927.36, milk shall be classified at the plant at which classification is to be determined as follows:

(a) Class I-A milk shall be all milk, except as provided in paragraph (b) of this section and in subparagraphs (3) and (5) of paragraph (d) of this section, the butterfat from which leaves or is on hand at the plant in the form of milk, concentrated fluid milk, fluid milk products, or as cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and all milk the classification of which is not established in some other class named in this section.

(b) Class I-B milk shall be all milk, except as provided in subparagraphs (3) and (5) of paragraph (d) of this section, the butterfat from which leaves the plant in the form of milk, concentrated fluid milk, fluid milk products, or of cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and which is delivered to a plant or a purchaser outside the marketing area and remains outside the marketing area.

(c) Class II milk shall be all milk the butterfat from which leaves or is on hand at the plant in the form of cream, sweet or sour, half and half, fluid cream products, or in the form of cultured or flavored milk drinks, containing less than 3.0 percent or more than 5.0 percent of butterfat, unless such cream, half and half, fluid cream products, or cultured or flavored milk drinks are established to have been so handled or marketed as to classify such milk in some other class named in this section.

(d) Class III milk shall be all milk which meets the conditions set forth in any one of the following subparagraphs:

(1) All milk the butterfat from which leaves or is on hand at the plant in the form of cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat or in the form of cream, half and half, or fluid cream products which cream, half and half, fluid cream products, or cultured or flavored milk drinks is delivered to a plant or a purchaser outside the New York metropolitan district and remains outside the New York metropolitan district.

(2) All milk the butterfat from which leaves or is on hand at the plant in the form of cream which is subsequently held in a licensed cold storage warehouse for at least 28 days, and which is subject at all times until utilization of such cream to being inspected by a representative of the market administrator to determine the physical presence of the cream. After the first 7 days, such cream may be

moved from one licensed cold storage warehouse to another: *Provided*, That the market administrator receives notice of such removal within 7 days thereafter. Any handler whose report claimed the original classification of milk pursuant to this subparagraph shall be liable under the provisions of § 927.80 for the difference between the Class II and Class III prices for the month in which the Class III classification was claimed on any such milk if the storage of cream does not comply with all requirements of this subparagraph.

(3) All milk the butterfat from which leaves the plant in the form of products named in paragraphs (a), (b), or (c) of this section if such products have been sterilized and leave the plant in hermetically sealed containers.

(4) All milk the butterfat from which leaves the plant in the form of milk which is delivered in bulk to an establishment (other than a plant as defined in § 927.8) at which food products are processed and packed in hermetically sealed containers and at which establishment there is no disposition of milk or milk products specified in paragraphs (a), (b), or (c) of this section other than milk or milk products received in consumer packages for consumption on the premises.

(5) All milk the butterfat from which leaves or is on hand at the plant in the form of concentrated fluid milk which is established not to have been packaged in consumer packages either before or after leaving the plant.

(6) All milk the butterfat from which leaves or is on hand at the plant in the form of some product the classification of which is not established in some other class named in this section.

MINIMUM PRICES

§ 927.40 *Class prices.* For milk received during each month from producers or cooperative associations of producers, each handler shall pay per hundredweight not less than the prices set forth in this section, subject to the differentials and adjustments in §§ 927.41 through 927.44. Any handler who purchases or receives, during any month, milk from a cooperative association of producers which is also a handler shall, on or before the 15th day of the following month, pay such cooperative association in full for such milk at not less than the minimum class prices applicable pursuant to this section, subject to the differentials and adjustments in §§ 927.41 through 927.44 and § 927.71 (c).

(a) For Class I-A milk the price during each month shall be a price computed pursuant to subparagraphs (1) through (11) of this paragraph: *Provided*, That the provisions in effect for the pricing of Class I-A milk for the month immediately prior to the effective date of this proviso shall continue in effect for the purpose of computing Class I-A prices for the first two months following the effective date of this proviso.

(1) Divide (with the result expressed to three decimal places) the monthly

wholesale price index for all commodities in the second preceding month as reported on a 1947-49 base by the Bureau of Labor Statistics, United States Department of Labor, by the average of the monthly indexes reported on the same base for the year 1955.

(2) Multiply the base price of \$5.20 by the result determined pursuant to subparagraph (1) of this paragraph. Express the result to the nearest cent.

(3) For each month during the 3-year period ending with the second preceding month, calculate to one decimal place the percentage that the total volume of milk in Class I-A and Class I-B was of the total volume of reported receipts of milk from producers and from unrevealed sources (these percentages to be referred to as utilization percentages): *Provided*, That the utilization percentages for months prior to the effective date of the amendment to the definition of the marketing area set forth in § 927.3 to include areas outside the New York metropolitan district shall be the percentages computed pursuant to this subparagraph plus 8.1.

(4) Calculate the average of the 36 monthly utilization percentages for the 3-year period ending with the second preceding month.

(5) Calculate the average of the 6 utilization percentages for the second and third preceding months and for the same months of the 2 preceding years.

(6) Divide the result determined pursuant to subparagraph (5) of this paragraph by the result determined pursuant to subparagraph (4) of this paragraph expressing the result to three decimal places.

(7) Calculate the average of the 2 utilization percentages in the second and third preceding months.

(8) Divide the result determined pursuant to subparagraph (7) of this paragraph by the result determined pursuant to subparagraph (6) of this paragraph. Express the result to one decimal place and add 100.

(9) Calculate a utilization adjustment percentage by subtracting the base utilization percentage of 56.2 from the result determined pursuant to subparagraph (8) of this paragraph.

(10) Multiply the result determined pursuant to subparagraph (2) of this paragraph by the utilization adjustment percentage determined pursuant to subparagraph (9) of this paragraph.

(11) Multiply the result determined pursuant to subparagraph (10) of this paragraph by the following seasonal adjustment factor for the month for which the Class I-A price is being determined:

January -----	1.05	July -----	0.95
February ----	1.03	August -----	1.00
March -----	1.00	September ---	1.04
April -----	0.94	October -----	1.07
May -----	0.88	November ---	1.09
June -----	0.88	December ----	1.07

(b) Whenever any of the following conditions exist for 3 consecutive months, the Secretary shall call a public hearing promptly to consider those and other economic conditions, or promptly an-

nounce his determination that such a hearing should not be held, together with reasons for such determination:

(1) There is a difference of more than 6 points for each of 3 consecutive months between the index of the cost of production announced pursuant to § 927.46 (a) (6) and the index of wholesale prices (1955 base) announced pursuant to § 927.46 (a) (1).

(2) There is a difference of more than 15 points for each of 3 consecutive months between the index of the cost of production announced pursuant to § 927.46 (a) (6) and the index of the Class I-A price announced pursuant to § 927.46 (a) (7).

(3) The Class I-A price for each of 3 consecutive months is less than \$1.00 higher than the condensery price announced pursuant to § 927.46 (b) (9) for such months or more than \$2.50 higher than such condensery price.

(c) For Class I-B milk the price shall be the price for Class I-A milk.

(d) For Class II milk the price during each month shall be the sum of the amounts computed pursuant to subparagraphs (1) and (2) of this paragraph.

(1)

U. S. Grade A or U. S. 92-score butter, wholesale, at New York, average price announced pursuant to § 927.46 (a) (4) for the period ending on the 24th of the preceding month	Class II price	
	March through July (dollars per hundred-weight)	August through February (dollars per hundred-weight)
Under 21.5	1.35	1.50
21.5 or over, but under 25.0	1.50	1.65
25.0 or over, but under 28.5	1.65	1.80
28.5 or over, but under 32.0	1.80	1.95
32.0 or over, but under 35.5	1.95	2.10
35.5 or over, but under 39.0	2.10	2.25
39.0 or over, but under 42.5	2.25	2.40
42.5 or over, but under 46.0	2.40	2.55
46.0 or over, but under 49.5	2.55	2.70
49.5 or over, but under 53.0	2.70	2.85
53.0 or over, but under 56.5	2.85	3.00
56.5 or over, but under 60.0	3.00	3.15
60.0 or over, but under 63.5	3.15	3.30
63.5 or over, but under 67.0	3.30	3.45
67.0 or over, but under 70.5	3.45	3.60
70.5 or over, but under 74.0	3.60	3.75
74.0 or over, but under 77.5	3.75	3.90
77.5 or over, but under 81.0	3.90	4.05

Should the average butter price set forth above be 81.0 cents or more, the Class II price shall be the price which would result from further extension of this table at the same rate to cover such average butter price.

(2) Multiply by 7.5 the average of all the hot roller process dry skim milk or nonfat dry milk solids quotations for "other brands, human consumption, carlots, bags, or barrels" (using midpoint of any range as one quotation), published for the delivery period in "The Producers' Price-Current," and subtract 48 cents.

(e) For Class III milk, the price shall be the sum of the amounts computed or determined pursuant to subparagraphs (1), (2), and (3) of this paragraph, minus 80 cents.

(1) To the simple average of the daily wholesale selling price per pound (using the midpoint of any price range as one price) reported during such month by the

United States Department of Agriculture for Grade A (92-score) bulk creamery butter in the New York City market, add two cents, multiply by 1.22, and then multiply by 3.5: *Provided*, That for any of the months from August through February for which the utilization adjustment percentage announced pursuant to § 927.46 (a) (2) is 107.5 or larger, there shall be an additional three cents added to such average butter price.

(2) Multiply by 7.8 the weighted average, as computed by the market administrator using a weight of 70 for roller process prices and a weight of 30 for spray process prices, of the prices per pound of roller process and spray process nonfat dry milk solids, for human consumption in carlots, f. o. b. manufacturing plants in the Chicago area, as published by the United States Department of Agriculture for the period from the 26th day of the immediately preceding month through the 25th day of the current month.

(3) Determine the appropriate seasonal adjustment in accordance with the following table:

Month to which the price is applicable:	Amount
July through November	\$0.13
December through February	0.10
March and April	0.08
May and June	0.05

§ 927.41 *Butterfat differentials.* The minimum price for Class I-A and Class I-B milk shall be plus or minus four cents for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent. The minimum price for Class II and Class III milk shall be plus or minus, for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent, an amount computed as follows: subtract from the respective class prices an amount computed pursuant to § 927.40 (d) (2), and divide by 35.

§ 927.42 *Transportation differentials.* The market administrator shall determine and publicly announce a freight zone for each pool plant, and he shall determine the freight zone for each plant at which milk or milk products subject to the provisions of §§ 927.83 and 927.84 is received from dairy farmers or is first found. Such freight zone shall be the shortest highway mileage from the plant to the nearest of the following points as computed by the market administrator from data contained in Mileage Guide No. 5, without supplements, issued on July 20, 1949, effective August 21, 1949, by the Household Goods Carriers' Bureau, Agent, Washington, D. C.: Mount Vernon or Yonkers in the State of New York; Tenafly, Glen Ridge, East Orange, Elizabeth, Hackensack, Hillside, Irvington, or Passaic in the State of New Jersey. The freight zone for plants located in New York City, Nassau, and Suffolk Counties in the State of New York, or in Essex, Hudson, and Union Counties in the State of New Jersey shall be in the 1-10 mile zone. The class prices set forth in § 927.40 and the fluid skim differential set forth in § 927.44 shall be plus or minus the amount set forth in the following schedule:

A	B	C
Freight zone—Miles	Classes I-A, I-B, and skim milk subject to the fluid skim differential	Classes II and III
	Cents per hundredweight	Cents per hundredweight
1-10	+28	+8
11-20	+26.6	+8
21-25	+25.2	+8
26-30	+23.8	+7
31-40	+22.4	+7
41-50	+21.0	+6
51-60	+19.6	+6
61-70	+18.2	+6
71-75	+16.8	+5
76-80	+15.4	+5
81-90	+14.0	+4
91-100	+12.6	+4
101-110	+11.2	+4
111-120	+9.8	+3
121-125	+8.4	+3
126-130	+7.0	+2
131-140	+5.6	+2
141-150	+4.2	+2
151-160	+2.8	+1
161-170	+1.4	+1
171-175	0.0	0
176-180	-1.4	0
181-190	-2.8	0
191-200	-4.2	-1
201-210	-5.6	-1
211-220	-7.0	-2
221-225	-8.4	-2
226-230	-9.8	-3
231-240	-11.2	-3
241-250	-12.6	-4
251-260	-14.0	-4
261-270	-15.4	-4
271-275	-16.8	-5
276-280	-18.2	-5
281-290	-19.6	-5
291-300	-21.0	-6
301-310	-22.4	-6
311-320	-23.8	-7
321-325	-25.2	-7
326-330	-26.6	-7
331-340	-28.0	-8
341-350	-29.4	-8
351-360	-30.8	-8
361-370	-32.2	-8
371-375	-33.6	-8
376-380	-35.0	-8
381-390	-36.4	-8
391-400	-37.8	-8
401 and over	-39.2	-8

§ 927.43 *Butter-cheese adjustment.* For milk received from producers which is classified as Class III pursuant to § 927.37 (d) (6), and which leaves or is on hand at the plant at which classification is determined in the form of butter or Cheddar, American Cheddar, Colby, washed curd, or part skim Cheddar cheese, or is assigned to plant loss which pursuant to § 927.34 is associated with such products, there shall be credited to the handler receiving the milk from producers four cents per pound of butterfat in such milk in the months of March through June and three cents per pound of butterfat in such milk in the months of July through February: *Provided*, That for milk received from producers during any of the months of March through July which is classified on the basis of one of the types of cheese named in this section, the amount so credited shall be increased one cent per pound of butterfat for each full five-hundredths by which the ratio of 2.5 is lower than a ratio computed as follows: add to the New York 92-score butter price for the month announced pursuant to § 927.46 (b) (5) the amount obtained by multiplying by 1.83 the weighted nonfat dry milk solids price for the period ending with the 25th day of the month as an-

nounced pursuant to § 927.46 (b) (7); divide this sum by the price of Cheddar cheese for the month as announced pursuant to § 927.46 (b) (8) and round the result to the nearest hundredth: *Provided further*, That for such milk received from producers at a plant in a freight zone farther from New York City than the 321-325 mile zone, there shall be deducted from the amount so credited the following amounts per hundred-weight of milk:

Zones of plant:	Cents per hundredweight
326-350 -----	1
351-375 -----	2
376-400 -----	3
401 and over -----	4

With respect to each plant at which milk received from producers is reported by the handler operating the plant to have been utilized (either at the plant where received or at another plant), in an amount exceeding an average of 4,000 pounds per day in the manufacture of butter or of Cheddar, American Cheddar, Colby, washed curd, or part skim Cheddar cheese, the market administrator shall publicly disclose (a) the location of the plant at which the milk was received from producers, and (b) the name of the handler operating such plant. Such public disclosure shall be made monthly on the basis of handlers' monthly reports, and may be made more frequently on the basis of such other utilization reports as may be required by the market administrator.

§ 927.44 *Fluid skim differential.* For skim milk derived from Class II or Class III milk which skim milk enters the marketing area in the form of milk, fluid skim milk, condensed skim milk, half and half, cream, or cultured milk drinks and is there utilized or disposed of in the form of milk, fluid skim milk, half and half, or cultured milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and for all other skim milk derived from Class II or Class III milk which is not established to have been otherwise utilized or disposed of, the handler shall pay a fluid skim differential per hundred-weight computed as follows: deduct the price of Class II milk computed pursuant to § 927.40 (d) from the price for Class I-A milk computed pursuant to § 927.40 (a), and divide by 0.9125: *Provided*, That with respect to skim milk so utilized or disposed of in half and half, this differential shall apply only to that quantity of skim milk in excess of 4.5 times the quantity of butterfat in such half and half.

§ 927.45 *Use of equivalent price or index.* If for any reason a price or index specified in §§ 927.40 through 927.46 for use in computing and announcing class prices or for any other purpose is not reported or published in the manner therein described, the market administrator shall use a price or index determined by the Secretary to be equivalent to or comparable with the price or index specified.

§ 927.46 *Announcement of prices.* The market administrator shall publicly announce the following:

(a) Not later than the 25th day of each month, or the next succeeding workday in any month in which the 25th day is a Sunday or holiday:

(1) The monthly wholesale price index for all commodities in the preceding month as reported on a 1947-49 base by the Bureau of Labor Statistics, United States Department of Labor, and the resulting index determined pursuant to § 927.40 (a) (1) multiplied by 100.

(2) The utilization adjustment percentage computed pursuant to § 927.40 (a) for the following month.

(3) The preliminary Class I-A price computed pursuant to § 927.40 (a) for the following month.

(4) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month of the highest prices reported daily by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market.

(5) The preliminary calculation for the following month pursuant to § 927.40 (d) (1).

(6) The index of the cost of production for the preceding month computed by the market administrator as follows:

The index of the cost of production computed by the New York State College of Agriculture at Cornell University (1910-14 base) converted to a 1955 base.

(7) The index computed by dividing the Class I-A formula price prior to the seasonal adjustment, for the following month by \$5.20.

(8) Other statistics relating to economic conditions affecting the market supply and demand for milk.

(b) Not later than the 5th day of each month, or the next succeeding workday in any month in which the 5th day is a Sunday or holiday, for the preceding months:

(1) The minimum class prices pursuant to § 927.40.

(2) The butterfat differentials pursuant to § 927.41.

(3) The butter and cheese adjustment pursuant to § 927.43.

(4) The fluid skim differential pursuant to § 927.44.

(5) The simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) reported by the United States Department of Agriculture for Grade A or 92-score bulk creamery butter in New York City.

(6) The average of the prices (using the midpoint of any range as one quotation) reported daily in "The Producers' Price-Current" for hot roller process dry skim milk or nonfat dry milk solids "other brands, human consumption, cartons, bags, or barrels."

(7) The respective averages of the carlot prices per pound of spray process and of roller process nonfat dry milk solids for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the second preceding month through the 25th of the preceding month by the United States Department of Agriculture, and the weighted average of such two averages using a weight of 70

for roller prices and a weight of 30 for spray prices.

(8) The average selling prices per pound reported by the United States Department of Agriculture for Wisconsin State Brand Cheddars, cars or truckloads, f. o. b. Wisconsin assembly points.

(9) The average of prices paid in the preceding month by 12 midwestern condenseries as reported by the United States Department of Agriculture.

(10) The nearby differential rate for the preceding month determined pursuant to § 927.71 (b).

REPORTS OF HANDLERS

§ 927.50 *Monthly reports.* On or before the 10th day of each month, each handler shall report to the market administrator, for the preceding month, in the manner and on forms prescribed by the market administrator, with respect to milk or milk products received at each of his pool plants, and at each of his plants where milk or milk products subjected to payments under §§ 927.83 and 927.84 were handled, the following: *Provided*, That for informational and statistical purposes only, each handler, by not later than the 10th day after the effective date of this proviso, shall report to the market administrator, for the preceding month, in the manner and on forms prescribed by the market administrator, the information specified in paragraphs (a) through (e) of this section with respect to plants which become pool plants on the effective date of this proviso but which were not pool plants in the preceding month:

(a) The total quantity of milk and of each milk product with the average butterfat content thereof, received from dairy farmers, from other plants, from such handler's own farm, from other handlers, and from other sources;

(b) The total quantity of milk and of each milk product moved out of, or on hand at, such plant, the average butterfat content thereof, and the destination of any milk or milk product the classification of which wholly or partially depends upon its destination, moved out of such plant;

(c) The disposition of milk or milk products at each other plant at which the disposition of any milk or milk products is claimed as the basis of classification;

(d) The computation pursuant to § 927.65 of such handler's net pool obligation;

(e) The computation of the amount of any payments pursuant to §§ 927.83 and 927.84; and

(f) Beginning March 1958, the total quantity of base milk and the total quantity of excess milk delivered by dairy farmers.

§ 927.51 *Producer payroll reports.* Each handler shall report with respect to producers as follows:

(a) On or before the 10th day after the end of each month, the information required by the market administrator with respect to producer additions, producer withdrawals, and changes in names of farm operators; and

(b) On or before the last day of each month, such handler's producer payroll

for the preceding month, which shall show for each producer:

(1) The total delivery of milk with the average butterfat test thereof: *Provided*, That, if no butterfat tests are made on any of the milk received from producers, and if such milk is received by the handler from no more than 10 producers, 3.5 percent shall be reported as the average butterfat test of milk received from producers,

(2) The amount of payment due each producer,

(3) Any deductions and charges made by the handler,

(4) The net amount of payment to such producer made pursuant to §§ 927.70 through 927.72, and

(5) Such other information with respect thereto as the market administrator may require.

§ 927.52 *Storage cream reports.* (a) On or before the last day of the period for establishing classification pursuant to § 927.32, or, if earlier, not later than 15 days prior to the date of final removal of the cream from storage, each handler who separates milk the cream from which is stored as a basis for Class III classification pursuant to § 927.37 (d) (2) shall report to the market administrator on forms prescribed by the market administrator information with respect to the storage of cream. Failure to make such report shall result in the disallowance of Class III classification pursuant to § 927.37 (d) (2).

(b) The handler who made such reports shall report to the market administrator, not later than the end of the second month following the month during which frozen cream is utilized, information with respect to the utilization of such cream. Failure to make such reports shall result in the disallowance of storage cream payments pursuant to § 927.82 (b).

(c) With respect to notices of transfer of cream filed pursuant to § 927.37 (d) (2) and with respect to storage cream reports filed pursuant to this section, a receipt form acknowledging receipt of such notice or report shall be mailed by the market administrator to the handler within 48 hours after such notice or report is received by the market administrator.

§ 927.53 *Other reports.* At such time as the market administrator may request, each handler shall report to the market administrator in the manner and on forms prescribed by the market administrator:

(a) The total quantity of milk and of each milk product received at his non-pool plants, with the average butterfat content thereof, from dairy farmers, from other plants, from such handler's own farm, from other handlers, and from other sources;

(b) The total quantity of milk and of each milk product moved out of, or on hand at, his nonpool plants, the average butterfat content thereof, and the destination of any milk or milk product moved out of such plants;

(c) Information concerning land, buildings, surroundings, facilities, and equipment at any of his plants;

(d) The current receipts and utilization of milk at each of his pool plants; and

(e) Such other information as may be necessary for the administration of the provisions of this part.

§ 927.54 *Verification of reports and payments.* The market administrator shall promptly verify all reports and payments of each handler by audit of such handler's records and of the records of any handler or person upon whose disposition of milk such handler claims classification, and each such handler shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities, of his own or other persons, as will enable the market administrator to:

(a) Verify the receipts and disposition of all milk required to be reported pursuant to §§ 927.50 through 927.53, and, in case of errors or omissions, ascertain the correct figures;

(b) Weight, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends;

(c) Verify the payments to producers prescribed in §§ 927.70 through 927.72;

(d) Verify all claims for payments pursuant to §§ 927.81 and 927.82; and

(e) Make inspection of buildings and their surroundings, facilities, and equipment for verification purposes and to ascertain what constitutes a plant.

§ 927.55 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided*, That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

BASE RATING PLAN

§ 927.60 *Computation of producer's base.* (a) Subject to the rules set forth in § 927.61, the market administrator each year shall compute a daily base for each producer as follows: determine the total amount of milk delivered by the producer in the months of July through November and divide by 153. Such base shall be applicable for the 12-month period beginning the following March.

(b) The monthly base for any producer shall be the daily base multiplied by the number of days in the month, except that for any producer who discontinues delivering to a pool plant

during a month, the monthly base shall be the daily base multiplied by the number of days in the month prior to the discontinuance of delivery, and for any producer who begins delivering to a pool plant in a month, the monthly base at such plant shall be the daily base multiplied by the number of days remaining in the month beginning with the day of first delivery.

§ 927.61 *Base rules.* No later than March 1 of each year, the market administrator shall inform each handler of the daily base for each of his producers delivering milk to his pool plants; and not later than 15 days after receiving such information, handlers shall inform each producer of his base.

DETERMINATION OF UNIFORM PRICE

§ 927.65 *Net pool obligation of handlers.* The handler's net pool obligation shall be computed pursuant to paragraphs (a) through (g) of this section: *Provided*, That milk specified in paragraph (h) of this section shall be eliminated from this computation and such milk shall be deemed to be excluded by the phrase "milk received from producers" as such phrase is used in this section and in §§ 927.43, 927.66, 927.79, 927.81, 927.82, and 927.90.

(a) Determine the classification pursuant to §§ 927.30 through 927.37 of milk received from producers at each pool plant;

(b) Subject to adjustments for appropriate differentials pursuant to §§ 927.41 and 927.42, multiply the milk in each class by the class price, multiply the skim milk subject to the fluid skim differential by the fluid skim differential, and add together the resulting values;

(c) Deduct, in the case of each plant where the average butterfat content of all milk received from producers is in excess of 3.5 percent, and add, in the case of each plant where the butterfat content of all milk received from producers is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to § 927.72;

(d) Deduct, in the case of each plant nearer New York City than the 201-210 mile zone, and add, in the case of each plant farther from New York City than the 201-210 mile zone, the sum obtained by multiplying the milk received from producers by the zone differential set forth in column B of the schedule in § 927.42 applicable to the plant;

(e) Deduct the total amount of the butter-cheese adjustment computed pursuant to § 927.43;

(f) Deduct the total value of the nearby differential to be paid producers pursuant to § 927.71 (b). The computation to this point shall be known as the handler's net pool obligation;

(g) Add together the handler's net pool obligation for all plants at which milk was received from producers; and

(h) Milk specified in subparagraphs (1) through (3) of this paragraph shall be excluded from the computation of the handler's net pool obligation pursuant to this section.

(1) Milk received from farms in Nassau and Suffolk Counties in New York, which farms are not approved for sale

of milk in New York City and milk received from farms in New York City.

(2) Milk received at a handler's plant not in excess of an average of 800 pounds per day from such handler's own farm in the event that no milk is received at such plant from other dairy farmers but is received from other plants.

(3) All milk received at a handler's plant from such handler's own farm in the event that no milk is received from any other source at such plant.

§ 927.66 *Computation of the uniform price.* The market administrator shall, on or before the 14th day of each month, audit for mathematical correctness and obvious errors the report submitted for the preceding month by each handler. If the unreserved cash balance in the producer settlement fund to be included in the computation is less than two cents per hundredweight of milk received from producers on all reports, the report of any handler who has not made payment of the last monthly pool debit account rendered pursuant to § 927.76 shall not be included in the computation of the uniform price. The report of such handler shall not be included in the computation for succeeding months until he has made full payment of outstanding monthly pool debits. Subject to the aforementioned conditions, the market administrator shall compute the uniform price in the following manner:

(a) Combine into one total the net pool obligations of all handlers;

(b) Subtract the total of payments required to be made for such month by § 927.81;

(c) Add the total payments required to be made by handlers for such month pursuant to §§ 927.83 and 927.84;

(d) Add the amount of unreserved cash in the producer settlement fund;

(e) Subtract an amount equal to not less than eight cents nor more than nine cents per hundredweight of milk received from producers to provide against the contingency of errors in reports and payments or of delinquencies in payments by handlers; and

(f) Divide the result obtained in paragraph (e) by the total pounds of milk delivered by producers. The result shall be known as the uniform price for milk containing 3.5 percent butterfat received from producers at plants in the 201-210 mile zone.

