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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

POST OFFICE DEPARTMENT

Effective upon publication in the FEDERAL REGISTER, subparagraph (9) is added to § 6.309 (a) as set out below.

§ 6.309 *Post Office Department*—(a) *Office of the Postmaster General.* * * *

(9) One Secretarial Assistant to the Postmaster General.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 56-3821; Filed, May 14, 1956; 8:52 a. m.]

PART 22—APPEALS OF PREFERENCE ELIGIBLES UNDER THE VETERANS' PREFERENCE ACT OF 1944

PART 29—RETIREMENT

INVESTIGATION; DISCLOSURE OF INFORMATION

1. Paragraph (c) of § 22.401 is amended as set out below.

§ 22.401 *Investigation.* * * *

(c) *Evidence available to both parties.* All relevant representations shall be discussed with both parties to the appeal and shall be available for review by them, with the following exceptions: Where adverse action has been taken on the basis of the reported mental condition of the individual concerned or other condition of such a nature that a prudent physician would hesitate to inform a person suffering from such a condition as to its exact nature and probable outcome, the medical evidence of record will be made available only to a duly licensed physician designated in writing by the appellant or by appellant's representative.

(Secs. 11, 19, 58 Stat. 390, 391; 5 U. S. C. 860, 868)

2. Paragraph (a) (11) of § 29.11 is revoked, subparagraphs (3) through (10) of paragraph (a) are renumbered (5) through (12), subparagraph (12) is renumbered (13), subparagraphs (1) and (2) are amended, and new subparagraphs (3) and (4) are added. As amended § 29.11 (a) reads as follows:

§ 29.11 *Disclosure of information.* (a) (1) Files, records, reports, and other papers and documents pertaining to any claim filed with the Civil Service Commission, whether pending or adjudicated, will be deemed privileged and in confidence, and no disclosure thereof will be made except as provided herein.

(2) Except as provided in paragraphs (3) and (4) of this section, disclosure of information from the files, records, reports, and other papers and documents shall be made to a claimant or to his duly authorized representative in matters concerning himself alone.

(3) Where an individual contests the Commission's action in approving an employing agency's application for his retirement on disability and where the nature of the reported disability is physical (as distinguished from mental) and of a type concerning which the individual involved could be fully informed without the probability of such knowledge affecting him adversely he shall, upon written request, be furnished a summary of medical evidence which has been submitted to the Commission in his case.

(4) Where the nature of the disability is reported to be a mental condition or other condition of such a nature that a prudent physician would hesitate to inform an individual found to be suffering from such a condition of its exact nature and probable outcome, a complete summary of the medical evidence in his case, including copy of the résumé of the reported behavior irregularities or manifestations of unsatisfactory service which is ordinarily furnished as background factual evidence to government medical facilities or psychiatrists or other physicians who conduct the official retirement medical examination, shall be made available for review only by a duly licensed physician designated in writing for that purpose by the individual concerned.

(Continued on p. 3169)

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FEDERAL REGISTER

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

(5) By "a duly authorized representative of a claimant" is meant any person who has satisfied the Commission of his authority to act.

(6) The name or address of a beneficiary designated by an employee or annuitant will, during the life of the employee, or annuitant, be furnished only to the designator when request therefor is made in writing over the signature of the designator.

(7) Such information as may properly be disclosed to a claimant personally shall, in the event of his death, be disclosed upon proper request to the duly appointed representative of his estate, or to such person as may be designated by such representative, or to a duly designated beneficiary. Where no representative of the claimant's estate has been appointed, the claimant's next of kin shall be recognized as the representative of his estate.

(8) Where copies of documents or other records are desired by or in behalf of parties to a suit, whether in a court of the United States or in any other court, such copies shall be furnished to the court only, and on an order of the court or subpoena duces tecum, addressed to the President, U. S. Civil Service Commission, requesting the same.

(9) Where a process of a United States court or other court requires the production of documents or records contained in the retirement files of a claimant, such documents will be produced in the court out of which the process has issued. Where original records are produced, they must remain at all times in the custody of a representative of the Civil Service Commission, and if offered or received in evidence, permission should be obtained to substitute a copy so that the original record may remain intact in the file.

(10) The address of a claimant as shown by the Civil Service Commission records may be furnished to duly constituted police or court officials upon proper request or the submission of a certified copy either of the indictment returned against the claimant or of the warrant for his arrest.

(11) Disclosure of the amount of annuity or refund to any claimant may be made to any National, State, county, municipal, or other publicly recognized charitable or social-security administrative agency.

(12) Subject to the limitation regarding name or address of a beneficiary, all records or documents officially required by any department or other agency of the United States Government shall be furnished in response to a proper request, and Senators and Representatives of the United States in their capacity as Members of Congress of the United States shall be furnished for their official use with such records, documents, or other information as may be requested for such use.

(13) If the claimant gives his consent, the amount of annuity or refund paid to him, and the factors used in determining such payment, may be disclosed to any person who makes proper inquiry. An inquiry will be deemed proper if it is in writing and includes the name of the claimant and sufficient information to make positive identification of his records, except that the Commission may, in any case, waive the requirement that the inquiry be in writing. Upon receipt of a proper inquiry, the Commission will ask the claimant whether he consents to release of the information sought, and will then advise the inquirer of the decision of the claimant. A copy of any information released may be furnished to the claimant.

(Sec. 17, 46 Stat. 478; 5 U. S. C. 709)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 56-3798; Filed, May 14, 1956; 8:48 a. m.]

TITLE 7—AGRICULTURE

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

PART 728—WHEAT

SUBPART—REGULATIONS PERTAINING TO FARM ACREAGE ALLOTMENTS FOR 1957 CROP

BASE ACREAGES FOR NEW FARMS

The amendment herein is issued under the Agricultural Adjustment Act of 1938, as amended, and is for the purpose of dividing applicants for new farm allotments into classes and providing limitations on the sizes of the base acreages for new wheat farms by such classes.

Prior to preparing the amendment herein public notice (21 F. R. 2795) was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003). The data, views, and recommendations pertaining to the amendment which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

Section 728.718 (c) is amended to read as follows:

(c) In determining the base acreage for each new farm, the county committee shall take into consideration the tillable acres, crop-rotation practices, type of soil, topography, and the farming system to be followed by the operator, including the equipment and other facilities available for the production of wheat under such system: *Provided*, That the base acreage so established shall not exceed the wheat acreage for the farm for 1957 under the planned crop-rotation system. Without prior approval of the State committee the base acreage recommended by the county committee shall not exceed 100 percent of the acreage indicated by cropland where the operator of the farm has been planting wheat in regular rotation; 80 percent of the acreage indicated by cropland where the operator has had past history of wheat on other farms; 65 percent of the acreage indicated by cropland where the operator has had no opportunity to establish wheat history for himself; and 25 percent of the acreage indicated by cropland where the applicant could have established wheat history in the past three years, but has not done so, and in all other cases.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies secs. 301, 334, 52 Stat. 38, 53; 7 U. S. C. 1301, 1334)

Done at Washington, D. C., this 10th day of May 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 56-3831; Filed, May 14, 1956; 8:53 a. m.]

PART 730—RICE

SUBPART—REGULATIONS PERTAINING TO RICE MARKETING QUOTAS FOR 1956 CROP OF RICE

GENERAL

IDENTIFICATION OF RICE

PENALTY

RECORDS AND REPORTS

SPECIAL PROVISIONS AND EXEMPTIONS

AUTHORITY: §§ 730.750 to 730.799 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 351–356, 362–368, 372–374, 376, 52 Stat. 38 as amended; 7 U. S. C. 1301, 1351–1356, 1362–1368, 1372–1374, 1376.

GENERAL

§ 730.750 *Basis and purpose.* The regulations contained in §§ 730.750 to 730.799, inclusive, are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, and govern the identification and measurement of farms; the amount, adjustment, and review of the farm marketing quota and farm marketing excess; the issuance of marketing cards and certificates; the identification of marketings of rice as subject to or not subject to the penalty and lien for the penalty; the rate of the penalty and the manner in which penalties shall be paid by producers and buyers; the refunding of penalty overpayments; the postponement or avoidance of penalty on excess rice by storage, by delivery to the Secretary of Agriculture, or, in a subsequent year, by underplanting the allotment or producing a less than normal crop; the records and reports required to be made by rice producers and handlers; and special provisions and exemptions applicable to farms on which the acreage of non-irrigated (dry land) rice is 3 acres or less, rice produced by publicly owned experiment stations, and rice produced by Federal or State wildlife refuge farms. Prior to preparing §§ 730.750 to 730.799 inclusive, public notice (21 F. R. 1517) of the Secretary's intention to formulate and issue the regulations was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003). The data, views, and recommendations submitted by persons interested in the regulations in this subpart have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 730.751 *Definitions.* As used in this subpart and in all forms and documents in connection therewith, unless the context or subject matter otherwise requires, the following terms shall have the following meanings:

(a) "Department" means the United States Department of Agriculture.

(b) "Act" means the Agricultural Adjustment Act of 1938 and any amendments or supplements thereto.

(c) "Secretary" means the Secretary of Agriculture of the United States, or the officer of the Department acting in his stead pursuant to delegated authority.

(d) "Director" means the Director of the Grain Division, Commodity Stabilization Service, United States Department of Agriculture.

(e) "Committee" means according to context, one of the several committees defined as follows:

(1) "State committee" means the persons designated by the Secretary as the State Agricultural Stabilization and Conservation Committee of the Commodity Stabilization Service.

(2) "County committee" means the persons elected within a county as the county committee pursuant to the regulations governing the selection and functions of the Agricultural Stabilization and Conservation county and community committees.

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

(4) "Review committee" means the committee appointed by the Secretary of Agriculture to review farm marketing quotas as provided in section 363 of the act.

(f) "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.

(g) "Treasurer of the county committee" means the county office manager or the person designated by him to act as treasurer of the ASC county committee.

(h) "State administrative officer" means the employee of the State committee who carries out its policies and the day-to-day operations of the ASC State office.

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

(j) "Landlord" or "owner" means a person who owns land.

(k) "Tenant" means a person other than a sharecropper who rents land from another person, whether or not he rents such land or part thereof to another person.

(l) "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or of the proceeds thereof.

(m) "Operator" means the person who, as landlord or tenant, is in charge of the supervision and conduct of the farming operations on the entire farm.

(n) "Producer" means any person engaged in the production of rice as landlord, tenant, or sharecropper and includes a person owning and operating his own farm; a tenant operating a farm rented for cash; a tenant operating a farm under a crop share lease, contract or agreement; a landlord leasing to share tenants; and a person or irrigation company furnishing water for a share of the crop. For purposes of the regulations in this subpart, the term "tenant" shall be deemed to include a person or irrigation company furnishing water for a share of the rice crop.

(o) "Buyer" means a person who buys rice.

(p) "Transferee" means a person who acquires rice from a producer or any other person by barter, exchange or gift.

(q) "Intermediate buyer" means any buyer or transferee who purchases or acquires any rice prior to the time the rice so purchased or acquired has been marketed either (1) to a warehouseman, mill operator, or processor or (2) to any other grain dealer who conducts his business in a manner substantially the same as a warehouseman or mill operator.

(r) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm or range land which the county committee determines is operated by the same person as part of the same unit in producing range livestock, or with respect to the rotation of crops and with workstock, farm machinery, and labor, substantially separate from that for any other land; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

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

(s) "Farm acreage allotment" means that rice acreage allotment established for the farm under § 730.710 through § 730.732 as published in the FEDERAL REGISTER under date of January 5, 1956 (21 F. R. 72 to 78).

(t) "Rice" as used in the regulations of this subpart means rough rice with a maximum moisture content of 14 percent. Rice with a moisture content in excess of 14 percent will be adjusted to the equivalent of 14 percent moisture content.

(u) "Rice acreage" means the acreage planted to rice and the acreage of volunteer rice which reaches maturity, excluding (1) any acreage of non-irrigated rice of three acres or less, (2) any acreage of sweet, glutenous, or candy rice, commonly known as Mochi Gomi, (3) any acreage of rice grown for experimental purposes only by or under contract to a publicly-owned agricultural experiment station, (4) any acreage planted to rice under a contract which was or will be entered into prior to planting with the Fish and Wildlife Service for wildlife feed which was not or will not be harvested, and (5) any excess rice acreage which is destroyed or otherwise handled or treated (by the producer or from some cause beyond his control) not later than the date established by the county committee with the approval of the State committee so that rice cannot be harvested therefrom. Such date for each county or areas within the county shall be far enough in advance of the date the harvesting of rice normally begins in the county to permit sufficient time to remeasure the farms in the county and issue marketing cards to eligible producers prior to harvest. Notice of 1956 Acreage of Rice on Form CSS–598 shall be mailed to the operator of each farm on which there is excess rice acreage at least 15 days prior to such established date: *Provided*, That if such notice is not mailed at least 15 days prior to such established date the producer shall have 15 days from the date the notice of 1956 acreage of rice is mailed to destroy or treat the excess rice acreage so that rice cannot be harvested therefrom. If a producer proves to the satisfaction of the county committee that he is unable to dispose of the excess rice acreage by the required date because of the physical condition of the rice acreage, an extension of time sufficient to afford a fair and reasonable opportunity for such disposal may be granted by the county committee provided the excess acreage is destroyed prior to the time the harvesting of rice begins on the farm. The acreage of rice as determined by the first inspection and as stated on Form CSS–598 shall be considered as "rice acreage" if the farm operator or his representative fails to notify the ASC county office by the date specified on Form CSS–598 of his intention to adjust the rice acreage to the farm allotment and pay the cost of remeasurement. The date specified on Form CSS–598 for notifying the county office of an intention to adjust shall coincide with the latest date on which the adjustment may be made.

The dates in each county or areas of a county by which excess rice must be destroyed or otherwise handled or treated (by the producer or from some cause beyond his control) are as follows:

ARKANSAS

August 1, 1956: All counties.

CALIFORNIA

September 1, 1956: All counties.

FLORIDA

October 15, 1956: All counties.

ILLINOIS

September 15, 1956: All counties.

LOUISIANA

August 1, 1956: All counties.

MISSISSIPPI

August 15, 1956: All counties.

MISSOURI

August 15, 1956: All counties.

NORTH CAROLINA

August 31, 1956: All counties.

OKLAHOMA

August 15, 1956: All counties.

SOUTH CAROLINA

August 1, 1956: All counties for rice planted on or about March 15–20, 1956.
September 15, 1956: All counties for rice planted on or about May 15, 1956.
October 15, 1956: All counties for rice planted on or about June 15, 1956.

TENNESSEE

August 31, 1956: All counties.

TEXAS

September 1, 1956: Bowie County.
July 15, 1956: All other counties.

(v) "Excess rice acreage" means the acreage of rice determined for the farm which is in excess of the farm acreage allotment, except that there shall be no excess rice acreage for any farm on which (1) the rice is grown for experimental purposes only by or under contract to a publicly-owned experiment station, or (2) the rice is produced on a Federal or State wildlife refuge farm solely for wildlife feed and for seed for the production of wildlife feed on such wildlife refuge farm.

(w) "Normal yield" means the number of pounds per acre of rice established as the normal yield per acre for the farm under § 730.753.

(x) "Actual yield" means the number of pounds of rice determined by dividing the number of pounds of rice produced on the farm in 1956 by the 1956 rice acreage on the farm.

(y) "Normal production" of any number of acres means the normal yield of rice for the farm times such number of acres.

(z) "Actual production" of any number of acres means the actual yield of rice per acre for the farm times such number of acres.

(aa) "Farm marketing quota" means the rice marketing quota established under the act for the farm for the 1956 crop.

(bb) "Farm marketing excess" means the amount of rice determined for any farm under § 730.759 or § 730.762, whichever is applicable.

(cc) "Marketing year" means the period beginning August 1, 1956, and ending July 31, 1957, both dates inclusive.

(dd) "Market" means to dispose of rice in raw or processed form by voluntary or involuntary sale, barter, or exchange, or by gift. The penalty on excess rice is due regardless of what use is made of the excess rice.

(1) The term "sale" means any transfer of title to rice by a producer by any means other than barter, exchange or gift.

(2) The terms "barter" and "exchange" mean transfer of title to rice by a producer in return for rice or any other commodity, service, or property, in cases where the value of the rice or such other commodity, service, or property is not considered in terms of money, or the transfer of title to rice by a producer in payment of a fixed rental or other charge for land, or the payment of an amount of rice in lieu of a cash charge for harvesting or milling rice (commonly called "toll rice").

(3) The term "gift" means any transfer of title to rice accompanied by delivery of the rice by a producer which takes effect immediately and irrevocably and is made without any consideration or compensation therefor.

(4) "Marketed", "marketing", and "for market" shall have meaning corresponding to the term "market" in the connection in which they are used.

(ee) "Penalty" means the penalty provided in section 356 (a) of the act.

§ 730.752 *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 for Production Adjustment, Commodity Stabilization Service.

§ 730.753 *Normal yields*—(a) *Farms for which normal yields will be determined.* The Secretary, through the county committee, will determine a normal yield for each farm for which a farm marketing excess is determined for the 1956 crop and for each farm as required for the purposes of § 730.784 (h) and (i). Farm normal yields shall be determined and documented in a manner approved by the State committee and such determination shall be subject to examination and revision by or on behalf of the State Committee. Determinations of normal yields for individual farms shall also be recorded in the minutes of the county committee meeting during which such normal yields are established.