§ 927.67 *Announcement of uniform price and weighted average butterfat differential.* The market administrator shall announce, not later than the 14th day of each month, the uniform price computed pursuant to § 927.66 and, not later than the 5th day of each month, the weighted average butterfat differential pursuant to § 927.72 except that in any month in which the specified date is a Sunday or holiday, such announcements shall be not later than the next succeeding work-day.

PAYMENT BY HANDLERS DIRECTLY TO PRODUCERS

§ 927.70 *Time and rate of payments.* On or before the 25th day of each month each handler shall make payment to each producer for all milk delivered by such producer during the preceding

month at not less than the uniform price subject to appropriate differentials set forth in §§ 927.71 and 927.72: *Provided*, That each handler which is also a cooperative marketing association determined by the Secretary to be qualified under the Capper-Volstead Act may, with respect to producers who are members of and under contract with such association, make distribution, in accordance with the contract between the association and such members, of the net proceeds of all its sales in all markets in all use classifications. Whenever verification by the market administrator of the payment to any producer or cooperative association of producers for milk delivered to any handler discloses payment of less than is required by this subpart, the handler shall make up such payment to the producer or cooperative association of producers not later than the time of making payment next following such disclosure: *Provided further*, That if a handler claims that he cannot make the required payment because the producer is deceased or cannot be located, or because the cooperative association or its lawful successor or assignee is no longer in existence, such payment shall be made to the producer settlement fund, and in the event that the handler subsequently locates and pays the producer or a lawful claimant, or in the event that the handler no longer exists and a lawful claim is later established, the market administrator shall make such payment from the producer settlement fund to the handler or to the lawful claimant as the case may be: *Provided further*, That, if not later than the date when such payment is required to be made, legal proceedings have been instituted by the handler for the purpose of administrative or judicial review of the market administrator's findings upon verification as provided above, such payment shall be made to the producer settlement fund and shall be held in reserve until such time as the above-

mentioned proceedings have been completed, or until the handler submits proof to the market administrator that the required payment has been made to the producer or association of producers, in which latter event the payment shall be refunded to the handler.

§ 927.71 *Location differentials.* The uniform price shall be subject to the appropriate location differentials set forth below:

(a) The transportation differential shall be plus or minus the appropriate differential shown in column B of the schedule in § 927.42 for the zone of the plant to which the milk is delivered.

(b) The nearby differential shall be computed pursuant to the provisions of subparagraphs (1) through (6) of this paragraph.

(1) A zone shall be determined by the market administrator for each farm as follows: A zone for each minor civil division (township, borough, incorporated village, or city) within the nearby differential area shall be determined by computing the shortest highway mileage distance from the nearest point in the minor civil division to the nearest point specified in § 927.42, using the mileage guide specified in such section supplemented by U. S. Geological Survey maps. The zone of a farm shall be the same as the zone of the minor civil division in which the milkhouse of such farm is located: *Provided*, That all farms located in the State of New Jersey shall be considered to be in the 1-50 mile zone.

(2) The weighted average percentage of milk utilized in Classes I-A and I-B for the 12-month period ending with the preceding month shall be computed: *Provided*, That for the 12 months following the effective date of this provision, such percentage shall be assumed to be 55 and over, but under 60.

(3) The rates of nearby differentials, except as provided in subparagraphs (4), (5), and (6), of this paragraph, shall be as set forth in the following table:

Mileage zone of the farm pursuant to subparagraph (1) of this paragraph	Percentage utilization in Classes I-A and I-B as computed pursuant to subparagraph (2) of this paragraph								
	Under 45	45 and over, but under 50	50 and over, but under 55	55 and over, but under 60	60 and over, but under 65	65 and over, but under 70	70 and over, but under 75	75 and over, but under 80	80 and over
	Dollars per hundredweight								
1-50.....	0.64	0.56	0.48	0.40	0.32	0.24	0.16	0.08	0
51-60.....	.56	.49	.42	.35	.28	.21	.14	.07	0
61-70.....	.48	.42	.36	.30	.24	.18	.12	.06	0
71-80.....	.40	.35	.30	.25	.20	.15	.10	.05	0
81-90.....	.32	.28	.24	.20	.16	.12	.08	.04	0
91-100.....	.24	.21	.18	.15	.12	.09	.06	.03	0
101-110.....	.16	.14	.12	.10	.08	.06	.04	.02	0
111-120.....	.08	.07	.06	.05	.04	.03	.02	.01	0

(4) For farms located in Columbia, Rensselaer, and Albany counties, and the townships of Catskill, Athens, Coxsackie, New Baltimore, Greenville, Cairo, and Durham in Greene County, the rate shall be as follows: for farms in the 91-120 mile zone, the rate otherwise applicable for farms in the 91-100 mile zone; for farms in the 121-130 mile zone, the rate otherwise applicable for farms in the 101-110 mile zone; and for farms in the 131-140 mile zone, the rate otherwise applicable for farms in the 111-120 mile zone.

(5) Farms delivering to plants in Columbia, Rensselaer, and Albany counties, and the townships of Catskill, Athens, Coxsackie, New Baltimore, Greenville, Cairo, and Durham in Greene County beyond the 131-140 mile zone, and farms delivering to plants located in any other territory beyond the 111-120 mile zone shall not be eligible for the differentials set forth in this paragraph.

(6) The differential shall be reduced by 10 percent for each full 0.01 that the ratio computed pursuant to (1) of this subparagraph exceeds the ratio com-

puted pursuant to (ii) of this subparagraph:

(i) Divide the total receipts of milk subject to the nearby differential in the preceding 12 months by the total Class I-A milk in such 12 months, and

(ii) Divide the total receipts of milk subject to the nearby differential in the first 12 months of this provision by the total Class I-A milk in the first 12 months of this provision.

(c) Direct delivery differentials: For plants located in the areas specified in the following table, the handler shall pay to producers, in addition to that required by other provisions of this section, the amounts set forth below:

Mileage zone computed pursuant to § 927.42, or county—City or township	Rate—dollars per hundred-weight
1-10 mile zone	0.25
11-30 mile zone	.20
31-50 mile zone	.15
51-70 mile zone	.10
71-80 mile zone	.05
Albany:	
Albany	.10
Colonie	.10
Watervliet	.10
Green Island	.10
Cohoes	.10
Gilderland	.05
New Scotland	.05
Bethlehem	.05
Coeymanas	.05
Schenectady:	
Schenectady	.10
Glenville	.05
Niskayuna	.05
Rotterdam	.05
Montgomery:	
Amsterdam (city)	.05
Amsterdam (township)	.05
Saratoga:	
Waterford	.10
Rensselaer:	
Troy	.10
Rensselaer	.10
Brunswick	.05
N. Greenbush	.05
E. Greenbush	.05
Schodack	.05
Onondaga:	
Syracuse	.05
Manlius	.05
DeWitt	.05
Onondaga	.05
Camillus	.05
Solvay	.05
Geddes	.05
Salina	.05

§ 927.72 *Butterfat differential.* The uniform price shall be plus or minus, as the case may be, for each one-tenth of 1 percent above or below 3.5 percent of average butterfat content of milk delivered by any producer during any month, an amount equivalent to the average of the butterfat differentials determined pursuant to § 927.41, for each class weighted by the pounds of butterfat in the milk in each such class used in the computation of the uniform price for the preceding month. Such differential shall be computed to the nearest even tenth of a cent.

PRODUCER SETTLEMENT FUND AND ITS OPERATION

§ 927.75 *Producer settlement fund.* The market administrator shall establish and maintain a separate fund known as "the producer settlement fund" into which he shall deposit all payments and

out of which he shall make all payments pursuant to §§ 927.77 through 927.84.

§ 927.76 *Handlers' accounts.* The market administrator shall establish an account for each handler who is required to make payments to the producer settlement fund or who received payments from the producer settlement fund. After computing the uniform price and each handler's pool debit or credit each month, and at such times as he deems appropriate, the market administrator shall render each handler a statement of his account showing the debit or credit balance, together with all debits or credits entered on such handler's account since the previous statement was rendered.

§ 927.77 *Payment to the producer settlement fund.* On or before the 18th day of each month each handler shall make full payment of the debit balance, if any, of such handler shown on the last statement of account rendered pursuant to § 927.76.

§ 927.78 *Payments out of producer settlement fund.* On or before the 20th day of each month the market administrator shall make payment to each handler of the credit balance, if any, of such handler shown on the last statement of account rendered pursuant to § 927.76. If, at any such time, the balance in the producer settlement fund is insufficient to make full payment due to each handler, the market administrator shall reduce uniformly the payments to each handler and shall complete such payments as soon as the necessary funds are available. No handler who, on the 25th day of the month, has not received such payments in full from the market administrator shall be deemed to be in violation of §§ 927.70 through 927.72 if he reduces his total payments to producers for milk delivered by such producers during the preceding month by not more than the amount of the reduction in payment from the producer settlement fund.

§ 927.79 *Handlers' pool debit or credit.* After computing the uniform price for each month, the market administrator shall compute each handler's pool debit or pool credit as follows:

(a) Multiply the quantity of milk received by each handler from producers by the uniform price.

(b) If the result obtained in paragraph (a) of this section is less than the handler's net pool obligation, the difference shall be entered on the handler's producer settlement fund account as such handler's pool debit.

(c) If the result obtained in paragraph (a) of this section is greater than the handler's net pool obligation, the difference shall be entered on the handler's producer settlement fund account as such handler's pool credit.

§ 927.80 *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to or from the producer settlement fund, the market administrator shall debit the handler's producer settlement fund account for

any unpaid amount. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall credit the handler's producer settlement fund account for any such amount.

§ 927.81 *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 de-

livered 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 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 received 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 per centum 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 feder-

ation 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 solutions, 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) participation 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 education 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 publications to members and, on the same subscription basis, to non-members who request it, and holding meetings at which members and non-members 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' members.

(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: *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 ac-

cordance 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 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 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 receiving cooperative payment 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 disqualifications. 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.

§ 927.82 *Cream payments.* (a) For milk received from producers which is classified as Class III pursuant to § 927.37 (d) (2) the butterfat from which is subsequently assigned in accordance with the provisions of the rules and regulations issued by the market administrator pursuant to § 927.36 to sour cream, half and half, or reconstituted cream shipped to, received in, or distributed in the metropolitan district, or is not established to have been otherwise utilized, or to be still in storage, the handler required to file reports pursuant to § 927.52 shall pay to the producer settlement fund or be issued debits against balances due to such handler from the producer settlement fund an amount equal to 9 cents per pound of butterfat if the milk was separated in the months of March through July, and 10 cents per pound of butterfat if the milk was separated in the months of August through February.

(b) On the basis of reports pursuant to § 927.52 of the utilization of frozen cream and the market administrator's investigation and audit of such reports, the market administrator shall make payment out of the producer settlement fund to the handler filing such reports, or issue credit against balances due from such handler to the producer settlement fund, an amount equal to the butter-cheese adjustment on each pound of butterfat in such cream which was separated in the months of April through September from milk received from producers and was assigned, in accordance with the provisions of the rules and regulations issued by the market administrator pursuant to § 927.36, to butter in the months of January through March.

(c) With respect to Class II milk the butterfat from which is on hand at the plant in the form of cream, or having left the plant in the form of cream had not been delivered to a plant or purchaser by the end of the period for establishing classification, but subsequent to the end of the period for establishing classification such cream is so handled that it would have been classified at a plant outside the marketing area in Class III pursuant to § 927.37 (d) (1), (3), (5), or (6) had such handling occurred during the period for establishing classification, the handler who received the milk from producers may claim a refund by filing a report giving the facts with respect to such handling. On the basis of verification of such report, the market administrator shall make payment out of the producer settlement fund to such handler or issue credit against any balance due from such handler to the producer settlement fund in an amount equal to the difference between the Class II and Class III prices applicable for the month when the milk was received from producers.

§ 927.83 *Payments on milk received from dairy farmers at nonpool plants.* Payments shall be made by handlers to producers, through the producer settlement fund, for milk and milk products

under conditions, in amounts, and by the handler pursuant to paragraphs (a) through (d) of this section: *Provided*, That for any month in which the volume of Class III milk used in the computation of the uniform price is less than 15 percent of the combined volume of the Class I-A and Class II milk used in such computation, the payments set forth in this section shall not be required.

(a) Payments shall be made for milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, half and half, fluid cream products, and skim milk, which milk or milk products meets each of the following conditions:

(1) It was derived from milk received at a nonpool plant from dairy farmers or is received at a plant from which milk specified in § 927.65 (h) (2) or (3) was received from the handler's own farm.

(2) It was shipped to, received in, or distributed in the marketing area, or was received at a pool plant outside the marketing area.

(3) The milk or milk equivalent of the butterfat is classified as Class I-A or Class II, or the skim milk would be subject to the fluid skim differential if it were derived from pool milk.

(b) The amounts of payment for the products set forth in paragraph (a) of this section shall be as follows:

(1) If the milk or the milk equivalent of the butterfat, or the skim milk is classified and paid for under another order issued pursuant to the act, the amount of payment on such products, except skim milk, shall be any plus amount obtained by subtracting the value of the milk or the milk equivalent of the butterfat at the class price or prices under such order from the value computed in accordance with the classification and pricing set forth in this subpart: *Provided*, That the payment shall be at the rates set forth in subparagraph (2) of this paragraph if the other order permits the deduction of such payment from the amount otherwise due for such milk pursuant to such other order. The amount of payments on skim milk shall be an amount computed pursuant to § 927.44 adjusted for the location of the plant.

(2) If the milk or milk product is derived from milk received from dairy farmers at a nonpool plant in the 401-425 mile zone, or in some other zone nearer the marketing area, the handling of which is not regulated by an order issued pursuant to the act or is regulated by another order as specified in the proviso of subparagraph (1) of this paragraph, the amount of payment, except as otherwise specified in subparagraph (4) of this paragraph, shall be the differences between its classified value at the Class I-A or the Class II price, depending upon its classification, and its value at the Class III price, such class prices to be adjusted for butterfat test and the location of the plant at which the nonpool milk was originally received from farmers: *Provided*, That for concentrated fluid milk, cream, half and half, fluid cream products, and cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent butterfat, the payment shall be

computed on the milk equivalent thereof as so classified. The amount of the payment on skim milk (either as skim milk, half and half, or in cultured milk drinks) shall be the amount computed pursuant to § 927.44 as similarly adjusted for location.

(3) If the milk or milk product is derived from milk received from dairy farmers at a non pool plant farther from the marketing area than the 401-425 mile zone, the handling of which is not regulated by another order issued pursuant to the act, or is regulated by another order as specified in the proviso of subparagraph (1) of this paragraph, the amount of payments shall be the difference between the value of its milk equivalent at the Class I-A or Class II price, depending upon its classification, and the value of such milk at the mid-western condensery price, announced pursuant to § 927.46 (b) (9), such class prices to be adjusted for the location of the plant at which the non pool milk was originally received from dairy farmers: *Provided*, That for milk, fluid milk products, and cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, the payment shall be the difference between the value of such milk or milk product at the Class I-A price for milk containing 3.5 percent butterfat, adjusted for location of the plant, and the condensery price. The amount of the payment on skim milk (either as skim milk, half and half, or in cultured milk drinks) shall be the amount computed pursuant to § 927.44 similarly adjusted for location.

(4) For any month in which the volume of milk subject to the butter-cheese adjustment used in the computation of the uniform price is more than 15 percent of the combined volume of the Class I-A and Class II milk used in such computation, the payment required by subparagraph (2) of this paragraph shall be increased by the value of the milk or milk equivalent at the rate of the butter-cheese adjustment at the plant where the milk was received from dairy farmers.

(5) In computing the milk equivalent value of milk or milk products as specified in this paragraph, such value shall be computed on the basis of milk containing 3.5 percent of butterfat.

(c) Payment for any milk or milk product pursuant to this section shall be made, on behalf of the handler receiving the milk from dairy farmers, by the appropriate handler as set forth in subparagraphs (1) through (3) of this paragraph: *Provided*, That if the milk is received from a handler under another order issued pursuant to the act, which order provides that the payment to the producer settlement fund may be deducted from the handler's obligation under the other order, the payment shall be made by the handler subject to the other order regardless of the provisions of subparagraphs (1) through (3) of this paragraph:

(1) By the handler first receiving the milk or milk product at a pool plant outside the marketing area.

(2) By the handler operating the plant where the milk or milk product is first received in the marketing area if

the milk or milk product is not received at a pool plant outside the marketing area.

(3) By the handler operating the plant from which the milk or milk product was moved into the marketing area if such milk or milk product is neither received at a pool plant outside the marketing area nor at a plant in the marketing area.

(d) The amount due pursuant to this section shall be entered on the handler's account as a debit immediately after the filing of the report pursuant to § 927.50, or if the handler fails to file such report, such amount shall be entered on the handler's account in accordance with § 927.80.

§ 927.84 *Payments on milk or milk products the source of which is not established.* Payments shall be made by handlers to producers through the producer settlement fund, for milk and milk products under conditions, in amounts, and by the handler pursuant to paragraphs (a) through (d) of this section.

(a) Payments shall be made for milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, half and half, fluid cream products, and skim milk which milk or milk product meets each of the conditions specified in subparagraphs (1) and (2) and, if applicable, subparagraph (3) of this paragraph.

(1) It was derived from milk for which the farm source is not established.

(2) It was shipped to, received in, or distributed in the marketing area, or was received at a pool plant.

(3) If first found at a nonpool plant, the milk or milk equivalent of the butterfat is classified as Class I-A or Class II, or the skim milk is subject to the fluid skim differential.

(b) The amounts of payment for the product set forth in paragraph (a) of this section shall be as follows:

(1) For milk, concentrated fluid milk, fluid milk products, or cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, the value of such milk, fluid milk products, cultured or flavored milk drinks, or the milk equivalent of such concentrated fluid milk at the class price at the plant where first found.

(2) For cream, half and half, fluid cream products, or cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, the value of the milk equivalent of such product at a rate per hundredweight computed pursuant to § 927.40

(d) (1) adjusted by the differentials set forth in column C in the table in § 927.42 for the zone of the plant at which first found.

(3) For skim milk in a form subject to the fluid skim milk differential, the value at a rate per hundredweight computed as follows: divide the amount computed pursuant to § 927.40 (d) (2) by 0.9125, add an amount computed pursuant to § 927.44, and adjust the result by the differential set forth in column B in the table in § 927.42 for the zone of the plant where first found.

(4) For skim milk in a form not subject to the fluid skim milk differential,

the value at a rate per hundredweight computed as follows: divide the amount computed pursuant to § 927.40 (d) (2) by 0.9125.

(5) In computing the milk equivalent value of products as specified in this paragraph, such value shall be computed on the basis of milk containing 3.5 percent of butterfat.

(c) Payment for any milk or milk product pursuant to this section shall be made, on behalf of the handler receiving the milk from dairy farmers, by the appropriate handler as set forth in subparagraphs (1) through (3) of this paragraph:

(1) By the handler first receiving the milk or milk product at a pool plant outside the marketing area.

(2) By the handler operating the plant where the milk or milk product is first received in the marketing area if the milk or milk product is not received at a pool plant outside the marketing area.

(3) By the handler operating the plant from which the milk or milk product was moved into the marketing area if such milk or milk product is neither received at a pool plant outside the marketing area nor at a plant in the marketing area.

(d) The amount due pursuant to this section shall be entered on the handler's account as a debit immediately after the filing of the report pursuant to § 927.50, or if the handler fails to file such report, such amount shall be entered on the handler's account in accordance with § 927.80.

EXPENSE OF ADMINISTRATION

§ 927.90 *Payment by handlers.* As his pro rata share of the expense of administration of this part, each handler shall, on or before the 18th day of each month, pay to the market administrator a sum not exceeding two cents per hundredweight on the total quantity of milk which was received from producers at plants operated by such handler, directly or at the instance of a cooperative association of producers, the exact amount to be determined by the market administrator subject to review by the Secretary. This section shall not be deemed to duplicate any similar payment by any handler under an order issued by the Commissioner of Agriculture and Markets of the State of New York, or the Director of the New Jersey Office of Milk Industry, with respect to the marketing area. Whenever verification by the market administrator discloses an error in the payment made by any handler, such error shall be adjusted not later than the date next following such disclosure on which payments are due pursuant to this section.

MISCELLANEOUS

§ 927.95 *Termination of obligations.* The provisions of this section shall apply to any obligation under this part for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before August 1, 1949, under section 8c (15) (a) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the

terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect, to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received (or with respect to storage cream payments pursuant to § 927.82 (b), two years after the end of the calendar month during which such cream is utilized) if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable periods of time, files pursuant to section 8c (15) (A) of the act, a petition claiming such money.

§ 927.96 *Continuing obligation of handlers.* Unless otherwise provided by the Secretary in any notice of amendment, termination, or suspension of any or all of the provisions of this part, such

amendment, termination, or suspension shall not affect, waive, or terminate any right, duty, obligation, or liability which shall have risen or may thereafter arise in connection with any provision of this subpart; release or waive any violation of this subpart occurring prior to the effective date of such amendment, termination, or suspension; or affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violations.

§ 927.97 *Continuing power and duty of market administrator.* The market administrator shall (a) continue in such capacity until discharged by the Secretary; (b) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, to such person as the Secretary shall direct; and (c) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator pursuant to this part.

§ 927.98 *Liquidation.* Upon the termination or suspension of this part, the market administrator shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such termination or suspension. Any funds collected for expenses pursuant to the provisions of this part over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator in liquidating the business of the market administrator's office shall be distributed by the market administrator to handlers in an equitable manner.

§ 927.99 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

Issued at Washington, D. C., this 27th day of June 1957, to be effective August 1, 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 57-5341; Filed, July 1, 1957; 8:50 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 61—MONEY ORDERS

PART 162—COMMERCE DEPARTMENT REGULATIONS (COMMODITIES AND TECHNICAL DATA)

MISCELLANEOUS AMENDMENTS

a. In § 61.2 *How to buy on international money order* amend the table of countries in paragraph (e) as follows:

Strike out "Gold Coast Colony, Africa"; insert in lieu thereof "Ghana"; and place the latter in proper alphabetical order in the table.

b. In § 61.4 *Lost or damaged money orders* amend paragraph (b) to read as follows:

(b) *Making application.* Patrons must wait 60 days after date of issue of original money order before filing Form 6401, Inquiry as to Payment of Money Order.

(R. S. 161, 396, as amended, 398, as amended, 4027; 5 U. S. C. 22, 369, 372, 39 U. S. C. 711)

c. In § 162.2 *General licenses* amend paragraph (b) by striking out license-symbol GHX and inserting, in lieu thereof, GHK.

(R. S. 161, 396, as amended, 398, as amended; 5 U. S. C. 22, 369, 372)

[SEAL] ABE MCGREGOR GOFF,
General Counsel.

[F. R. Doc. 57-5327; Filed, July 1, 1957; 8:48 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[8th General Rev. of Export Regs., Amdt. 39¹]

PART 371—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Section 371.51 *Supplement 1; Commodities subject to general licenses GHK and/or GLSA* is amended in the following respects:

1. The following entry is added to the list of commodities:

Schedule B No.	Code	Commodity
085700.....	H S	Tallow, inedible.

2. The code "S" is added in the column headed "Code" opposite each of the following entries in the list of commodities:

Dept. of Commerce Schedule B No.	Commodity
020105-020704	Cattle hides, calf and kip skins.
093500	Bristles.
120150	Seed beans, all types.
120250	Seed peas, all types.
120800	Onions, fresh.
121100	Potatoes, white, fresh.
122600	Vegetables, frozen.
123000	Vegetables, dehydrated.
123500	Soups, dehydrated.
124100	Asparagus, canned.
124300	Corn, canned.
124400	Peas, canned.
124510	Soups, n. e. c., canned.
124600	Tomatoes, canned.
124700-124800	Tomato paste, puree (pulp), sauce for cooking purposes, and juice, canned.
124910-124950	Beans (string or stringless), lima beans, and spinach, canned.
124970	Baby food vegetables, strained or chopped, canned.
125150	Catsup (Ketchup), chili sauce, and similar table tomato sauces.
130100-135098	Fruits and preparations.
246700	Flower seed.
246850-246898	Vegetable seeds, n. e. c.
262000-262950	Tobacco manufactures.
293100	Broomcorn.
295100	Hops.
429900	Wood manufactures, n. e. c., except boat parts, small, machined to shape; docks, portable; gun stock blanks; patterns; portable floats; propellers; propeller blades; trestles; and towers, windmill.
613710	Metal furniture (whether or not upholstered), n. e. c., and specially fabricated parts, n. e. c., except laboratory furniture.
614350-614710	Other cooking and heating stoves, and parts, including parts for domestic cooking stoves and ranges.
618274	Tacks, including thumbtacks.
618300	Iron and steel builders' hardware, n. e. c., and specially fabricated parts, n. e. c.
701600	Flashlight batteries.
705725-705760	Electric farm and home type freezers; and parts and accessories specially fabricated for electric household type refrigerators and farm and home type freezers.
706000	Flashlights.
706305	Small filament bulbs (lamps) miniature, candelabra and intermediate base, the following only: carbon filament; Christmas tree; clearance bulbs; flashlight; incandescent; lens; and metal filament.
706455	Large filament bulbs (lamps), medium screw, mogul, bi-post bayonet, and other large base lamps, the following only: carbon filament; clear; frosted; incandescent; metal filament; photo flood; and projection.
709630	Incandescent portable lamps.
709690	Electric lighting fixtures, n. e. c., and specially fabricated parts, n. e. c., including parts for incandescent and fluorescent lighting fixtures and portable lamps, except explosion-proof fixtures; starters; and vapor-proof fixtures.
709998	Electrical apparatus, n. e. c., and parts, n. e. c., the following only: appliance cords, complete with plugs; Christmas tree lighting sets; cord sets, electric; drive-in windows for bank deposits, electrically operated; dryers, face and hand; electric paint mixers; electric whisk brushes; extension cords, complete; flashlight battery parts; flashlight parts; foot vibrators; fountains, decorative; fuse parts; fuse plug bodies; fuse plug parts; insect control units; insect killers; metal signs, electric; neon signs; neon units (control of neon sign animation); pen light parts; range-refrigerator combinations; safety cap lamps; sign flashers; sign letters; signs, electric; stoppers; traffic signal lights; window-opening devices, commercial type, electrically operated.
760500	Flour and grist mill machines, n. e. c., and specially fabricated parts, n. e. c.
760900	Rice mill machines, and specially fabricated parts, n. e. c.
761310-761320	Bottling, bottle-washing, and bottle-labeling machines, and specially fabricated parts, n. e. c.
761510	Meat and other food cutting, chopping and slicing, power-driven machines, n. e. c., and specially fabricated parts, n. e. c.
762000	Cigarette and cigar-making, and tobacco processing machines, n. e. c., and specially fabricated parts, n. e. c.
763100-763900	Woodworking machines and parts.
772000	Paint spraying machines, n. e. c., and specially fabricated parts and accessories.
775040	Wrapping, packaging and filling machines, n. e. c., and specially fabricated parts, n. e. c.
775060	Leather-tanning and leather-working machines, n. e. c., and specially fabricated parts, n. e. c.

¹ This amendment was published in Current Export Bulletin 787, dated June 20, 1957.

Dept. of Commerce Schedule B No.	Commodity
775988	Industrial manufacturing and service-industries machines, n. e. c., and specially fabricated parts, n. e. c., the following only: abattoir equipment; boiler room specialty tools; briquetting presses; broom-making machines, except broom-sewing; broom winding, scraping and chipping machines; brush-making machines; button covering machines; button making machines; candle making machines; casket-lowering devices; centrifif type R W Line Purifiers; chippers; clay guns; cleaning machines; steam; cleaning units, sack; continuous screw fish press; creosoting equipment, for wood products; debairers (abattoir); dishwashers, commercial; Dri-Air units; exhaust fume control units; fish presses; fish reduction machines, for the manufacture of fish meal for animal feed; flame arrestors; floor finishers, industrial type; floor sanders, industrial type; floor scrubbing machines; floor surfacers, industrial type; fluorescent lamp disposal units; fumigation chambers; fur-blowing machines; fur-treating machines; garbage burners, industrial and commercial; garbage grinders, industrial and commercial; granulators, shredding type; hat-blocking machines; hat-making machines; ice-crusher slingers; ice saw and drill machines, combination type, engine driven; incinerators, industrial and commercial; jacks, power, general purpose; knife hogs; Koch "Cash X" pistol (slaughter-house); linoleum making machines; measureograph machines for measuring cloth; nutter; paint markers for marking pavement; paper match assembly (booking machines); pin ticketing machines (tag-to-product applying); power-sprayer-type cleaning outfits; power sprayers, for cleaning interior of buildings; presses, n. e. c.; reels, hose and cable, power operated; refrigerant charging apparatus, automatic; shoelace tipping machines; shredders; slaughterhouse machines; smoke generators, except military; stone products manufacturing machines; tankage presses; tank-cleaning machines; tube cleaners; tube expanders, maintenance type; vacuum cleaners, industrial type; vibrating paper joggors; vibrators, hydraulic; wall-board plastic core machines; watch-cleaning machines; wax injection presses; and zipper manufacturing machines.
851510-851570	Phosphate rock.
853100	Potassic fertilizer materials, except potassium chloride.
900300	Box type cameras, set focus.
900830	Motion picture projectors, substandard gauge, 16 mm, silent only.
900900	View Master junior projectors.
902700	Parts and accessories, n. e. c., specially fabricated for 16 mm and 8 mm motion-picture projectors, silent only.
911750-911760	Motion-picture films, unexposed, sensitized, 8 mm.
914000	Photographic and projection goods, n. e. c., and specially fabricated parts, n. e. c., the following only: camera stands, copying; cine viewer parts; half-tone glass screens; kodachrome negatives and transparencies; and kodoscope parts.
915500	Dental supplies, n. e. c.
915850	Surgical appliances, and specially fabricated parts, n. e. c., except hearing devices.
915900	Surgical and medical apparatus, n. e. c., and specially fabricated parts, n. e. c.
923100-923900	Electric and electronic organs, and phonographs and parts. Fountain pen parts containing iridium or ruthenium and balls for ball type pens.
931400	Electric clocks, the following only: alarm; mantel; and refrigerator defrosting clocks.
957000	Non-electric clocks, and specially fabricated parts, the following only: 8-day alarm clocks; clock chimes, dials, and glasses; and novelty clocks.
957900	Mechanical farm and home type freezers, except electric.
984120	Parts, n. e. c., specially fabricated for mechanical (except electric) household type refrigerators; and farm and home type freezers, and ice refrigerators.
984200	Articles not elsewhere classified, the following only: aquarium equipment; artists' supplies, except paper and paints; Braille clothes, and parts; brush handles or backs, except wood; busts, for window display purposes; clothes dryers, gas, automatic; coin-operated machine parts, except parts of musical machines; distilled water; dressmaking forms; entomologist supplies; fingerprint outfits, and supplies; furniture touchup kits; fly swatters, and parts; fly traps, and parts; full figures for display purposes; game machine parts, coin-operated; heads for display purposes; incense; mannequins, and parts; nursing bottle sets; parking meter parts; picnic sets; record compound; record stock, phonograph; ribbon flycatchers; scrap, phonograph record compound; scrap records; shoe shine kits; tattoo outfits; taxidermists' supplies; theatrical wardrobes, complete; vending machine parts, coin-operated; walking canes and parts (all materials); and washing machines and parts, household, except electric.

3. The code "S" is deleted in the column headed "Code" opposite each of the following entries in the list of commodities:

Dept. of Commerce Schedule B No.	Commodity
201650	Rubber and rubberized piece goods, fabrics, and sheeting, n. e. c.
203400	Canvas shoes with rubber soles.
204300	Clothing of rubber or rubberized cloth.
209990	Natural and synthetic rubber manufactures n. e. c., not specially fabricated for particulate machines or equipment.
391300	Miscellaneous textile products:
391410-391420	Window-shade cloth (all types).
391500-391790	Book cloth.
391800	Coated or impregnated fabrics.
391800	Waterproof outer garments, except rubber or rubberized.
392100	Corsets, brassieres, and girdles, except rubber and rubberized.
392500	Neckties, cravats, mufflers, and scarves (all fibers).
394000	Hat braids of natural fibers or synthetic textiles.
395900	Hats, caps, and berets, n. e. c.
397000	Mattresses, cotton, kapok, moss, and hair.
398000	Absorbent cotton, sterilized gauze, and sterilized bandages.
398800-399000	Elastic webbing, woven, knit or braided.
399400	Garters, arm bands, suspenders, and braces of all materials.
399900	Textile manufactures, n. e. c.
883100	Umbrellas and parasols.

This amendment shall become effective as of June 20, 1957, except that with respect to paragraph 3 it shall become effective as of June 27, 1957.

Shipment of any commodity removed from General License GLSA as a result of changes set forth in paragraph 3 above, which was on dock for lading, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m.,

June 20, 1957, may be exported under the previous General License GLSA provisions up to and including July 20, 1957. Any such shipment not laden aboard the exporting carrier on or before July 20, 1957, requires a validated license for export to the specified Subgroup A destinations.

(Sec. 3, 63 Stat. 7, as amended; 50 U. S. C. App. 2023. E. O. 9630, 10 F. R. 12245, 3 CFR,

1945 Supp., E. O. 9919, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,

Bureau of Foreign Commerce.

[F. R. Doc. 57-5262; Filed, July 1, 1957; 8:45 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

PART 78—BRUCELLOSIS IN DOMESTIC ANIMALS

SUBPART D—DESIGNATION OF MODIFIED CERTIFIED BRUCELLOSIS-FREE AREAS, PUBLIC STOCKYARDS, AND SLAUGHTERING ESTABLISHMENTS

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under the acts of May 29, 1884, as amended, February 2, 1903, as amended, and March 3, 1905, as amended (21 U. S. C. 111-113, 114a-1, 115, 117, 120, 125), §§ 78.13, 78.14, and 78.15 of said Part 78 are hereby amended to read as follows:

§ 78.13 *Modified certified brucellosis-free areas.* The following States, counties, municipalities, and other areas, are hereby designated as modified certified brucellosis-free areas:

- (a) The entire State of Delaware;
- (b) The entire State of Maine;
- (c) The entire State of Minnesota;
- (d) The entire State of New Hampshire;
- (e) The entire State of North Carolina;
- (f) The entire State of Washington;
- (g) The entire State of Wisconsin;
- (h) Arizona: Gila County, Apache Indian Reservation, Hopi Indian Reservation, and Navajo Indian Reservation;
- (i) Colorado: Southern Indian Ute Reservation;
- (j) Florida: Bay, Escambia, Okaloosa, Santa Rosa and Walton Counties;
- (k) Georgia: Evans, Oconee, Towns, and Wilkinson Counties;
- (l) Idaho: Benewah, Bonner, Boundary, Butte, Camas, Clearwater, Kootenai, Latah, Lemhi, Lewis, Minidoka, Nez Perce, and Shoshone Counties;
- (m) Indiana: Adams, Allen, Brown, Clark, Crawford, Daviess, Dearborn, Dubois, Floyd, Grant, Harrison, Huntington, Lake, La Porte, Martin, Parke, Perry, Porter, Posey, Pulaski, St. Joseph, Spencer, Starke, Vanderburgh, Wabash, Warlick, Wells, and Whitley Counties;
- (n) Maryland: Somerset, Wicomico, and Worcester Counties;
- (o) Massachusetts: Dukes County;
- (p) Michigan: Alger, Arenac, Baraga, Bay, Benzie, Berrien, Charlevoix, Cheboygan, Chippewa, Crawford, Delta, Dickinson, Emmet, Gladwin, Gogebic, Grand Traverse, Houghton, Iron, Kal-kaska, Keweenaw, Lake, Leelanau, Luce, Mackinac, Manistee, Marquette, Mason,

Menominee, Messaukee, Montcalm, Montgomery, Muskegon, Newaygo, Oceana, Ontonagon, Oscoda, Otsego, Roscommon, Saginaw, Schoolcraft, Van Buren and Wexford Counties;

(q) Mississippi: Itawamba County;
 (r) Montana: Beaverhead, Blaine, Broadwater, Carbon, Cascade, Chouteau, Daniels, Deer Lodge, Flathead, Garfield, Golden Valley, Lake, Lewis and Clark, Liberty, Lincoln, McCone, Meagher, Mineral, Missoula, Musselshell, Phillips, Pondera, Powell, Prairie, Richland, Roosevelt, Sanders, Sheridan, Silver Bow, Stillwater, Teton, Toole, Valley, and Wibaux Counties;

(s) Nebraska: Burt, Chase, Colfax, Cuming, Dodge, Douglas, Fillmore, Gage, Hamilton, Harlan, Jefferson, Johnson, Lancaster, Nance, Nemaha, Otoe, Pawnee, Sarpy, Seward Thayer, Washington, Webster, and York Counties;

(t) Nevada: Mineral, Ormsby, and Storey Counties;

(u) New Jersey: Atlantic, Bergen, Camden, Cape May, Passaic, and Union Counties;

(v) New Mexico: De Baca, Grant, Guadalupe, Hidalgo, Las Alamos, McKinley, and San Juan Counties; and Isleta, Jicarilla, Navajo, Taos, and Zuni Indian Reservations;

(w) New York: Hamilton and Warren Counties;

(x) North Dakota: Adams, Barnes, Benson, Bottineau, Bowman, Burke, Cavalier, Divide, Grand Forks, Grant, Griggs, Hettinger, McLean, Mercer, Morton, Mountrail, Nelson, Oliver, Pembina, Pierce, Ramsey, Renville, Rolette, Sheridan, Sioux, Slope, Stark, Steele, Towner, Traill, Walsh, Ward, Wells, and Williams Counties;

(y) Ohio: Columbiana;

(z) Oregon: Clatsop, Columbia, Coos, Curry, Douglas, Josephine, Marion, Morrow, Multnomah, Sherman, Tillamook, Washington, and Yamhill Counties;

(aa) Pennsylvania: Adams, Allegheny, Armstrong, Beaver, Bedford, Blair, Bucks, Butler, Cambria, Cameron, Carbon, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Dauphin, Delaware, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lackawanna, Lawrence, Lehigh, Luzerne, Lycoming, McKean, Mercer, Mifflin, Monroe, Montour, Northampton, Northumberland, Pike, Potter, Schuylkill, Snyder, Somerset, Sullivan, Susquehanna, Union, Venango, Warren, Washington, Wayne, Westmoreland, and Wyoming Counties;

(bb) Puerto Rico: Adjuntas, Aguada, Aguadilla, Aguas Buenas, Aibonito, Anasco, Arecibo, Arroyo, Barceloneta, Barranquitas, Bayamon, Cabo Rojo, Camuy, Canovanas, Cayey, Ceiba, Ciales, Cidra, Coamo, Corozal, Fajardo, Guanica, Guayama, Guayanilla, Guaynabo, Gurabo, Hatillo, Hormigueros, Humacao, Isabela, Jayuya, Juana Diaz, Juncos, Lajas, Las Piedras, Lares, Las Marias, Luquillo, Manati, Maricao, Maunabo, Mayaguez, Moca, Morovis, Naguabo, Orocovis, Patillas, Penuelas, Quebradillas, Rincon, Rio Grande, Sabana Grande, Salinas, San Juan, San Lorenzo, San Sebastian, Santa Isabel, Toa Alta, Trujillo Alto,

Utuaado, Vega Alta, Vega Baja, Villalba, and Yauco Municipalities;

(cc) South Carolina: Bamberg, Cherokee, Chester, Horry, Malboro, Saluda, Union, and York Counties;

(dd) Tennessee: Johnson, McNairy, Macon, Scott, Trousdale, and Weakley Counties;

(ee) Utah: Davis, Garfield, Morgan, Piute, and Weber Counties; and Navajo Indian Reservation;

(ff) Virginia: Mathews, Middlesex, and Warwick Counties;

(gg) West Virginia: Boone, Brooke, Cabell, Clay, Fayette, Grant, Greenbrier, Hancock, Harrison, Lincoln, Logan, McDowell, Marshall, Mingo, Ohio, Pleasants, Summers, Taylor, Upshur, and Wyoming Counties.

§ 78.14 *Public stockyards.* (a) Federal inspection is maintained for the inspection of livestock for communicable diseases at the following stockyards:

Name of Stockyard and Location

- ALABAMA
 - Union Stockyards—Montgomery.
- ARIZONA
 - Cornelius Livestock Co.—Phoenix.
 - Tovrea Public Stock Yards—Tovrea.
- ARKANSAS
 - Greater Little Rock Stock Yards—North Little Rock.
- CALIFORNIA
 - Union Stockyards—Los Angeles.
- COLORADO
 - Union Stock Yards—Denver.
- IDAHO
 - Boise Valley Livestock Commission Co.—Caldwell.
 - Idaho Livestock Auction, Inc.—Idaho Falls.
 - Southern Idaho Stockyards Co.—Twin Falls.
- ILLINOIS
 - Union Stock Yards—Chicago.
 - St. Louis National Stock Yards—National Stock Yards.
- INDIANA
 - Evansville Union Stock Yards—Evansville.
 - Indianapolis Stock Yards—Indianapolis.
- IOWA
 - Sioux City Stock Yards—Sioux City.
- KANSAS
 - Parsons Stockyards Co.—Parsons.
 - Wichita Union Stock Yards—Wichita.
- KENTUCKY
 - Bourbon Stock Yards—Louisville.
- LOUISIANA
 - New Orleans Stock Yards—New Orleans.
- MARYLAND
 - Union Stock Yards—Baltimore.
 - Farmers' Livestock Exchange, Inc.—Boonsboro.
 - Baltimore Livestock Auction, Inc.—West Friendship.
- MICHIGAN
 - Detroit Stock Yards—Detroit.
- MINNESOTA
 - St. Paul Union Stock Yards—South St. Paul.
- MISSOURI
 - Joplin Stockyards—Joplin.
 - Kansas City Stock Yards—Kansas City.

Mississippi Valley Stock Yards—St. Louis.
 St. Joseph Stock Yards—South St. Joseph.
 Union Stock Yards Co.—Springfield.

MONTANA

Billings Public Stock Yards—Billings.

NEBRASKA

Union Stock Yards—Omaha.

NEW JERSEY

Jersey City Stock Yards—Jersey City.

NEW MEXICO

Clovis Cattle Commission Co.—Clovis.
 Ranchers & Farmers Livestock Sales Co.—Clovis.

NEW YORK

Buffalo Stock Yards—Buffalo.

NORTH DAKOTA

Union Stock Yards—West Fargo.

OHIO

Cincinnati Union Stock Yards—Cincinnati.
 Union Stock Yards—Cleveland.

OKLAHOMA

Oklahoma National Stock Yards—Oklahoma City.
 Tulsa Stockyards, Inc.—Tulsa.
 Fort Smith Stockyards Co.—West Fort Smith.

OREGON

Portland Union Stock Yards—North Portland.
 Ontario Livestock Commission Co.—Ontario.

PENNSYLVANIA

Union Stockyards—Lancaster.
 Pennsylvania Stock Yards—Philadelphia.
 Pittsburgh Joint Stock Yards—Pittsburgh.

SOUTH DAKOTA

Sioux Falls Stock Yards—Sioux Falls.

TENNESSEE

Union Stockyards—Nashville.
 Dixie National Stock Yards—Memphis.
 South Memphis Stock Yards—Memphis.

TEXAS

Ft. Worth Stock Yards—Ft. Worth.
 Port City Stock Yards—Houston.
 Union Stock Yards—San Antonio.
 Texarkana Stockyards, Inc.—Texarkana.

UTAH

Salt Lake Union Stock Yards—North Salt Lake.
 Ogden Union Stock Yards—Ogden.

VIRGINIA

Richmond Union Stock Yards—Richmond.

WASHINGTON

Seattle Union Stockyards—Seattle.
 Old Spokane Union Stock Yards—Spokane.

WISCONSIN

Milwaukee Stock Yards—Milwaukee.

(d) The following stockyards preceded by an asterisk are specifically approved for the purposes of § 78.5 concerning brucellosis reactors and of paragraphs (b) and (c) of § 78.12 concerning cattle not known to be affected with brucellosis. The following stockyards not preceded by an asterisk are specifically approved for the purposes of paragraphs (b) and (c) of § 78.12 only.

Name of Stockyard and Location

ARKANSAS

- *Corning Auction Sales Co.—Corning.
- *El Dorado Sales Barn—El Dorado.
- *Eudora Sales Barn—Eudora.

*Gravette Community Sale—Gravette.
 *Hensely Sales Barn—Fayetteville.
 *Magnolia Sales Barn—Magnolia.
 *Mammoth Spring Sales Barn—Mammoth Spring.
 *Mountain Home Livestock Auction—Mountain Home.
 *Nevada Livestock Auction—Prescott.
 *Rector Auction—Rector.
 *Siloam Springs Sales Barn—Siloam Springs.
 *Union Stockyards—Pine Bluff.

CALIFORNIA

*Farm Bureau Sales Yard—Visalia.
 *South San Francisco Union Stockyards—South San Francisco.
 *Stockton Union Stockyards—Stockton.

COLORADO

*Basin Livestock Commission Co.—Durango.
 *Cortez Sales Barn—Cortez.
 *Fowler Auction Company—Fowler.
 *Longmont Sales Yard—Longmont.
 *Trinidad Livestock Commission Co.—Trinidad.
 *Weld County Livestock Commission—Greeley.

DELAWARE

*Carroll's Sales Co.—Dover.
 *Goldinger Brothers, Inc.—Smyrna.
 *Rudnick Live Stock Sales Co.—Dover.
 *Sullivan Brothers, Inc.—Townsend.

GEORGIA

*Bryan, G. N. Auction Co.—Newnan.
 *Bleckley Livestock Auction—Cochran.
 *Candler Livestock Market—Metter.
 *Carroll County Livestock Sales Barn—Carrollton.
 *Columbus Stockyard Co.—Columbus.
 *Coosa Valley Livestock Co.—Rome.
 *Cordele Livestock Commission Co.—Cordele.
 *Dublin Livestock Commission Co.—Dublin.
 *Fitzgerald Stockyards—Fitzgerald.
 *Georgia Farm Products, Sales Corp.—Thomaston.
 *Hasty Auction Co.—Atlanta.
 *Jepeway-Craig Commission Co.—Dublin.
 *Mitchell County Livestock Co.—Camilla.
 *Moultrie Livestock Co.—Moultrie.
 *Muscogee Livestock Co.—Columbus.
 *Northeast Georgia Livestock Auction, Inc.—Athens.
 *Pulaski Stockyard—Hawkinsville.
 *Ragsdale-Long Commission Co.—Quitman.
 *Ragsdale-McClure Commission Co.—Atlanta.
 *Ragsdale-McClure Commission Co.—Rome.
 *Seminole Livestock Auction Market—Donaldsonville.
 *Smith Stock Yard Co. #1—Augusta.
 *Sumter Livestock Association, Inc.—Americus.
 *Sutton Livestock Co.—Sylvester.
 *Toccoa Livestock Auction—Toccoa.
 *Tri-County Livestock Co.—Social Circle.
 *Troup Livestock Sales Co., Inc.—LaGrange.
 *Union Stock Yards—Albany.
 *Valdosta Livestock Co., Inc.—Valdosta.
 *Wilkes County Stockyard—Washington.

IDAHO

*Blackfoot Livestock Commission Co.—Blackfoot.
 *Boise Valley Livestock Comm. Co.—Caldwell.
 *Boise Valley Livestock Comm. Co.—Nampa.
 *Burley Livestock Comm. Co., Inc.—Burley.
 *Cache Valley Livestock Auction—Preston.
 *Cattleman's Livestock Auction, Inc.—Nampa.
 *Coeur d'Alene Livestock Comm. Yds.—Coeur d'Alene.

*Cottonwood Sales Yard—Cottonwood.
 *Davis Livestock Auction—Caldwell.
 *Emmett Livestock Comm. Co.—Emmett.
 *Gooding L. S. Comm. Co.—Gooding.
 *Hays Salesyard—Nampa.
 *Jerome Livestock Comm. Co.—Jerome.
 *Sandpoint Livestock Auction Co.—Sandpoint.
 *Stockgrowers Comm. Co.—Twin Falls.
 *Twin City Sales Yard—Lewiston.
 *Valley Livestock Comm. Co.—Rupert.
 *Weiser Livestock Comm. Co.—Weiser.

ILLINOIS

*Peoria, Union Stock Yards—Peoria.

IOWA

Ackley Sales Pavilion—Ackley.
 Adel Sales Pavilion—Adel.
 Albia Sales Co.—Albia.
 Ames Sales Co.—Ames.
 Anamosa Livestock Auction—Anamosa.
 Anita Auction Co.—Anita.
 Ankeny Sales Pavilion—Ankeny.
 Armstrong Sale Co.—Armstrong.
 Atlantic Auction Co.—Atlantic.
 Audubon Auction Co.—Audubon.
 Avoca Auction Co.—Avoca.
 Baxter Sale Co.—Baxter.
 Belle Plaine Sales Barn—Belle Plaine.
 Belmond Sales Pavilion—Belmond.
 Bonaparte Community Sale—Bonaparte.
 Boone Sales Co.—Boone.
 Bowman Cattle Co.—Maquoketa.
 Bradley Live Stock Auction—Red Oak.
 Cedar Valley Livestock Exchange—Vinton.
 Chariton Sales Co.—Chariton.
 Charles City Livestock Exchange—Charles City.
 Cherokee Livestock Auction Co.—Clear Lake.
 Clarinda Auction Co.—Clarinda.
 Clear Lake Auction Co.—Clear Lake.
 Corydon Sale—Corydon.
 Colfax Sale Co.—Colfax.
 Cowan, Roy Sale Co.—Sioux City.
 Cresco Livestock Market—Cresco.
 Creston Auction Co.—Creston.
 DeVries Auction Co.—Buffalo Center.
 De Witt Sale Barn—De Witt.
 Dows Sale Pavilion—Dows.
 Dunlap Sale Co.—Dunlap.
 Eastern Iowa Livestock Commission, Inc.—Mechanicsville.
 Eldora Livestock Sales—Eldora.
 Emmetsburg Sales Co.—Emmetsburg.
 Farmers Sale Co.—Carroll.
 Farmers Livestock Exchange—Waukon.
 Forest City Auction Co.—Forest City.
 Garner Sales Co.—Garner.
 Grinnell Livestock Exchange—Grinnell.
 Hampton Sales Co.—Hampton.
 Henderson Auction—Henderson.
 Hopkinton Sales Pavilion—Hopkinton.
 Humboldt Livestock Auction—Humboldt.
 Independence Sales Co., Inc.—Independence.
 Iowa City Sales Co.—Iowa City.
 Iowa-Nebraska Sale Yards—Council Bluffs.
 Knickman Livestock Sales Co.—Council Bluffs.
 Keosauqua Sale Co., Inc.—Keosauqua.
 Lamoni Sale Corp.—Lamoni.
 Laporte City Sales Barn—Laporte City.
 Laurens Livestock Sale Co.—Laurens.
 Lawn Hill Livestock Sales—New Providence.
 Lenox Livestock Auction—Lenox.
 Leon Sale—Leon.
 Live Stock Auction—Denison.
 Low Moor Sales Co.—Low Moor.
 Madison County Auction—Winterset.
 Mapleton Sales Co., Inc.—Mapleton.
 Maquoketa Livestock Sales Co.—Maquoketa.
 Marengo Sale Barn—Marengo.
 Marshalltown Live Stock Auction—Marshalltown.
 Marvel Sales Co.—Webster City.
 McCreary Sale Co.—Center City.
 McDonald Sales Co.—Sumner.
 McIntosh Livestock Auction Co.—Ida Grove.