(b) *Yields based on reliable records.* Where reliable records of the actual average yield in pounds per acre for all of the 5 calendar years immediately preceding the calendar year for which the yield is determined are presented by the farmer or are available to the county committee, the normal yield per acre of rice for the farm shall be determined to be the average of such yields.

(c) *Appraised yields.* If for any year of such 5-year period records of the actual average yield are not available, or there was no actual yield, the normal yield in pounds per acre of rice for the farm shall be appraised by the county committee, taking into consideration the yields in years for which data are available, the county normal yield, if considered representative of the normal yield for the farm, the yields on farms in the same locality which are similar with respect to type of soil, availability of irrigation water, and farming practices associated with the production of rice, and abnormal weather conditions.

IDENTIFICATION AND MEASUREMENT OF FARMS

§ 730.754 *Identification of farms.* Each farm as operated for the 1956 crop of rice shall be identified by a farm serial number, assigned by the county committee, which shall not be changed, and all records pertaining to marketing quotas for the 1956 crop of rice shall be identified by the farm serial number.

§ 730.755 *Measurement of farms.* The county committee shall provide for the measurement of all farms in the county having a 1956 rice acreage allotment and any other farm in the county on which the committee has reason to believe there is rice which could be available for harvest in 1956, regardless of its intended use, for the purpose of ascertaining with respect to each of such farms the acreage of rice and whether such acreage is in excess of the farm rice acreage allotment for 1956. A farm will be considered as being located in the county in which is located the county ASC office from which the 1956 rice farm acreage allotment notice was sent to the operator and shall be retained in such status until the next crop year. Measurement shall be made under the general supervision of the county committee in accordance with the following provisions:

(a) *Reporter.* The measurement on the farm shall be made by an employee of the county committee who has been designated as a reporter and determined to be qualified to carry out the duties of a reporter by the county office manager. A reporter may be assisted in measurement of a farm by another reporter, community, county or State committeeman, State committee representative, any employee of the county ASC office when authorized by the county office manager, or by any employee of the Department when authorized by the Deputy Administrator for Production Adjustment, Commodity Stabilization Service. The reporter may request the operator or producer, or his representative, to designate all fields on the farm being utilized for growing rice and otherwise to assist in measuring the farm. If requested, the operator or producer, or his representative, shall so designate all fields being utilized for growing rice and may otherwise assist in measuring the farm. The reporter may utilize any such assistance from the operator or producer, or his representative.

(b) *Assignment.* The county office manager shall have the responsibility for assigning in writing the farms in the county to be measured by a reporter. Upon request of any interested producer the reporter shall obtain certification from the county office manager that the reporter is the county office representative appointed to determine the rice acreage on such producer's farm.

(c) *Farm visit.* A reporter shall visit each farm assigned to him for measurement and enter thereon if such entry will facilitate measurement. Upon request he will exhibit to the farm operator, producer, or owner, his assignment to measure the farm.

(d) *Methods of measurement.* Measurement may be made by identification of fields or parts of fields by use of a map, aerial photograph, or by means of a steel or metallic tape or chain, or rod and chain, or by use of a measuring wheel, when authorized by the Deputy Administrator for Production Adjustment, Commodity Stabilization Service, or by a combination of one or more of the foregoing methods. The measurement will be entered by the reporter on the Form CSS–578 and filed in the county ASC office. Computations of acreages shall be made by an employee in the county ASC office from the data so obtained and the use of a planimeter or rotometer in connection therewith is authorized.

(e) *Measurement of rice acreage.* (1) Upon his first visit to the farm for purposes of measurement the reporter assigned thereto shall measure all fields on the farm growing rice.

(2) All farms measured under the provisions of subparagraph (1) of this paragraph which from such measurement are found to have acreage on which rice is growing in excess of the 1956 farm rice acreage allotment shall be revisited by the reporter for the purpose of a second measurement after the period for adjusting excess acreage prior to harvest has expired, except that a revisit shall not be made to any such farm if the farm operator or his representative fails to notify the ASC county office by the dates specified on the notice of 1956 acreage of rice (Form CSS–598) of his intention to adjust the excess acreage on the farm and pay the costs of remeasurement. On this visit all acreage devoted to rice and which has not been adjusted prior to harvest so as not to qualify as rice acreage in accordance with these regulations shall be measured. In making such measurements, measurement data acquired on the first visit may be utilized.

(f) *Water company measurements.* Notwithstanding other provisions of this section, acreage measurements made by employees of water or irrigation companies to determine water charges may be used in lieu of or in connection with measurements by a reporter, subject to the following conditions: (1) The State and county committees determine that such measurements are accurate and meet the standards for measurements set out in the regulations in this subpart and applicable instructions for internal management issued by the Assistant Administrator for Production Adjustment, Commodity Stabilization Service; (2) a visual inspection is made by a representative of the State or county committee in order to ascertain that all rice acreage on the farm has been included; (3) a spot check of at least 10 per centum of the farms so measured is made; and (4) the water or irrigation company does not share in the 1956 rice crop on the farm.

(g) *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 1956 rice acreage and the rice acreage in excess of the 1956 farm rice acreage allotment.

§ 730.756 *Reports and records of farm measurements.* A record shall be kept in the ASC county office of the measurements made on all farms. There shall be filed with the ASC State office a written report setting forth for each farm for which a farm marketing excess is determined (a) the farm serial number, (b) the name of the operator, (c) name of each producer, (d) the total acreage in cultivation, (e) the farm acreage allotment, (f) the rice acreage, and (g) the farm marketing excess in pounds.

FARM MARKETING QUOTA AND FARM MARKETING EXCESS

§ 730.757 *Marketing quotas in effect.* Marketing quotas for the 1956 crop of rice shall be applicable in the continental United States. Such quotas shall be applicable to any rice of that crop notwithstanding that it may be available for market prior to the beginning of the marketing year or subsequent to the end of the marketing year.

§ 730.758 *Farm marketing quota.* The farm marketing quota for any farm for the 1956 crop of rice shall be that number of pounds of rice produced less the amount of the farm marketing excess for the farm.

§ 730.759 *Farm marketing excess.* The farm marketing excess for the 1956 crop of rice for any farm shall be the normal production of the rice acreage on the farm in excess of the farm acreage allotment therefor. The farm marketing excess for any crop shall not be larger than the amount by which the actual production of such crop of rice on the farm exceeds the normal production of the farm rice acreage allotment if the producer establishes such actual production to the satisfaction of the Secretary.

§ 730.760 *Notice of farm marketing excess.* Written notice of the farm marketing excess for a farm shall be mailed to the operator of each farm for which a farm marketing excess is determined. Notice so given shall constitute notice to each producer having an interest in the 1956 rice crop produced or to be produced on the farm. A copy of such notice shall also be mailed on the same day to each other rice producer on the farm as shown on ASC county records. Each notice shall contain a brief statement of the procedure whereby application for a review of the farm marketing quota, farm marketing excess, or any determination made in connection therewith may be had in accordance with section 363 of the act. A record of each notice

containing the date of mailing the notice to the operator of the farm shall be kept among the permanent records in the ASC county office and upon request a copy thereof shall be furnished without charge to any person who as operator, landlord, tenant, or sharecropper is interested in the rice produced in 1956 on the farm for which the notice is given. Each notice shall be on a form MQ-93-Rice (1956) and shall contain the information necessary in each case to inform the producer as to the basis for the determinations set forth in the notice and the effect thereof.

§ 730.761 *Farms for which proper notice of 1956 farm marketing quota and farm marketing excess of rice was not issued.* Where, for any reason, proper notice of the farm marketing quota and farm marketing excess and of the producer's right to obtain a downward adjustment in the farm marketing excess for his farm on account of actual production, and of his right to store or deliver to the Secretary the farm marketing excess of rice established for the farm was not issued to the producer in sufficient time to allow him 30 days prior to the time in which he was required to make application for a downward adjustment, or to store or deliver to the Secretary the farm marketing excess, as prescribed by §§ 730.760, 730.762, 730.784, and 730.785, the producer shall be so notified by the county committee on Form MQ-93—Rice (1956) and the producer may, within 30 days from the date such notice is mailed to him apply to the county committee for a downward adjustment in the amount of the farm marketing excess and may, within 30 days from the date such notice is mailed store or deliver to the Secretary the farm marketing excess as provided in §§ 730.762, 730.784 and 730.785.

§ 730.762 *Farm marketing excess adjustment*—(a) *Adjustment in the amount of the farm marketing excess.* Any producer having an interest in the rice produced in 1956 on any farm for which there is a farm marketing excess may (1) within 60 days after the harvesting of rice is normally substantially completed in the county in which the farm is situated or within 30 days after a late notice of farm marketing quota and farm marketing excess is mailed as provided in § 730.761 apply to the county office for a downward adjustment in the amount of the farm marketing excess on the basis of the amount of rice produced in 1956 on the farm, or (2) apply to the county office at any time prior to the institution of court proceedings to collect the penalty for a determination that there was no farm marketing excess for the farm because the actual production on the farm was not in excess of the normal production of the acreage allotment. The date on which the harvesting of rice is normally substantially completed in the county shall be determined by the State committee taking into consideration recommendations which the county committee may make and, unless application for an adjustment in the farm marketing excess is made prior to the expiration of 60 calendar days next succeeding that date or within 30 days after a late notice of farm marketing quota and farm marketing excess is mailed as provided in § 730.761 or unless prior to the institution of court proceedings to collect the penalty with respect to the farm it is determined that there was no farm marketing excess for the farm, the farm marketing excess for any farm in the county as determined on the basis of the normal production of the excess rice acreage for the farm shall be final as to the producers on the farm. The county office shall keep a record of each application so made and the date thereof. The county committee shall establish a time and a place at which each application will be considered and shall notify the applicant of the time and place of the hearing. Insofar as practicable, applications shall be considered in the order in which made.

The dates on which the harvesting of rice is normally substantially completed in rice-producing counties as determined by the several State committees are as follows:

ARKANSAS

November 15, 1956: All counties.

CALIFORNIA

November 30, 1956: All counties.

FLORIDA

November 30, 1956: All counties.

ILLINOIS

October 15, 1956: All counties.

LOUISIANA

November 1, 1956: All counties.

MISSISSIPPI

October 31, 1956: All counties.

MISSOURI

October 1, 1956: All counties.

NORTH CAROLINA

November 1, 1956: All counties.

OKLAHOMA

November 15, 1956: All counties.

SOUTH CAROLINA

November 1, 1956: All counties.

TENNESSEE

November 1, 1956: All counties.

TEXAS

October 20, 1956: All counties.

(b) *Procedure in connection with an application for an adjustment in the farm marketing excess.* (1) The county committee shall consider each application on the basis of facts known by or made available to it and on the basis of such evidence as may be presented to it by the applicant. The actual production on any farm shall be determined in view of the relevant facts, including the past production on the farm; the actual yields during the same year of other farms in the community; the actual and normal yields of other farms in the community which are similar with regard to farming practices followed, type of soil, and productivity; the harvesting, processing, and sales of the commodity produced on the farm; farming practices followed on the farm; and weather and other factors affecting the production of rice on the farm and in the locality in which the farm is situated. In the consideration of any application for an adjustment in the farm marketing excess, the producer shall have the burden of proof. The evidence presented by the applicant may be in the form of written statements or other documentary evidence, or of oral testimony in a hearing before the county committee during its consideration of the application. In order to expedite the consideration of applications, the county committee shall receive, in advance of the time fixed for consideration of the application, any written statement or documentary evidence offered by or on behalf of the applicant, and the application may be disposed of upon the basis of such statement or evidence, together with other information bearing on or establishing the facts which is available to the county committee, unless the applicant appears before the county committee at the time fixed for considering the application and requests a hearing for the purpose of offering documentary evidence or oral testimony in support of the application. Every such hearing shall be open to the public. The county committee shall make its determination in connection with each application not later than five calendar days next succeeding the day on which the consideration was concluded. The determination of the county committee shall be in writing and shall contain (i) a concise statement of the grounds upon which the applicant sought an adjustment in the amount of the farm marketing excess, (ii) a concise statement of the findings of the county committee as to the farm marketing quota and the farm marketing excess. A revised notice on Form MQ-93—Rice (1956) with a copy of the determination made as aforesaid shall be mailed to the operator of the farm and also to the applicant if he is not such operator, and to all other interested producers.

(2) The county committee determinations made in connection with application for adjustment in the farm marketing excess shall be subject to examination and revision by or on behalf of the State committee.

§ 730.763 *Publication of the farm acreage allotments, marketing quotas, and marketing excess.* A record of the farm acreage allotments, farm marketing quotas, and farm marketing excesses established for farms in the county shall be made and kept freely available for public inspection in the ASC county office.

§ 730.764 *Marketing quotas not transferable.* A farm marketing quota established for a farm may not be assigned or otherwise transferred in whole or in part to any other farm.

§ 730.765 *Successors in interest.* Any person who succeeds to the interest of a producer in a farm or in a rice crop produced on a farm for which a farm marketing quota and farm marketing excess were established shall, to the same extent as his predecessor, be entitled to all the rights and privileges incident to such marketing quota and marketing excess and be subject to the restrictions on the marketing of rice. However, no suit to

collect an unpaid marketing quota penalty incurred by a producer by marketing excess rice prior to his death shall be brought against any successor to the deceased producer. If a successor in interest shall acquire from a deceased producer rice subject to lien for the penalty, no marketing card or marketing certificate shall be issued to permit the successor in interest to market the rice penalty free until the penalty has been satisfied.

§ 730.766 *Review of quotas*—(a) *Right to review by review committee.* Any producer who is dissatisfied with the farm acreage allotment, normal yield, farm marketing quota, farm marketing excess, or other determination for his farm in connection with marketing quotas may, within 15 calendar days after the notice thereof was mailed to him, apply in writing for a review by a review committee of such acreage allotment, normal yield, farm marketing quota, farm marketing excess or other determination in connection therewith: *Provided*, That if a review hearing has been held and determination made by a review committee with respect to the acreage allotment, normal yield, farm marketing quota, farm marketing excess, or other determination in connection therewith, no application by a producer for further review by a review committee with respect to such determination may be filed. Unless application for review is made within such period, the acreage allotment, normal yield, farm marketing quota, farm marketing excess, or other determination, as the case may be, shall be final as to the producers on the farm. Application for review and the review committee proceedings shall be in accordance with the review regulations (Form MQ–51) as issued by the Secretary (Part 711 of this chapter).

(b) *Action by county committee prior to review hearing.* If a producer has applied for review, the county committee should reconsider the case. In its consideration, the committee may hear the producer and other persons who have knowledge of the matters involved either informally or at a scheduled hearing. If the county committee determines that the producer is entitled in whole or in part to the relief sought in the review procedure, it shall notify the clerk of the review committee in writing of the nature of the relief which the county committee has determined can be granted. The clerk of the review committee shall promptly notify the producer in writing of the relief which the county committee has determined can be granted and that if he will withdraw his application for review in writing within 15 days of the mailing of the notice, the county committee will then grant the relief indicated and will so inform him by issuing and mailing a revised MQ–93—Rice. If the producer withdraws the application for review in accordance with the foregoing provisions, the county committee shall promptly issue and mail the properly revised form MQ–93—Rice. If the county committee determines that no relief can be granted the producer or if the producer fails to withdraw his application for review, in cases where the county committee indicates relief can be granted, the review hearing shall be scheduled in the usual manner.

(c) *Court review.* If the producer is dissatisfied with the determination of the review committee he may, within 15 days after notice of such determination is mailed to him by registered mail, institute proceedings against the review committee to have the determination of the review committee reviewed by a court in accordance with section 365 of the act.

MARKETING CARDS AND MARKETING CERTIFICATES

§ 730.767 *Issuance of marketing cards*—(a) *Producers eligible to receive marketing cards.* The operator and all other producers on a farm shall be eligible to receive a marketing card (MQ–76—Rice (1956)) if (1) no farm marketing excess is determined for the farm, (2) an amount equal to the penalty on the farm marketing excess has been received from the producer or any buyer as provided in § 730.779 or § 730.780, (3) the farm marketing excess is stored, as provided in § 730.784, or (4) the amount of the farm marketing excess has been delivered to the Secretary, as provided in § 730.785. Each marketing card shall be serially numbered and shall show the names of the State and county code number thereof and the serial number of the farm, the signature of the county office manager or his designee, the name and address of the producer to whom issued, and the counter-signature of the producer to whom the card is issued, or his duly authorized agent, or a statement by the county office manager or his designee giving an explanation of the reason for which the counter-signature cannot be made. The producers on a farm shall be ineligible to receive marketing cards if any producer on the farm owes any penalty on 1955 excess rice or if determination of the 1956 rice acreage is prevented by any producer on the farm.

(b) *Multiple farm producers eligible to receive marketing cards.* Any producer who is a rice producer on more than one farm in a county shall not be eligible to receive a marketing card for any such farm in the county until, in accordance with the provisions of paragraph (a) of this section, he is eligible to receive a marketing card for each of such farms. However, only one rice marketing card need be issued to a producer who has an interest in the rice crop on more than one farm in the county, provided (1) the farm serial numbers of all such farms are entered on the marketing card, (2) the producer is eligible to receive a marketing card on each farm in the county in which he has an interest in the rice crop, and (3) the producer's liability has not been reduced to a proportionate share on any such farm. The other producers on a farm for which the multiple farm producer would otherwise be eligible to receive a marketing card shall receive marketing cards with respect to the farm notwithstanding the ineligibility of the multiple farm producer. Where a producer is engaged in the production of rice in more than one (county) (in the same State or in two or more States), the regulations outlined in this section for issuing marketing cards for multiple farms in a county may be followed with respect to all such farms, wherever situated, if the county committees of the respective counties, or the State committee, determines that the procedure would be necessary to enforce the provisions of the act. The State committee may require any multiple farm producer to file with it a list of all farms on which he is engaged in the production of rice, together with any other information deemed necessary to enforce the act.

(c) *Use of marketing cards.* The serial number of the farm or farms for which a marketing card is issued shall be entered on the marketing card. A marketing card shall not be used to identify rice produced on any farm the serial number of which is not entered on the card. A marketing card shall not be used to market any rice which was not produced on a farm the serial number of which appears on the marketing card.

§ 730.768 *Issuance of marketing certificates.* The county office manager or his designee, shall upon request, issue a marketing certificate Form MQ–94—Rice, to any producer (a) who is eligible to receive a marketing card and who desires to market rice by telegraph, telephone, mail, or by any means or method other than directly to and in the presence of the buyer or transferee, (b) whose liability has been reduced to a proportionate share of the entire penalty and such liability discharged in accordance with the provisions of § 730.779 (c), or (c) who is ineligible to receive a marketing card solely because of penalties owed for 1955 excess rice. Each marketing certificate shall show (1) the name and address of the producer to whom issued, (2) the names of the State and county code number thereof and the serial number of the farm, (3) the serial number of the marketing card assigned to the producer for the farm, (4) the signature of the county office manager or his designee, (5) the name of the buyer or transferee, (6) the number of pounds of rice involved in the transaction, and (7) the signature of the producer. The original of the marketing certificate shall be issued to the producer for delivery to the buyer or transferee and the duplicate copy shall be retained in the ASC county office. A marketing certificate shall not be used to identify rice produced on any farm the serial number of which is not entered on the certificate.

§ 730.769 *Lost, destroyed, or stolen marketing cards or marketing certificates*—(a) *Report of loss, destruction, or theft.* In case a marketing card or marketing certificate delivered to a producer is lost, destroyed, or stolen, any person having knowledge thereof shall, insofar as he is able immediately notify the ASC county office of the following: (1) The name of the operator of the farm for which such marketing card or marketing certificate was issued; (2) the name of the producer to whom the marketing card or marketing certificate was issued, if someone other than the operator; (3) the serial number of the marketing card or marketing certificate; and (4) whether in his knowledge or judgment it was lost, destroyed, or stolen and by whom.

(b) *Investigation and findings of county committee.* The county committee shall make or cause to be made a thorough investigation of the circumstances of such loss, destruction, or theft. If the county committee finds, on the basis of its investigation, that such marketing card or marketing certificate was in fact lost, destroyed, or stolen, it shall cause to be cancelled such marketing card or marketing certificate and instruct the county office manager to give notice to the producer to whom the marketing card or marketing certificate was issued that it is void and of no effect. The notice to that effect shall be in writing, addressed to the producer at his last known address, and deposited in the United States mails. If the county committee also finds that there has been no collusion in connection therewith on the part of the producer to or for whom the marketing card or marketing certificate was issued, it shall cause to be issued to or for him a marketing card or marketing certificate to replace the lost, destroyed, or stolen marketing card or marketing certificate. Each marketing card or marketing certificate issued under this section shall bear across its face in bold letters the word "Duplicate". In case a marketing card or marketing certificate is cancelled, as provided in this section, the county office manager or his designee shall immediately notify the buyers, mill operators, or warehousemen who serve the county, or in the immediate vicinity, that the marketing card or marketing certificate is cancelled and of the issuance of any duplicate. Any person coming into possession of a cancelled marketing card or marketing certificate shall immediately return it to the ASC county office from which it was issued.

§ 730.770 *Cancellation of marketing cards and marketing certificates issued in error.* Any marketing card or marketing certificate erroneously issued shall, immediately upon discovery of the error, be cancelled by the county office manager. The producer to whom such marketing card or marketing certificate was issued shall be notified in the manner prescribed in § 730.769 (b) that the marketing card or marketing certificate is void and of no effect and that it shall be returned to the ASC county office. Upon the return of such marketing card or marketing certificate, the county office manager shall cause to be endorsed thereon the notation "Cancelled." In the event that such marketing card or marketing certificate is not returned immediately, the county office manager shall immediately notify the mill operators, warehousemen, and buyers who serve the county, or in the immediate vicinity, that the marketing card or marketing certificate is cancelled. A copy of each notice provided for in this section, containing a notation thereon of the date of mailing, shall be kept among the records of the ASC county office.

IDENTIFICATION OF RICE

§ 730.771 *Time and manner of identification.* Each producer of rice and each intermediate buyer shall, at the time he markets any rice, identify the rice to the buyer or transferee, in the manner hereinafter provided as being subject to or not subject to the penalty and the lien for the penalty.

§ 730.772 *Identification by marketing card.* A marketing card (MQ–76—Rice (1956)) shall, when presented to the buyer by the producer to whom it was issued, be evidence to the buyer that the rice for which the marketing card was issued may be purchased without the payment of any penalty by him and that such rice is not subject to the lien for the penalty.

§ 730.773 *Identification by marketing certificate.* A Marketing certificate (MQ–94—Rice) properly executed by the county office manager or his designee and the producer to whom it is issued, shall, when delivered to the buyer by the producer be evidence that the amount of rice shown thereon may be purchased without the payment of any penalty by him and that such rice is not subject to the lien for penalty.

§ 730.774 *Identification by intermediate buyer's record and report.* The original and copy of an intermediate buyer's record and report (MQ–95—Rice (1956)), properly executed by the first intermediate buyer and the producer of the rice and any subsequent buyer in the manner outlined in §§ 730.788 (d) and 730.789 shall be evidence to any buyer that the rice covered thereby is not subject to the lien for penalty and may be purchased by him without payment of any penalty in the event either (a) the MQ–95—Rice (1956) shows the serial number of the marketing card or marketing certificate by which the rice was identified and the signatures of the producer and intermediate buyer, or (b) the original MQ–95—Rice (1956) bears the endorsement "Penalty satisfied" and the signature and title of the treasurer of a county committee and the date thereof.

§ 730.775 *Rice identified as subject to the penalty and lien for the penalty.* All rice marketed by a producer or by an intermediate buyer which is not identified in the manner prescribed in § 730.772, § 730.773 or § 730.774 shall be taken by the buyer thereof as rice subject to penalty and the lien for the penalty and the buyer of such rice shall pay the penalty thereon at the rate prescribed in § 730.776.

PENALTY

§ 730.776 *Rate of penalty.* The rate of penalty shall be 50 percent of the parity price per pound of rice as of June 15, 1956. The rate of penalty in cents per pound will be published by amendment as soon as it can be determined.

§ 730.777 *Lien for penalty.* The entire amount of rice produced in 1956 on any farm for which a farm marketing excess is determined shall be subject to a lien in favor of the United States for the amount of the penalty until the producers on the farm, in accordance with §§ 730.784, 730.785, 730.779, or 730.780, store the farm marketing excess or deliver it to the Secretary or until the amount of the penalty is paid.

§ 730.778 *Interest on unremitted penalty.* The person liable for the payment or collection of the penalty shall be liable also for interest on the amount of penalty which is not remitted in accordance with § 730.779 (b) or § 730.780 (c), as the case may be, at the rate of 6 percent per annum from the final date for remitting the penalty until the date such penalty is remitted. The computation of interest on any penalty due shall be made beginning with the day following the final date for remitting the penalty.

§ 730.779 *Payment of penalties by producers*—(a) *Producers liable for payment of penalties.* Each producer having an interest in the rice produced in 1956 on any farm for which a farm marketing excess is determined shall be liable to pay the amount of the penalty on the farm marketing excess as provided in this section. The amount of the penalty which any producer shall pay shall nevertheless be reduced by the amount of the penalty which is paid by another producer or a buyer of rice produced on the farm.

(b) *Time when penalties become due.* The amount of the penalty on the farm marketing excess for any farm shall be remitted not later than 60 calendar days after the date on which the harvesting of rice is normally substantially completed in the county in which the farm is situated, as determined by the State committee or within 30 days after a late notice of farm marketing quota and farm marketing excess is mailed as provided for in § 730.762 (a): *Provided, however,* That the penalty on that amount of the farm marketing excess delivered to the Secretary pursuant to § 730.785 shall not be remitted: *And provided further,* That the penalty on that amount of the farm marketing excess which is stored pursuant to § 730.784 shall not be remitted until the time, and to the extent, of any depletion in the amount of rice so stored not authorized as provided in § 730.784 (g).

(c) *Apportionment of the penalty.* The county committee may, upon application of any producer made prior to the expiration of the time allowed for the remittance of the penalty on the farm marketing excess, determine his proportionate share of the penalty on the farm marketing excess if, pursuant to the application, the producer establishes the facts that he is unable to arrange with the other producers on the farm for the payment of the penalty on the entire farm marketing excess or for the disposition of the farm marketing excess in accordance with § 730.784 or § 730.785, that his share of the rice crop produced on the farm is marketed or disposed of by him separately, and that he exercises no control over the marketing or disposition of the shares of the other producers in the rice crop. The producer's proportionate share of the penalty on the farm marketing excess shall be that proportion of the entire penalty on the farm marketing excess which his share in the rice produced in 1956 on the farm bears to the total amount of rice pro-

duced in 1956 on the farm. When the producer pays his proportionate share of the penalty, or, in accordance with § 730.784 or § 730.785 stores or delivers to the Secretary the number of pounds required to postpone or avoid the payment of the penalty on his proportionate share, he shall not be liable for the remainder of the penalty on the farm marketing excess and he shall be entitled to receive marketing certificates issued in accordance with § 730.768 to be used by him only in the marketing of his proportionate share of the rice crop produced in 1956 on the farm.

§ 730.780 *Payment of penalties by buyer*—(a) *Buyers liable for payment of penalties.* Each person within the United States who buys from the producer any rice subject to the lien for the penalty shall be liable for and shall pay the penalty thereon. Rice shall be taken as subject to the lien for the penalty unless the producer presents to the buyer a marketing card (MQ–76—Rice (1956)) or a marketing certificate (MQ–94—Rice) as prescribed in §§ 730.772 and 730.773.

(b) *Payment of penalties on account of the lien for the penalty.* Each person within the United States who buys rice which is subject to the lien for the penalty shall pay the amount of the penalty on each pound thereof in satisfaction of the lien thereon. Rice purchased from any intermediate buyer shall be taken as subject to the lien for the penalty unless, at the time of sale, the intermediate buyer delivers to the purchaser the original and a copy of an intermediate buyer's record and report, MQ–95—Rice (1956), properly executed by the producer of the rice and the first intermediate buyer, which show (1) the serial number of marketing card or marketing certificate by which the rice covered thereby was identified when marketed, or (2) on the reverse side the statement "Penalty satisfied" and the signature and title of the treasurer of a county committee and the date thereof.

(c) *Time when penalties become due.* The penalty to be paid by any buyer pursuant to paragraph (a) or (b) of this section shall be due at the time the rice is purchased and shall be remitted not later than 15 calendar days thereafter.

(d) *Manner of deducting penalties and issuance of receipts.* The buyer may deduct from the price paid for any rice an amount equivalent to the amount of the penalty to be paid by the buyer pursuant to paragraph (a) or (b) of this section. Any buyer who deducts an amount equivalent to the penalty shall issue to the person from whom the rice was purchased a receipt for the amount so deducted which shall be, in the case of rice purchased from the producer by an intermediate buyer, on MQ–95—Rice (1956), and, in all other cases, on MQ–81—Rice (1956).

§ 730.781 *Remittance of penalties to the treasurer of the county committee.* The treasurer of any county committee, for and on behalf of the Secretary, shall receive the penalty. The penalty shall be remitted only in legal tender, or by check, draft, or money order drawn payable to the order of the Treasurer of the United States. All checks, drafts, and money orders tendered in payment of the penalty shall be received by the treasurer of the county committee subject to collection and payment at par. If the penalty is remitted by an intermediate buyer, the treasurer of the county committee shall show that the penalty is paid by entering on the reverse side of the original and first copy of the intermediate buyer's record and report, MQ–95—Rice (1956), the statement "Penalty satisfied" and his signature and title and the date thereof.

§ 730.782 *Deposit of funds.* All funds received by the treasurer of the county committee in connection with penalties for rice shall be scheduled and transmitted by him on the day received or not later than the next succeeding business day, to the State committee, which shall cause such funds to be deposited to the credit of a special deposit account with the Treasurer of the United States in the name of the Chief Disbursing Officer of the Treasury Department (referred to in this subpart as "special deposit account") to be held in escrow. In the event the funds so received are in the form of cash, the treasurer of the county committee shall deposit such funds in the ASC county committee bank account and issue a check in the amount thereof, payable to the order of the Treasurer of the United States. The treasurer of the county committee shall make and keep a record of each amount received by him, showing the name of the person who remitted the funds, the identification of the farm or farms in connection with which the funds were received, and the name of the person who marketed the rice in connection with which the funds were remitted.

§ 730.783 *Refunds of money in excess of the penalty*—(a) *Determination of refunds.* The county committee and the treasurer of the county committee upon their own motion or upon the request of any interested person shall review the amount of money received in connection with the penalty for any farm to determine for each producer the amount thereof, if any, which is in excess of the security required for stored excess rice or the penalty due. Any excess amount shall be refunded. Any refund shall be made only to persons who bore the burden of the payment and who have not been reimbursed therefor. The excess amount shall first be applied, insofar as the sum will permit, so as to make refunds to eligible persons other than producers and the reminder, if any, shall be applied so as to make refunds to the eligible producers. The amount to be refunded to each producer shall be either (1) the amount determined by apportioning the excess amount among the producers on the farm in the proportion that each contributed toward the payment, avoidance, or security of the penalty on the farm marketing excess or (2) the amount which is in excess of the security required for stored excess rice and the penalty due on that portion of the farm marketing excess for which the producer is separately liable. No refund shall be made to any buyer or transferee of any amount which he collected from the producer or another, deducted from the price or consideration paid for the rice or for which he was liable.

(b) *Certification of refunds.* The county office manager or the treasurer of the county committee shall notify the State committee of the amount which the county committee and its treasurer determine may be refunded to each person with respect to the farm, and the State committee shall cause to be certified to the Chief Disbursing Officer of the Treasury Department for payment such amounts as are approved by it. No refund of money shall be certified under this section unless the money has been remitted to the treasurer of the county committee and transmitted by him to the State committee.

§ 730.784 *Stored farm marketing excess*—(a) *Amount of rice to be stored.* The number of pounds of rice in connection with any farm which may be stored in order to postpone the payment of the penalty or with a view to avoiding such penalty shall be that portion of the farm marketing excess which has not been delivered to the Secretary or on which the penalty has not been paid. The amount of the farm marketing excess for the purpose of storage shall be the amount of the farm marketing excess as determined at the time of storage under § 730.759 or § 730.762, whichever is applicable.

(b) *Stored excess rice.* Stored excess rice shall be kept in a place adapted to the storage of rice. The rice so stored on the farm shall be subject to the condition that it may be inspected at any time by officers or employees of the United States Department of Agriculture or members, officers, or employees of the State or county committees. The rice stored shall be of the current crop and of a representative quality of all the rice produced on the farm; in the case of farm storage, excess rice of one crop shall not be replaced by rice of another crop.

(c) *Deposit of warehouse receipts in escrow.* The storage of rice in a warehouse in order to postpone the payment of the penalty or with a view to avoiding such penalty shall be effective when a warehouse receipt covering the amount of rice so stored is deposited with the treasurer of the county committee to be held in escrow. The warehouse receipt shall be a negotiable receipt or a nonnegotiable receipt as to which the warehouseman is notified in writing by the owner of such receipt and the treasurer of the county committee that it is being so deposited in escrow and that delivery of the rice covered thereby is to be made under the terms of its deposit in escrow while such receipt remains so deposited. Any warehouse receipt so deposited shall be accepted only upon the condition that the producers by or for whom the rice is stored shall be and shall remain liable for all charges incident to the storage of the rice and that the county committee and the United States in no way be responsible for or pay any such charges. Whenever the penalty with respect to rice covered by warehouse receipt is paid or satisfied from any cause, the ware-

house receipt shall be returned to the person who deposited it.

(d) *Bond of indemnity.* Farm storage of excess rice in order to postpone the payment of the penalty or with a view to avoiding such penalty shall also be effective when a good and sufficient bond of indemnity on a form prescribed for this purpose is executed and filed with the treasurer of the county committee in an amount not less than the amount of the penalty on that portion of the farm marketing excess so stored. Each bond given pursuant to this paragraph shall be executed as principal by the producer storing the rice and either (1) as sureties by two persons who are not producers on the farm each owning real property with an unencumbered value of double the principal sum of the bond, or (2) as surety by a corporate surety authorized to do business in the State in which the farm is situated and listed by the Secretary of the Treasury of the United States as an acceptable surety on bonds in favor of the United States. Each bond of indemnity shall be subject to the conditions that the penalty on the amount of rice stored shall be paid at the time, and to the extent, of any depletion of the amount stored which is not authorized under paragraph (g) of this section and that if at any time any producer on the farm prevents the inspection of any rice so stored the penalty on the entire amount stored shall be paid forthwith. Whenever the penalties secured by the bond of indemnity are paid or reduced from any cause, the treasurer of the county committee shall furnish the principal and the sureties with a written statement to that effect. A bond shall not otherwise be cancelled or released. The bond of indemnity provided for in this paragraph may be waived by the county committee, with the approval of the State committee, if the excess rice was produced by a State or State institution or other agency of a State or Federal agency: *Provided*, That as a condition of the waiver of the bond of indemnity the head of the State institution or other State agency or Federal agency shall agree in writing to comply with all other provisions of the regulations in §§ 730.750 to 730.799 with respect to the stored farm marketing excess.