Middletown Sale Co.—Middletown.
 Midway Sales Co.—Columbus Junction.
 Milford Livestock Exchange—Milford.
 Moorhead Sale Barn—Moorhead.
 Montezuma Sales Pavilion Co.—Montezuma.
 Mount Ayr Livestock Market—Mount Ayr.
 New Liberty Sale Barn—New Liberty.
 New Sharon Sale Co.—New Sharon.
 Newton Sale Co.—Newton.
 Nishna Valley Sales Co.—Shenandoah.
 Northeast Iowa Sales Co.—Decorah.
 Northside Sales Co.—Sibley.
 Northwest Iowa Livestock Exchange—Alta.
 Northwood Sales Co.—Northwood.
 Oelwein Livestock Exchange—Oelwein.
 Ogden Sale Barn—Ogden.
 Onawa Sale Barn—Onawa.
 Orient Sale Co., Inc.—Orient.
 Osceola Sale Co.—Osceola.
 Oskaloosa Sales Co.—Oskaloosa.
 Paullina Sale Co.—Paullina.
 Perry Sales Pavilion—Perry.
 Postville Co-Op Sales Barn—Postville.
 Riceville Sales Pavilion—Riceville.
 Rock Valley Sales Co.—Rock Valley.
 Russell Sales Co.—Russell.
 Sac County Auction Co.—Sac City.
 Sales Company of Hawarden—Hawarden.
 Seifried-Trenary—Pocahontas.
 Sheldon Sales Co.—Sheldon.
 Spencer Dairy Cattle Exchange—Spencer.
 Spencer Livestock Sales Co.—Spencer.
 Stanton Auction Co.—Stanton.
 St. Ansgar Sale Barn—St. Ansgar.
 Storm Lake Auction Co.—Storm Lake.
 Story City Auction Sales—Story City.
 Strand, Oswald, & Son—Manly.
 Stuart Sales Co.—Stuart.
 Sweetland Auction Sales—Muscatine.
 Tabor Sales Barn—Tabor.
 Tama Sale Co.—Tama.
 Traer Sales Barn—Traer.
 Tripoli Sales Co.—Tripoli.
 Uhlenhopp Sales—Aplington.
 Umstead Livestock Auction—Eagle Grove.
 Ute Sale Barn—Ute.
 Wadena Livestock Exchange—Wadena.
 Wapello Livestock Auction—Wapello.
 Washington Livestock Sales Co.—Washington.
 Waukon Sales Commission—Waukon.
 Waverly Sales Co.—Waverly.
 Wayland Sales Co., Inc.—Wayland.
 Wenger Sales Commission—West Union.
 West Union Auction Exchange—West Union.
 Westra Sales Co.—Orange City.
 Winneshiek Coop. Ass'n.—Decorah.
 Witthauer Auction—Council Bluffs.

KANSAS

*A. C. Sale Co.—Arkansas City.
 *Ablene Livestock Sales Co.—Ablene.
 *Anthony Livestock Co.—Anthony.
 *Ashland Sales Co.—Ashland.
 *Atchison County Auction Co.—Atchison.
 *Belleville Sale Co.—Belleville.
 *Burdett Livestock Sale Co.—Burdett.
 *Caldwell Community Sale—Caldwell.
 *Cedar Vale Sales Co.—Cedar Vale.
 *Central Livestock Sales Co.—S. Hutchinson.
 *Chandler Sales Co.—Smith Center.
 *Chanute Sale Pavilion—Chanute.
 *Chetopa Community Sale—Chetopa.
 *Clay Center Sale Co.—Clay Center.
 *Clemence-Morris Livestock Commission—Salina.
 *Cloud County Livestock Commission Co.—Concordia.
 *Coffeyville Livestock Commission Co.—Coffeyville.
 *Colby Sale Barn—Colby.
 *Coldwater Sales Co.—Coldwater.
 *Concordia Sales Co.—Concordia.
 *Council Grove Livestock Auction—Council Grove.
 *Dickinson County Livestock Co.—Ablene.
 *Dighton Livestock Market—Dighton.
 *Dodge City Livestock Commission Co.—Dodge City.

- *Fred Doll Livestock Sales Co.—Larned.
- *Douglass Sale Co.—Douglass.
- *Downs Sales Co.—Downs.
- *Dumler Brothers Livestock Comm. Co.—Russell.
- *Effingham Auction Co.—Effingham.
- *El Dorado Livestock—El Dorado.
- *Emporia Livestock Sale Co.—Emporia.
- *Franklin County Sales Co.—Ottawa.
- *Fredonia Sales Co.—Fredonia.
- *Garden City Sale Co.—Garden City.
- *Gassaway Sale Co.—Plainville.
- *Giger Sales Co.—Emporia.
- *Goodland Livestock Comm. Co.—Goodland.
- *Hansen Livestock Auction—Beloit.
- *Hays Livestock Community Sales—Hays.
- *Herington Livestock Auction Co.—Herington.
- *Hesston Sales Co.—Hesston.
- *Hill City Sale Barn—Hill City.
- *Holton Community Sale—Holton.
- *Hutchinson Livestock Sale Pavilion—Hutchinson.
- *Kiowa Sales Co.—Kiowa.
- *Koenig Sale Barn—Manhattan.
- *Leavenworth Community Sale—Leavenworth.
- *Lenexa Community Sale—Lenexa.
- *Leoti Livestock Sales—Leoti.
- *Lindsborg Livestock Commission—Lindsborg.
- *Lyons Sale Pavilion—Lyons.
- *Mankato Sales Co.—Mankato.
- *Marysville Livestock and Commission Co.—Marysville.
- *McIntosh Auction—Peabody.
- *McKinley-Winter Livestock Commission Co.—Dodge City.
- *Medicine Lodge Sales Co.—Medicine Lodge.
- *Minneapolis Sales Pavilion—Minneapolis.
- *Natoma Sale Co.—Natoma.
- *Ness City Livestock Commission Co.—Ness City.
- *Norton Livestock Comm. Co.—Norton.
- *Oakley Livestock Sales Co.—Oakley.
- *Oberlin Sale Barn—Oberlin.
- *Osborne Livestock Comm. Co.—Osborne.
- *Paola Market Sale—Paola.
- *Phillipsburg Livestock Comm. Co.—Phillipsburg.
- *Quinter Sale Barn—Quinter.
- *Rexford Livestock Comm. Co.—Meade.
- *Rush County Sales Co.—La Crosse.
- *Southeastern Kansas Sales Co.—Stockton.
- *Stockton Livestock Comm. Co.—Stockton.
- *Stockyards Comm. Co.—Great Bend.
- *Sylvan Sales Co.—Sylvan Grove.
- *Syracuse Sale Co.—Syracuse.
- *Tri-State Sale—Elkhart.
- *Wellington Sales Co.—Wellington.
- *Wilson Livestock Auction—Salina.

LOUISIANA

- *Avoyelles Livestock Commission Market—Mansura.
- *Bastrop Livestock Auction—Bastrop.
- *Calhoun Livestock Commission Market—Mansfield.
- *Dominique's Inc.—Opelousas.
- *Dominique's Stockyards—Baton Rouge.
- *Dominique's Stockyards—Lafayette.
- *Farmer and Stockman Auction—Clarence.
- *Franklin Livestock Auction—Winnsboro.
- *Franklinton Stock Yards, Inc.—Franklinton.
- *Grand Cane Livestock Commission—Grand Cane.
- *Harris & Stutson Commission Co.—Friday.
- *Hodges, W. H., and Co.—Crowley.
- *Homer Livestock Auction—Homer.
- *Jennings Commission Barn—Opelousas.
- *Jennings Stockyards—Baton Rouge.
- *Kentwood Stockyard—Kentwood.
- *Michelle's Commission Yard—Lake Charles.
- *Oak Grove Livestock Auction—Oak Grove.
- *Red River Livestock Auction—Coushatta.
- *Ruston Stockyards, Inc.—Ruston.
- *Zachary Stockyards—Zachary.

MASSACHUSETTS

- Brighton Stock Yards—Brighton.
- Deveno Livestock Commission—Southwick.
- Northampton Coop. Auction—Northampton.

MISSISSIPPI

- *Billingsley Auction Sale, Doc—Senatobia.
- *Booneville Commission Co.—Booneville.
- *Clarksdale Livestock Sales Co.—Clarksdale.
- *Clay County Stockyards, Inc.—West Point.
- *Columbus Livestock Co.—Columbus.
- *Corinth Livestock Auction Co.—Corinth.
- *Dixie Stockyard—Meridian.
- *Feders Livestock Sales Co.—Summit.
- *George County Stock Yards—Lucedale.
- *Graves Livestock Co.—Winona.
- *Grenada Livestock Exchange—Grenada.
- *Henderson Sales Co.—Corinth.
- *Hernando Auction Co.—Hernando.
- *Hodges, W. H. & Sons—Liberty.
- *Kosciusko Stock Yards Co.—Kosciusko.
- *L & S Community—Columbia.
- *Laurel Stock Yards—Laurel.
- *Livestock Producers Association—Tyler-town.
- *Lum Brothers Stockyards—Natchez.
- *Moore and Woods Commission Co., Inc.—Macon.
- *Neshoba County Stockyards—Philadelphia.
- *New Albany Sales Co.—New Albany.
- *North Mississippi Sales Co.—Grenada.
- *Owen Brothers Stockyard—Meridian.
- *Ripley Sales Co.—Ripley.
- *Starkville Livestock Commission Co.—Starkville.
- *State Line Auction Co.—Walnut.
- *Stiles, Raymond F.—Sturgis.
- *Tri State Stock Yards, Inc.—Greenville.
- *Tupelo Livestock Auction, Inc.—Tupelo.
- *Wilson Cable Commission Co.—Pontotoc.

MISSOURI

- Adair County Sale Barn—Kirksville.
- Alton Sales Co.—Alton.
- Baker, Roy Sales Co.—Butler.
- Bowling Green Auction Co.—Bowling Green.
- Brunswick Sale Co.—Brunswick.
- Butler Community Sale—Butler.
- Callao Sale Barn—Callao.
- Calloway Stock Sales Association—Fulton.
- Carrollton Livestock Auction—Carrollton.
- Cassville Livestock Auction—Cassville.
- Central Missouri Sales Co.—Sedalia.
- Centralia Livestock Sales Co.—Centralia.
- Charleston Auction Co.—Charleston.
- Clark County Sales Co.—Kahoka.
- Clawson Auction Co.—Eldorado Springs.
- Clinton Community Sale—Clinton.
- Columbia Livestock Auction, Inc.—Columbia.
- Community Sale Pavilion—Nevada.
- Cox Auction Sale, Noel—Ozark.
- Crocker Community Sale Barn—Crocker.
- Davis-Johnston Patrick's Sales & Commission Co.—Boonville.
- Doniphan Auction Sales Co.—Doniphan.
- Drexel Community Sale.—Drexel.
- Edina Sale Co.—Edina.
- Farmers and Traders Comm. Co., Inc.—Palmyra.
- Farmington Auction Co., Inc.—Farmington.
- Frale Sale Pavilion—Chillicothe.
- Fredericktown Auction Co., Inc.—Fredericktown.
- Gainsville Sale Barn—Gainesville.
- Gallatin Livestock Commission Co.—Gallatin.
- Graham Auction—Mansfield.
- Grant City Sale Barn—Grant City.
- Green City Auction Co.—Green City.
- Halsey & Riley Sale Co., Inc.—Marshall.
- Hannibal Sale Co., Inc.—Hannibal.
- Hinds Sale Co.—Memphis.
- Joplin Stockyard, Inc.—Joplin.
- Kennett Sales Co., Inc.—Kennett.

- Kirksville Community Sale—Kirksville.
- Lewis County Auction Co.—Lewistown.
- Lexington Livestock Auction—Lexington.
- Licking Auction Sales Co.—Licking.
- Linn County Auction Co.—Brookfield.
- Lockwood Community Sales, Inc.—Lockwood.
- Lolli Sales Pavilion—Macon.
- Malden Sale Co.—Malden.
- Marshfield Sale Barn—Marshfield.
- Maryville Auction Co.—Maryville.
- McDonald County Sale Co.—Goodman.
- Mexico Stockyards Co.—Mexico.
- Milan Auction Co.—Milan.
- Moberly Livestock Auction—Moberly.
- Monett Sale Co.—Monett.
- Montgomery County Auction—Wellsville.
- Mountain Grove Livestock Auction—Mountain Grove.
- Neosho Commission Sale—Neosho.
- Nevada Sale Co.—Nevada.
- New Cambria Community Sale—New Cambria.
- New Palmyra Sale Co.—Palmyra.
- Odessa Commission Sale—Odessa.
- Olean Sale Co.—Olean.
- Owen Livestock Commission Co., Ferd—Belton.
- P & M Auction—Sikeston.
- Pasley, C. M. Auction Co.—Osceola.
- Payne Auction Sales—Lebanon.
- Perry Sales Barn, Inc.—Perry.
- Poplar Bluff Sales Co.—Poplar Bluff.
- Potosi Auction Co.—Potosi.
- Prairie Center Sales Co.—King City.
- Princeton Auction Sales Co.—Princeton.
- Ray County Sale—Richmond.
- Rhodes Commission Co.—Advance.
- Robertson's Community Sale—Bethany.
- Rock Port Sales Pavilion, Inc.—Rock Port.
- Rolla Auction Co.—Rolla.
- Salem Auction Co.—Salem.
- Saline County Sale Co., Inc.—Marshall.
- Schuyler Sales Association—Lancaster.
- Shelbina Sales Association—Shelbina.
- Sikeston Auction Co.—Sikeston.
- St. James Auction Co.—St. James.
- St. Joe Live Stock Auction—St. Joseph.
- Summersville Auction Sale—Summersville.
- Thayer Sales Co.—Thayer.
- Thornton Sales and Auction Co.—Springfield.
- Trenton Livestock Market—Trenton.
- Troy Sale Co.—Troy.
- Unionville Auction Co.—Unionville.
- Versailles Auction Co.—Versailles.
- Wentzville Auction Co.—Wentzville.
- West Plains Livestock Auction—West Plains.
- Wheaton Community Sale—Wheaton.
- Wilson's Pony Sale, Gene—Carthage.
- Windsor Auction Co.—Windsor.

MONTANA

- *Billings Livestock Commission Co.—Billings.
- *Glendive Auction Co., Inc.—Glendive.
- *Miles City Livestock Auction Co.—Miles City.
- *Yellowstone Livestock Commission Co.—Sidney.

NEVADA

- *B & M Livestock—Fallon.
- *Fallon Sales Yard—Fallon.
- *Midwest Livestock Commission Co.—Fallon.
- *Nevada Livestock Commission Co.—Sparks.

NEW JERSEY

- *Boyer Sales, Inc.—New Egypt.
- *Harris Sales Co.—Woodstown.
- *Jaeger's Auction Market—Sussex.
- *Livestock Cooperative Auction Market Assn. of North Jersey, Inc.—Hackettstown.
- *Henry Zlotkin Auction—Freehold.

NEW MEXICO

- *Clayton Cattle Auction Stockyards—Clayton.

NEW YORK

Agett & Law Commission Market—Ischua.
 Burton Livestock Exchange—Vernon.
 Cable's Cattle Market—Roxbury.
 Cambridge Valley Livestock Market—Cambridge.
 Chatham Area Auction Coop., Inc.—Chatham.
 Dansville Commission Auction—Dansville.
 DiBello Commission Sales, Ben—Hannibal.
 Dryden Livestock Sales—Dryden.
 Dupont's Commission Auction—Little Falls and Fort Plain.
 Empire Livestock Marketing Cooperative, Inc.—Bath.
 Empire Livestock Marketing Cooperative, Inc.—Bullville.
 Empire Livestock Marketing Cooperative, Inc.—Caledonia.
 Empire Livestock Marketing Cooperative, Inc.—Gouverneur.
 Empire Livestock Marketing Cooperative, Inc.—Greene.
 Empire Livestock Marketing Cooperative, Inc.—Oneonta.
 Empire Livestock Marketing Cooperative, Inc.—West Winfield.
 Farmer's Livestock Market—Bath.
 Hillsdale Farmer's Auction, Inc.—Hillsdale.
 Horseheads Livestock Market—Horseheads.
 N. Johncox Sons Livestock Auction—Palmyra.
 J. M. Kaplan & Son, Inc.—Millerton.
 Kessler & Gentner—Springsville.
 Kimball Stand Commission Sales—Jamestown.
 Luthers' Livestock Commission Market—Wassalc.
 Miller's Livestock Market—Argyle.
 Neverett, H. L. & Sons—Chazy.
 Neverett, H. L. & Sons—Ellenburg Depot.
 Norvel Reed—Sherman.
 Norwich Commission Sale—Norwich.
 Owego Livestock Sales—Owego.
 Sauquoit Valley Livestock Exchange—Cassville.
 Southern Cayuga Commission Sales—Moravia.
 Southern Tier Livestock Market—Whitney Point.
 Stilson Tweedie—Walton.
 Sullivan Brothers—Utica.
 Sunny Acres Livestock Market—Bombay.
 Tully Valley Livestock Market—Apulia Station.
 Wickham's Commission Auction—Ovid.

NORTH DAKOTA

*Ashmore, William L.—Ellendale.
 *Beulah Livestock Auction Sales—Beulah.
 *Edgeley Livestock Sales Co.—Edgeley.
 *Ellendale Livestock Sales Co.—Ellendale.
 *Harrington Brothers—Mayville.
 *Harrington Brothers—Minot.
 *Harrington Brothers—Valley City.
 *Harvey Livestock Sales Pavilion—Harvey.
 *Hettinger Livestock Sales Co.—Hettinger.
 *Home Base Auction Co.—Bowman.
 *Jamestown Sales Co.—Jamestown.
 *Kamrath Sales Pavilion—Mott.
 *Linton Livestock Sales Co.—Linton.
 *Mandan-Bismarck Livestock Commission Co.—Mandan.
 *Missouri Slope Auction Sales, Inc.—Bismarck.
 *Park River Livestock Sales Co.—Park River.
 *Schnell-Dickinson Livestock Sales—Dickinson.
 *Western Livestock Co., Inc.—Dickinson.
 *Williston Livestock Commission Co.—Williston.

OKLAHOMA

*Buffalo Livestock Commission Co.—Buffalo.
 *Guymon Livestock Commission Co.—Guymon.
 *Pawhuska Auction Livestock Market—Pawhuska.

*Texhoma Livestock Commission Co., Inc.—Texhoma.
 *Woodward Livestock Commission Co.—Woodward.

OREGON

*Brahs Auction Market—Corvallis.
 *Forest Grove Auction—Forest Grove.
 *Hermiston Livestock Commission Co.—Hermiston.
 *Klamath Cattle Sales—Klamath Falls.
 *Klamath Stockmen's Commission, Inc.—Klamath Falls.
 *McMinnville Auction Yard—McMinnville.
 *Midway Auction Co.—Medford.
 *Northwestern Livestock Commission Co.—Hermiston.
 *Ontario Livestock Commission Co.—Ontario.
 *Redmond Auction Yard—Redmond.
 *South Oregon Livestock Auction Co.—Medford.
 *Union Livestock Commission Co.—Nyssa.
 *Vale Livestock Commission Co.—Vale.
 *Walter's Auction, Lynn—Clackamas.

PENNSYLVANIA

Barnsley Sales—Oxford.
 Carlisle Livestock Market—Carlisle.
 Danville Livestock Market, Inc.—Danville.
 Eighty-four Auction Sales, Inc.—Eighty-four.
 Enon Valley Community Sales—Enon Valley.
 Exton Livestock Auction, Inc.—Exton.
 Farmers Market & Auction—Ephrata.
 Fayette Stockyard Co.—Uniontown.
 Greenfield Livestock Auction—North East.
 Greenville Livestock Market, Inc.—Greenville.
 Hatfield Livestock Market—Hatfield.
 Hickory Auction—Hickory.
 Indiana Livestock Market, Inc.—Homer City.
 Kennett Auction Co., Inc.—Kennett Square.
 Knoxville Sales, Inc.—Knoxville.
 Krumsville Livestock Auction—Krumsville.
 Lebanon Valley Livestock Market, Inc.—Fredericksburg.
 Leesport Livestock Market—Leesport.
 Mason-Dixon Livestock Market, Inc.—Stewartstown.
 Meadville Livestock Auction—Saegerstown.
 Montague Livestock Auction—Union City.
 Mount Cobb Auction Sales—Hamlin.
 New Wilmington Livestock Auction—New Wilmington.
 Payne's Livestock Market—Jamestown.
 Penns Valley Sales Barn—Centre Hall.
 Pennsylvania Livestock Auction, Inc.—Waynesburg.
 Perkiomenville Sales Stables—Perkiomenville.
 Quakertown Sales Co.—Quakertown.
 Showalter Livestock Exchange—Duncansville.
 Silver Springs Livestock Market—Mechanicsburg.
 Teel & Bunnell Auction Sale—Tunkhannock.
 Tri-County Livestock Auction—Brockway.
 Troy Sales Cooperative—Troy.
 Valley Stock Yards, Inc.—Athens.
 Vintage Sales Stables, Inc.—Paradise.
 Wayne County Livestock Exchange, Inc.—Honesdale.
 Wyalusing Sales Co.—Wyalusing.
 York Livestock Market, Inc.—Thomasville.

SOUTH CAROLINA

*Chesnee Livestock Co.—Chesnee.
 *J. W. Coder Co.—Columbia.
 *Harper Livestock Co.—Estill.
 *Spartanburg Livestock Yards—Spartanburg.

TEXAS

*Amarillo Livestock Auction Co. and Western Stockyard Co.—Amarillo.
 *Dalhart Auction Co.—Dalhart.

*Gainesville Livestock Auction Sale—Gainesville.
 *Hereford Livestock Auction Co.—Hereford.
 *Owen Brothers Auction Co.—Texarkana.

UTAH

*Salina Auction—Salina.
 *Spanish Fork Livestock Auction Co.—Spanish Fork.
 *Uintah Sales Barn—Roosevelt.
 *Utah Valley Auction—Spanish Fork.
 *Vernal Livestock Auction Co.—Vernal.

VERMONT

*Chickering Livestock Corp.—Westminster.
 *East Thetford Commission Sale—East Thetford.
 *Vergennes Livestock Commission Sale—Vergennes.

VIRGINIA

*Bedford Livestock Market, Inc.—Bedford.
 *Big Stone Gap Livestock Market—Big Stone Gap.
 *Christiansburg Livestock Market, Inc.—Christiansburg.
 *Covington Stockyards Inc.—Covington.
 *Farmers Livestock Exchange—Winchester.
 *Farmers Livestock Market—Ewing.
 *Farmers Livestock Market, Inc.—Bristol.
 *Galax Livestock Market—Galax.
 *Giles County Stockyards, Inc.—Narrows.
 *Lee Farmers Livestock Market, Inc.—Jonesville.
 *Lynchburg Stockyards, Inc.—Lynchburg.
 *Norton Livestock Market—Norton.
 *Pulaski Livestock Market—Dublin.
 *Roanoke Livestock Market, Inc.—Roanoke.
 *Rockbridge Livestock Market, Inc.—Buena Vista.
 *Rockingham Livestock Sales, Inc.—Harrisonburg.
 *Shenandoah Valley Livestock Market, Inc.—Harrisonburg.
 *Smithfield Livestock Market, Inc.—Smithfield.
 *South Boston Livestock Market—South Boston.
 *Staunton Livestock Market, Inc.—Staunton.
 *Staunton Union Stockyards, Inc.—Staunton.
 *Tazewell Livestock Market—Tazewell.
 *Virginia Livestock Market—Winchester.
 *Woodstock Livestock Market, Inc.—Woodstock.
 *Wytheville Livestock Market, Inc.—Wytheville.

WASHINGTON

*Columbus Basin Livestock Commission Co.—Moses Lake.
 *Grange-Comm. & Livestock Co.—Auburn.
 *Mount Vernon Meat Co.—Mount Vernon.
 *Twin City Sale—Centralia.
 *Walla Walla Livestock Commission Co.—Walla Walla.

WEST VIRGINIA

*Alderson Livestock Market—Alderson.
 *Bluegrass Market, Inc.—Lewisburg.
 *Blueridge Livestock Sales, Inc.—Charles Town.
 *Bridgeport Live Stock Sales Co., Inc.—Bridgeport.
 *Buckhannon Livestock Sales, Inc.—Buckhannon.
 *Evans, E. S. Stockyard Inc.—Terra Alta.
 *Evans Stock Yards, Inc.—Elkins.
 *Gassaway Livestock Market, Inc.—Gassaway.
 *Hess Livestock Market, Inc., Andy—Morgantown.
 *Huntington Livestock Sales Co.—Huntington.
 *West Alexander Livestock Auction Market—West Alexander.
 *Weston Livestock Sales Co., Inc.—Weston.
 *Jackson County Livestock Market, Inc.—Ripley.
 *Pt. Pleasant Livestock Co.—Pt. Pleasant.

- *Poncahontas Producers Cooperative Assoc., Inc.—Marlinton.
- *South Branch Stockyard, Inc.—Moorefield.
- *Spencer Live Stock Exchange, Inc.—Spencer.
- *Union Livestock Sales Co.—Parkersburg.

WYOMING

- *Greybull Livestock Commission Co.—Greybull.
- *Torrington Livestock Commission Co.—Torrington.
- *Lander Livestock Commission Stockyards—Lander.
- *Sheridan Livestock Commission Co.—Sheridan.

§ 78.15 Slaughtering establishments.

(a) Information with respect to the slaughtering establishments operating under the provisions of the Meat Inspection Act of March 4, 1907, may be obtained from the Meat Inspection Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D. C., and from the Federal Inspectors and State Inspectors.

(b) The following slaughtering establishments preceded by an asterisk are specifically approved for the purposes of § 78.5 concerning brucellosis reactors and of paragraphs (b) and (c) of § 78.12 concerning cattle not known to be affected with brucellosis. The following slaughtering establishments not preceded by an asterisk are specifically approved for the purposes of paragraphs (b) and (c) of § 78.12 only.

Name of Slaughtering Establishment and Location

ALABAMA

- Florence Packing Co.—Florence.
- *Haas-Davis Packing Co., Inc.—Mobile.
- Hinote Packing Plant—Loxley.
- Valley Pride Packing Co., Inc.—Huntsville.

ARIZONA

- Arizona Meat Packers—Tucson.
- C & C Meat Co.—Phoenix.
- Crescent Packing Co.—Scottsdale.
- Herseth Meat Packers—Phoenix.
- Maricopa Packing Co.—Phoenix.
- OK Meat Co.—Phoenix.
- Paramount Packing Co.—Casa Grande.
- Safford Packing Co.—Safford.
- Southwest Meat Co.—Yuma.
- Tempe Meat Co.—Tempe.
- Town & Country Packing Co.—Mesa.

ARKANSAS

- Broadway Packing Co., Inc.—Jonesboro.
- *Brown Packing Co., Inc.—Little Rock.
- *Brown, Kelton Wholesale Meats—Little Rock.
- *Burton, Roy—North Little Rock.
- *City Abattoir—Ft. Smith.
- Columbia Packing Co.—Magnolia.
- *Finkbeimer Packing Co.—Pine Bluff.
- Gude Packing Co.—Blytheville.
- *Heim Brothers—Little Rock.
- Hunt, Leo and Ryburn—Pine Bluff.
- *Little Rock Packing Co.—Little Rock.
- Morrilton Packing Co.—Morrilton.
- Redd Slaughter House—Harrisburg.
- Reed Packing Co.—Pine Bluff.
- Southwestern Packing Co.—Hope.
- *Stephens Meat Co.—Pine Bluff.
- *Western Meat Packers, Inc.—Little Rock.

CALIFORNIA

- *Allen's Meat Products Co.—San Francisco.
- *Alpha Beta Packing Co.—Huntington Beach.
- *Alta Meat Co.—Dinuba.
- *Arnopole Meat Co.—Modesto.
- *Atwater Meat Co.—Atwater.

- *Avila Meat Co.—Gustine.
- *Brennan Meat Co.—Tulare.
- *Butler Brothers—Yountville.
- *Canziani, N.—San Rafael.
- *Castro, P. L.—Richmond.
- *Chico Meat Co., Inc.—Chico.
- *Christie, A. W.—Essex.
- *Cottonwood Dressed Beef—Cottonwood.
- *Crum Meat Co.—McArthur.
- *Cuyamaca Meats, Inc.—El Cajon.
- *Diamond Meat Co.—Kerman.
- *Elk Grove Meat Co.—Elk Grove.
- *Evert Meat Co., Thos. G.—Healdsburg.
- *Felder & Son, Joe—Napa.
- *Ferrara Meat Co.—San Jose.
- *Fresno Meat Packing Co.—Fresno.
- *Hill Top Meat Co.—Roseville.
- *Hohener, Ernest—San Leandro.
- *Johnson, Inc., J. G.—San Francisco.
- *Keller Brothers—St. Helena.
- *Kern Valley Packing Co.—Bakersfield.
- *Klapp's Packing House Market—Ontario.
- *Klubniken Packing Co.—Vernon.
- *Langer & Kretner—Eureka.
- *Lewis & McDermott—Berkeley.
- *Marysville Meat Packing Co.—Marysville.
- *Modesto Meat Co.—Modesto.
- *Moller & Sons, H.—Pleasanton.
- *Naylor, S. E.—Soledad.
- *Nelson Meat Co.—San Jose.
- *Nunes & Styron Meat Co., Inc.—San Miguel.

- *Orvis & Clinger, Inc.—Stockton.
- *Pacific Packing Co.—Gazelle.
- *Palace Market—Fresno.
- *Palace Market—Stockton.
- *Palo Verde Meat Packing House—Blythe.
- *Panizzera, C. V.—Occidental.
- *Port Stockton Sausage Co.—Stockton.
- *Port Stockton Sausage Co.—Oakdale.
- *Prime Meat Products—Ukiah.
- *Pure Sausage & Meat Co.—Lodi.
- *Quong Wah Yuen—Stockton.
- *Redwood Meat Co.—Eureka.
- *Rosen Meat Packing Co., Inc.—Vernon.
- *Russ Meat Co.—Eureka.
- *S & S Locker Plant—Thornton.
- *San Luis Meat Co.—San Luis Obispo.
- *Santa Ana Packing Co.—Santa Ana.
- *Santa Maria Meat Co.—Santa Maria.
- *Scotia Packing Co. & Locker Storage—Scotia.
- *Sebastopol Meat Co.—Petaluma.
- *Sierra Dressed Meat Co.—Auburn.
- *Smith Packing Co.—San Bernardino.
- *Sonoma Meat Co.—Sonoma.
- *Stoeven Brothers—Dixon.
- *Stornetta Brothers—Point Arena.
- *Susanville Meat Co.—Susanville.
- *Taaffe & Co., Inc., Wm.—San Francisco.
- *Talone Packing Co.—Escondido.
- *Temecula Meat Packing House—Temecula.

- *Temme's Prepared Foods—Stockton.
- *Turlock Meat Co.—Turlock.
- *Ventura Meat Packing, Inc.—Saticoy.
- *Victor Valley Packing Co.—Victorville.
- *Walker's Market, Inc.—Upland.
- *Walnut Creek Meat Co.—Walnut Creek.
- *West Coast Meat Co.—Alvarado.
- *Western Food Products—Stockton.
- *Wright Packing Co.—National City.
- *Yettner Brothers—Fort Bragg.
- *Zeff, B.—Modesto.

COLORADO

- Basin Packing Co.—Durango.
- Colorado Packing Co.—La Junta.
- Cortez Packing Co.—Cortez.
- Pavetti Sausage Co.—Trinidad.

CONNECTICUT

- *Baker, Ellis D.—Torrington.
- *Beit Brothers—Norwich.
- *Bridgeport Municipal Abattoir—Bridgeport.
- *Clark, L. W.—Danbury.
- *Connecticut Packing Co.—Bloomfield.
- *Connecticut Veal Co.—Beacon Falls.
- *Forte, J. F.—Branford.
- *Freeman, Myer—New London.

- Goldberg, Daniel—Colchester.
- *Hartford Provision Co.—Hartford.
- *Hartford Provision Co.—Stafford Springs.
- *Hertz Brothers—Norwich.
- *Longhi, Edward—Torrington.
- *Manchester Beef Co.—Manchester.
- *New Haven Rendering Co.—West Haven.
- *Novak, Abe—Danbury.
- *Omaha Beef Co.—Danbury.
- *Shore Line Packing Co.—East Haven.
- Southington Packing Co.—Southington.
- *Waterbury Butchering Co.—Waterbury.

DELAWARE

- Goldberg Brothers, Inc.—Wilmington.
- Hender, Sidney—Wilmington.
- Kemps Meats—Wyoming.
- Kosters Frozen Food Lockers—Laurel.
- Messina, Anthony G.—Wilmington.
- Platt, Isadore—Wilmington.
- Poore's Meat Market—Smyrna.
- Torbert Brothers—Felton.
- Townsend Locker Plant—Townsend.
- Wessel, Harry—Wyoming.
- White Packing Co.—Lewes.
- Woerner and Sounder—New Castle.

FLORIDA

- *Beesley Packing Co. of Florida—Pensacola.
- *Central Packing Co.—Center Hill.
- *Dirr Sausage Factory, Inc.—Miami.
- *Farris & Co.—Jacksonville.
- *Florida Sausage Co., Inc.—Pensacola.
- *Gertner Co.—Gainesville.
- *Gold Merit Packing Co., Inc.—Jacksonville.
- *Gotham Provision Co., Inc.—Miami Springs.
- *Hawkins Wholesale Meats, E. M.—East Palatka.
- *Hendry Brothers Packing—Tampa.
- *Hickory Hill Meat Packers, Inc.—Tampa.
- *Hygrade Food Products Corp.—Hialeah.
- *Jackson Packing Co.—Marianna.
- *Loeb & Gottfried—Hialeah.
- *Lykes Brothers, Inc.—Tampa.
- *Meat Supply Co.—Pensacola.
- *Oakland Meat Packing—Ft. Lauderdale.
- *Register Meat Co., Inc.—Cottondale.
- *Tobias Packing Co.—Chipley.

GEORGIA

- Akridge Sausage Co.—Rome.
- Beavers Packing Co.—Newman.
- Brooks County Packing Co., Inc.—Quitman.
- Carroll Packing Co.—Valdosta.
- City Abattoir—Albany.
- Cochran Provision Co.—Dublin.
- Duffey Sausage Co.—Carrollton.
- Lowell Packing Co.—Fitzgerald.
- Meddin Packing Co.—Savannah.
- *Pioneer Provision—Atlanta.
- Scott Meat Packers—Augusta.
- Simpson Provision Co., Inc.—Fayetteville.
- Southern Foods, Inc.—Columbus.
- *United Butchers Abattoir, Inc.—Atlanta.
- Valdosta Abattoir Co., Inc.—Valdosta.
- Wiggers Packers—Columbus.

IDAHO

- *B & M Packing Co.—Burley.
- *Boise Valley Packing Co.—Eagle.
- *Carter Packing Co.—Buhl.
- City Meat Market—Wallace.
- *Custom Meat Co.—Boise.
- *Custom Packing Co.—Twin Falls.
- Dehmen Food Lockers—Lewiston.
- *Davis Packing Co.—Boise.
- *Independent Meat Co., Inc.—Twin Falls.
- Johnston Brothers—Caldwell.
- *Knudson Packing Co.—Preston.
- Penguin Lockers—New Plymouth.
- *Wallace Meat Co.—Wallace.
- *Y-J Packing Co.—Coeur d'Alene.
- *York Packing Co.—Twin Falls.

ILLINOIS

- Bartlow Brothers, Inc.—Rushville.
- Bergman Meat Packing Co., Inc.—Pittsfield.
- Calihan & Co.—Peoria.

DuQuoin Packing Co.—DuQuoin.
 Humphrey Packing Co.—Lawrenceville.
 C. Kunkel Packing and Provision Co.—
 Quincy.
 Raber Packing Co.—Peoria.
 Raleigh Packing Co.—Raleigh.
 Smith Packing Co.—Harrisburg.
 Young's Packing Co., Inc.—Decatur.

INDIANA

All Valley Meat Supply—Terre Haute.
 Auburn Packing Plant—Auburn.
 Bailey Slaughter House—Fort Wayne.
 Berne Locker Storage—Berne.
 Betullus Slaughterhouse—Haubstadt.
 Bickmeier & Son—Boonville.
 Blinzinger's Market—Tell City.
 Bloomington Packing Co., Inc.—Bloom-
 ington.
 Bobay's Slaughter House—Fort Wayne.
 Boone County Packing Co.—Lebanon.
 Bowman's Butchering House—Peru.
 Buchanan Processing Plant—Mt. Vernon.
 Camiel Coussens—Granger.
 City Meat Market—Boonville.
 Collins, Raymond—Poland.
 Columbia Packing Co., Inc.—Hammond.
 Corbin Food Lockers—Brownsburg.
 Covington Food Lockers—Covington.
 Covington Food Lockers—Covington.
 Daniels Brothers, Inc.—Columbus City.
 Denny & Barker, Inc.—Huntington.
 Denver Locker Plant—Denver.
 Denzler Locker Plant—Denver.
 Devig Brothers Packing Co.—Haubstadt.
 Dimett Packing Co.—Kokomo.
 Ditzler Locker Co.—Peru.
 Eel River Packing Co.—Jamestown.
 Elkhart Packing Corp.—Elkhart.
 Endres Packing Co.—New Albany.
 Fender, Russell Ted—Spencer.
 Fisher Packing Co.—Portland.
 Fitzsimons Market—Roachdale.
 Frankfort Provision Co.—Frankfort.
 Franklin Slaughter House—Wabash.
 Frankton Provision Co., Inc.—Frankton.
 Freeman & Son Locker Plant—Worthington.
 Gerber Supermarket, Inc.—Decatur.
 Gilbert Slaughter House—Van Buren.
 Goff, Inc.—Pendleton.
 Greenfield Abattoir, Inc.—Greenfield.
 Green Valley Slaughterhouse—Brownsburg.
 Grundhoefer & Sons Packing Co.—Dale.
 Gustin Slaughter House—Antwerp.
 Gutzwiller Packing Co.—Jasper.
 Hamilton Locker Plant—Hamilton.
 Hand, Kenneth Slaughter House—Angola.
 Hand's Market—Angola.
 Harris, Sam Packing Co.—Crawfordsville.
 Hastings Slaughter House—Martinsville.
 Hickory Hills Processing Plant—Spencer.
 Hill Top Packing Co.—Huntingburg.
 Hitch Slaughterhouse—Princeton.
 Hollar Market—Nappanee.
 Hoosier Abattoir—Indianapolis.
 Hunter Locker Plant—Converse.
 Janert Packing Co., Inc.—Indianapolis.
 Johnson County Farm Bureau Co-op Ass'n.,
 Inc.—Franklin.
 Jones Custom Butchering—Zionsville.
 Kaiser Meat Market—Cedar Grove.
 Klinedinst Packing Co.—Walkerton.
 Kniper, Christ Packing—Lowell.
 Laurents Packing Co., Guy—Fort Wayne.
 Lengerich Slaughter House—Monroe.
 Lester Packing Co.—Linton.
 Livengood Meat Shop—Lebanon.
 Long Slaughterhouse—Winslow.
 Lutz Packing Co.—Indianapolis.
 Marburger Abattoir—Peru.
 Martin Brothers Meatland—Goshen.
 Mast Market—Angola.
 Merkely & Sons, Inc.—Jasper.
 Mishler Packing Co.—Lagrange.
 Mock, G. F.—Leavenworth.
 Moore Packing—Gary.
 Mooresville Packing Co.—Mooresville.
 Neal Packing Co.—Crawfordsville.
 Ness, J. E. & Sons Packing Plant—North
 Judson.
 Orth Slaughterhouse—Mt. Vernon.

Ossian Locker Plant—Ossian.
 Parrot Packing Co.—Fort Wayne.
 Price's Abattoir, Walter—Plymouth.
 Puckett's Abattoir—Winchester.
 Quick Freeze Locker Service Abattoir—
 Madison.
 Rockville Packing Co.—Rockville.
 Ross Packing Co.—Indianapolis.
 Rose City Packing Co., Inc.—New Castle.
 Roy's Packing Plant—Elkhart.
 Sanitary Main Meat Market—Brookville.
 Schmitt, H. P. Locker Service—Decatur.
 Schneiker Slaughter House—New Haven.
 Schuler Packing Co.—Ferdinand.
 Sellersburg Locker Co.—Sellersburg.
 Shackelford, W. E.—Owensville.
 Shinn Slaughterhouse—Mentone.
 Sievers, Lester—Vincennes.
 Sievers, Louis—Vincennes.
 Snelly's—Angola.
 South Side Butchers—Indianapolis.
 Stahl Packing Co.—Evansville.
 Standard Packing Co.—Kokomo.
 Straub & Smith Packing Co.—Indianapolis.
 Summers Packing Co.—North Liberty.
 Vale City Packing Co.—Valparaiso.
 Valentine Co., Inc.—Terre Haute.
 Van Wagner Brothers—Angola.
 Van Wagner, Dick—Orland.
 Vetter Meat Co.—Kokomo.
 Vietti Brothers Packing Co.—Clinton.
 Wabnitz & Deters—Indianapolis.
 Warrick County Frozen Food Lockers—
 Boonville.
 Weller Packing Co.—Batesville.
 Wenning Packing Co., Inc.—New Salisbury.
 West's Locker & Slaughter House—Amo.
 Whisler, J. L. & Sons, Inc.—Elkhart.
 Wilcox Brothers—North Liberty.
 Williams, J. B. & Son, Inc.—Walkerton.
 Wolf Meat Market—New Albany.
 Wolf Packing Co.—La Porte.
 Wright Packing Co.—Chandler.
 Wyatt Packing Co.—Wyatt.
 Young Brothers Market—Ladoga.
 Zaring Processing Plant—Greencastle.

IOWA

Lamoni Packing Co.—Lamoni.
 Marshall Packing Co.—Marshalltown.
 Richard, C. E. & Sons, Inc.—Muscatine.

KANSAS

A and H Butchers—Arkansas City.
 Addington Slaughtering Establishment—
 Elkhart.
 Anthony Meat—Anthony.
 *B and W Packing Plant—Colby.
 Bichelmeyer Slaughterhouse—Kansas City.
 Burd Locker and Grocery—Atwood.
 Butcher Packing Co.—Coffeyville.
 C. G. Wurst Locker Service—Grainfield.
 *Colby Locker—Colby.
 Coldwater Lockers—Coldwater.
 *Comanche Meat Co.—Wichita.
 Davenport Meat Plant—Lawrence.
 *Dunn Packing Co.—Valley Falls.
 Dye Slaughterhouse—Meade.
 Economy Lockers—Sharon Springs.
 *Fanestil Packing Co.—Emporia.
 Fisher Grocery and Locker—Bird City.
 *Fredonia Packing Co.—Fredonia.
 *Ft. Scott Packing Co.—Ft. Scott.
 *Gallagher Processing Co.—Concordia.
 Garden City Packing Co.—Garden City.
 *Gettle and Sons Lockers—Wichita.
 Glenn's Frozen Food Service—Dighton.
 Grinnell Locker—Grinnell.
 Haag Locker Plant—Fairview.
 Hentzler Packing Co.—Fairview.
 Hoseney's Dressed Beef—Coffeyville.
 *Houlton Packing Co.—Abilene.
 Howell's Market—St. Francis.
 Jesco Meat Packers—Caldwell.
 K-12 Meat Co.—Baxter Springs.
 Kaw Valley Packing Co.—Kansas City.
 Kler Grocery and Market—Mankato.
 Kimmel Packing Co.—Norton.
 Liberal Packing Co.—Liberal.
 Louis's Zero Lockers—Girard.
 Mathes Meat Co., W. A.—Kansas City.

Menghini Packing Co.—Frontenac.
 *McLeon Packing Co.—Valley Falls.
 Miller Locker System—Erie.
 Miller Packing Co.—Wilson.
 Modern Market and Lockers—Winona.
 *Moore's Packing House Market—Parsons.
 Old Fashioned Meat Market—De Soto.
 *P and B Packing Co.—Hays.
 Palace Market—St. Francis.
 Phillips Slaughterhouse—Hill City.
 Phillipsburg Lockers—Phillipsburg.
 Ragsdale Grocery—Liberal.
 Rindt Slaughtering Co.—Galena.
 Snow's Locker Plant—Kansas City.
 Stoney Brothers Slaughterhouse—Herndon.
 *Sunflower Packing Co.—Wichita.
 *Thies Packing Co.—Great Bend.
 Valley Vista Locker Service—Topeka.
 *Winchester Packing Co.—Hutchinson.
 Winkler's Slaughterhouse—Liberal.
 Wyler Packing Co.—Howard.

KENTUCKY

*Dawson-Spatz Packing Co., Inc.—Louis-
 ville.
 Eckert Packing Co.—Henderson.
 Field Packing Co.—Bowling Green.
 Field Packing Co., Inc.—Owensboro.
 *Fleischaker Co.—Louisville.
 Henderson Slaughtering—Henderson.
 Jones Packing Co.—Paducah.
 *Klarer Provision Co.—Louisville.
 *Koch Beef Co.—Louisville.
 Layer, C. W.—Louisville.
 *Louisville Beef Co.—Louisville.
 *Mount Sterling Packing Co.—Mount Ster-
 ling.
 Quality Packing Co.—Lexington.
 Riverside Packing Co.—Paducah.
 *Robb Packing Co.—Lexington.
 Schneider & Son, Inc., J. F.—Middlesboro.
 Brown Thompson's & Son—Fancy Farm.

LOUISIANA

*Angola Packing House—Angola.
 *Arabi Packing Co., Inc.—Arabi.
 *Autin Packing Co., Inc.—Houma.
 *Britt Packing Co.—Shreveport.
 Chasson Meat Market, Arthur—Lockport.
 *City Abattoir, Inc.—Baton Rouge.
 Crumpler's Packing House—DeRidder.
 Cutrer's Grocery and Market—Ponchatoula.
 Dufrene Slaughter and Packing Co.—Alle-
 mand.
 *Frey, L. A., & Sons, Inc.—Lafayette.
 *H & S Packing Co.—Baton Rouge.
 *Harris and Co., Ed.—Ferriday.
 *Jennings Meat Products—Baton Rouge.
 Kennedy Brothers Meat Products—Boga-
 lusa.
 Knight Slaughter House, S. A.—Bogalusa.
 Knight Slaughter House, W. E.—Franklin-
 town.
 Knight Slaughter House, W. W.—Franklin-
 town.
 *Micelle Packing Plant—Lake Charles.
 *Nations Brothers Packing Co.—Springhill.
 *New Orleans Butchers Abattoir—New Or-
 leans.
 *Peltier Packing Co., Inc.—Thibodaux.
 *Rapides Packing Co.—Alexandria.
 Rodrigue's Meat Market, Allen—Thibodaux.
 Sances Slaughter House—Franklinton.
 *Shreveport Packing Co., Inc.—Shreveport.
 *Smiley's Killing Plant—Scottdaleville.
 *Stevens Meat Co., Inc.—Gonzales.
 Wood Slaughter House, L. V.—Franklin-
 town.

MAINE

Augusta Abattoir—Augusta.
 Boston Brothers—North Berwick.
 Boynton, Lawrence—Bridgton.
 Penley, E. W.—Auburn.
 Stearns, Inc.—Auburn.

MARYLAND

Benson Meat Prod. Co.—Fallston.
 *Edward G. Berlett & Sons, Inc.—Baltimore.
 Brewer's, H. W.—Williamsport.
 Brook Meadow Provision Co.—Hagerstown.
 Bullock, G. Winston—Westminister.

Cecil Provision Co.—Elkton.
 Clopper, Chas. W.—Clear Spring.
 Dutterer's of Manchester, Inc.—Manchester.
 Eagle Meat & Sea Foods—Knoxville.
 Eby, Irvin E.—Hagerstown.
 Engle Brothers—Frostburg.
 Fogle, Theodore A.—New Windsor.
 Gaithersburg Locker Service—Gaithersburg.
 Glosser, John E.—Hagerstown.
 *Hahn Brothers, Inc.—Westminster.
 Harsh, M. D., Sr.—Williamsport.
 Hatfield's Meat Market—New Windsor.
 *Heil, Henry—Baltimore.
 Hemp, R. D. & Sons—Jefferson.
 Hoffman and Son, Roy L.—Hagerstown.
 Holsinger, C. M.—Hagerstown.
 Hurd & Son, C. G.—Hagerstown.
 *Joska Brothers—Baltimore.
 Late, Howard F.—Thurmont.
 Lotz's Wholesale Meats—Frostburg.
 Martin & Son, Edward T.—Joppa.
 *Maryland Beef & Provision Co.—Baltimore.
 Metz, Walter M.—Williamsport.
 *Meyers, Wm. F. & Sons, Inc.—Westminster.
 Montgomery Brothers—Rising Sun.
 Moser, Weaver F.—Boonsboro.
 Mt. Airy Locker Co.—Mt. Airy.
 Murphy, John G.—Butcher—Fallston.
 Nichols & Smith Meat Market—Federalburg.
 *Ruppersberger & Sons, George G.—Baltimore.
 *Schmidt, A. W. & Son, Inc.—Baltimore.
 *Schmidt, Charles J. & Co.—Baltimore.
 Shallcross, H. E.—Rising Sun.
 Shaum, F. E.—Taneytown.
 Treuth & Sons, J. W.—Catonville.
 Will, Weldon W.—Sykesville.
 Yingling Brothers—Union Bridge.
 Yoders Locker Plant—Grantsville.

MASSACHUSETTS

Arena & Sons, A.—Hopkinton.
 Axler, Abraham (Hatfield Beef Co.)—Hatfield.
 Bickford's Slaughterhouse—Cheshire.
 Bowman, Frank B. Co.—Brighton.
 Budnick & Son, E.—Boxford.
 Cohen, Jacob, Beef Co., Inc.—Brighton.
 Cook, Edric—Hyden.
 Cramer's Louis—No. Adams.
 Goldberg, Morris—Great Barrington.
 Grasso, Angelo—Agawam.
 Harris Slaughterhouse, George A.—Winchendon.
 Hutchinson's Slaughterhouse—Lunenburg.
 Hurlburt Slaughterhouse, Ronald—West Orange.
 Judkins Slaughterhouse—Athol.
 Kabatchnick, Mark Sidney—Chester.
 Levine, Louis—Great Barrington.
 Mason, Frank F.—Williamstown.
 Pekarski, T. Walter—South Deerfield.
 Reynolds—Shelburne.
 Robbins, Richard.—Ashby.
 Santos Co., Charles—Tewksbury.
 Scibelli, Anthony J.—Southwick.
 Scibelli, George A.—Southwick.
 Shapiro, A. Beef Co.—Brighton.
 Sheinhit, Jacob—Peabody.
 Stearns, Ed.—Charlton.
 Streeter, Herman—Bernardston.
 Strycharz Slaughterhouse—Blackstone.
 Suprenant, Peter—Leverett.
 U. & S. Beef & Prov. Corp.—Pittsfield.
 Wiegert Co., Geo.—Worcester.
 Wohrle's Inc.—Pittsfield.

MICHIGAN

Allen Packing Co.—Charlotte.
 Anderson Packing Co., Inc., J. S.—Muskegon.
 Clare Packing Co.—Clare.
 Edson, Inc., Lee—Hudsonville.
 Goose & Co., Jack—Detroit.
 Hazekamp & Sons, Bert—Muskegon.
 Heaters Fresh Meat—Dowagiac.

Kalamazoo Packing Co.—Vicksburg.
 Lengel Meat Packers, Inc.—Temperance.
 Lytle & Sons, W. E.—Coldwater.
 Myaard & Son, J.—Hudsonville.
 Nichols-Foss Packing Co.—Bay City.
 Nienhuis Packing Co.—Holland.
 Parsell Beef Co.—Flint.
 Paulsen & Son, Inc., Max—Muskegon.
 Peet Packing Co.—Bay City, Chesaning, and Grand Rapids.
 Perry Packing Co.—Mart.
 Primeat Packing Co.—Detroit.
 Riverside Packing Co.—Jackson.
 Schmidt Packing Co.—Niles.
 Shaw Wholesale Meats, R. I.—Casanovia.
 Smith Packing Co., Hubert H.—Muskegon.
 Snyder Farms—Byron Center.
 Steeb Brothers—Ann Arbor.
 Telfer Packing Co.—Owosso.
 Thompson Beef Co.—Hamtramack.
 Young Brothers—Hudson.

MISSISSIPPI

Archer, B. F.—Mathieston.
 Barnett Sausage Co.—North Biloxi.
 Bethese Brothers Packing Co.—Meridian.
 *Central Packing Co.—Hattiesburg.
 Cochran Frozen Food Locker—Waynesboro.
 Columbus Packing Co.—Columbus.
 Counce, H. R. Curing Plant—Corinth.
 Davis Brothers—West Point.
 Delta Packing Co.—Clarksdale.
 Happy Acres—Petal.
 Isbell, A. H. & Sons Meat Curing Plant—Corinth.
 Isbell Distributing Co.—Corinth.
 *Jackson Packing Co.—Jackson.
 Lamey's Slaughter House—North Biloxi.
 Lauderdale Cold Storage—Meridian.
 Mallett, F. S.—North Biloxi.
 Mallette Packing Co.—Greenville.
 Michel, C. Packing Co.—Meridian.
 Orman's Sausage Co.—Ellisville.
 *Owen Brothers Packing Co.—Meridian.
 Robinson Brothers Packing Co.—Batesville.
 Sams Slaughter House—Waynesboro.
 *Shaws Cold Storage and Market—Grenada.
 Stringer Slaughter House—Columbia.
 *Valley Farm Packing Co.—Laurel.
 Waller Slaughter House—Waynesboro.
 Wise & Wise Packing Co.—Greenville.