(e) *Deposit of funds in escrow.* Farm storage of rice in order to postpone the payment of the penalty or with a view to avoiding such penalty shall also be effective when an amount of money not less than the penalty on that portion of the farm marketing excess so stored is deposited with the Treasurer of the United States to be held in escrow to secure the payment of such penalty. Such funds shall be received subject to collection and payment at par. Funds in escrow shall be subject to the condition that the penalty on the amount of rice stored shall be paid at the time, and to the extent, of any depletion of the amount stored which is not authorized under paragraph (g) of this section and that if at any time any producer on the farm prevents inspection of any rice so stored, the penalty on the entire amount stored shall be paid forthwith.

(f) *Time of storage.* Storage of rice in connection with any farm in order to postpone the payment of the penalty or with a view to avoiding such penalty shall not be effective unless the provisions of paragraphs (a) and (b), and (c), (d), or (e) of this section are complied with prior to the expiration of the period allowed, in accordance with § 730.779 (b), for the remittance of the penalty with respect to the farm marketing excess for the farm.

(g) *Depletion of stored excess rice.* The penalty on the amount of excess rice stored shall be paid by the producers on the farm at the time and to the extent of any depletion in the amount of rice stored except as provided in paragraphs (h) and (i) of this section and except to the extent of the following: (1) The amount by which the stored excess rice exceeds the farm marketing excess for the farm as determined in accordance with § 730.759 or § 730.762, (2) the amount by which the stored excess rice exceeds the amount of the farm marketing excess as determined by a review committee or as a result of a court review of the review committee, (3) the amount of any rice destroyed by fire, weather conditions, theft, or any other cause beyond the control of the producer, provided the producer shows beyond a reasonable doubt that the depletion resulted from such cause and not from his negligence nor from any affirmative act done or caused to be done by him, and (4) the amount of any rice delivered to the Secretary under the provisions of § 730.785.

(h) *Underplanting the farm acreage allotment for a subsequent crop.* Whenever the rice acreage on any farm for the 1957 or subsequent crop of rice is less than the farm acreage allotment therefor, the producers on the farm who stored excess rice in accordance with the foregoing provisions of this section shall, upon application made by them to the county committee, be entitled to remove from storage without penalty any rice so stored by them, whether produced in a prior year on the farm or another farm, to the extent of the normal production of the number of acres by which the acreage planted to rice is less than the farm acreage allotment. The amount of rice which would otherwise be authorized to be removed from storage in connection with the farm under this paragraph shall be reduced to the extent that stored excess rice from any other crop is authorized to be removed from storage in connection with the farm. The amount of rice authorized to be removed from storage shall be apportioned among the several producers on the farm who have stored excess rice to the extent of their need therefor in accordance with their shares in the acreage which was or could have been planted to rice or in accordance with their agreement as to the apportionment to be made. A producer shall not be entitled to remove rice from storage under this paragraph in connection with any farm unless, at the time the determination is made under this paragraph, the rice is stored and owned by the producer and, at the end of the rice seeding season for the crop for the area in which the farm is situated, the producer is entitled to share in the rice crop which was or could have been planted on the farm. The acreage planted to rice for the purpose of this paragraph shall be the rice acreage on the farm.

(i) *Producing a subsequent crop which is less than the normal production of the farm acreage allotment.* Whenever in 1957 or any subsequent year the rice acreage does not exceed the farm acreage allotment and the actual production of rice on the farm is less than the normal production of the farm acreage allotment therefor, the producers on the farm who stored excess rice in accordance with the foregoing provisions of this section shall, upon application made by them to the ASC county office, be entitled to remove from storage, without penalty, any rice so stored by them, whether produced in the prior year on the farm or another farm, to the extent of the amount by which the normal production of the farm acreage allotment, less the normal production of the underplanted acreage for the farm which was or could have been determined under paragraph (h) of this section, exceeds the amount of rice produced on the farm in that year. The amount of rice which would otherwise be authorized to be removed from storage in connection with the farm under this paragraph shall be reduced to the extent that stored excess rice from any other crop is authorized to be removed from storage in connection with the farm. The amount of rice which is authorized to be removed from storage shall be apportioned among the several producers on the farm who have stored excess rice to the extent of their need therefor in accordance with their proportionate shares in the rice crop planted on the farm or in accordance with their agreement as to the apportionment to be made. The determination of the amount of rice produced on the farm shall be made in accordance with the marketing quota regulations applicable to the crop. A producer shall not be entitled to remove rice from storage under this paragraph for any farm unless, at the time the determination is made under this paragraph, the rice is stored and owned by the producer and, at the time of harvest, the producer is entitled to a share in the rice crop planted on the farm.

§ 730.785 *Delivery of the farm marketing excess to the Secretary*—(a) *Amount of the rice to be delivered.* The amount of rice delivered to the Secretary in order to avoid the payment of the penalty in connection with any farm shall not exceed the amount of the farm marketing excess as determined at the time of delivery, in accordance with § 730.759 or § 730.762, whichever is applicable.

(b) *Conditions and methods of delivery.* For and on behalf of the Secretary, the treasurer of the county committee for the county in which the farm for which the marketing excess is determined is situated shall accept the delivery of any rice tendered to avoid the payment of the penalty. The delivery of the rice for this purpose shall be effective only when the producers having an interest in the rice to be so delivered convey to the Secretary all right, title, and interest in and to the

rice by executing a form provided for this purpose and (1) deliver the rice to a warehouse and tender to the treasurer or the county committee the warehouse receipts for the amount of the rice, or (2) where the producer shows to the satisfaction of the county office manager that it is impracticable to deliver the rice to a warehouse and receive a warehouse receipt therefor, deliver the rice at a point within the county or nearby and within such time or times as may be designated by the county office manager. None of the rice so delivered shall be returned to the producer. Insofar as practicable, the rice so delivered shall be delivered to the Commodity Credit Corporation of the United States Department of Agriculture, and any rice which it is impracticable to deliver to such Corporation shall be distributed to such one or more of the following classes of agencies or organizations as the State committee selects, which delivery the Secretary hereby determines will divert it from the normal channels of trade and commerce: Any Federal relief organization, the American Red Cross, State or county or municipal relief organization, Federal or State wildlife refuge project or any voluntary relief organization registered with the Advisory Committee on Voluntary Foreign Aid of the International Cooperation Administration for shipment for relief overseas.

(c) *Time of delivery.* Excess rice may be delivered to the Secretary at any time within 60 calendar days after the date on which the harvesting of rice is normally substantially completed in the county as determined by the State Committee in accordance with § 730.762 (a) or within 30 days after a late notice of farm marketing quota and farm marketing excess is mailed as provided for in § 730.761. Excess rice may be delivered to the Secretary after such period only if the excess rice was stored in accordance with the provisions of § 730.784 (a) through (f), and the rice has not gone out of condition through any fault of the producer.

§ 730.786 *Refund of penalty erroneously, illegally, or wrongfully collected.* Whenever, pursuant to a claim filed with the Secretary within two calendar years after payment to him of the penalty collected from any person, pursuant to the act, the Secretary finds that the penalty was erroneously, illegally, or wrongfully collected, and the claimant bore the burden of such penalty, he shall certify to the Secretary of the Treasury of the United States for payment to the claimant, in accordance with regulations prescribed by the Secretary of the Treasury of the United States, such amount as the claimant is entitled to receive as a refund of all or a portion of the penalty.

§ 730.787 *Report of violations and court proceedings to collect penalty.* It shall be the duty of the county office manager to report in writing to the State administrative officer each case of failure or refusal to pay the penalty or to remit the same as provided in §§ 730.779 through 730.781. It shall be the duty of the State administrative officer to report each such case in writing to the Office of the General Counsel of the United States Department of Agriculture with a view to the institution of proceedings by the United States Attorney for the appropriate district under the direction of the Attorney General of the United States, to collect the penalties, as provided in section 376 of the act.

RECORDS AND REPORTS

§ 730.788 *Records to be kept and reports to be made by warehousemen, mill operators, or processors, and buyers other than intermediate buyers*—(a) *Necessity for records and reports.* Each warehouseman, mill operator, or processor, and each buyer other than an intermediate buyer, who buys, acquires, or receives rice from the producer or intermediate buyer thereof shall, in conformity with section 373 (a) of the act, keep the records and make the reports prescribed by this section, which the Secretary hereby finds to be necessary to enable him to carry out with respect to rice the provisions of the act.

(b) *Nature and availability of records.* Each warehouseman, mill operator, or processor, and each buyer other than an intermediate buyer, shall keep, as part of or in addition to the records maintained by him in the conduct of his business, a record which shall show with respect to the rice purchased, acquired, or received by him from the producers or the intermediate buyers thereof the following information: (1) The name and address of the producer of the rice, (2) the date of the transaction, (3) the amount of the rice, (4) the serial number of the marketing card (MQ–76—Rice (1956)), or marketing certificate (MQ–94—Rice), or intermediate buyer's record and report (MQ–95—Rice (1956)), by which the rice was identified, or the report and penalty receipt (MQ–81—Rice (1956)), and (5) the amount of any lien for the penalty or of any penalty incurred in connection with the rice purchased, acquired, or received by him. The record so made and all business records of such persons required to keep such records shall be kept available for examination by the county office manager or any authorized representative of the State administrative officer or investigators and accountants (special agents) or other authorized representatives of the Director, Compliance and Investigation Division, Commodity Stabilization Service, U. S. Department of Agriculture, for two calendar years beyond the calendar year in which the marketing year ends. Such records shall include relevant books, papers, records, accounts, correspondence, contracts, documents and memoranda, but shall be examined only for the purpose of ascertaining the correctness of any report made or record kept pursuant to the regulations in this subpart, or of obtaining the information required to be furnished in any report pursuant to the regulations in this subpart but not so furnished. The county office manager shall furnish without cost blank copies of MQ–97—Rice which may be used for the purpose of keeping the record required under this section.

(c) *Records and reports in connection with rice subject to penalty or the lien for the penalty.* Each warehouseman, mill operator, or processor, and each buyer other than an intermediate buyer, who purchases any rice from the producer or intermediate buyer thereof which is not identified at the time the rice is purchased in the manner provided in §§ 730.772, 730.773, and 730.774, shall, with respect to each such transaction, execute the report and penalty receipt on MQ–81—Rice, (1956) and report to the treasurer of the county committee the following information: (1) The name and address of the producer or intermediate buyer from whom the rice was purchased or acquired, (2) the date of the transaction, (3) the amount of the rice, and (4) the amount of the penalty incurred in connection with the transaction, and whether an amount equivalent to the penalty was deducted from the price or consideration paid for the rice. Each record and report on MQ–81—Rice (1956) shall be executed in triplicate. The person who executes MQ–81—Rice (1956) shall retain one copy, give the original to the producer or intermediate buyer, as the case may be, which shall be the receipt to him for the amount of the penalty in connection with rice and mail or deliver the remaining copy to the treasurer of the county committee. It shall be presumed that rice was not identified by MQ–76—Rice (1956) as provided in § 730.772 or MQ–94—Rice as provided in § 730.773, or MQ–95—Rice (1956) as provided in § 730.774, if the serial number of the marketing card or marketing certificate or intermediate buyer's record and report does not appear on the records required to be kept pursuant to paragraph (b) of this section.

(d) *Records and reports in connection with rice identified by intermediate buyer's records and reports.* Whenever rice is identified by the intermediate buyer's record and report (MQ–95—Rice (1956)) executed in accordance with § 730.789 the warehouseman, mill operator, or processor, or the buyer other than an intermediate buyer, who purchases or acquires the rice covered thereby shall retain the first copy as a record of the transaction and forward the original to the treasurer of the county committee as a report on the transaction in every case where he purchases or acquires all or the remainder of the rice covered by the record and report. In all other cases, where the warehouseman, mill operator, or processor, or the buyer other than an intermediate buyer, purchases or acquires only a portion of the rice covered by the intermediate buyer's record and report, he shall make a record and report of the transaction by endorsing on the reverse side of both the original and first copy his name and signature, the amount of rice purchased or acquired, and the date of the transaction and return the forms so endorsed to the intermediate buyer to be delivered to the person who finally purchases or acquires the remainder of the rice.

(e) *Records in connection with rice identified by marketing certificates.* Whenever rice is identified by a marketing certificate (MQ–94—Rice), the warehouseman, mill operator, or processor, or the buyer other than an intermediate buyer, who purchases the rice so iden-

tified shall retain the marketing certificate as a record of the transaction.

(f) *Time and place of submitting reports.* Each report required by this section shall be submitted, not later than 15 calendar days next succeeding the day on which the rice was marketed to a warehouseman, mill operator, or processor, or a buyer other than an intermediate buyer, to the treasurer of the county committee for the county in which the rice was produced.

§ 730.789 *Records to be kept and reports to be made by intermediate buyers*—(a) *Necessity for records and reports.* Each intermediate buyer shall, in conformity with section 373 (a) of the act, keep the records and make the reports prescribed by this section, which the Secretary hereby finds to be necessary to enable him to carry out, with respect to rice, the provisions of the act.

(b) *Form of record and report in connection with rice purchased or acquired from producers.* Each intermediate buyer who purchases or acquires any rice from the producer thereof shall, with respect to each such transaction, keep a record and make a report on the intermediate buyer's record and report (MQ–95—Rice (1956)) of the following information: (1) The name and address of the producer from whom the rice was purchased or acquired, (2) the names of the county and State in which the rice was produced, (3) the date of the transaction, (4) the number of pounds of rice, and (5) the serial number of the marketing card or marketing certificate by which the producer identified the rice at the time it was marketed, or if the rice is not so identified, the amount of the penalty, and whether an amount equivalent to the penalty was collected or deducted from the price or consideration paid for the rice. The record and report shall be executed in quadruplicate and, after the entries described above are made, the intermediate buyer and producer shall certify to the correctness of the entries by signing the MQ–95—Rice (1956). One copy of the MQ–95—Rice (1956) so executed shall be retained by the producer as a record of the transaction and as a receipt for the amount equivalent to the penalty, if any, which was deducted from the price or consideration paid for the rice. One copy of MQ–95—Rice (1956) so executed shall be retained by the intermediate buyer as his record in connection with the transaction. Whenever rice is identified by a marketing certificate (MQ–94—Rice), the intermediate buyer shall attach the original of the marketing certificate to the first copy of MQ–95—Rice (1956) to be delivered to the warehouseman, mill operator, or processor, or buyer other than an intermediate buyer, who finally acquires the rice covered by MQ–95—Rice (1956) and marketing certificate (MQ–94—Rice). Whenever the intermediate buyer markets or delivers a portion of the rice covered by a single MQ–95—Rice (1956) to another and retains a portion of the rice, the intermediate buyer shall obtain from the person to whom the portion of the rice is marketed or delivered an endorsement on the reverse side of both the original and first copy of MQ–95—Rice (1956) showing the name and signature of the person, the number of pounds of rice marketed or delivered to him, and the date of the transaction.

(c) *Manner of making reports.* The intermediate buyer shall deliver the original and copy of the intermediate buyer's record and report MQ–95—Rice (1956) to the warehouseman, mill operator, or processor, or the buyer other than an intermediate buyer, to whom all of the remainder of the rice covered thereby is marketed. When rice is marketed or delivered by one intermediate buyer to another intermediate buyer, the original and first copy of MQ–95—Rice (1956) shall be transmitted by one intermediate buyer to another and the last intermediate buyer shall deliver them to the warehouseman, mill operator, or processor, or buyer other than an intermediate buyer. If all or the remainder of the rice is not marketed or delivered to a warehouseman, mill operator, or processor, or buyer other than an intermediate buyer, the last intermediate buyer shall within 15 days mail or deliver the original and first copy of the intermediate buyer's record and report to the treasurer of the county committee.

(d) *Reports to the treasurer of the county committee.* Each intermediate buyer shall, within 15 days after all Forms MQ–95—Rice (1956) contained in a book have been executed or on February 28, 1957, whichever is the earlier, mail or deliver to the treasurer of the county committee from whom the book was obtained the executed copies and unexecuted sets of Form MQ–95—Rice (1956) which were retained by him.

§ 730.790 *Buyer's special reports.* In the event that the county committee or State committee has reason to believe that any buyer has failed or refused to comply with this subpart, the buyer shall within 15 days after a written request therefor made by the county committee or State committee and deposited in the United States mails, registered and addressed to him at his last known address, make a report, verified as true and correct by affidavit, on MQ–97—Rice to such committee with respect to all rice purchased or acquired by him during the period of time as specified in the request. The report shall include the following information for each lot of rice purchased or acquired from the persons specified or during the period specified: (a) The name and address of the producer of the rice, (b) the date of the transaction, (c) the amount of the rice, (d) the serial number of the marketing card (MQ–76—Rice (1956)), marketing certificate (MQ–94—Rice), or intermediate buyer's record and report (MQ–95—Rice (1956)), or the report and penalty receipt (MQ–81—Rice (1956)), and (e) the amount of the lien for the penalty or the amount of penalty incurred in connection with the rice purchased or acquired.

§ 730.791 *Penalty for failure or refusal to keep records and make reports.* Any person required to keep the records or make the reports specified in § 730.788, § 730.789, or § 730.790 and who fails to keep any such record or make any such report or who makes any false report or keeps any false record shall, as provided in section 373 (a) of the act, be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than $500 for each such offense.