MISSOURI

Alewell Brothers—Concordia.
 Anderman, Edward, Slaughter Establishment—Hickman Mills.
 Asel's Slaughter House—Washington.
 Baker Packing Co.—Mexico.
 Bouchaert Packing Co.—St. Louis.
 Carney Packing Co.—Dexter.
 Central Packing Co.—Cape Girardeau.
 Cloud & Son Packing Co., Ned—Springfield.
 Coleman Packing Plant—Holden.
 Evans, E. S. & Sons Slaughterhouse Establishment—Carthage.
 Frick's Super Market, Inc.—Washington.
 Fricka Slaughter Service—Union.
 General Meat Co.—St. Louis.
 Grand Packing Co.—Imperial.
 Grote, T. J.—Imperial.
 Herrod Packing Co., Inc.—Joplin.
 Hester, A. L. Packing Co.—Bernie.
 Kornblat Packing Co.—St. Louis.
 LeDuc Packing Co.—Springfield.
 Liberty Locker Co.—Liberty.
 M. F. A. Packing Division—Springfield.
 Manning Dressed Beef—Springfield.
 Maryville Packing Co.—Maryville.
 McGee's Home Killed Meats—Mexico.
 Moberly Packing Plant—Moberly.
 Mueller's Meat Market—Altenburg.
 Nennering Packing Co.—Cape Girardeau.
 Paris Lockers & Abattoir, Inc.—Paris.
 Pemiscot Packing Co.—Wardell.
 Pipkin Boyd Neal Packing Co.—Cape Girardeau.
 Poplar Bluff Packing Co.—Poplar Bluff.
 Raders Inc.—Columbia.
 Reinhardt Packing Co.—St. Louis.
 Reitz Meat Products Co.—Raytown.
 Salem Auction Co.—Salem.

Schneider Packing Co.—St. Louis.
 Sikeston Food Lockers—Sikeston.
 Stanley Meat Co.—Affton.
 United Meat Co., Inc.—St. Louis.
 Urbana Locker—Urbana.
 Volz Packing Co.—St. Louis.
 Welsh Packing Co., Inc.—St. Louis.
 Westermann, John—Troy.
 Wuestling Packing Co.—St. Louis.
 Yontz Packing Co.—Tipton.

MONTANA

Blastock Wholesale Meats—Butte.
 *Montana Meat Co.—Helena.
 New Butte Butchering Co.—Butte.

NEVADA

M B Bybee Slaughter Establishments—Ely.
 Dangberg Meat Co.—Gardnerville.
 Mori Meat Co.—Fallon.
 *Nevada Livestock Commission Co.—Sparks.
 *Nevada Meat Packing Co.—Reno.
 *Truckee Meadow Packing—Reno.

NEW HAMPSHIRE

Edwards, George—Walpole.
 French Brothers Beef Co., Inc.—Hooksett.
 Hoffman, Fred—Hooksett.
 Langelier, Lucien—Rochester.
 Satzow, Samuel—Claremont.
 Taylor, George—Dover.

NEW JERSEY

Burtch, William L.—Vineland.
 *Delaware Packing Co.—Trenton.
 *Fisher Brothers—Bridgeton.
 Gaskill's Frosted Food Locker Plant—Elmer.
 Gottlieb & Sons, Inc., Daniel A.—Camden.
 *Hartman, J. H. & H. E.—Trenton.
 Haskell Packing Co.—Haskell.
 *Irell Packing Co.—Monroeville.
 Maresca's—Stockton.
 Miller Brothers—Camden.
 Monmouth County Abattoir—Asbury Park.
 Moonlight Hog Farms—Flemington.
 Perth Amboy Packing Co.—Perth Amboy.
 Preziosi, George—New Village.
 Rome, Clarence—Sussex.
 Salem Packing Co.—Salem.
 *Schein, Inc.—Hopelawn.
 Struble, O. W., Inc.—Newton.
 Tindik Son's, John—Trenton.
 *Trenton Packing Co.—Trenton.
 Wagner Provision Co.—Gibbstown.

NEW MEXICO

Aztec Locker Plant—Aztec.
 Dean Wholesale Meat Co., T. M.—Hobbs.
 Deming Packing Co.—Deming.
 Glover Packing Co.—Roswell.
 Hatch Packing Co.—Portales.
 Las Cruces Meat Co.—Las Cruces.
 New Mexico Packing Co., Inc.—Carlsbad.
 Rancho Packing Co.—Clovis.
 Raton Packing Co.—Raton.
 Rollins Packing Co., Inc.—Clovis.
 Snell Packing Co., Inc.—Clovis.
 Starkey Packing Co.—Clovis.
 Stephens Packing Co.—Albuquerque.
 Swartzman Packing Co.—Albuquerque.
 Taos Locker Plant, Inc.—Taos.
 Valley Packing Co.—Fairview.
 Valley Packing Co.—Farmington.
 Wofford Slaughterhouse Establishment—Santa Fe.

NEW YORK

Acer, Inc.—Buffalo.
 Archie & Sons, Inc., E. J.—Buffalo.
 Aronson & Milton Aronson, Jerome—Queensbury.
 Aronson, William—Glens Falls.
 Bender & Son, Elmer—Buffalo.
 Bleser, Frederick—Whitesville.
 Brennan, P.—Buffalo.
 Brown's Slaughter House—Otto.
 C. J. D. Packing Co., Inc.—Buffalo.
 Cukerstein & Son, Inc.—Hudson.

RULES AND REGULATIONS

Cuomo, Nell—Schenectady.
 Dean's Slaughter House—Goshen.
 *Dembo's—Troy.
 DeVita, James & Gino—Endicott.
 Dunning's Slaughterhouse—Hornell.
 Eckman, Albert M.—Frewsburg.
 *F. K. & Son, Inc.—Buffalo.
 *Fairbank Farms—Ashville.
 *Farber Meat Packing Corp.—Liberty.
 *Fargnoli, Sam & John—Endicott.
 *Ford, E. D.—West Valley.
 *Frank Brothers—Poughkeepsie.
 Freer, Leroy Carl—Endicott.
 Goebel Packing Co.—Buffalo.
 Golde Packing Co.—Tonawanda.
 Goshen Packing Co.—Howells.
 Green Brothers—Schenectady.
 Hans, Edward—Buffalo.
 Harrison, W. W.—Corning.
 Hokan's Slaughterhouse—Angola.
 Horlein & Son, Inc., E. C.—Buffalo.
 Kamery, John Wendell—Olean.
 Klinck Brothers, Inc.—Buffalo.
 Klinck & Schaller, Inc.—Buffalo.
 Kross-Ahl—West Albany.
 Kusler, Benjamin—Elmira.
 Kwiatkowski Brothers—Buffalo.
 Levine, Abraham—Ellenville.
 Ludington Brothers—Maine.
 Maple Brook Slaughterhouse—Binghampton.
 Maple Grove Farms—Syracuse.
 Marbot, Frank—Troy.
 McGuire, B. Frank—Granville.
 Medina Provision Co., Inc.—Medina.
 Mendel, M. & Co.—Medina.
 Mest Packing Co., William G.—Strykersville.
 Morandi Packing Co.—Hillsdale.
 Moses, Norbert—Norwich.
 Neckers, Norman C.—Clymer.
 Norman's Wholesale Meats—Buffalo.
 Obler & Sorenson—Horseheads.
 Olean Cold Storage Co., Inc.—Olean.
 Owsowitz & Son, Maurice—Buffalo.
 Parker's Slaughter House—Schaghticoke.
 Polyniak, Victoria—Newark Valley.
 Rausch & Son, Inc., Frank—Buffalo.
 Rosenblum Brothers—Cohoes.
 Samlof and Sons, David—Albany.
 Schmitt & Co., Inc., J. J.—Buffalo.
 Scott, Herbert R.—Brocton.
 Seven Valley Beef, Inc.—Cortland.
 Shapiro Wholesale Meats, M.—Jamestown.
 Shappee & Sheive—Pine City.
 Smith, Bernard G.—Troy.
 Syracuse Packing & Provision Co.—Camillus.
 Staffeld & Sons, T. W.—Buffalo.
 Sussman, Louis—Cohoes.
 Syracuse Packing & Provision Co.—Camillus.
 Tog Packing Co., Inc.—Buffalo.
 Utica Veal Co., Inc.—Marcy.
 Wallens Byrne Packing Corp.—Buffalo.
 Wand Co.—Slate Hill.
 West Co., Inc., R. B.—Buffalo.
 Wieberg, James N.—Pine City.
 Ziff, Herbert M.—Elmira.

NORTH CAROLINA

*Aberdeen Packing Co.—Aberdeen.
 *Carolina Packers—Smithfield.
 Chadbourne Packing Co.—Chadbourne.
 Cook's Packing Co., Inc.—Concord.
 *Curtin Packing Co.—Greensboro.
 *Elliott Packing Co., Inc.—Goldsboro.
 Greenville Packing Co.—Greenville.
 *Hickory Packing Co.—Hickory.
 *Jones Abattoir Co.—Garner.
 Moricle Abattoir—Reidsville.
 *New Bern Provision Co.—New Bern.
 *Piedmont Packing Co.—Hillsboro.
 Skeen Packing Co.—High Point.
 Statesville Packing Co., Inc.—Statesville.
 White Packing Co., Inc.—Salisbury.
 Wilmington Packing Co., Inc.—Wilmington.

OHIO

Barnes Provision, Inc.—Alliance.
 Boll and Son Wholesale Meats, John—Ironton.

Braun Brothers Packing Co.—Troy.
 Buchy, Chas. G. Packing Co.—Greenville.
 Canton Provision Co.—Canton.
 *Davies, David, Inc. (616 West Mound Street)—Columbus.
 *Davies, David, Inc. (1340 Jackson Pike)—Columbus.
 Davies, David, Inc., Plant No. 3—Zanesville.
 *Davies, David, Inc.—Zanesville.
 Donelson Packing Co.—Carey.
 DiCillo & Sons, Inc., A.—Cleveland.
 *Eckert Packing Co.—Defiance.
 Egly's Slaughtering Establishment—Conroy.
 *Evans Packing Co.—Gallipolis.
 Falter, Herman Packing Co.—Columbus.
 Fairmount Provision Co.—Alliance.
 Fink and Heine Co.—Springfield.
 Finley Packing Plant, Inc.—McConnellsville.
 Fletchner Brothers Packing Co., Inc.—Fostoria.
 Focke's Sons, Wm.—Dayton.
 *Folger Packing Co.—Toledo.
 Gerstenlager Meats, Inc.—Creston.
 Hygrade Food Products Corp.—Youngstown.
 Kent Provision Co., Inc.—Kent.
 Krugh's Slaughtering Establishment—Wren.
 Liber, John and Co.—Alliance.
 *Lima Packing Co.—Lima.
 Lloyd Packing Co.—Youngstown.
 Matthews, J. H. & Son—Sardinia.
 McMahon Packing Co.—Marysville.
 Pride of Lima Provision Co.—Lima.
 Rittberger Brothers—Zanesville.
 *Sandusky Dressed Beef—Springfield.
 Sandusky Dressed Beef Co.—Sandusky.
 *Schmidt Provision Co.—Toldeo.
 Scioto Provision Co.—Neward.
 Sugardale Provision Co.—Canton.
 Superior Provision Co.—Massillon.
 Teufel Co., Howard A.—Cleveland.
 *Waldock Packing Co.—Sandusky.
 Webb Beef Co.—Cleveland.
 Willimam's Slaughtering Establishment—Van Wert.
 Zeimmar Packing Co.—Antwerp.

OKLAHOMA

Banfield Packing Co.—Enid.
 Braden Slaughtering Establishment—Ponca.
 *Canadian Valley Slaughtering Establishment—Oklahoma City.
 Cone Wholesale Market—Miami.
 *Cornett Slaughtering Establishment—Oklahoma City.
 Cushing Packing and Provision Co.—Cushing.
 *Daack Packing Co.—Ponca City.
 *Enid Packing Co.—Enid.
 Halstead Slaughtering Establishment—Fairview.
 Hamilton Slaughtering Establishment—Midford.
 Harris Meat and Produce Co.—Oklahoma.
 *Miller Packing Co.—Sapulpa.
 *O. K. Packing Co.—Tecumseh.
 *Oklahoma Packing Co.—Oklahoma City.
 *Okmulgee Packing Co.—Okmulgee.
 Osage County Packing Co.—Fairfax.
 *Reeves Packing Co., W. E.—Ada.
 Ridley Packing Co.—Duncan.
 *Shaloup Slaughtering Establishment—Alva.
 Southeastern Packing Co.—Durant.
 Thomas, Earl C.—Moore.
 Turner Brothers—Nowata.
 Turner Slaughter Establishment, Fred—Chandler.
 *Turvey Inc. Slaughtering Establishment—Oklahoma City.
 *Turvey Packing Co.—Blackwell.
 Van Cleve, C. L.—Tulsa.
 White Slaughtering Establishment—Stigler.
 Whitten Slaughter House—Broken Bow.
 *Wickham Packing Co.—Ada.
 *Wickham Packing Co.—Sapulpa.

*Williams Packing and Storage Co.—Miami.
 Woods, Lloyd—Westville.

OREGON

Airport Meat Packing Plant—Madras.
 Alpine Meat Co.—Grants Pass.
 *Arrow Meat Co.—Cornelius.
 *Associated Meat Packers—Portland.
 Bond Brothers—Lakeview.
 Boston Beef House—Ontario.
 Boyer Meat—Roseburg.
 *Bruce Packing Co.—Sublimity.
 Cedar Point Packing Co.—Coquille.
 Cinder Butte Packing Co.—Redmond.
 Clover Leaf Packing Co.—Drain.
 Community Market—Enterprise.
 Culver Meat Plant—Bandon.
 Culver Packing Co.—Culver.
 Dalles City Pack—Dalles.
 Eldridge Packing Co.—LaGrande.
 Erdman Packing Co.—Bandon.
 Farmers Packing Co.—Medford.
 Gardner, Donald R. Midway Meats—Medford.
 Garrison, R. O.—Lebanon.
 Grants Pass Provision Co.—Grants Pass.
 H & M Meat Co.—Union.
 Heppner Slaughter House—Heppner.
 Hill Meat Co.—Pendleton.
 *Hopkin's Wholesale Meats—Nyssa.
 Independent Meat Co., Ken and Thomas—Ashland.
 Jacobmuhlen, John—Cornelius.
 *Kenton Packing Co.—Portland.
 *Klamath Packing Co.—Klamath Falls.
 LeGrande Market—LaGrande.
 Lamonta Packing Co.—Prineville.
 Lewis Brothers Section Lime and Kine Road—Gresham.
 Lusk Eastside Abattoir, L. E.—Ashland.
 McVay, Archie—Brookings.
 Medford Meat Co.—Medford.
 *Merrill Meat Co.—Merrill.
 Montgomery's Killing Plant—Silverton.
 *Mount Angel Meat Co.—Mount Angel.
 Myers Cold Storage Lockers, Don—Elgin.
 Myers Packing Co.—Bend.
 Myrtle Packing Co.—Coquille.
 Nebergall Meat Co., Inc., D. E.—Albany.
 Ontario Meat Packing—Ontario.
 Peterson, Gerald—North Powder.
 *Pioneer Meat Packers—Ontario.
 Polar Cold Co.—Medford.
 Rogue Valley Packing Co.—Myrtle Creek.
 Roseburg Meat Co.—Roseburg.
 *Silver Falls Packing Co.—Portland.
 Stein Brothers Food Stores—Albany.
 *Super Packing Co.—Klamath Falls.
 *T. P. Packing Co.—Klamath Falls.
 Troutman's Market—North Plains.
 Valley Sausage Co.—LaGrande.
 Van Dine Meat Co.—Myrtle Creek.
 Warren, B. T.—Stanfield.
 Western Meats—Milton-Freewater.
 Yocum's Meat Co.—Coos Bay.

PENNSYLVANIA

Albert Packing Co.—Washington.
 Alinikoff's & Son, Harry—Wilkes-Barre.
 Barnes, T. William—Waynesburg.
 Baum, Daniel S.—Elizabethtown.
 Baum's Meat Packing—Lansdale.
 Biderman & Moss, Inc.—Philadelphia.
 Bonaccorso & Sons, S.—Philadelphia.
 *Brest Packing Co.—Shamokin.
 *Brizer Beef Co.—Dunmore.
 *Brown's Slaughter House—Smethport.
 Burke's Food Market—McSherrytown.
 Crissman Brothers—Castanea.
 De Franco, Philip—N. Bangor.
 Dressler, Paul—Exeter.
 Elizabethville Abattoir—Elizabethville.
 Falk, Karl—Erie.
 Fischer and Sons, Inc., J. Fred—York.
 Fried & Reineman Packing Co.—Pittsburgh.
 Glick Brothers Packing Co.—Mt. Pleasant.
 Hager's Meat Market—Quakertown.
 Hahn Packing Co., Edward—Johnstown.
 Haibach Brothers—Erie.
 *Hickory Packing Co.—Scranton.

Hollinger Meat Products, Inc.—Mechanicsburg.
 *Kessler's Inc.—Lemoyne.
 Kline Brothers—Hollidaysburg.
 Kunzler & Co., Inc.—Lancaster.
 Lancaster Packing Co.—Lancaster.
 Manieri, Inc.—Philadelphia.
 Martin, Ezra W.—Lancaster.
 Marvin, Russell T.—Covington.
 Meadow Valley Abattoir, Inc.—Gettysburg.
 *Medford's, Inc.—Chester.
 Mount Rose Food Market—York.
 Moyer, C. D., Co.—Shamokin.
 Oswald and Hess Co.—Pittsburgh.
 Pennsylvania State University—University Park.
 *Peters, William H., Inc.—Harrisburg.
 Punxsutawney Beef and Prov. Co.—Punxsutawney.
 Reliable Provision Co.—Scranton.
 Rupert Meat & Poultry Supply—Rupert.
 Salsburg's Abattoir—Shillington.
 *Shamokin Packing Co.—Shamokin.
 Shaw Brothers—Newry.
 Silver Lake Packing Co.—Dunmore.
 Silverberg Meats—Bradford.
 Smalstig, Fred—Millvale.
 Spitzer's Meat Products, Inc.—Uniontown.
 Stockton's Wholesale Meats—Columbus.
 Taylor Co., J. V.—Wyalusing.
 Troy Meat Plant, Inc.—South of Troy.
 United Home Dressed Meat Co.—Altoona.
 Walter's Slaughter House—Waterford.
 Warrington Packing Co., Inc.—Chalfont.
 *Weller & Sons, Frank—Plymouth Meeting.
 West Apollo Packing House—West Apollo.
 Western Provision Co.—Erie.
 *West Branch Beef & Provision Co.—Williamsport.
 Western Provision, Inc.—Erie.
 *Wilkes-Barre City Abattoir—Wilkes-Barre.
 *Williamson's Wholesale Meats—Turbotville.
 Winner Packing Co.—Lock Haven.
 *Wolf River Sausage Co., Inc.—Weyauwega.
 Zeller, Alfred—Cedars.

RHODE ISLAND

Berman, Inc., Louis M.—Pawtucket.
 Bruno's Slaughterhouse—Westerly.
 Burchard's Slaughterhouse—Foster.
 Colfax Packing Co.—Pawtucket.
 Concord Dressed Beef & Veal Co.—Pawtucket.
 Cory's Slaughterhouse—Tiverton.
 De Santis, John—Westerly.
 Diamond Hill Packing Co.—Cumberland.
 Parrillo, Inc., Anthony—Johnston.
 Pezza's Slaughter House—Johnston.
 Russo's Slaughterhouse—Bristol.
 Sacco's Market—Westerly.

SOUTH CAROLINA

Balentine Packing Co.—Greenville.
 *Carolina Abattoir—Columbia.
 *Cherokee Packing Co., Inc.—Gaffney.
 *Dixie Livestock Co.—Greenwood.
 Hodges Sales Co.—Abbeville.
 Kingan Division Hygrade Food Products Corp.—Orangeburg.
 Reliable Auctions, Inc.—Abbeville.
 *Roddey Packing Co., Inc.—Columbia.
 *Southland Provision Co.—Orangeburg.
 Spartanburg Abattoir—Spartanburg.
 *United Beef Co., Inc.—Gaffney.

TENNESSEE

Baltz Brothers Packing Co.—Nashville.
 Barnett's Grocery—Huntingdon.
 Bill's Processing Plant—Dyersburg.
 Brantley & Tillet—Shelbyville.
 Bridwell Packing Co.—Kingsport.
 Brothers Seafood—Winchester.
 Bryson Packing Co.—Somerville.
 Carey Packing Co.—Morristown.
 Castellaw's Slaughterhouse—Alamo.
 Charlie's Slaughterhouse—Trenton.
 Chattanooga Sausage Co.—Memphis.
 Cook's Slaughterhouse—Dyersburg.
 Cribbs Sausage Co.—Memphis.
 Dixie Sausage Co.—Lebanon.

Duck River Sausage Co.—Manchester.
 Fayette Packing Co.—Eads.
 Fineberg Packing Co.—Memphis.
 Follis Slaughterhouse, Roy—Gadsden.
 Fouch Grocery & Market—Cookeville.
 Glasgow's Market—Dresden.
 Hendon's Slaughterhouse—Milan.
 Hickory Valley Packing Co.—Hickory Valley.
 Jacobs Packing Co.—Nashville.
 Lingo Packing Co.—Jonesboro.
 McMinnville Meat Co.—McMinnville.
 Moore, John L.—Fayetteville.
 Morrissey Meats & Provisions—Nashville.
 Morton Brothers—Johnson City.
 Norman's Packing Co.—Covington.
 Penn's Market—Trenton.
 Powell Wholesale Meats, Charles J.—Chattanooga.
 Rakes Slaughterhouse—Watertown.
 Savannah Process & Locker—Savannah.
 Sell Meat Co.—Johnson City.
 Smith Packing Co.—Nashville.
 Southern Provision Co., Inc.—Chattanooga.
 Stephen's Slaughter House—Savannah.
 Sullia Wholesale Meats, Wade—Johnson City.
 Summer's Slaughterhouse—Hollow Rock.
 Sunnydale Meat Products, Inc.—Nashville.
 Tennessee Valley Packing Co.—Columbia.

TEXAS

Alamo Braun Beef Co.—San Antonio.
 Amarillo Packing Co.—Amarillo.
 Auge Packing Co., Ed.—San Antonio.
 Berryhill Packing Co., Inc.—Levelland.
 Collins Packing Co.—Morton.
 Circle B Packing Co.—Dallas.
 *Dallas City Packing Co.—Dallas.
 Estes Brothers Packing Co.—Fort Worth.
 Glover Packing Co. of Amarillo—Amarillo.
 Golden Spread Packing Co.—Amarillo.
 Hereford Meat Co.—Hereford.
 Lubbock Packing Co.—Lubbock.
 Montes Packing Co.—El Paso.
 *Newsom Packing Co.—Mt. Pleasant.
 Pace Packing Co., Inc.—Sweetwater.
 Panhandle Packing Co., Inc.—Pampa.
 *Penn Packing Co.—McKinney.
 Pinkney Packing Co.—Amarillo.
 Plains Beef Co.—Amarillo.
 Queen's Custom Slaughter—Bovina.
 Select Meat Co.—San Antonio.
 Steuernagel Packing Co.—San Antonio.
 Tyler Packing Co.—Tyler.
 Watkins Packing Co.—Dalhart.
 Wickham Packing Co., Inc.—Longview.
 Wolf Meat Co.—San Antonio.

UTAH

*Bills and Co., A.—Midvale.
 *Granite Meats—Murray.
 Granite Meat and Livestock Market—Murray.
 *Langston Packing Co.—Hurricane.
 *Ogden Dressed Meat Co.—Ogden.
 *Parke and Son, Wm. C.—Ogden.
 *Tri-Miller Packing Co.—Hyrum.

VIRGINIA

*Danville Meat Supply, Inc.—Danville.
 *Green Hill, Inc.—Elliston.
 *McKenna Inc.—Lynchburg.
 *Perlin Packing Co.—Norfolk.
 Snodgrass Brothers, Inc.—Pennington Gap.
 *Southern Packing Corp.—Norfolk.
 *Suffolk Packing Co., Inc.—Suffolk.

WASHINGTON

A & W Packing Co., Inc.—Moses Lake.
 Chambers Packing Co.—Tumwater.
 Colfax Market—Colfax.
 *Curcio Packing No. 76—Walla Walla.
 Evergreen Packing Co.—Vancouver.
 Excel Sausage & Meat Co.—Spanaway.
 Federal Packing Co.—Everett.
 *Federal Meat Co.—Tacoma.
 Ferry Brothers, Inc.—Ferndale.
 Fischer Packing Co. No. 85—Issaquah.
 Florence Packing Co. No. 6—East Stanwood.

*Grandview Packing Co.—Grandview.
 Gray's Harbor Meat Co.—Hoquiam.
 *H & H Meat Packers—Yakima.
 *Henry, James Packing No. 2—Seattle.
 Kelly Packing Co.—Chehalis.
 Kenmore Packing Co.—Bothell.
 Kratzlig Meat Co.—Bellingham.
 *Lewis River Meat Co. No. 118—Woodland.
 *Longview Meat Co. No. 87—Longview.
 Martin's Meat & Livestock No. 67—Goldendale.
 McInroy Meat Co.—Wilbur.
 *Meats, P. D. & J.—Kent.
 Methow Valley Meat Co.—Twisp.
 *Miller Packing Co.—Seattle.
 Monroe Packing Co.—Monroe.
 Newport Packing Co.—Newport.
 Norman Wirta No. 67—Chehalis.
 *Pacific Meat Co.—Puyallup.
 Pasco Meat Packers, Inc.—Pasco.
 Rice Meat Packing Co. No. 103—Veradale.
 Schoner Meat Co. No. 30—Silverdale.
 Shelton Meat Co.—Shelton.
 Snohomish Packing Co.—Snohomish.
 Stoll's Packing Plant—Rosalia.
 Valley Meat Co. No. 122—Chimacum.
 *Valley Packing Co.—Tacoma.
 Weber & Rittner Co., Inc. No. 20—Sumner.
 *Wenatchee Packing Co.—Wenatchee.
 Mount Vernon Meat Co. No. 93—Mount Vernon.