§ 730.792 *Records to be kept and reports to be made by producers.* Each producer with respect to the 1956 rice crop shall keep the records and make the reports prescribed by this section, which the Secretary hereby finds to be necessary to enable him to carry out with respect to rice the provisions of the act. Upon written request of the county committee any producer shall, within 15 days from the date the request was mailed to him, file with the treasurer of the county committee for the county in which the farm is situated a farm operator's report on MQ–98—Rice (1956) showing for the farm the following information: (a) The total number of pounds of rice produced thereon in 1956, (b) the name and address of each buyer or transferee of any rice, (c) the amount of rice marketed to each buyer, (d) the amount equivalent to the penalty which was deducted from the price or consideration for the rice, (e) the amount of unmarketed rice of the 1956 crop on hand, and (f) rice acreage for 1956.

§ 730.793 *Data to be kept confidential.* Except as otherwise provided in this subpart, all data reported to or acquired by the Secretary pursuant to and in the manner provided in this subpart shall be kept confidential by all officers and employees of the United States Department of Agriculture, members of county committees, other local committees, and State committees, county agents, and officers and employees of such committees or county agent's offices, and shall not be disclosed to anyone not having an interest in or responsibility for any rice, farm, or transaction covered by the particular data, such as records, reports, forms, or other information, and only such data so reported and acquired as the Secretary deems relevant shall be disclosed by them to anyone not having such an interest or not being employed in the administration of the act and then only in a suit or administrative hearing under Title III of the act.

§ 730.794 *Enforcement.* It shall be the duty of the county office manager to report in writing to the State administrative officer forthwith each case of failure or refusal to make any report or keep any record as required by §§ 730.788 through 730.792 and to so report each case of making any false report or record. It shall be the duty of the State administrative officer to report each such case in writing, in quintuplicate to the Office of the General Counsel of the United States Department of Agriculture, with a view to the institution of proceedings by the United States Attorney for the appropriate district, under the direction of the Attorney General of the United States, to enforce the provisions of the act.

SPECIAL PROVISIONS AND EXEMPTIONS

§ 730.795 *Farms on which the only acreage of rice is non-irrigated rice not*

in excess of 3 acres—(a) *Conditions of exception.* The farm marketing quota of rice for the 1956 crop shall not be applicable to any non-irrigated (dryland) farm on which the rice acreage for the 1956 crop is not in excess of 3 acres.

(b) *Issuing marketing cards.* The county office manager or his designee shall, for each farm to which the provisions of this section are applicable, issue marketing cards and marketing certificates to the producers on the farm in the manner and subject to the conditions specified in §§ 730.767 to 730.770 inclusive.

§ 730.796 *Experimental rice farms*—(a) *Conditions of exemption.* The penalty shall not apply to the marketing of any rice of the 1956 crop grown for experimental purposes only on land owned or leased by any publicly owned agricultural experiment station, and is produced at public expense by employees of the experiment station, or to rice produced for experimental purposes only by farmers pursuant to an agreement with a publicly owned experiment station whereby the experiment station bears the costs and risks incident to the production of the rice and the proceeds from the crop inure to the benefit of the experiment station: *Provided,* That such agreement is approved by the State committee prior to the planting of rice on the farm. The production of foundation, registered or certified seed rice will not be considered produced for experimental purposes only.

(b) *Issuing marketing cards.* The county office manager shall, upon the written application of a responsible executive officer of any publicly owned agricultural experiment station to which the exemption referred to in paragraph (a) of this section is applicable, issue a marketing card for the experiment station in the manner and subject to the conditions specified in §§ 730.767 to 730.770, inclusive.

§ 730.797 *Wildlife refuge farms.* The penalty shall not apply to the rice produced on any farm operated by any Federal or State wildlife refuge farm which is produced solely for wildlife feed and for seed for the production of wildlife feed on such wildlife refuge farm. No marketing card or marketing certificate shall be issued to any producer on any such farm except under the provisions of §§ 730.767, 730.768, and 730.795, but the exemption from penalty shall be granted by the county office manager upon the written application of the operator or responsible executive officer on any such farm stating that all the rice produced will be used solely for wildlife feed and for seed for the production of wildlife feed on such wildlife refuge farm.

§ 730.798 *Erroneous notice of rice acreage allotment.* In any case where through error in a county or State office the producer was officially notified in writing of a rice acreage allotment for the 1956 crop larger than the finally-approved acreage allotment and the State and county committees find that the producer acting solely on the information contained in the erroneous notice, planted an acreage to rice in excess of the finally-approved acreage allotment, the producer will not be considered to have exceeded the acreage allotment unless he planted an acreage in excess of the allotment shown on the erroneous notice. The farm marketing quota and the farm marketing excess for the farm under the foregoing circumstances will be based on the acreage allotment contained in the erroneous notice, and if the acreage planted to rice on the farm is adjusted to the allotment contained in the erroneous notice within the time limits for destruction of the excess acreage as provided in § 730.751 (u), the farm will not be considered to be overplanted. Before a producer can be said to have relied upon the erroneous notice, the circumstances must have been such that the producer had no cause to believe that the acreage allotment notice was in error; to determine this fact, the date of any corrected notice in relation to the time of planting; the size of the farm; the amount of rice customarily planted; and all other pertinent facts should be taken into consideration. If the county committee determines that the producer was justified in relying on the erroneous notice of rice acreage allotment for the farm, such determination shall be subject to review and approval by the State committee before the erroneous allotment is used by the county committee to determine the marketing quota and farm marketing excess for the farm.

§ 730.799 *Redelegation of authority.* Any authority delegated to the State committee by §§ 730.750 to 730.799 may be redelegated by the State committee.

Issued this 9th day of May 1956.

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

[F. R. Doc. 56-3832; Filed, May 14, 1956; 8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supps. 3, 6, 7, 14, 38]

PART 1—CERTIFICATION, IDENTIFICATION, AND MARKING OF AIRCRAFT AND RELATED PRODUCTS

PART 18—MAINTENANCE, REPAIR, AND ALTERATION OF AIRFRAMES, POWERPLANTS, PROPELLERS, AND APPLIANCES

PART 24—MECHANIC AND REPAIRMAN CERTIFICATES

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PART 43—GENERAL OPERATION RULES

PART 52—REPAIR STATION CERTIFICATES

ELIMINATION OF ANNUAL INSPECTION OF GENERAL AIRCRAFT

The purpose of these amendments is to implement regulations promulgated by the Civil Aeronautics Board, effective July 17, 1956, which simplify the present procedures for determining continued airworthiness of general aircraft and for returning such aircraft to service after major maintenance.

For a number of years, airworthiness determinations have been made by Civil Aeronautics Administration personnel or by designees under their supervision. The success of the designee program has provided the Administrator with definite assurance that there are in industry a sufficient number of qualified individuals of demonstrated ability who are capable of assuming responsibility for the continued airworthiness of general aircraft. The Civil Aeronautics Board has now transferred authority and responsibility for determining continued airworthiness to such individuals.

Hence, these amendments are designed to (1) establish a procedure for issuance of "inspection authorizations" for qualified certificated mechanics which will permit them to determine continued airworthiness of general aircraft and release such aircraft to service after major maintenance is accomplished, and (2) provide inspection procedures for 100-hour inspections and progressive inspections.

The Administrator will supervise continued airworthiness of general aircraft as necessary to assure compliance with the new established requirements of the Civil Air Regulations.

The proposed rules were published on October 5, 1955, in 20 F. R. 7380–7383. All interested persons have been afforded an opportunity to submit written views, data, or argument and consideration has been given all relevant data presented.

The following rules, policies, and interpretations are hereby adopted:

1. Section 1.64–1 of Part 1 is deleted.

2. Sections 1.75–1 and 1.76–1 through 1.76–4 are redesignated §§ 1.76–1 and 1.77–1 through 1.77–4 respectively; and a new § 1.75–1 is added to read as follows:

§ 1.75–1 *Duration of experimental certificate (CAA policies which apply to § 1.75).* (a) Experimental certificates will be issued to expire on a specific date, or will indicate a condition under which the certificate will automatically expire. The duration of the experimental certificate may vary from one flight to a limited number of operating hours, or days. In any case, the duration will not exceed one year.

(b) It is the policy of the CAA to do everything possible to encourage legitimate experimentation leading to improvement in aircraft whenever this may be done without endangering the lives of persons or property not involved in the experimentation. Since it is recognized that a certain amount of danger to the operator is inherent in all experimental flying, the certificates issued for experimental aircraft will contain specific operating conditions and limitations designed to protect the lives and property of persons not involved in the experimentation.

3. The following new sections are added to Part 18:

§ 18.12–1 *Appropriately rated and certificated repair station (CAA interpretations which apply to § 18.12).* An appropriately rated and certificated repair station is a repair station holding either Class Airframe or Limited Airframe ratings appropriate to the make and model of aircraft to be inspected.

§ 18.23–1 *Aircraft maintenance records (CAA rules which apply to § 18.23)*—(a) *Periodic inspections.* (1) The authorized mechanic, repair station, or aircraft manufacturer conducting a periodic inspection of an aircraft will complete the franked Form ACA–2350 entitled, "Aircraft Use and Inspection Report," in accordance with the instructions contained in appendix A,[1] and mail the form to the Aviation Safety District Office as soon as possible but not later than 48 hours following such inspection.

(2) In the event that a mechanic, repair station, or manufacturer conducting an inspection finds that an aircraft is unairworthy or does not conform with the applicable CAA aircraft specifications, airworthiness directives, or other approved data, the inspecting agency shall provide the aircraft owner or lessee with a signed and dated copy of a list of the discrepancies and forward a similar list with the Form ACA–2350 to the Aviation Safety District Office as soon as possible but not later than 48 hours following such inspection.

(b) *Progressive inspections.* (1) A mechanic, repair station, or manufacturer shall complete and mail the Aircraft Use and Inspection Report form to their local Aviation Safety District Office after the completion of the first complete inspection of an aircraft which is required at the commencement of a progressive inspection, as soon as possible but not later than 48 hours after such inspection. Thereafter, this form shall also be completed by the inspecting agency and submitted to the district office once each year during the month of January.

(2) When the progressive inspection system for a particular aircraft has been discontinued, the inspecting agency shall notify the local Aviation Safety District Office thereof by completing an Aircraft Use and Inspection Report form and adding the word "discontinued" (typed or written) over the box preceding "Progressive Inspection" and mailing such form to the district office as soon at possible but not later than 48 hours after the inspection is discontinued.

§ 18.30–18 *Periodic and 100-hour inspections (CAA rules which apply to § 18.30 (c))*—(a) *General.* The inspecting agency shall employ an inspection form as a checklist while performing a periodic or 100-hour inspection. Such form may be developed by the mechanic, repair station, or the manufacturer similar to the example given in appendix D,[2] or provide the scope and detail of the items of inspection set forth in subdivisions (i) through (xi) of subparagraph (1) of this paragraph.

(1) *Inspection procedures.* Prior to inspection, all necessary inspection plates, access doors, fairing and cowling shall be opened or removed and the aircraft and engine thoroughly cleaned to properly reveal the actual condition of the parts being inspected. Airworthiness of the aircraft shall be determined by thoroughly inspecting the pertinent items in subdivisions (i) through (xi) of this subparagraph in accordance with instructions contained in the aforementioned subdivisions, manufacturers' inspection procedures, supplemental service information, and standard inspection practices. The aircraft shall conform with CAA aircraft specifications, airworthiness directives, or other approved data before being checked as airworthy.

(i) *Fuselage and hull group.* The fuselage and/or hull shall be carefully inspected for general condition; fabric or skin for deterioration, distortion, other evidence of failure, and security of attachment of fittings. The various systems and components installed in this group shall be checked to assure that they are properly installed with no apparent defects and are operating satisfactorily. When applicable, the same general inspection procedures will apply to lighter-than-air craft and a determination made of the condition of the envelope, gas bags, ballast tanks, etc. Rotary-wing-type aircraft or other craft utilizing rotor drive shafts or other similar systems shall have the shafts inspected in accordance with the manufacturer's maintenance manual.

(ii) *Cabin and cockpit group.* The cabin and cockpit shall be checked for cleanliness and/or loose equipment which might foul the controls; seats and safety belts for condition and apparent defects; windows and windshields for deterioration or breakage; instruments for condition, mounting, marking, and, where practicable, proper operation; flight and engine controls for proper installation and operation; batteries for installation and proper charge; the various systems for installation, general condition, apparent and obvious defects and security of attachment. The above inspection procedure will also apply to the control car of lighter-than-air craft.

(iii) *Engine and nacelle group.* All necessary engine cowling shall be removed and a visual inspection shall be made of the entire engine section for evidence of excessive oil, fuel, or hydraulic leaks. Any and all leaks shall be traced to their origin so that they may be corrected. All studs and nuts shall be checked for tightness or obvious defects. The general internal condition of the engine shall be determined by checking cylinder compression, condition of screens and sump drain plugs for foreign material and metal particles. Cylinders with weak compression shall be removed and the internal condition and clearances checked for tolerances. The engine mount shall be inspected for cracks, tightness of mounting, and security of engine attachment to mount. The flexible vibration dampeners shall be examined to insure they are in good condition. The engine controls shall be examined for defects, proper travel, and safetying; lines for leaks; and hoses and clamps for condition and tightness. Exhaust stacks shall be checked for cracks or other defects and satisfactory attachments. Accessories shall be examined for apparent defects and security of mounting. The various systems shall be inspected for proper installation, general condition, defects, and attachment. Cowling shall be inspected for cracks or other defects. On rotary-wing-type aircraft the main rotor transmission gear box shall be inspected for obvious defects as outlined in the manufacturer's maintenance manual.

(iv) *Landing gear group.* The landing gear shall be examined for general condition and security of attachment of all units. Shock-absorbing devices shall be in good condition and oleo fluid level shall be proper height. All linkage, trusses, and members shall be inspected for evidence of undue or excessive wear, fatigue, distortion, and security of attachment. The retracting and locking mechanisms, when installed, shall be examined for satisfactory operation. Hydraulic lines shall be checked for leakage and electrical systems for chafing and proper operation of switches. The wheels shall be removed and examined for cracks or other defects, condition of bearings, tires for wear or cuts, and brakes for proper adjustment. If floats or skis are installed, they shall be inspected for security of attachment, general condition, and any obvious or apparent defects.

(v) *Wing and center section group.* The airworthiness of the wing and center section group shall be determined by thoroughly inspecting the complete assemblies for general condition, fabric or skin for deterioration, distortion, other evidence of failure, and for security of attachment. This inspection shall include the various systems installed which make up a complete wing assembly. Rotary-wing-type aircraft shall be inspected in accordance with the manufacturer's maintenance manual.

(vi) *Empennage group.* The complete empennage assemply shall be inspected for general condition; fabric or skin for deterioration, distortion, other evidences of failure, and for security of attachment. Components and systems which make up the complete assembly shall receive the same attention and it shall be determined that they are installed properly and operating satisfactorily. Lighter-than-air craft shall be inspected in the same manner. Helicopters shall have the tail rotors inspected in accordance with the manufacturer's maintenance manual.

(vii) *Propeller group.* All parts of the propeller shall be carefully examined for cracks, nicks, bends, or oil leakage, if hydraulically controlled. All bolts shall be properly torqued and safetied. The propeller anti-icing devices shall be checked for proper operation or obvious defects. The control mechanism shall operate satisfactorily, be securely mounted, and the controls shall operate through full range of travel.

(viii) *Radio group.* Radio and electronic equipment shall be inspected for installation and security of mounting. Wiring and conduits shall be checked for proper routing and security of mounting to prevent short-circuiting and to insure that there are no other obvious defects. Bonding and shielding will be determined to be properly installed and in good condition. All an-

[1] Appendix A not filed with Federal Register Division.

[2] Appendix D not filed with the Federal Register Division.

tennas shall be inspected for condition and security and, if installed, trailing antenna mechanism shall be inspected for proper operation.

(ix) *Miscellaneous group.* When installed, the miscellaneous items of equipment shall be inspected to determine that the component or assembly is installed in accordance with accepted standard practices, and that the items are operating satisfactorily.

(x) *Operational check—preflight.* Prior to releasing an aircraft as airworthy for operation the engine or engines shall be run up to determine satisfactory performance by the power output (static and idle r. p. m.), magneto drop, fuel and oil pressure, cylinder and oil temperatures in accordance with the manufacturer's recommendations.

(xi) *Aircraft maintenance record entries—(a) Periodic or 100-hour inspections.* Where the aircraft is found to be in an airworthy condition after a periodic or 100-hour inspection, the mechanic, repair station, or manufacturer releasing the aircraft to service shall enter the following notation, inserting the type of inspection (i. e., 100-hour or periodic) in the aircraft maintenance records over the mechanic's signature and certificate number, repair station's or manufacturer's name, signature of authorized personnel, certificate number, and include time in service, and date of inspection:

I certify that this aircraft has been inspected in accordance with a _____ (Insert type) inspection and was determined to be in airworthy condition.

(b) *Unairworthy aircraft.* Where the aircraft is found unairworthy because of needed maintenance or repairs or is found not to meet the requirements of the applicable specifications, or airworthiness directives, or other approved data, such unairworthy items may be corrected by the inspecting mechanic, repair station, or manufacturer. In the event required maintenance is to be performed by a person other than the one who conducted the periodic inspection, the person making the periodic inspection shall provide the aircraft owner or lessee with a signed and dated copy of a list of the discrepancies and make the following statement in the aircraft maintenance records over the mechanic's signature and certificate number, the repair station's or manufacturer's name, signature of authorized personnel, certificate number, and include aircraft time in service and date of inspection:

I certify that this aircraft has been inspected in accordance with a periodic inspection and a list of the discrepancies and unairworthy items dated (date) has been provided for the aircraft owner or lessee.

The aircraft owner or his agent shall obtain a ferry flight authorization, in accordance with Part 1 of this subchapter, prior to ferrying an aircraft for the purpose of obtaining required maintenance or correcting discrepancies.

§ 18.30–19 *Progressive inspection (CAA rules which apply to §18.30 (c)).*—(a) *General.* The progressive inspection is designed to permit the increased utilization of an aircraft, particularly a multiengine type, by scheduling inspections through the use of a planned inspection schedule.

(b) *Routine and detailed inspections.* The inspection system will consist of a routine inspection which provides a visual examination or check of the aircraft and its components and systems insofar as practicable without disassembly, and a detailed inspection which will permit a thorough examination of the aircraft and its components and systems by such disassembly as necessary. Since the overhaul of a component or system includes a thorough examination, such overhaul will be considered to be a detailed inspection. The frequency and detail of both the routine and detailed inspections shall provide complete inspection of the aircraft within each 12 calendar months and be consistent with the manufacturer's recommendations, field service experience, and the type of operation in which the aircraft is engaged to insure that the aircraft and its components and systems are in an airworthy condition and conform with the applicable CAA aircraft specifications and airworthiness directives, or other approved data. Such inspections shall include, but not be limited to, the items specified in appendix D.[*]

(c) *Inspection schedule.* The frequency of both inspections shall be outlined in the form and manner specified in the example of progressive inspection schedule contained in appendix D [*] and shall specify the intervals when the inspection or overhauls will be performed, either in hours or days, as appropriate.

(d) *Inspection procedures.* A progressive inspection shall be conducted in accordance with the following procedures:

(1) The aircraft shall be inspected completely at the commencement of a progressive inspection. Thereafter, routine and detailed inspections shall be conducted at regular intervals in accordance with the inspection schedule. Normally, all inspection shall be conducted by the inspecting agency having responsibility for the progressive inspection of such aircraft. However, where an aircraft is en route when inspections become due, routine and detailed inspections may be performed by an appropriately rated and certificated mechanic, or repair station, or the manufacturer provided such inspections are conducted in accordance with the forms and procedures to be furnished by the inspecting facility which would otherwise conduct the inspection of the aircraft. Upon completion of the inspection, such inspection forms shall be returned to the inspecting agency furnishing the forms for their records. When an aircraft is no longer to be inspected in accordance with a progressive inspection, the first periodic will be due within 12 calendar months after the last complete inspection of the aircraft under the progressive. If passengers are carried for hire the 100-hour inspection will be due within 100 hours after such last complete inspection. A complete inspection of the aircraft, for the purpose of determining when the periodic and 100-hour inspections are due, will require a detailed inspection of the aircraft and all its components in accordance with the progressive inspection. For example, a routine inspection of the aircraft and a detailed inspection of several components will not be considered to be a complete inspection.

(e) *Records.* Upon the satisfactory completion of a routine or detailed inspection conducted in accordance with a progressive inspection system, the mechanic, repair station, or manufacturer conducting such inspection shall enter a brief description of the extent of the inspection accomplished and the following statement in the aircraft maintenance records, over the mechanic's signature and certificate number, the repair station's or manufacturer's name, signature of authorized personnel, certificate number, and include aircraft time in service, and date of inspection:

A routine inspection of _____ (Identify whether aircraft or components) and a detailed inspection _____ (Identify components) were performed in accordance with a progressive inspection and the aircraft is released to service.

4. The following new sections are added to Part 24:

§ 24.43–1 *Inspection authorization (CAA rules which apply to § 24.43).*—(a) *Qualifications.* Authority to examine, inspect, and release aircraft for service in accordance with § 24.43 (a) will be granted to any certificated mechanic applying in accordance with paragraph (b) of this section who has the following additional qualifications:

(1) His airframe and powerplant ratings shall have been in effect continuously for a minimum of three years immediately preceding the date of application;

(2) He has been actively engaged in the inspection, maintenance, and repair of U. S. civil aircraft and engines for at least two years immediately preceding the date of application;

(3) He shall have a fixed base of operation at which he can be contacted in person or by telephone during a normal working week. The fixed base of operation does not necessarily have to be the location at which the applicant will exercise the inspection authority;

(4) He shall have available such equipment, facilities, and inspection data as are necessary for the competent and efficient inspection of airframes and powerplants to determine compliance with applicable Civil Air Regulations;

(5) He shall have a satisfactory record as a CAA Designated Aircraft Maintenance Inspector for at least one year immediately preceding the date of application, or

(6) He shall by examination satisfactorily demonstrate his knowledge and ability to conduct inspections in accordance with the prescribed safety standards for returning aircraft to service after major repairs and alterations per-

[*] Appendix D not filed with Federal Register Division.

formed in accordance with Part 18 of this subchapter and the inspections required by § 43.22 of this subchapter.

(b) *Procedure for making application.* A certificated mechanic meeting the qualification requirements of paragraph (a) (1) through (5) of this section who desires the authorization to perform the privileges of § 24.43, shall make application on Form ACA–2353, entitled, "Mechanic's Application for Inspection Authorization."[2] Applicants who only meet the requirements of paragraph (a) (1) through (4) of this section shall complete Form ACA–2353 and shall satisfactorily accomplish the examination required in paragraph (a) (6) of this section.[3] In the event an applicant fails the examination he may not apply for reexamination for 90 days.

(c) *Inspection authorization.* Applicants found qualified will be issued Form ACA–2354, entitled, "Inspection Authorization." This inspection authorization shall be kept readily available by the mechanic at all times when exercising the privileges of § 24.43 and shall be available for inspection by the aircraft owner, by the mechanic submitting the aircraft or the repair for approval, or by an authorized representative of the Administrator or the Civil Aeronautics Board. The holder of an inspection authorization shall not exercise the privileges of the authorization when he has changed his fixed base of operation until written notification thereof has been given to the Aviation Safety District Office in the area in which the new base is established.

(d) *Duration of authorization.* An inspection authorization shall expire on March 31 of each year.

(e) *Procedure for renewal of authorization.* The holder of an inspection Authorization, Form ACA–2354, may have the authorization extended until March 31 of the following year by:

(1) Presenting evidence, at an Aviation Safety meeting designated by the local Aviation Safety District Office during the month of March each year,[5] to show that the holder has been actively engaged in exercising the privileges of the inspection authorization during the preceding 12 months in at least one of the following capacities:

(i) Conducted at least one periodic inspection for each 90 days[6] the authorization has been in effect since issuance or last renewal, or

(ii) Inspected for return to service at least two repairs or alterations for each 90 days[6] the authorization has been in effect since issuance or last renewal, or

(iii) Supervised or conducted progressive inspections in accordance with the standards prescribed by the Administrator.

(2) Reapplying for the inspection authorization in accordance with the procedures set forth in paragraph (b) of this section.

§ 24.43–2 *Prescribed standard (CAA interpretations which apply to § 24.43).* The phrase "procedures and standards prescribed by the Administrator" means those procedures and standards set forth in § 18.30 of this subchapter.

5. Section 42.31–2 of Part 42 is deleted.

6. The following new section is added to Part 43:

§ 43.20–1 *General (CAA policies which apply to § 43.20).* (a) Primary responsibility for maintaining the aircraft in an airworthy condition is that of the aircraft owner or operator. The owner or operator must have the aircraft inspected, as required by § 43.22, and must maintain the airworthiness of the aircraft during the time between the required inspections by having any defects corrected or repaired in accordance with Part 18 of this subchapter during this interim. Various types of aircraft will require different degrees of maintenance. Factors such as kind of operation, climatic conditions, storage facilities, and age of the aircraft will influence the maintenance requirements. Experience has indicated that most aircraft will require some type of preventive maintenance every 25 hours or less, and minor maintenance at least every 100 hours. The owner or operator must also make sure that maintenance personnel have made appropriate entries in the aircraft and maintenance records to indicate that the aircraft has been released to service.

(b) The pilot, however, must assume responsibility for determining that an aircraft is in condition for safe flight or discontinuing the flight when unairworthy mechanical or structural conditions occur. In this connection, the pilot is expected to make a preflight inspection. The preflight inspection should include, but not be limited to, a visual inspection of the aircraft and its components for general condition and state of repair, a functional check of controls, powerplants, instruments, and a determination that sufficient fuel and oil are aboard for the proposed flight.

7. The following sections of Part 43 are revised to read:

§ 43.22–1 *Inspections (CAA interpretations which apply to § 43.22)*—(a) *General.* (1) An aircraft issued an airworthiness certificate containing an expiration date is permitted to operate in accordance with the provisions of § 43.22 prior to its revision, effective July 17, 1956. Upon expiration of such certificate the owner or lessee may apply for an airworthiness certificate of indefinite duration in accordance with Part 1 of this subchapter.

(2) The owner or lessee may at his option exchange an unexpired airworthiness certificate for an airworthiness certificate of indefinite duration by contacting a representative of the Administrator authorized to issue such certificates. Subsequent to exchanging the airworthiness certificate, the first periodic inspection would be required within 12 calendar months after the last annual inspection.

(3) In the event the owner or lessee elects to use the progressive inspection, an unexpired airworthiness certificate must be exchanged for a certificate of indefinite duration prior to commencing such inspection.

(b) *Periodic and 100-hour inspections.* Since the 100-hour and periodic inspections are defined as complete inspections of an aircraft, the periodic inspection will be accepted as a 100-hour inspection, also the 100-hour inspection will be accepted as a periodic when performed and approved for return to service by a person specified in § 18.12 of this subchapter.

§ 43.22–2 *Progressive inspections (CAA rules which apply to § 43.22 (b)).* (a) If a registered aircraft owner or lessee elects to use the progressive inspection he shall provide the following inspection personnel, inspection procedures manual, facilities, and technical information; and submit a statement to this effect to the local Aviation Safety District Office (see appendix A[1] for example) prior to using such inspection:

(1) The services of an authorized mechanic, an airframe repair station, or the manufacturer of the aircraft to supervise or conduct the progressive inspection.

(2) An inspection procedures manual which must be maintained in a current condition at all times. It shall be available to and in a form that is readily understood by pilot and maintenance personnel. It shall contain the following information in detail:

(i) An explanation of the progressive inspection outlining continuity of inspection responsibility including responsibility for submission of reports and maintenance of records and technical reference material.

(ii) An inspection schedule including instructions for exceeding an interval by not more than 10 hours while en route and for amending any interval on the basis of service experience.

(iii) Sample routine and detailed inspection forms, including instructions for their use.

(iv) Sample reports and records and instructions for their use.

(3) Sufficient housing and equipment for the necessary disassembly and proper inspection of the aircraft undergoing progressive inspection.

(4) Appropriate and current technical information for the aircraft undergoing progressive inspection shall be available to inspection personnel.

(b) Upon discontinuance of a progressive inspection the registered owner or lessee shall submit immediately to the local Aviation Safety District Office a written statement to this effect (see appendix A[1] for example).

§ 43.23–1 *Aircraft and engine maintenance records (CAA rules which apply to § 43.23).* The maintenance records prescribed in § 43.23 shall provide a

[2] Appendix B contains additional instructions for making application for mechanic's inspection authorization. Appendix B not filed with Federal Register Division.

[3] Appendix C contains additional information concerning the written examination. Appendix C not filed with Federal Register Division.

[5] The location and number of meetings held in each Aviation Safety District Office area will be governed by the location and number of mechanics holding the inspection authorization.

[6] Inspection authorizations which have been in effect less than 90 days will be renewed for another year provided the holder still meets the qualifications required for original appointment by paragraph (a) (1), (2), (3), and (4) of this section.

[1] Appendix A not filed with Federal Register Division.

separate, current, and permanent record of the maintenance accomplished on the aircraft and each engine and shall be suitably identified as to the make, model, serial number, and, if applicable, registration number of the aircraft or engine involved. Each record shall be of sufficient size to accommodate the following basic information for the aircraft, and where applicable, each engine:

(a) *Maintenance.* The record of maintenance shall include the type and extent of maintenance, alterations, repair, overhaul, or inspection and reflect the time in service and date when completed.

(b) *Compliance with mandatory notes.* Chronological listing of compliance with service bulletins, airworthiness directives, etc., including a description of the method of compliance.

(c) *Weight and balance record.* Current empty weight, empty center of gravity and useful load.

(d) *Equipment list.* Entries shall be made to reflect optional equipment which has been added or removed. Required equipment shall not be listed except when exchanged or replaced by optional equipment.

(e) *Record of major repairs and major alterations.* Reference to repair and alteration Form ACA-337 by date or work order by number and approving agency is sufficient.

8. The following new section is added to Part 43:

§ 43.23-2 *Maintenance of engine maintenance records (CAA interpretations which apply to § 43.23).* A record of the previous operating time and history of all engines overhauled, repaired, or reassembled to standards other than those for rebuilt engines as defined in § 43.24-1 shall be retained in the engine maintenance records.

9. Sections 52.22-1 (f) and 52.41-2 of Part 52 are deleted.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425)

This supplement shall become effective July 17, 1956.

[SEAL] C. J. LOWEN,
Administrator of Civil Aeronautics.

[F. R. Doc. 56-3792; Filed, May 14, 1956; 8:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5913]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

P. & D. MANUFACTURING CO. INC.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Price discrimination under 2 (a): § 13.715 *Charges and price differentials;* § 13.755 *Pooling orders of chain stores and buying groups;* § 13.770 *Quantity rebates or discounts.*

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, P. & D. Manufacturing Co., Inc., Long Island City, N. Y., Docket 5913, April 26, 1956]

This proceeding was heard by a hearing examiner on the complaint of Commission—charging a corporate manufacturer with principal office in Long Island City, N. Y., with discriminating in price between purchasers of like grade and quality in violation of subsection 2 (a), of the Clayton Act as amended through charging different jobbers varying discounts on purchases of its automotive products which resulted in eight different buying prices on sales of its ignition line and four different buying prices on sales of its fuel pump line—followed by respondent's motion for dismissal which was denied.

The hearing examiner becoming unavailable for further proceedings, by agreement of counsel there was substituted another hearing examiner who denied respondent's renewal of motion to dismiss and other motions to strike certain testimony.

Thereafter, except for two exhibits, respondent failed to introduce testimony or other evidence, and the hearing examiner issued his initial decision upholding the decision of counsel supporting the complaint, from which respondent appealed.

The Commission, in an opinion by Commissioner Anderson, from which Commissioner Mason dissented, upheld the hearing examiner, and on April 26, 1956, adopted as its own the findings, conclusion, and order contained in the initial decision.

Said order to cease and desist is as follows:

It is ordered, That the respondent P. & D. Manufacturing Co., Inc., and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the sale for replacement of automotive products and supplies in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from discriminating directly or indirectly in the price of said automotive products and supplies of like grade and quality:

1. By selling to any one purchaser at net prices higher than the net prices charged to any other purchaser who, in fact, competes with the purchaser paying the higher price, in the resale and distribution of respondent's products.

By "Final Order", report of compliance was required as follows:

It is ordered, That respondent P. & D. Manufacturing Co., Inc., shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with the order contained in said initial decision.

Issued: April 26, 1956.

By the Commission.[1]

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 56-3822; Filed, May 14, 1956; 8:52 a. m.]

[1] Dissenting opinion of Commissioner Mason filed as part of the original document.

[Docket 6488]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

RUBIN GRAIS & SONS

Subpart—*Misbranding or mislabeling:* § 13.1190 *Composition:* Wool Products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1845 *Composition:* Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U. S. C. 45, 68-68c) [Cease and desist order, Rubin Grais & Sons, Chicago, Ill., Docket 6488, May 1, 1956]

In the Matter of Joseph Grais, Edward Grais, Benjamin Grais, Rubin Grais, and Lyllian Braun, Individually and as Co-Partners Trading as Rubin Grais & Sons.

This proceeding was heard by a hearing examiner on the complaint of the Commission—charging five copartners with misbranding in violation of the Wool Products Labeling Act, through tagging as "Shell 100 percent wool" boys' jackets which were made of 100 percent reprocessed wool or of farbrics containing 35 percent wool and 65 percent reused wool—and an agreement providing for the entry of a consent order.

On this basis, the hearing examiner made his initial decision and order to cease and desist which became, on May 1, 1956, the decision of the Commission.

The order to cease and desist is as follows:

It is ordered That the respondents, Joseph Grais, Edward Grais, Benjamin Grais, Rubin Grais and Lyllian Braun, individually and as copartners trading as Rubin Grais & Sons, or under any other name, and their representatives, agents, and employees, directly or through any corporate or other device in connection with the introduction or manufacture for introduction into commerce or the offering for sale, sale, transportation, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of boys' jackets or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain or in any way are represented to contain "wool", "reprocessed wool", or "reused wool" as those terms are defined in said Act, do forthwith cease and desist from misbranding or mislabeling such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to securely affix to or place on each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such

fiber is five percentum or more, (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of the wool product, of any non-fibrous loading, filling, or adulterating matter;

(c) The name or registered identification number of the manufacturer of such wool product, or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution, or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

Provided, That nothing contained in this order shall be construed as limiting any applicable provisions of the Wool Products Labeling Act of 1939 or the rules and regulations promulgated thereunder.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 1, 1956.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F. R. Doc. 56-3823; Filed, May 14, 1956; 8:52 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter Q—Individual Allotments, Leasing and Permitting of Trust, Restricted Indian and Other Lands for Farming, Farm Pasture, Business, any Other Purposes

[Bureau of Indian Affairs Order 569]

PART 170—ALLOTMENT OF LANDS ON THE CABAZON, AND AUGUSTINE INDIAN RESERVATIONS, RIVERSIDE COUNTY, CALIFORNIA

The headnote of Subchapter Q is amended to read as follows: "Subchapter Q—Individual Allotments, Leasing and Permitting of Trust, Restricted Indian and Other Lands for Farming, Farm Pasture, Business, and Other Purposes."