WEST VIRGINIA

Balls Wholesale Meat Co.—Kenova.
 Bell Market, M. J.—Blacksburg.
 Bluegrass Market, Inc.—Lewisburg.
 Bridwell Packing House—Bluefield.
 Brumfield, Jake—Huntington.
 Camp Packing Co.—Parkersburg.
 Coleman, M. E., Packing Co.—Oak Hill.
 Crowgey Sausage Co.—Kellysville.
 Elm Grove Packing Co.—Wheeling.
 Gamble & Son Market—Moundsville.
 Cissel Packing Co., Inc.—Huntington.
 *Greenbrier Valley Stock Yards, Inc.—Ronceverte.
 Hatten Wholesale Meat Co.—Huntington.
 Holz Sons Co., P. E.—Charleston.
 Hoverson Heights Packing Co.—Follansbee.
 Logan, S. S. Packing Co.—Huntington.
 Mauk's Meat Market—Romney.
 McCown, L. M. & Sons Co.—Charleston.
 Miller Brothers—Martinsburg.
 Morland, Henry, Inc.—Parkersburg.
 Niebergall & Martini, Inc.—Wheeling.
 Places Butchering Quarters—Martinsburg.
 Simmons, H. L. & Sons—Moundsville.
 Smith Packing House—Parkersburg.
 Smittle Packing—Paden City.
 Stuart, Nate & Sons, Inc.—Mt. Clare.
 Tabron, George H., Tabron, G. H.—Shinns-ton.
 Thompson Brothers Packing Co.—Bluefield.
 United Packing Co.—Wheeling.
 Weimer Packing Co.—Wheeling.
 Whitehall Packing Co.—Watson.
 Young & Stout, Inc.—Clarksburg.
 Rupert Meat & Poultry Supply—Rupert.

WISCONSIN

Born and Son, August—Milwaukee.
 Clinton Packing Inc.—Clinton.
 Curless Meat Plant—Brodhead.
 Dofin and Lloyd Janisse, Paul—Costburg.
 Host Brothers—Lake Geneva.
 Kenosha Packing Co.—Kenosha.
 Meier Slaughtering, Alfred—Monroe.
 Meredith Corrigan—Saxon.
 Muskego Packing Co.—Muskego.
 Polar Locker—La Crosse.
 Quality Packing House—New London.
 Sawyer & Walter—East Troy.
 Schams Slaughtering, John—LaCrosse.
 South Side Packing Co.—Milwaukee.
 Stoppenbach Sausage Co.—Jefferson.
 Valley Packing Co.—Kaukauna.
 Vere Ferries—Ontario.
 *Wolf River Sausage Co., Inc.—Weyauwega.

WYOMING

K & B Cold Storage Co.—Afton.
 Shy-Ann Packing Co.—Cheyenne.

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

The amendment of § 78.13 deletes a certain area from the list of areas designated as modified certified brucellosis-free areas because it has been determined that such area no longer comes within the definition in § 78.1 (1), and includes certain additional areas which have been determined to come within such definition. The amendment of paragraph (a) of § 78.14 adds the names of certain stockyards to the list of stockyards at which Federal inspection is maintained for the inspection of livestock for communicable diseases. Paragraph (b) of § 78.14 and paragraph (b) of § 78.15 are being amended to specifically approve certain stockyards and slaughtering establishments for the purposes of the regulations in Part 78 of Title 9, Code of Federal Regulations. It has been determined that the inspection and handling of livestock at such stockyards and of livestock, carcasses, and products at such slaughtering establishments are adequate to effectuate the purposes of the regulations.

The amendments impose certain further restrictions necessary to prevent the spread of brucellosis in cattle and relieve certain restrictions presently imposed. They should be made effective promptly in order to accomplish their purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

(Secs. 1, 2, 32 Stat. 791-792, as amended; sec. 3, 33 Stat. 1265, as amended, sec. 2, 65 Stat. 693; 21 U. S. C. 111-113, 114a-1, 120, 125)

Done at Washington, D. C., this 25th day of June 1957.

[SEAL] R. J. ANDERSON,
Director, Animal Disease Eradication Division, Agricultural Research Service.

[F. R. Doc. 57-5302; Filed, July 1, 1957; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regulations, Amdt. 29-3]

PART 29—PHYSICAL STANDARDS FOR AIRMEN; MEDICAL CERTIFICATES

MISCELLANEOUS AMENDMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 26th day of June 1957.

On February 29, 1956, a general revision of Part 29 of the Civil Air Regulations, "Physical Standards for Airmen," was issued as a notice of proposed rule making which was published in the FEDERAL REGISTER (21 F. R. 1326) and circulated as Civil Air Regulations Draft

Release No. 56-6 for comment. The Board has carefully considered comment received from interested aviation and medical associations, as well as a large number of interested individuals, and has determined that it is appropriate to adopt at this time certain of the changes proposed in Draft Release No. 56-6. Adoption of the other proposed changes will be delayed pending further analysis and study.

Issuance of medical certificates. The draft release proposed a change in the title of Part 29 to reflect that this part establishes physical standards pertaining to medical certificates. In addition, it was proposed that § 29.1, which refers to the physical standards for the issuance of the medical certificates, be reworded to express the real function of the part and thus make it consistent with the other parts of the Civil Air Regulations governing the issuance of airman certificates. Accordingly, the words "Medical Certificates" are included in the title and the wording of § 29.1 is being amended to conform substantially with the language in the draft release.

General physical condition requirements. There has been some difference of opinion as to whether the general physical condition requirements in the currently effective Part 29 are the same for all three classes of medical certificates. It should be clearly understood that it is the intent of the Board that higher physical standards be required of airline transport and commercial pilots than of private pilots.

To resolve any ambiguity as to whether the standards are the same for all three classes of medical certificates, the general physical requirements for the three classes of medical certificates are being amended to reflect the intent of the regulations more clearly by relating the disqualifying physical deficiencies directly to the duties and privileges of the particular grade of airman certificate held or sought.

The currently effective requirements contain the condition that an applicant shall have no organic or functional disease or structural defect or limitation which "would" interfere with the safe performance of the duties of his airman certificate. Experience with this regulation indicates that the test prescribed therein to determine whether an applicant is qualified for an airman certificate is unsatisfactory because it is based upon an absolute certainty rather than a probability. The decisions in previous cases decided by the Board involving this provision have always been based on the probability or likelihood of such physical deficiencies interfering with the performance of the duties and exercise of the privileges of the airman certificate. The Board is of the opinion that the real test should be whether or not such physical deficiencies "would be likely to" render an applicant unable to perform the duties and exercise the privileges of his airman certificate for the duration of a medical certificate. Accordingly, such a test is incorporated into the regulation by this amendment.

Draft Release No. 56-6 contained a proposed note which was appended to

the detailed requirements for the first, second, and third class medical certificates, respectively, and which stated that a bona fide history of psychosis or epilepsy, or an established diagnosis of diabetes requiring insulin treatment or of coronary heart disease shall be considered disqualifying. The Board has determined, however, that such a prohibition is entirely too broad and all-encompassing, would exclude many persons who are capable of exercising safely the privileges of an airman certificate and, therefore, must be regarded as arbitrary. Accordingly, the Board has decided that this note should not be adopted, but that the Administrator should be free to evaluate each case on the basis of the applicant's current physical condition.

Nervous system. The draft release proposed to delete the nervous system requirements in the sections governing the three classes of medical certificates with the understanding that all nervous diseases were considered to be either organic or functional diseases, and, therefore, adequately covered in the paragraphs pertaining to "General physical condition." However, there was some persuasive comment which was opposed to the deletion of all references to the nervous system. The Board has reconsidered its proposal and, in view of the frequency with which mental cases have been brought before the Board and the necessity for clarification, considers it more appropriate to retain a nervous system provision so modified as to relate the disqualifying mental or nervous disease to the duties and privileges of the grade of airman certificate held or sought by the applicant.

Waiver of physical standards. The draft release contained a complete modification of the concept of the present waiver of physical standards contained in § 29.5. The comment received in response to this proposed amendment was overwhelmingly in favor of this modification. The current § 29.5 authorizes the Administrator to issue medical waivers and impose operational limitations, but limits this authorization to those cases in which the applicant's operational record, ability, and judgment as an airman compensate for his physical deficiency. This limitation prevented the Administrator from issuing airman certificates with limited privileges to a great number of applicants with physical deficiencies which are not compensated but which, nevertheless, would not prevent them from performing and exercising safely some of the duties and privileges of an airman certificate. The substantial advances which have been made in medical science during the past few years indicate that the Administrator should be given greater latitude in applying the most recent medical information in arriving at his determinations under this section. Consequently, § 29.5 is being amended to give the Administrator authority to issue a limited medical certificate to those persons who, while not being able to compensate for their physical deficiency through experience, ability, and judgment, can be so limited in their operations that, notwithstanding their physical deficiency, they can per-

form and exercise safely those duties and privileges authorized by the Administrator on the airman certificates without endangering safety in air commerce.

Interested persons have been afforded an opportunity to participate in the making of this amendment (21 F. R. 1326), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 29 of the Civil Air Regulations (14 CFR Part 29, as amended) effective August 1, 1957.

1. By amending the title of Part 29 to read "Physical Standards for Airmen; Medical Certificates".

2. By amending § 29.1 to read as follows:

§ 29.1 *Issuance of medical certificates.* A medical certificate of the appropriate class shall be issued to an applicant if the Administrator or his authorized representative finds that the applicant meets the physical standards prescribed in this part.

3. By amending § 29.2 (c) (1) to read as follows:

§ 29.2 *First class.* * * *
(c) *General physical condition.* (1) An applicant shall have no organic or functional disease or structural defect or limitation which would be likely to render him unable to safely perform the duties and exercise the privileges of the grade of airman certificate held or sought.

4. By amending § 29.2 (d) to read as follows:

(d) *Nervous system.* An applicant shall have no disease of the mental or nervous system or abnormality of the personality which would be likely to render him unable to safely perform the duties and exercise the privileges of the grade of airman certificate held or sought.

5. By amending § 29.3 (c) and (d) to read as follows:

§ 29.3 *Second class.* * * *
(c) *General physical condition.* An applicant shall have no organic or functional disease or structural defect or limitation which would be likely to render him unable to safely perform the duties and exercise the privileges of the grade of airman certificate held or sought.

(d) *Nervous system.* An applicant shall have no disease of the mental or nervous system or abnormality of the personality which would be likely to render him unable to safely perform the duties and exercise the privileges of the grade of airman certificate held or sought.

6. By amending § 29.4 (c) and (d) to read as follows:

§ 29.4 *Third class.* * * *
(c) *General physical condition.* An applicant shall have no organic or functional disease or structural defect or lim-

itation which would be likely to render him unable to safely perform the duties and exercise the privileges of the grade of airman certificate held or sought.

(d) *Nervous system.* An applicant shall have no disease of the mental or nervous system or abnormality of the personality which would be likely to render him unable to safely perform the duties and exercise the privileges of the grade of airman certificate held or sought.

7. By amending § 29.5 to read as follows:

§ 29.5 *Physical deficiencies.* (a) A limited medical certificate shall be issued to an applicant who fails to meet the physical standards prescribed for the medical certificate sought if the Administrator finds through more extensive medical examinations, practical tests or otherwise that, by the imposition of terms, conditions, or limitations, the applicant, notwithstanding his physical deficiency, can perform the duties and exercise those privileges authorized by the Administrator without endangering safety in air commerce. The operational limitations imposed by the Administrator shall be set forth on the applicant's airman certificate.

(b) Where the Administrator's finding regarding an individual's physical fitness is based upon a practical test, that individual shall not be required to retake such practical test during subsequent physical examinations unless, in the opinion of the Administrator, the indi-

vidual's physical deficiency has become more pronounced.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 984. Interpret or apply secs. 601, 602, 52 Stat. 1007 as amended, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.
[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 57-5945; Filed, July 1, 1957; 8:51 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54382]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

LOCATIONS OF HEADQUARTERS OF APPRAISERS OF MERCHANDISE

Due to changes in the office locations of the appraisers of merchandise for customs district No. 32 (Hawaii), Honolulu, T. H., and customs district No. 14 (Virginia), Norfolk, Virginia, and to correct errors in the postal zone and street address of the appraisers for customs district No. 49 (Puerto Rico), San Juan, P. R., and customs district No. 2 (Vermont), St. Albans, Vermont, respectively, § 1.6, Customs Regulations, is amended by substituting the following information pertaining to the addresses of the appraisers mentioned for the information now contained therein.

District No.	Name of district	Location of headquarters	Address of appraiser of merchandise
32	Hawaii	Honolulu 17, T. H.	850 Iwilei Rd.
49	Puerto Rico	San Juan 23, P. R.	Deposito St., Marina; P. O. Box 4712.
2	Vermont	St. Albans, Vt.	56-60 South Main St.
14	Virginia	Norfolk 7, Va.	1129 Boissevain Ave.

(R. S. 161, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 1624)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs,
Approved: June 26, 1957.

DAVID W. KENDALL,
Acting Secretary of the Treasury.
[F. R. Doc. 57-5339; Filed, July 1, 1957; 8:50 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 105—ALASKA PENINSULA AREA

BEAR RIVER DISTRICT; WEEKLY CLOSED PERIOD

Basis and purpose: In order to better manage the Bear River salmon fishery in the Alaska Peninsula Area in view of the varying amounts of gear, it has been determined that the weekly closed period should be revised and reliance be placed on weir count to control the fishery.

Therefore, effective immediately upon publication in the FEDERAL REGISTER, § 105.5 is amended in paragraph (a) by deleting all of the text after the first sentence and substituting in lieu thereof "In the period from July 2 through August 9, fishing is prohibited from 6 o'clock postmeridian Monday to 6 o'clock antemeridian Tuesday, from 6 o'clock postmeridian Tuesday to 6 o'clock antemeridian Wednesday, from 6 o'clock postmeridian Wednesday to 6 o'clock antemeridian Thursday, and from 6 o'clock postmeridian Thursday to 6 o'clock antemeridian Monday.

Since immediate action is necessary, notice and public procedure on this amendment are impracticable (60 Stat. 237; 5 U. S. C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

A. W. ANDERSON,
Acting Director,
Bureau of Commercial Fisheries.

JUNE 28, 1957.
[F. R. Doc. 57-5369; Filed, June 28, 1957; 2:17 p. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Part 181]

VETERANS', SOLDIERS' AND SAILORS' RIGHTS

NOTICE OF PROPOSED RULE MAKING

Correction

In Federal Register Document 57-4134, published at page 3564 of the issue for Wednesday, May 22, 1957, the following changes should be made:

1. In the last sentence of § 181.6 (a), the fee "\$12" should read "\$2.00".
2. In the third line of paragraph (a) of § 181.7, the word "and" should read "any".

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[14 CFR Part 514]

TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

VOR RADIO RECEIVING AND ADF RADIO RECEIVING EQUIPMENT

Sections 514.38 and 514.39 define minimum performance standards for airborne VOR radio receiving equipment and airborne radio receiving and direction finding equipment to be used in civil aircraft of the United States engaged in air carrier operations. These regulations are being amended to require submittal of data with the statement of conformance.

All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rules should send them to the Civil Aeronautics Administration, Washington 25, D. C., within 30 days after publication of this notice in the FEDERAL REGISTER.

1. Section 514.38 (22 F. R. 110) of Subpart B of this part is amended by adding a new paragraph (c) to read as follows:

(c) *Data requirements.* Six copies each of the operating instructions, schematic diagrams, and installation procedures shall be furnished the Chief, Aircraft Engineering Division, Civil Aeronautics Administration, Washington 25, D. C., with the statement of conformance.

2. Section 514.39 (22 F. R. 110) of Subpart B of this part is amended by adding a new paragraph (c) to read as follows:

(c) *Data requirements.* Six copies each of the operating instructions, schematic diagrams, and installation procedures shall be furnished the Chief, Aircraft Engineering Division, Civil Aeronautics Administration, Washington 25, D. C., with the statement of conformance.

(Sec. 205, 54 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]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JUNE 25, 1957.

[F. R. Doc. 57-5308; Filed, July 1, 1957;
8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 10]

[No. 32153]

UNIFORM SYSTEM OF ACCOUNTS FOR RAILROAD COMPANIES

NOTICE OF PROPOSED RULE MAKING

At a session of the Interstate Commerce Commission, division 2, held at its office in Washington, D. C., on the 24th day of June A. D. 1957.

Having under consideration the matter of certain modifications of the Uniform System of Accounts for Railroad Companies which were approved April 12, 1957, pursuant to provisions of section 20 of the Interstate Commerce Act, as amended (24 Stat. 386, 54 Stat. 917, 49 U. S. C. 20 (3)), and published as proposed rule making in the FEDERAL REGISTER issue of April 19, 1957 (22 F. R. 2738); and,

It appearing, that responses to that notice which were timely filed in conformity with its terms by or on behalf of carriers subject to the regulations so to be modified, as well as by other interested persons, (1) were generally in agreement that changes so far reaching would, by becoming effective July 1, 1957 as provided in the notice, distort the accounts within a calendar year for comparative purposes; and (2) presented views about detailed application of the various modifications which were not uniform but all of which merit further consideration; and good cause appearing therefor;

It is ordered, That the effective date of the said modifications so approved April 12, 1957, be and it is hereby postponed to January 1, 1958.

It is further ordered, That specifications for effecting such modifications, as more fully detailed in attachments to the said notice, be, and in the case of each of them hereby is, subject to such further order of the Commission on or before such effective date, as may be found necessary after full consideration has been given to views and arguments of said respondents to such notice, or of other interested persons. If oral argument or other public hearing is found necessary, due notice of the time and place thereof will be given.

It is further ordered, That this order shall be served on all respondents of record in this proceeding, and on each railroad company subject to the act and

not independently operated as an electric line, and each lessor thereof, and on every trustee, receiver, executor, administrator, or assignee of such railroad company or lessor, and that notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 2.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 57-5315; Filed, July 1, 1957;
8:46 a. m.]

[49 CFR Part 181]

[No. 32156]

COMMON AND CONTRACT CARRIERS OF PASSENGERS

UNIFORM SYSTEM OF ACCOUNTS FOR CLASS I COMMON AND CONTRACT MOTOR CARRIERS OF PASSENGERS

At a session of the Interstate Commerce Commission, division 2, held at its office in Washington, D. C., on the 24th day of June A. D. 1957.

Having under consideration a notice of proposed rule making approved April 18, 1957, and published in the FEDERAL REGISTER issue of April 27, 1957 (22 F. R. 3016), which covered modification of the Uniform System of Accounts for Class I Common and Contract Motor Carriers of Passengers, pursuant to provisions of sections 204 and 220 of the Interstate Commerce Act, as amended (49 Stat. 546, 563; 49 U. S. C. 304, 320), (1) to provide current liability accounts for the known amount of unpaid claims for personal injuries and loss and damage, and for the amount of long-term debt due within one year, and (2) to increase the minimum for charging additions and betterments to property accounts from \$50.00 as at present to \$200.00; and,

It appearing, that responses to that notice which were timely filed in conformity with its terms by or on behalf of carriers subject to the regulations so to be modified, uniformly requested postponement of the modifications to permit further investigation into the effects thereof, and good cause appearing therefor;

It is ordered, That the effective date of the said modifications so approved April 18, 1957, be and it is hereby postponed from July 1, 1957, to January 1, 1958.

It is further ordered, That specifications for effecting such modifications, as more fully detailed in attachments to the said notice, be, and in the case of each of them hereby is, subject to such further order of the Commission on or before such postponed effective date, as may be found necessary after full con-

sideration has been given to views and arguments of said respondents to such notice, or of other interested persons. If oral argument or other public hearing is found necessary, due notice of the time and place thereof will be given.

It is further ordered, That this order shall be served on all respondents of record in this proceeding and on each Class I common and contract motor carrier of passengers which is subject to its provisions, and on every trustee, receiver, executor, administrator, or assignee of any such motor carrier, and that notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 57-5317; Filed, July 1, 1957;
8:47 a. m.]

[49 CFR Part 182]

[No. 32155]

UNIFORM SYSTEM OF ACCOUNTS FOR CLASS I COMMON AND CONTRACT MOTOR CARRIERS OF PROPERTY

NOTICE OF PROPOSED RULE MAKING

At a session of the Interstate Commerce Commission, division 2, held at its office in Washington, D. C., on the 24th day of June A. D. 1957.

Having under consideration a notice of proposed rule making approved April 18, 1957 and published in the FEDERAL REGISTER issue of April 27, 1957 (22 F. R. 3017), which covered modification of the Uniform System of Accounts for Class I Common and Contract Motor Carriers of Property, pursuant to provisions of sections 204 and 220 of the Interstate Commerce Act, as amended (49 Stat. 546, 563; 49 U. S. C. 304, 320), (1) to provide current liability accounts for the known amount of unpaid claims for personal injuries and loss and damage, and for the amount of long-term debt due within one year, and (2) to increase the minimum for charging additions and betterments to property accounts from \$50.00 as at present to \$200.00; and,

It appearing, that responses to that notice which were timely filed in conformity with its terms by or on behalf of carriers subject to the regulations so to be modified, and by interested public accounting firms and banking houses, presented views and arguments which were not uniform but all of which merit further consideration, and good cause appearing therefor:

It is ordered, That the effective date of the said modifications so approved April 18, 1957, be and it is hereby postponed from July 1, 1957, to January 1, 1958.

It is further ordered, That specifications for effecting such modifications, as more fully detailed in attachments to the said notice, be, and in the case of each of them hereby is, subject to such further

order of the Commission on or before such postponed effective date, as may be found necessary after full consideration has been given to views and arguments of said respondents to such notice, or of other interested persons. If oral argument or other public hearing is found necessary, due notice of the time and place thereof will be given.

It is further ordered, That this order shall be served on all respondents of record in this proceeding and on each Class I common and contract motor carrier of property which is subject to its provisions, and on every trustee, receiver, executor, administrator, or assignee of any such motor carrier, and that notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 57-5316; Filed, July 1, 1957;
8:46 a. m.]

[49 CFR Part 184]

[No. 32155, Sub. No. 1]

CHART OF ACCOUNTS FOR CLASS II MOTOR CARRIERS OF PROPERTY

NOTICE OF PROPOSED RULE MAKING

At a session of the Interstate Commerce Commission, division 2, held at its office in Washington, D. C., on the 24th day of June A. D. 1957.

Having under consideration a notice of proposed rule making approved April 18, 1957 and published in the FEDERAL REGISTER issue of April 27, 1957 (22 F. R. 3018),

which covered modification of the Chart of Accounts for Class II Motor Carriers of Property, pursuant to provisions of sections 204 and 220 of the Interstate Commerce Act, as amended (49 Stat. 546, 563; 49 U. S. C. 304, 320); and,

It appearing, that the modifications covered by that notice correspond to certain modifications of the accounts for Class I motor carriers of property, the details of which were attached to the said notice, but the effective date of which by an order of even date herewith has been postponed from July 1, 1957, to January 1, 1958, subject to such further order of the Commission as may be found necessary prior to such postponed date, and good cause appearing therefor:

It is ordered, That the effective date of modifications of the accounts for Class II carriers so approved April 18, 1957, be and it is hereby postponed from July 1, 1957 to January 1, 1958, the exact nature of such modifications being further subject to such revision as may by order before such postponed date be required for corresponding Class I accounts.

It is further ordered, That this order shall be served on each Class II common and contract motor carrier of property which is subject to its provisions, and on every trustee, receiver, executor, administrator, or assignee of any such Class II motor carrier, and that notice of the order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 57-5318; Filed, July 1, 1957;
8:47 a. m.]

NOTICES

POST OFFICE DEPARTMENT

LEASES

REDELEGATION OF AUTHORITY

The following is the text of Order No. 150 of the Assistant Postmaster General, Bureau of Facilities, dated June 13, 1957:

(A) Pursuant to authority of Order No. 55734, dated September 21, 1954 (19 F. R. 6169), authority is hereby delegated to Kenneth L. Rabidoux, Bureau of Facilities, to take final action in the name of Ormonde A. Kieb, Assistant Postmaster General, Bureau of Facilities, with respect to the procurement of space for postal purposes, as follows—

1. To make agreements for space on a month to month basis; or
2. To make agreements for space for holiday or seasonal needs for fixed periods not in excess of two months where the rental is not in excess of \$10,000 a month, and to make agreements for space for fixed periods not in excess of six months to meet emergency con-

ditions where the rental is not in excess of \$5,000 a month; or

3. To make lease extension agreements for periods of not in excess of one year where the annual rental is \$7,200 or less; or

4. To accept proposals to lease quarters for postal purposes (including garages and related facilities) when the term of the lease covered by the proposal is for ten years or less and where the annual rental specified in the lease covered by the proposal is \$7,200 or less; or

5. To exercise or reject options to renew leases where the renewal term of the lease under the option is for ten years or less, and the annual rental is \$7,200 or less; or

6. To execute contracts or agreements for garage or parking space for periods of not in excess of one year where the annual rental is \$7,200 or less; or

7. To cancel contracts or agreements for quarters for postal purposes (including garages and related facilities) en-

tered into or extended under authority of paragraphs 3 and 6 of this order;

in the District of Columbia and the States of Maryland, Virginia, and West Virginia.

(B) This order shall be effective June 17, 1957.

(R. S. 161, 396, as amended; sec. 1 (b), 63 Stat. 1066; 5 U. S. C. 22, 133z-15, 369)

ABE MCGREGOR GOFF,
General Counsel.

[F. R. Doc. 57-5326; Filed, July 1, 1957;
8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

GREEN CITY AUCTION CO. ET AL

PROPOSED POSTING OF STOCKYARDS

The Director of the Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 202), and should be made subject to the provisions of the act.

The Green City Auction Company, Green City, Missouri.

Fairground Sale Company, Maryville, Missouri.

Milan Auction Company, Milan, Missouri.

Rock Port Sale Pavilion, Inc., Rock Port, Missouri.

Beebe Bros. Livestock Sale, Warrensburg, Missouri.

Notice is hereby given, therefore, that the said Director, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., within 15 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D. C. this 26th day of June 1957.

[SEAL] DAVID M. PETTUS,
Director,
Livestock Division,
Agricultural Marketing Service.

[F. R. Doc. 57-5342; Filed, July 1, 1957;
8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Order No. 642]

AREA 4 ADMINISTRATOR, JUNEAU, ALASKA
DELEGATION OF AUTHORITY WITH RESPECT
TO REAL ESTATE LEASES

JUNE 26, 1957.

1. Pursuant to the authority delegated to me by the Secretary of the Interior on

June 21, 1957, the Area Administrator of the Bureau of Land Management for Area 4, Juneau, Alaska, is authorized to exercise the authority delegated by the Administrator of General Services (22 F. R. 3474) to the Secretary of the Interior to acquire space by lease on such terms and for such periods not in excess of three years as is in the public interest for the housing of any component of the Bureau of Land Management in Anchorage and Juneau, Alaska, and to execute any leases, documents or instruments which may be necessary in connection therewith.