A new Part 170 is added to read as follows:

Sec.
170.1 Purpose.
170.2 Scope.
170.3 Size of allotments.
170.4 Description of allotments.
170.5 Method of selection.
170.6 Notice of allotment.
170.7 Priority of filing allotment selections on improved lands.
170.8 Priority of selecting remaining lands available for allotment.
170.9 Disposition of improvements.
170.10 Submittal of allotment schedule.
170.11 Special instructions.

AUTHORITY: §§ 170.1 to 170.11 issued under sec. 10, 64 Stat. 472.

§ 170.1 *Purpose.* These procedures and requirements will govern the preparation of allotment schedules containing the names and allotment selections of the unallotted members, hereinafter called members, of the Cabazon and Augustine Bands of Mission Indians of the Cabazon and Augustine Indian Reservations, respectively.

§ 170.2 *Scope.* These procedures and requirements shall apply to those Indians whose names appear on the official enrollment records of the Cabazon or Augustine Bands of Mission Indians as of June 30, 1949, approved by the Secretary of the Interior, who have not heretofore received allotments.

§ 170.3 *Size of allotments.* Each member shall be entitled to an allotment not to exceed 40 acres of land classed as irrigable or potentially irrigable by the Secretary of the Interior.

§ 170.4 *Description of allotments.* Each allotment selection must be described as a legal subdivision of a section based upon public land surveys made by the Department of the Interior and wherever possible must consist of a contiguous tract of land.

§ 170.5 *Method of selection.* The Area Director, Sacramento Area Office, or his representative, shall be available during the periods hereinafter specified at an office of the Bureau of Indian Affairs located in the proximity of the Cabazon and Augustine Reservations to assist the Indians in making allotment selections. A map of each reservation on which is shown the irrigable and potentially irrigable land, which may be alloted, is available in such office during regular business hours for use in making the allotment selections. Each eligible member shall select for his allotment land shown on the map. Priority of selection shall be by families in the order of their appearance at the designated office. If two or more applicants appear at the designated office simultaneously, the order of their priority shall be determined by drawing lots. Selections for minors shall be made by one of the parents, or by a legally appointed guardian. Eligible adult members who have been adjudged non compos mentis may have selections made for them by a legally appointed guardian. Members who are not able to appear personally and sign the required forms for their selection may in writing appoint a representative to make the allotment selection, provided the appointment is duly acknowledged before a notary public or other officer authorized to take acknowledgments. Failure of any eligible Indian to make an allotment selection within the period of 60 days from the date of "Notice of Allotment", as prescribed in § 170.6, shall constitute authority for the Area Director to make a selection for such member. Appropriate forms for making selections shall be furnished by the Area Director.

§ 170.6 *Notice of allotment.* The Area Director shall mail a copy of the regulations in this part, together with a letter entitled "Notice of Allotment" bearing the date of the day it is posted, by registered mail to each member eligible for an allotment to the member's last known address. The letter shall inform each eligible member of the place where and the period of time when allotment selections will be accepted. In addition copies of the regulations in this part, together with copies of the Area Director's letter, shall be posted at several conspicuous places on and in the vicinity of the respective reservations.

§ 170.7 *Priority of filing allotment selections on improved lands.* The land classified as "improved" will be so designated on the map used for allotting purposes. A priority in selecting this class of land for allotment is given to the members who own the improvements on the lands, provided such improvements were placed thereon prior to July 1, 1954. The owner of the improvements on the land shall file on such land for allotment selection within 15 days from the date of the "Notice of Allotment."

§ 170.8 *Priority of selecting remaining lands available for allotment.* Upon the expiration of the 15-day period prescribed in § 170.7 all members, except those who filed allotment selections under § 170.7, shall file their selections on the remaining improved and unimproved irrigable or potentially irrigable land available for allotment. Filings thus made will be honored in the order of their receipt at the alloting office. A period of 45 days will be allowed for the filing of these selections. Upon the expiration of this 45-day period, selections shall be made by the Area Director, as prescribed in § 170.5, for those members who have not filed their allotment selections.

§ 170.9 *Disposition of improvements.* Any member owning improvements on land selected properly by another member may remove, or otherwise dispose of the improvements, within a 60-day period from date of notification by the Area Director to such member, so to dispose of such improvements. If in any case the whereabouts of the owner of the improvements is not known, an additional reasonable period of time may be allowed by the Area Director in which the owner, or his duly appointed representative, may remove or dispose of such improvements.

§ 170.10 *Submittal of allotment schedule.* Upon the completion of the allotment selections, a certified allotment schedule for each reservation, containing the names and the legal descriptions of the selections of the members and other pertinent information, shall be prepared by the Area Director. Each allotment schedule shall be submitted for approval to the Secretary of the Interior, through the Commissioner of Indian Affairs, before the issuance of trust patents for each of the allotment selections described therein.

§ 170.11 *Special instructions.* To facilitate the work of the Area Director, the Commissioner may issue special instructions consistent with these procedures and requirements.

CLARENCE A. DAVIS, *Acting Secretary of the Interior.*

MAY 14, 1956.

[F. R. Doc. 56-3742; Filed, May 14, 1956; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 582—DISCHARGE OR SEPARATION FROM SERVICE

DISCHARGE BECAUSE OF NATIONAL HEALTH, SAFETY, OR INTEREST

In § 582.3, paragraph (c) is amended to read as follows:

§ 582.3 *Discharge for the convenience of the Government.* * * *

(c) *National health, safety, or interest.* Enlisted personnel may apply for release from active military service on the basis of importance to national health, safety, or interest.

(1) *General.* This policy is applicable to situations wherein a critical need for services of an individual in a civilian capacity from the viewpoint of health, safety, or general welfare outweighs the need of the Nation for the individual in an active military status. Favorable action on requests for release under provisions of this policy will be made only when it is determined clearly that:

(i) The application is motivated by critical national or community interest and not by the personal desire or interest of the applicant.

(ii) There has been a significant change in the individual's particular field of endeavor that would warrant deferment from active military service on the basis of criticality to national health, safety, or interest if he were currently subject to consideration for induction under the policies and procedures applicable at the time of the applicant's entry on active duty.

(2) *Evidence required.* All applications submitted will contain the following information and material:

(i) Name of firm or agency or description of individual enterprise with which he will be connected.

(ii) Product manufactured or service rendered.

(iii) Title and description of position to be filled.

(iv) Applicant's connection with activity prior to military service.

(v) Applicant's qualifications for the position.

(vi) Letter, affidavits, or other documentation from responsible officials of the firm, corporation, agency, or State, substantiating the facts given above and setting forth the need for the services of the applicant.

[C1, AR 635-205, April 23, 1956] (R. S. 161; 5 U. S. C. 22)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 56-3790; Filed, May 14, 1956; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XIV—General Services Administration

[Revision 3, Amdt. 8]

REG. 7—MICA REGULATION: PURCHASE PROGRAMS FOR DOMESTIC MICA

PRICES AND PAYMENT

Pursuant to the authority vested in me by Executive Order 10480, dated August 14, 1953 (18 F. R. 4939), as amended, this regulation, as revised and amended, is hereby further amended as follows:

This amendment shall be applicable only to mica delivered to and accepted by the Government under this regulation on and after May 15, 1956.

1. The price schedule appearing in paragraph (e) of section 4 is amended to read as follows:

[Per pound]

Grades	Ruby				
	Qualities (full trimmed)			Qualities (half trimmed)	
	Good stained and better	Stained	Heavy stained	Stained	Heavy stained
No. 3 and larger	$70.00	$31.90	$14.80	$12.00	$8.00
No. 4 and No. 5	40.00	18.25	6.85	5.00	4.00
No. 5½ and No. 6	17.70	7.55	4.00	3.00	2.00
	Nonruby				
No. 3 and larger	$70.00	$25.55	$11.85	$9.60	$6.40
No. 4 and No. 5	40.00	14.60	5.45	4.00	3.20
No. 5½ and No. 6	17.70	6.55	4.00	2.40	1.60

2. The following subparagraph is added at the end of paragraph (e) of section 4:

(3) At the time of the Government's acceptance provided for in paragraph (d) of this section, the Government will make a preliminary payment. When the actual value of such mica has been determined, the amount of such actual value less the preliminary payment shall be paid to the participant. If the actual value is less than the preliminary payment, the excess of the preliminary payment over the actual value shall be repaid by the participant to the Government.

3. The first sentence of subparagraph (3) of paragraph (e) of section 5 is amended to read as follows: "In lieu of the methods of payment provided for under subparagraphs (1) and (2) of this paragraph, payment for each lot of hand-cobbed mica delivered to and accepted by the Government hereunder may be effected, if the participant so elects at the time of such acceptance, in accordance with the method of payment and the prices provided for in section 4 (e) hereof for the actual yield of ruby and nonruby block and film mica of good stained or better, stained, and heavy stained quality derived from such lot, less a deduction of $4.00 per pound of such actual yield to apply against the cost of rifting and trimming."

4. Wherever the dollar figure $1.45 appears in subparagraph (3) of paragraph (e) of section 5, said figure is changed to $4.00.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. 2154. Interpret or apply sec. 303, 64 Stat. 801, as amended, sec. 3, 67 Stat. 417, 50 U. S. C. App. 2093, 2182)

All other provisions of this regulation shall remain in full force and effect.

This amendment is effective May 15, 1956.

Dated: May 10, 1956.

FRANKLIN G. FLOETE,
Administrator.

[F. R. Doc. 56-3863; Filed, May 11, 1956; 2:11 p. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 27]

AMERICAN EGYPTIAN COTTON

PROPOSED REVISION OF OFFICIAL GRADE STANDARDS

Notice is hereby given that the United States Department of Agriculture is considering a revision of the official cotton standards of the United States for the grade of American Egyptian cotton (7 CFR 27.251 through 27.260), pursuant to the authority contained in section 6 of the United States Cotton Standards Act as amended (42 Stat. 1518; 7 U. S. C. 56) and in section 4854 of the Internal Revenue Code of 1954 (68A Stat. 580; 26 U. S. C. 4854).

The grade standards now in effect for American Egyptian cotton (promulgated in 1951) were prepared from cotton of the Pima 32 and Amsak varieties. Practically all American Egyptian cotton now produced is of the Pima S-1 variety. The Department made a careful survey of the 1955-56 American Egyptian cotton crop which indicated a need for a revision of the grade standards to reflect the characteristics of the Pima S-1 variety. A working set of proposed revised standards was prepared from Pima S-1 cotton from the 1955-56 crop and was presented to producers, shippers, and consumers of American Egyptian cotton for suggestions.

The proposed revised standards consist of nine grades in physical form (boxes of samples) and one descriptive grade (Grade No. 10) covering cotton which is inferior in grade to Grade No. 9 cotton, and would supersede the present standards for grades of American Egyptian cotton which became effective August 1, 1952.

The Department proposes to make the revised standards effective July 1, 1957. The legislation under which the standards are issued provides that changes in the standards shall not become effective until at least one year after promulgation of the order making such changes.

A public meeting will be held on May 23, 1956, to discuss the proposed standards. The meeting will be at 10 a. m. in the classing laboratory, 6th floor of the Agricultural Annex, United States Department of Agriculture, 12th and C Sts., SW., Washington, D. C. The proposed revised standards will be on display at this meeting.

Any interested person may inspect the proposed standards and present data, views, or arguments concerning the proposed revision orally or in writing at the meeting. Written data, views, or arguments may also be submitted by interested persons to the Director, Cotton Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than June 10, 1956.

Done at Washington, D. C., this 9th day of May 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 56-3796; Filed, May 14, 1956; 8:47 a. m.]

[7 CFR Part 927]

[Docket No. AO-71-A-31]

MILK IN NEW YORK METROPOLITAN MARKETING AREA

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

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Belmont Plaza Hotel in New York City, beginning on May 21, 1956, at 10:00 a. m., e. d. s. t., for the purpose of receiving evidence with respect to the proposed amendment of provisions of the marketing agreement and of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area relating to (1) the pricing of Class I-A milk for the months of July, August, and September 1956, (2) the pricing of Class III milk, and (3) the fluid skim differential, including evidence with respect to the proposed amendments hereinafter set forth, or appropriate modifications thereof. These proposed amendments have not received the approval of the Secretary of Agriculture.

Proposed by the Dairymen's League Cooperative Association, Inc., Metropolitan Cooperative Milk Producers Bargaining Agency, Inc., and Mutual Federation of Independent Cooperatives, Inc.:

1. Substantially increase the Class I-A prices to offset the effect on the Class I-A prices of the inclusion in our pool of the surpluses of this and other markets and to recognize the cost-price squeeze now affecting producers.

2. Increase the Class III prices to such extent, in such manner and for such times as may appear from the evidence that is developed at the hearing to be sound and workable to insure the greatest possible returns to producers without endangering the market of any producers or unduly imposing surplus burdens on cooperative associations of producers.

3. Increase the fluid skim differential.

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

4. Amend the provisions relative to the pricing of Class I-A milk by providing for a minimum price of $5.50 per hundredweight for July, August and September 1956.

5. Amend the provisions relative to the fluid skim differential by providing that the differential shall equal the difference between the Class I-A price and the Class III price.

6. Amend the provisions relative to pricing Class III milk as follows:

(a) Amend the present Class III formula by adding 20 cents per hundredweight for the months of September, October, November, and December, and by adding 10 cents per hundredweight for the months of January, February, March, July and August.

(b) Add an alternative price provision which shall base the Class III price on the midwest condensery price during the months of February through September and on the midwest condensery price plus 15 cents during the months of October through January. This provision shall be applicable if the price yielded thereby is higher than the price yielded by the present formula as amended by the preceding paragraph.

Proposed by the Farmers Union of the New York Milk Shed:

7. Delete §§ 927.40 (f) and 927.43 as presently written and provide in place thereof under § 927.40 (f) for three Class III subdivisions, designated and priced as follows:

Butter, for milk of this utilization the price in the delivery period shall be that paid farmers by creameries in the State of Wisconsin as announced by the Department of Agriculture of that State.

Cheese, for milk of this utilization the price in the delivery period shall be that paid farmers by cheese plants in the State of Wisconsin as announced by the Department of Agriculture of that State.

Other, the price for milk of such utilization shall be a simple average of the prices for the butter and cheese utilizations as determined above plus 14 cents.

Proposed by L. I. Milk Producers' Cooperative, Inc.:

8. The base price paid to producers for Class I-A milk at the 201-210 mile zone for 3.5 percent butterfat milk be $6.00 per hundredweight and be a uniform price throughout the year.

Proposed by Milk Dealers' Association of Metropolitan New York, Inc., and Sheffield Farms Company:

9. Amend the Class III formula (§ 927.40 (f)) to provide during the period of flush production, February to June, a flat deduction from the formula Class III price.

10. Amend § 927.43 *Butter-cheese adjustment* by deleting the words in the first proviso which precede the colon and which read as follows: "That the amount so credited shall be reduced one-cent per pound of butterfat for each one-tenth by which the ratio of 2.5 exceeds a ratio computed as follows:"

11. Amend § 927.44 *Fluid skim differential* as follows:

§ 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, or cream, and there utilized or disposed of in the form of milk, fluid skim milk, or half and half, and for all other skim milk * * * which is not established to have been otherwise utilized or disposed of the handler shall pay a fluid skim differential * * *.

Proposed by Independent Milk Marketers, Inc.

12. Amend the first paragraph in § 927.40 (f) to read as follows: "For Class III milk, the price shall be the sum of the amounts computed pursuant to subparagraphs (1) and (2) of this paragraph minus 70 cents: *Provided*, That for the months of May and June an additional 10 cents shall be subtracted from such sum."

13. Amend § 927.40 (f) (2) to read as follows:

(2) Multiply by 7.8 the average, as computed by the market administrator, of the prices per pound of 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.

Proposed by The New York State Cheese Manufacturers Association, Inc.:

14. Any proposed change in Federal Order No. 27, affecting the price of milk used in the manufacture of Cheddar cheese should be based on the Wisconsin Assembly price with reasonable allowances for manufacture.

Proposed by Dannon Milk Products, Inc.:

15. Section 927.44 *Fluid skim differential* be amended to eliminate in the first sentence the words "or cultured milk drinks" or that the words "except yogurt" be added after cultured milk drinks.

Copies of this notice of hearing, the said order, as amended, and the said tentative marketing agreement may be procured from the Market Administrator, 205 East 42d Street, New York 17,

New York, or from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Dated: May 10, 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 56-3830; Filed, May 14, 1956; 8:53 a. m.]