2. Any lease executed pursuant to the authority hereby delegated may be amended or renewed from time to time, provided that no renewal for a term in excess of one year shall be entered into without the prior written approval of the Administrator of General Services.

3. Authority conferred by or pursuant to this delegation shall be exercised in accordance with the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, section 3 of the act of August 27, 1935 (40 U. S. C. 304c), as amended, all other applicable laws and regulations issued pursuant thereto.

4. The Area Administrator may, in writing, redelegate the authority conferred herein. Any such redelegation shall be published in the FEDERAL REGISTER.

5. This delegation of authority shall continue until September 1, 1957, provided that any lease executed prior to that date may be amended or renewed as authorized by Paragraph 2, above, at any time during the term or any extension thereof.

EARL J. THOMAS,
Acting Director.

[F. R. Doc. 57-5309; Filed, July 1, 1957;
8:45 a. m.]

[Classification No. 25]

COLORADO

SMALL TRACT CLASSIFICATION

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F. R. 2473), I hereby classify the following described public lands totalling 30.93 acres in Rio Grande County, Colorado, as suitable for disposition under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, subject to valid existing rights and the provisions of existing withdrawals:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 40 N., R. 3 E.,
Sec. 33, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing 30.93 acres which have not been subdivided into small tracts.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to

applications under the mineral leasing laws.

3. The lands classified by this order shall not become subject to application under the Small Tract Act of June 1, 1938 (52 Stat. 699; 43 U. S. C. 682a), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to application or bid with a preference right to veterans of World War II and of the Korean Conflict and other qualified persons entitled to preference under the act of September 17, 1944 (58 Stat. 497; 43 U. S. C. 279-284), as amended.

4. All valid applications filed prior to December 18, 1956, will be granted, as soon as possible, the preference right provided for by 43 CFR 257.5 (a).

MAX CAPLAN,
State Supervisor.

JUNE 24, 1957.

[F. R. Doc. 57-5324; Filed, July 1, 1957;
8:47 a. m.]

Bureau of Reclamation

COLORADO RIVER STORAGE PROJECT,
CALIFORNIA

ORDER OF REVOCATION

OCTOBER 23, 1952.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby revoke Departmental Order of June 4, 1930, 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:

SAN BERNARDINO MERIDIAN, CALIFORNIA
T. 4 N., R. 25 E.,
Secs. 31 and 32.

The above area aggregates 1,267.68 acres.

G. W. LINEWEAVER,
Assistant Commissioner.

[1380831]

JUNE 26, 1957.

I concur.
The lands are within the Chemehuevi Indian Reservation.

E. J. THOMAS,
Acting Director,
Bureau of Land Management.

[F. R. Doc. 57-5325; Filed, July 1, 1957;
8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12024; FCC 57M-616]

RUSSELL G. SALTER

ORDER CONTINUING HEARING

In re application of Russell G. Salter, Dixon, Illinois, Docket No. 12024, File No. BP-10858; for construction permit.

The Hearing Examiner has been informally advised that David M. Taylor, trading as Dixon Broadcasting Company, has filed an application which may be

entitled to a comparative hearing with the above-entitled application.

Accordingly, it is ordered, By the Hearing Examiner on his own motion, this 26th day of June 1957, that the pre-hearing conference in the above-entitled matter, heretofore scheduled for July 1, 1957, be continued without date, and the hearing heretofore scheduled for July 23, 1957, be likewise continued without date.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F. R. Doc. 57-5346; Filed, July 1, 1957; 8:51 a. m.]

[Docket No. 12055, etc.; FCC 57M-617]

RADIO TAMPA ET AL.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Richard M. Seidel, Bernice Schwartz and Harold H. Meyer, d/b as Radio Tampa, Tampa, Florida, Docket No. 12055, File No. BP-10348; Rand Broadcasting Company, Tampa, Florida, Docket No. 12056, File No. BP-11010; B. F. J. Timm, Lakeland, Florida, Docket No. 12057, File No. BP-11031; for construction permits.

It is ordered, This 26th day of June 1957, that a prehearing conference, in accordance with § 1.813 of the rules, will be held in the above-entitled matter at 10:00 a. m., July 24, 1957, in the Commission's offices at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F. R. Doc. 57-5347; Filed, July 1, 1957; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-11185, G-11874]

ARKANSAS FUEL CORP. AND TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATIONS AND DATE OF HEARING

JUNE 26, 1957.

In the matters of Arkansas Fuel Oil Corporation, Docket No. G-11185; Texas Eastern Transmission Corporation, Docket No. G-11874.

Take notice that on February 1, 1957, Texas Eastern Transmission Corporation (Texas Eastern), a Delaware corporation, having its principal place of business at Shreveport, Louisiana, filed in Docket No. G-11874 an application for a certificate of public convenience and necessity authorizing the construction and operation of approximately 1.2 miles of 3½-inch O. D. lateral supply pipeline to extend from Milepost 102.0 on Texas Eastern's 30-inch McAllen-Vidor transmission pipeline, in Kleberg County, Texas, to a point in the East Kingsville Field in Kleberg County, together with a main line tap and appurtenances; in

order to enable Texas Eastern to purchase and receive natural gas produced in the East Kingsville Field by Arkansas Fuel Oil Corporation (Arkansas Fuel). The estimated total cost of the proposed facilities is \$18,900, which cost is to be financed from corporate funds.

On October 2, 1956, Arkansas Fuel filed in Docket No. G-11185 an application for a certificate of public convenience and necessity covering the above sale of gas to Texas Eastern. Proposed deliveries will be at a central point in the field and will commence upon receipt of authorizations and completion of Texas Eastern's facilities.

Arkansas Fuel states that its facilities consist of customary lease equipment, metering facilities, and a field line.

Texas Eastern will transport the gas received from Arkansas Fuel commingled with its other gas supplies for sale in other states.

The aforesaid applications are on file with the Commission and open for public inspection. Unless advised to the contrary by Arkansas Fuel at least ten days prior to the date of hearing set hereby, it will be presumed that Arkansas Fuel will accept a certificate of public convenience and necessity which is not coextensive with and does not expire upon the termination date specified in the sales contract.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 25, 1957, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure hereih provided for, unless otherwise advised it will be unnecessary for Applicants to appear or be represented at the hearing.

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 July 19, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, Secretary.

[F. R. Doc. 57-5311; Filed, July 1, 1957; 8:45 a. m.]

[Docket No. G-12795]

AMERICAN METAL CO., LTD., ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

JUNE 26, 1957.

The American Metal Company, Limited (Operator), et al., (American Metal) on May 27, 1957, tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: (1) Contract, dated April 29, 1957; (2) Letter,¹ dated April 30, 1957; (3) Notice of Change, dated May 23, 1957.

Purchaser: Pacific Northwest Pipe Line Corporation.

Rate schedule designation: (1) Rate Schedule No. 2 (supersedes American Metal's FPC Gas Rate Schedule No. 1); (2) Supplement No. 1 to American Metal's FPC Gas Rate Schedule No. 2; (3) Supplement No. 2 to American Metal's FPC Gas Rate Schedule No. 2.

Effective date:² June 27, 1957.

In support of the proposed renegotiated rate increases, American Metal states that the "reasonable rate" for gas in the area is not less than 12 cents per Mcf.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges.

(B) Pending such hearing and decision thereon, said rate schedule and the supplements thereto be and they are each hereby suspended and the use thereof deferred until November 27, 1957, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the rate schedule or supplements hereby suspended, nor the rate schedules sought to be altered thereby,

¹ Modifies and provides for cancellation of contract of April 29, 1957, if Commission does not accept 12-cent rate.

² The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by American Metal, if later.

shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-5310; Filed, July 1, 1957;
8:45 a. m.]

[Docket No. G-11372 etc.]

WOODS PETROLEUM CORP. ET AL.

NOTICE OF APPLICATIONS AND DATE OF
HEARING

JUNE 26, 1957.

In the matters of Woods Petroleum Corporation, Operator, et al., Docket No. G-11372; Cities Service Gas Company, Docket No. G-12048; The Texas Company, Docket No. G-12162.

Take notice that on February 18, 1957, Cities Service Gas Company (Cities Service), a Delaware Corporation having its principal place of business in Oklahoma City, Oklahoma, filed an application in Docket No. G-12048, as supplemented on March 18, 1957, for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing it to construct and operate approximately 3.75 miles of 6-inch and 0.11 mile of 4-inch supply lateral pipeline to extend from a point on its existing 10-inch pipeline in Grant County, Oklahoma, to two wells in the Medford Field in Grant County, Oklahoma, in order to purchase and receive natural gas produced in the Medford Field by Woods Petroleum Corporation, Operator, et al. (Woods) and The Texas Company (Texas Company), all as more fully described in its application, which is on file with the Commission and open to public inspection. Cities Service also proposes to install well lines in the future to connect future wells in the field to the above-described 6 and 4-inch lines. The estimated total cost of the Cities Service facilities applied for is \$46,500, which cost will be financed from company funds.

On October 26, 1956, Woods filed in Docket No. G-11372 an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the above sale of gas to Cities Service.

On March 6, 1957, Texas Company filed in Docket No. G-12162 an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the above sale of gas to Cities Service.

Cities Service will transport the gas received from Woods and Texas Company commingled with its other gas supplies for sale in other states.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the ap-

plicable rules and regulations, and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 30, 1957, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Unless advised to the contrary by the Producer Applicants at least ten days prior to the date of hearing set hereby, it will be presumed that the Producer Applicants will accept certificates of public convenience and necessity which are not coextensive with and do not expire upon the termination dates specified in the sales contracts.

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 July 22, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-5312; Filed, July 1, 1957;
8:46 a. m.]

[Project No. 2232]

DUKE POWER CO.

NOTICE OF APPLICATION FOR LICENSE

JUNE 26, 1957.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U. S. C. 791a-825r) by Duke Power Company, of Charlotte, North Carolina, for license for water power Project No. 2232 on Catawba and Wateree Rivers in Alexander, Burke, Caldwell, Catawba, Gaston, Iredell, Lincoln, McDowell, and Mecklenburg Counties, North Carolina, and Chester, Fairfield, Kershaw, Lancaster, and York Counties, South Carolina, affecting navigable waters of the United States. Applicant requests that the license be for a term of 50 years from the date of its issuance. The project would consist of one unconstructed development and ten constructed developments, described as follows:

Cowan's Ford (unconstructed) located on Catawba River just west of Davidson, North Carolina; river mile 179; capacity 262,500 kw (initial), 350,000 kw (ultimate); head 112 feet; reservoir area 29,760 acres; usable storage 588,300 acre-

feet at 25 foot drawdown; Bridgewater located on Catawba River about 8 miles west of Morganton, North Carolina; river mile 275; capacity 20,000 kw; head 135 feet; reservoir area 6,510 acres; usable storage 189,370 acre-feet at 40 foot drawdown; Rhodhiss located in Rhodhiss, North Carolina; river mile 239; capacity 25,500 kw; head 60 feet; reservoir area 3,515 acres; usable storage 27,570 acre-feet at 10 foot drawdown; Oxford located about 5 miles north of Hickory, North Carolina; river mile 222; capacity 36,000 kw; head 89.5 feet; reservoir area 4,110 acres; usable storage 36,890 acre-feet at 10 foot drawdown; Lookout Shoals located about 8 miles northeast of Newton, North Carolina; river mile 213; capacity 18,720 kw; head 78 feet; reservoir area 1,270 acres; usable storage 3,670 acre-feet at 3 foot drawdown; Mountain Island located about 3 miles northeast of Mt. Holly, North Carolina; river mile 164; capacity 60,000 kw; head 78 feet; reservoir area 3,235 acres; usable storage 25,987 acre-feet at 10 foot drawdown; Catawba located 4 miles northwest of Fort Mill, South Carolina; river mile 139; capacity 60,000 kw; head 70 feet; reservoir area 12,455 acres; usable storage 107,670 acre-feet at 10 foot drawdown; Fishing Creek located south of Fort Lawn, South Carolina; river mile 101; capacity 30,000 kw; head 61 feet; reservoir area 3,370 acres; usable storage 27,770 acre-feet at 10 foot drawdown; Great Falls-Dearborn share a common reservoir and are located in Great Falls, South Carolina; river mile 98; capacity (Great Falls) 24,000 kw, (Dearborn) 45,000 kw; head 71 feet; reservoir area 450 acres; usable storage 1,082 acre-feet at 3 foot drawdown; Rocky Creek-Cedar Creek share a common reservoir and are located in Great Falls, South Carolina; river mile 96; capacity (Rocky Creek) 24,000 kw, (Cedar Creek) 45,000 kw; head 58 feet; reservoir area 800 acres; usable storage 2,296 acre-feet at 3 foot drawdown; and Wateree located on Wateree River about 8 miles northwest of Camden, South Carolina; river mile 74; capacity 56,000 kw; head 78 feet; reservoir area 13,710 acres; usable storage 119,590 acre-feet at 10 foot drawdown.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is August 9, 1957. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-5313; Filed, July 1, 1957;
8:46 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

COMMUNITY FACILITIES COMMISSIONER

DELEGATION OF AUTHORITY WITH RESPECT TO
PUBLIC AGENCY LOANS PROGRAM

The Community Facilities Commissioner is hereby authorized to execute the

powers, functions, and duties transferred to the Housing and Home Finance Administrator under Reorganization Plan No. 1 of 1957 (22 F. R. 4633, July 2, 1957), with respect to or arising out of (1) the securities and obligations of, loans made to, and contracts or other agreements with, States, municipalities, political subdivisions thereof, public agencies, boards, commissions, or other public bodies, and (2) loans, securities, and obligations acquired in connection with programs of financial assistance for drainage and irrigation projects, except the Administrator's authority to issue notes or other obligations to the Secretary of the Treasury under section 7 of the Reconstruction Finance Corporation Act, as amended (15 U. S. C. 606).

(Reorg. Plan No. 3 of 1947, 61 Stat. 954; Reorg. Plan No. 1 of 1957; 62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U. S. C. 1952 ed. 1701c)

Effective as of the 1st day of July 1957.

ALBERT M. COLE,
Housing and Home Finance
Administrator.

[F. R. Doc. 57-5368; Filed, July 1, 1957;
9:19 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-164, 59-14]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM ORDER GRANTING EXEMPTION

JUNE 24, 1957.

The Commission having heretofore approved a plan filed by the Interim Board of Directors of International Hydro-Electric System ("IHES") pursuant to section 11 (d) of the Public Utility Holding Company Act of 1935 ("act") for the transformation of IHES, a registered holding company, into an investment company, to be renamed Abacus Fund; and having found that IHES would be entitled to an exemption pursuant to Section 3 (a) (5) of the Act upon the consummation of such plan (36 S. E. C. 506 (November 23, 1955) and Holding Company Act Release No. 13083 (January 13, 1956)); and

The order of the United States District Court for the District of Massachusetts having fixed the consummation date of the plan as the date of registration with the Old Colony Trust Company of a Certificate of Amendment to the Declaration of Trust of IHES so as to effectuate the changes required by the plan with respect to its capitalization and the rights and privileges of its stockholders; and Bartholomew A. Brickley, Trustee of IHES, having notified the Commission that the Certificate of Amendment has been registered with the Old Colony Trust Company; and it appearing to the Commission on the basis of the entire record that IHES (Abacus Fund) and its subsidiary companies should now be exempted from the provisions of the Act;

It is ordered, Pursuant to section 3 (a) (5) of the act, that IHES (Abacus Fund) and its subsidiary companies be,

No. 127—7

and hereby are, exempted from the provisions of the act applicable to IHES as a holding company and to its subsidiary companies as such.

It is further ordered, That the jurisdiction heretofore reserved herein by the aforesaid order of January 13, 1956, with respect to the fees and expenses to be approved in connection with the plan filed by the Interim Board of IHES and the proceedings incidental thereto and related therewith, be, and hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-5319; Filed, July 1, 1957;
8:47 a. m.]

[File No. 24D-1924]

UNION-GULF OIL & MINING CORP.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

JUNE 26, 1957.

I. Union-Gulf Oil & Mining Corporation (Union-Gulf), a Colorado corporation, 510 Colorado Building, Denver, Colorado, and 2701 South Highway 50, Grand Junction, Colorado, filed with the Commission on September 9, 1955 a notification on Form 1-A and an offering circular and subsequently filed various amendments thereto, relating to an offering of 600,000 shares of its 10-cent par value common stock at 50 cents per share for an aggregate of \$300,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder; and

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with, in that the notification failed to contain the information required by Item 3 with respect to unregistered securities of Union-Gulf sold on behalf of its affiliate within one year prior to the date of the filing of the notification; and

B. The notification contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made not misleading, concerning, among other things, the securities of Union-Gulf sold on behalf of affiliates within one year prior to the filing of the notification.

III. It is therefore ordered, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the

matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-5320; Filed, July 1, 1957;
8:47 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. D-7-14]

ELECTRON TUBES AND COMPONENT PARTS THEREOF

DISMISSAL OF COMPLAINT

JUNE 27, 1957.

The United States Tariff Commission, on the 26th day of June 1957, dismissed the complaint filed under section 337 of the Tariff Act of 1930 (19 U. S. C. 1337) by Eitel-McCullough, Inc., San Bruno, California, alleging unfair methods of competition and unfair acts in the importation and sale in the United States of certain foreign electron tubes and component parts thereof. (Notice of the receipt of this complaint was given on July 22, 1955, 20 F. R. 5378.)

On November 16, 1955, the Tariff Commission suspended action on this complaint (20 F. R. 8866) pending a final decision in the proceeding in the United States District Court for the District of Maryland, Civil Action No. 8348, Eitel-McCullough, Incorporated v. Wholesale Radio Parts Company, Incorporated, and Ampex Electronic Corporation.

The aforementioned civil action was dismissed on May 21, 1957.

I certify that the above action was taken by the Tariff Commission on June 26, 1957.

Issued: June 27, 1957.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 57-5337; Filed, July 1, 1957;
8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

OSCAR CHRISTIAN MUNCH RAEDER BJERKE
AND EMS WIESE

NOTICE OF INTENTION TO RETURN VESTED
PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Oscar Christian Munch Raeder Bjerke, Oslo, Norway; Claim No. 62349; Vesting Order No. 17784; \$439.03 in the Treasury of the United States and an undivided one-half interest in and to five 1943 script certificates issued by the Konversionskasse für Deutsche Auslandsschulden, Serial Nos. 2320073-2320077, inclusive.

Ems Wiese, Bergen, Norway; Claim No. 62350; Vesting Order No. 17784; \$439.03 in the Treasury of the United States and an undivided one-half interest in and to the five script certificates identified above.

The above five script certificates are held in the Federal Reserve Bank, New York, for safekeeping.

Executed at Washington, D. C., on June 25, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-5328; Filed, July 1, 1957; 8:48 a. m.]

FRIEDERIKE HERKNER GOLDSCHMIED**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Friederike Herkner Goldschmied, Milan, Italy; Claim No. 42459; Vesting Order No. 6932; \$951.90 in the Treasury of the United States.

Executed at Washington, D. C., on June 25, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-5329; Filed, July 1, 1957; 8:48 a. m.]

FRANZ HALLA**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Franz Halla, 14, rue Wiertz, Brussels, Belgium; Claim No. 13304; \$27.14 in the Treasury of the United States.

Fifty per cent (50%) of all royalties payable or to become payable to the Attorney

General of the United States pursuant to License No. A-207 (superseded by A-1605), issued to J. W. Edwards, Publisher, Inc. of Ann Arbor, Michigan, for publication of the book entitled *Kristallchemie U. Kristallphysik Metallischer Werkstoffe, Eine Einführung für Ingenieure* (mit 205 abbildungen in text), by Franz Halla, Copyright A foreign 43625, as listed in Exhibit A of Vesting Order No. 500A-54 (9 F. R. 8206, July 20, 1944); and

Twenty-five per cent (25%) of all royalties payable or to become payable to the Attorney General of the United States pursuant to License No. A-334 (superseded by A-1605), issued to J. W. Edwards, Publisher, Inc. of Ann Arbor, Michigan, for publication of the book entitled *Leitfaden für die Röntgenographische Untersuchung Von Kristallen*, 1937, 354 p., by Franz Halla and Herman Mark, Copyright A foreign 35888, as listed in Exhibit A of Vesting Order No. 500A-75 (9 F. R. 7785, July 12, 1944).

Executed at Washington, D. C., on June 25, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-5330; Filed, July 1, 1957; 8:48 a. m.]

ANNE MARIE JOSEPHINE TERFVE-LAMBRECHTS**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Anne Marie Josephine Terfve-Lambrechts, Auderghem-Bruxelles, Belgium; Claim No. 61674; Vesting Order Nos. 17831 and 18118; \$1,334.12 in the Treasury of the United States.

Executed at Washington, D. C., on June 25, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-5331; Filed, July 1, 1957; 8:49 a. m.]

ROBERTINA PENNAZZI-RICCI**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Robertina Pennazzi-Ricci a/k/a Roberta Pennazzi-Ricci, Via Bergamo 31, Rome, Italy; Claim No. 42434; Vesting Order No. 2763; \$416.00 in the Treasury of the United States.

Executed at Washington, D. C., on June 25, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-5332; Filed, July 1, 1957; 8:49 a. m.]

ROBERTO PENNAZZI-RICCI**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Roberto Pennazzi-Ricci a/k/a Robert Pennazzi-Ricci, Via Bergamo 31, Rome, Italy; Claim No. 42435; Vesting Order No. 2763; \$416.00 in the Treasury of the United States.

Executed at Washington, D. C., on June 25, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-5333; Filed, July 1, 1957; 8:49 a. m.]

MARIA H. C. TIMP**NOTICE OF INTENTION TO RETURN VESTED PROPERTY**

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. Maria H. C. Timp, Apeldoorn, The Netherlands; Claim No. 60907; Vesting Order No. 17836; \$125.00 in the Treasury of the United States.

Ten shares of ten cents par value common stock of Keta Gas and Oil Corporation registered in the name of the Attorney General, which shares are presently in the custody of the Federal Reserve Bank of New York, New York, N. Y.

Seven shares of \$5.00 par value common stock of Swan Finch Oil Corporation, registered in the name of the Attorney General, which shares are presently in the custody of the Federal Reserve Bank of New York, New York, N. Y.

Executed at Washington, D. C., on June 25, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-5334; Filed, July 1, 1957;
8:49 a. m.]

ELMA WICKMAN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Elma Wickman, Stockholm 50, Sweden; Vesting Orders Nos. 10833 and 17996; Claim No. 66391; \$2,720.46 in the Treasury of the United States.

Executed at Washington, D. C., on June 25, 1957.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-5335; Filed, July 1, 1957;
8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 27, 1957.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 33934: *Petroleum and products—Jacksonville, Fla., to Valdosta, Ga.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on petroleum and petroleum products, tank-car

loads from Jacksonville, Fla., and grouped origins to Valdosta, Ga.

Grounds for relief: Circuitous routes. Tariff: Supplement 53 to Agent Spaninger's tariff I. C. C. 1561.

FSA No. 33935: *Sulphate of alumina—Bastrop, La., to southern points.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on alumina sulphate of, dry, carloads, minimum 30,000 pounds, and weights in excess of that minimum, from Bastrop, La., to specified base points in southern territory, and points grouped therewith as taking the same rates.

Grounds for relief: Short-line distance formulas, market competition, and circuitous routes.

Tariff: Supplement 42 to Agent Kratzmeir's tariff I. C. C. 4224.

FSA No. 33936: *Can ends—East St. Louis, Ill., to Houston, Tex.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on can ends, iron or steel or tin, carloads from East St. Louis, Ill., to Houston, Tex.

Grounds for relief: Circuitous routes. Tariff: Supplement 200 to Agent Kratzmeir's tariff I. C. C. 4115.

FCA No. 33937: *Styrene—Kobuta, Pa., to Houston, Tex.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on styrene, liquid, carloads from Kobuta, Pa., to Houston, Tex.

Grounds for relief: Circuitous routes. Tariff: Supplement 201 to Agent Kratzmeir's tariff I. C. C. 4115.

FSA No. 33938: *Crude petrolatum—New Orleans, La., group to eastern points.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on crude petrolatum, tank-car loads from New Orleans, La., and group points to specified points in Massachusetts, Michigan, New Jersey, Ohio, and Tennessee.

Grounds for relief: Short-line distance formula, and circuitous routes.

Tariff: Supplement 53 to Agent Spaninger's tariff I. C. C. 1561.

FSA No. 33939: *Ship parts—West Point, Ga., to Blakely and Mobile, Ala.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on ship parts, iron or steel, carloads from West Point, Ga., to Blakely and Mobile, Ala.

Grounds for relief: Circuitous routes. Tariff: Supplement 1 to Agent Spaninger's tariff I. C. C. 1592.

FSA No. 33940: *Potash beet residium—Johnstown, Colo., to southern and southwestern points.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates

on potash beet residium, in bags or in bulk, carloads from Johnstown Colo., to specified points in southern and southwestern territories.

Grounds for relief: Market competition, short-line distance formulas, and circuitous routes.

Tariff: Supplement 6 to Agent Kratzmeir's tariff I. C. C. 4252 Agent W. J. Prueter's tariff I. C. C. A-4205.

FSA No. 33941: *Rice and rice products—Texas points to St. Louis, Mo.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on rice and rice products, carloads from specified points in Texas to St. Louis, Mo.

Grounds for relief: Circuitous routes. Tariff: Supplement 68 to Agent Kratzmeir's tariff I. C. C. 4037.

FSA No. 33942: *Petroleum cresylic acid—Texas points to Joliet, Ill.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on petroleum cresylic acid, tank-car loads from Atreco, Houston and Texas City, Tex., to Joliet, Ill.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 347 to Agent Kratzmeir's tariff I. C. C. 4139.

FSA No. 33943: *Dry goods—Pacific coast points to eastern defined points.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on dry goods, in bales or boxes, carloads from specified Pacific coast ports (applicable on import traffic) to points in western trunk line (including Illinois points), southwestern and southern territories.

Grounds for relief: Circuitous routes through higher-rated intermediate destination groups.

Tariff: Supplement 44 to Agent Prueter's tariff I. C. C. 1569.

FSA No. 33944: *Iron and steel articles—Birmingham, Ala., group to New Orleans, La.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on iron and steel articles, carloads from Birmingham, Ala., and group points to New Orleans, La.

Grounds for relief: Short-line distance formula, carrier competition and circuitous routes.

Tariff: Supplement 1 to Agent Spaninger's tariff I. C. C. 1592.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 57-5314; Filed, July 1, 1957;
8:46 a. m.]

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