[7 CFR Part 962]

FRESH PEACHES GROWN IN GEORGIA

EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1956–57 FISCAL PERIOD

Consideration is being given to the following proposals which were submitted by the Industry Committee, established under the marketing agreement, as amended, and Order No. 62, as amended (7 CFR Part 962; 20 F. R. 1635) regulating the handling of fresh peaches grown in the State of Georgia, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $12,536.80 will be necessarily incurred by the aforesaid Industry Committee for its maintenance and functioning during the fiscal period beginning on March 1, 1956, under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the share of such expenses which each handler who first ships peaches shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid fiscal period, the rate of assessment at one and eight-tenth cents, $0.018 per bushel basket of peaches (net weight 50 pounds), or its equivalent of peaches in other containers or in bulk, shipped by him as the first handler thereof during said fiscal period.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposals may do so by submitting the same to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than the 10th day following publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

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

Dated: May 10, 1956.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 56-3827; Filed, May 14, 1956; 8:53 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Economic Regs. Draft Release 81]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS OF CERTIFICATED AIR CARRIERS

MANUAL TO BE MADE IMMEDIATELY EFFECTIVE

APRIL 30, 1956.

Notice is hereby given that the Civil Aeronautics Board has under consideration the amendment of various phases of the accounting requirements of the manual of accounts now contained in Part 241 of the Economic Regulations (14 CFR Part 241). This amendment incorporates into the uniform system now in effect certain important changes embodied in the system adopted by the Board concurrently herewith, and scheduled to become effective on January 1, 1957.

These new accounting requirements would be applicable to all Form 41 reports (pertaining to calendar or fiscal quarters) subsequent to the effective date of this regulation.

The principal features of the proposed regulation are explained in the Explanatory Statement set forth below, and the proposed revision of Part 241 is also set forth below.

This regulation is proposed under the authority of sections 205 (a), 407 (a) and 407 (d) of the Civil Aeronautics Act of 1938, as amended. (52 Stat. 984; 1000; 49 U. S. C. 425, 487).

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate and addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All communications received on or before the thirtieth day following the date of publication of the proposed rule in the FEDERAL REGISTER will be considered by the Board before taking further action thereupon. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] JOHN B. RUSSELL,
Acting Secretary.

Expanatory statement. The first notice of proposed rule making relating to the revised uniform accounting and reporting system was published in the FEDERAL REGISTER on July 9, 1954 (19 F. R. 4200) and circulated to the industry as Economic Regulations Draft Release No. 68, dated July 6, 1954. As a result of extensive discussions with representatives of the industry, numerous changes in the manual and reporting forms thus circulated were found appropriate. Consequently, a further notice of proposed rule making containing various modifications of the previously proposed regulations was published in the FEDERAL REGISTER on September 22, 1955 (20 F. R. 7111), and circulated to the industry as Economic Regulations Draft Release No. 68-D, dated September 20, 1955. Oral argument, which had been requested by the industry, was held on November 9, 1955. These procedural steps left little time, before the beginning of the next calendar year, for completion of the major task of converting internal accounting procedures of various airline accounting departments to conform them to a drastically changed new system. For this reason, the Board decided to defer the effective date of the entire new system to January 1, 1957.

However, certain significant features of the new manual of accounts can be made effective immediately by integrating them with the existing system without imposing an undue burden. In the first place, only a relatively small number of items are being proposed for immediate implementation. In the second place, specific provisions prescribing expeditious methods of conversion have been incorporated in the proposed regulation. These provisions are substantially identical with those prescribed in the revised manual effective January 1, 1957.

The Board is mindful of the fact that a direction to retroactively reconstruct individual accounts to conform to new regulations might be burdensome to carriers who have already accounted for part or all of the results of a given quarter on the basis of different accounting regulations in effect throughout such a period. However, the particular items proposed to be made immediately effective here will not require a reconstruction of the underlying accounts.

These items are the reclassification of flight equipment spare parts inventories into the categories of rotables and expendables and prohibition of obsolescence reserves relating to expendables; the requirement that the cost of a full overhaul be included in the residual value of depreciable flight equipment; the requirement that reserves be established for all periodic aircraft maintenance operations and the classification of such reserves as valuation reserves. They have been selected for special treatment because they constitute significant improvements over the existing system which also have a major impact upon the accurate statement of the financial condition of certificated air carriers.

It appears desirable to explain, for the guidance of the industry, the precise operation of the effective date feature of the rule set forth below. During any quarterly reporting period following the date upon which this regulation becomes a legally binding requirement, a carrier will be obliged to follow the new accounting requirements. More specifically, the conversion provision of the proposed rule requires that adjustments of valuation reserves needed to conform with the instant revision are to be spread over current and subsequent accounting periods. It should be noted that the burden of conversion will not be increased by virtue of the fact that the proposed regulation makes certain features of the new manual effective in advance of the remaining provisions. Furthermore, these necessary adjustments are effectuated by

charges against, or credits to, income of the accounting period when the revised system becomes effective or subsequent accounting periods and do not require a restatement of the accounts for prior accounting periods. Thus, this requirement is not retroactive in either a legal or practical sense. Comment is specifically invited with respect to alternative conversion methods.

Since the substance of the various specific provisions incorporated in the attached proposed rule have already been the subject of both written comment and oral argument submitted by the industry, further comment is invited only with respect to the new matter embodied in this notice of proposed rule making. Such new matter relates exclusively to the desirability and practicability of making the several items dealt with herein effective in advance of the remainder of the new uniform reporting and accounting system and the manner in which these items may reasonably be integrated with the other provisions of the presently effective system. The Board will not consider comments concerning the substantive aspects of any of these proposals.

It is proposed to revise Part 241 of the Economic Regulations (14 CFR Part 241) in the following respects:

1. By introducing a new section as follows:

§ 241.1-10 *Depreciation and amortization.* (a) Assets of a type possessing prolonged service lives significantly longer than one year which are generally repaired and reused shall be written off against operations through periodic depreciation or amortization charges from the date first placed in regular service and shall not be expensed when retired or acquired. Assets of a type which are recurrently expended and replaced, rather than repaired and reused, shall not be depreciated or amortized but shall be charged to expense as issued for use. Waiver of this prohibition may be made upon a factual demonstration of impending losses in material amount from flight equipment expendable parts obsolescence factors not effectively provided for otherwise. In such cases and where waiver is made from the general prohibition, the air carrier may accrue, through periodic expense charges, a reserve for anticipated losses from obsolescence of flight equipment expendable parts inventories which the air carrier anticipates will be on hand at the date of retirement of the equipment type to which related.

(b) Assets of a type which are subject to depreciation shall not be classified as current assets but shall be carried in property and equipment or other appropriate noncurrent asset account classifications. Assets of a type which are recurrently expended and replaced, including flight equipment expendable parts, shall be classified as current assets.

(c) Depreciation shall be calculated by the air carrier in such manner as will prevent the charging of either excessive or inadequate expense or the accumulation of excessive or inadequate reserves, and shall be based upon a study of the air carrier's history and experience or such engineering or other information as may be available with respect to prospective future conditions and without regard to depreciation accounting practices adopted for tax purposes. Undepreciable residual values shall be established for each class of property and equipment and shall represent the fair and reasonable estimate of the recoverable value as of the end of the service life over which the property is depreciated. Residual values shall reflect values which are dissipated by use but are normally restored to individual units of property through recurrent repairs and periodic maintenance operations, and shall include the estimated cost of periodic maintenance operations for which reserves are provided, which, if not reflected in such residual values, would produce duplicate charges to expense.

(d) Within 90 days after the effective date of this section each air carrier shall file a statement which shall clearly and completely describe for each category of property and equipment the bases upon which the respective residual values and service lives have been assigned. For each new type of property or equipment acquired subsequently such a statement shall be submitted within 90 days after the property or equipment has been placed in regular service. Where changing conditions make necessary a revision or adjustment in rates of depreciation or residual values, a supplementary statement shall be attached to CAB Form 41 filed for the period in which such revisions or adjustments are made which shall clearly and completely describe the bases upon which the residual values and service lives has been revised. Retroactive adjustments in depreciation rates are in general prohibited.

(e) (1) Any adjustments of reserves for depreciation, obsolescence of flight equipment expendable parts, uncollectible accounts or other valuations of assets, shall be applied to current and subsequent accounting periods by spreading any necessary adjustments over the remaining life of the asset to which applicable and shall not be applied retroactively.

(2) Adjustments, necessitated by the requirement of this system of accounts that undepreciable residual values shall reflect values restored by periodic maintenance operations, shall be effected by subdividing the accumulated depreciated reserve between that portion representing values restorable by periodic maintenance which shall be classified as maintenance reserve, and the remaining portion which shall be classified as depreciation reserve, unless this requirement is waived by the Civil Aeronautics Board.

(3) Any reserve accumulated for obsolescence of flight equipment spare parts and assemblies shall be divided between the portion applicable to flight equipment expendable parts and flight equipment rotable parts and recorded in the applicable reserve accounts. Unless otherwise waived by the Civil Aeronautics Board, no further accrual shall be made to the reserve for obsolescence of flight equipment expendable parts and any losses sustained upon the retirement of the parts to which related shall be charged against this reserve.

(4) Any provision of this system of accounts respecting the required reserves for depreciation, or other valuation of assets, shall be made applicable as at the effective date of this section to all assets then existing as well as to assets subsequently acquired against which the accrual of reserves would be appropriate.

2. By substituting a new § 241.1330 as follows:

§ 241.1330 *Raw materials and miscellaneous supplies.* (a) This account shall include the cost of unissued and unapplied materials and supplies held in stock such as unissued shop materials, expendable tools, stationery and office supplies, passenger service supplies, and restaurant and food service supplies. It shall also include the cost of flight equipment replacement parts of a type which ordinarily would be recurrently expended and replaced rather than repaired and reused. The cost of rotable parts and assemblies of material value which ordinarily are repaired and reused shall not be recorded in this account but in account 1608 Flight Equipment Rotable Parts and Assemblies. For purposes of identifying rotable parts and assemblies of insignificant unit value which may be included in this account, a reasonable maximum unit value limitation may be established.

(b) Materials and supplies, other than flight equipment expendable parts, held in small supply and purchased currently may be charged to appropriate expense accounts when purchased. Costs paid by the air carrier such as transportation charges and customs duties; excise, sales, use and other taxes; special insurance; and other charges applicable to the cost of materials and supplies shall be charged to this account when they can be definitely allocated to specific items or units of property. If such costs cannot be allocated, or if of minor significance in relation to the cost of property, the amounts thereof may be charged to account 1850 "Other Deferred Charges", and cleared either by a suitable "loading charge" as the parts are used or by current charges to appropriate expense or property accounts; *Provided,* That the method of application does not cause material distortion in operating expenses from one accounting period to another.

(c) This account shall include the cost of labor, materials, and outside services used in the process of manufacturing materials and supplies for stock. Reusable materials and supplies recovered in connection with the construction, maintenance, or retirement of property and equipment shall be included in this account at fair and reasonable values but in no case shall such values exceed original cost. Scrap and nonusable materials and supplies, expensed from this account and recovered, shall be included at net amounts realizable therefrom with contra credit to the expense accounts initially charged.

(d) A perpetual inventory of materials and supplies shall be maintained showing the unit cost and quantity on hand, and the inventory shall be verified by actual count at least annually.

Shortages, overages, deterioration, etc., shall be adjusted through the appropriate inventory adjustment accounts.

(e) A reserve for inventory adjustment or obsolescence applicable to items of property in this account is generally prohibited. Any losses sustained or gains realized upon the abandonment or other disposition of flight equipment expendable parts shall be taken up as capital gains or losses in the periods in which sustained or realized. (See account 2520 Other Valuation Reserves.)

(f) Items in this account shall be charged to appropriate expense accounts as issued for use. Profit and loss on sales of inventory items as a routine service to others shall be included in account 4111 Service Sales-Net and the materials and supplies sold, including flight equipment expendable repair parts, shall be removed from this account at full cost.

(g) Subaccounts shall be established within this account for the separate recording of each class or type of flight equipment expendable repair parts and miscellaneous materials and supplies.

3. By amending the definition of "Depreciated cost" in § 241.3–1 (b) (2) to read as follows:

(2) Depreciated cost is defined as the cost of property and equipment less the related reserves for depreciation and overhaul or other valuation reserves.

4. By amending the definition of "Residual value" in § 241.3–1 (b) (11) to read as follows:

(11) Residual value is defined as the predetermined portion of the cost of a unit of property or equipment excluded from depreciation. It shall represent a fair and reasonable estimate of recoverable value as of the end of the service life over which the property is depreciated. It shall reflect values which are dissipated by use but are normally restored to individual units of property through recurrent repairs and periodic maintenance operations, and shall include the estimated cost of periodic maintenance operations for which reserves are provided, which, if not reflected in such residual values, would produce duplicate charges to expense.

5. By appending the following sentence to subparagraph (1) of § 241.3–1 (c) (2) "In addition, upon performance of the initial periodic maintenance operations after acquisition of used aircraft, the costs incurred to restore that portion of the useful life which had expired through use prior to acquisition shall be included as an addition to the cost of used aircraft so that the cost thereof will reflect the cost of fully overhauled units."

6. By amending § 241.3–1 (c) (2) to read as follows:

(2) The costs of betterments, including labor and all other installation costs, shall be charged to the property and equipment accounts, except in cases where the amounts involved are not substantial or no material improvement results; the cost of parts and appurtenances removed, including labor and all other installation costs, and the reserves for depreciation and overhaul applicable thereto, shall be treated as for retired property and accounted for accordingly.

7. By amending § 241.3–1 (d) (1) to read as follows:

(1) In the event property or equipment is disposed of by sale, retirement, abandonment, dismantling, etc., the air carrier shall credit the account in which the property is carried with the cost thereof; charge the accrued depreciation and overhaul reserve account with the balance applicable to the retired property; and charge the cash proceeds of the sale or the value of salvaged material to the appropriate asset accounts. When the sale price or salvage value less the cost of dismantling differs from the depreciated cost of the property, such difference shall be recorded in account 7189, "Retirement of Property, Profits or Losses—Net."

8. By deleting the last sentence from § 241.1604, "Aircraft Radio Equipment."

9. By deleting the last sentence from § 241.1607, "Miscellaneous Flight Equipment."

10. By substituting a new § 241.1608 as follows:

§ 241.1608 *Flight equipment rotable parts and assemblies.* (a) This account shall include the total cost to the air carrier of all spare instruments, parts, appurtenances and sub-assemblies related to the primary components of flight equipment units provided for in accounts 1601 through 1607, inclusive. This account shall include all parts and assemblies of material value which are rotable in nature and may be reserviced or repaired and used repeatedly. Items of an expendable nature which generally may not be repaired and reused, shall not be recorded in this account but in account 1330 Raw Materials and Miscellaneous Supplies. Except for recurrent service sales, flight equipment parts recorded in this account shall be accounted for and depreciated in accordance with the instructions related to property and equipment generally and shall not be charged to operating expense as retired. Profit or loss on sales of parts as a routine service to others shall be included in account 4111 Service Sales—Net and parts sold shall be removed from this account at full cost irrespective of any reserve for depreciation which has been provided.

(b) Subaccounts shall be established within this account to separately record parts and assemblies applicable to aircraft, aircraft engines, and other flight equipment.

11. By deleting § 241.2410, "Reserve for Aircraft Overhaul."

12. By deleting § 241.2420, "Reserve for Engine Overhaul."

13. By deleting § 241.5–1 and inserting the following:

§ 241.5–1 *Reserves for depreciation and maintenance.* (a) This balance sheet classification shall include the accumulation of all provisions for losses occurring in property and equipment from use and obsolescence. For example, it shall include reserves for maintenance of property and equipment, and reserves for depreciation established to record current lessening in service value due to wear and tear from use and the action of time and the elements which are not replaced by current repairs, as well as losses in capacity for use or service occasioned by obsolescence, supersession, discoveries, change in popular demand, or the requirement of public authority. Residual values and rates for accrual of depreciation and maintenance shall be calculated to prevent charging excessive or inadequate expense or the accumulation of inadequate or excessive reserves.

(b) Depreciation shall be calculated from the date on which a building, structure or unit of property is placed in regular service and shall cease on the date such property is withdrawn from service by reason of sale, retirement, abandonment, or dismantling, or when the difference between the cost and residual value, shall have been charged to expense.

(c) Property not subject to depreciation shall include (1) land owned or held in perpetuity, (2) expenditures on uncompleted units of property and equipment during the process of construction or manufacture, (3) capitalized maintenance costs of leased flight equipment for which a reserve for periodic maintenance is accrued, and (4) items classified as current assets.

(d) All aircraft and aircraft engines shall be depreciated on a unit basis from the date the aircraft or aircraft engine is first placed in regular service by the air carrier.

(e) Group depreciation procedures may be applied to property and equipment of nominal value or not readily identifiable by units and which are classified into groups of items of approximately equal life expectancy.

(f) The residual value established for each aircraft and each aircraft engine shall reflect values which are dissipated by use but are normally restored to individual units of property through recurrent repairs and periodic maintenance operations and shall include the estimated cost of periodic maintenance operations for which reserves are provided, which, if not reflected in such residual value, would produce duplicate charges to expense.

(g) Rates of depreciation and undepreciable residual values applied to each class of depreciable property and equipment shall be calculated to distribute, on the basis of years of life, the estimated service value to operating expense accounts and other accounts, over the estimated service life of the property and equipment; provided, that hours of life may be used for depreciation of specific classes of flight equipment other than aircraft and aircraft engines upon waiver of years of life by the Civil Aeronautics Board following a factually supported demonstration that the service life of each such class of property corresponds more closely to hours of use than to calendar time.

(h) Adjustments in rates of depreciation occasioned by changing conditions shall be applied in accordance with gen-

eral policies set forth in Section 1, Item 10 Depreciation and Amortization.

(i) Maintenance reserves shall be established by each air carrier for the cost of all periodic aircraft maintenance operations of material amount in such manner as will equitably apportion the total aircraft direct maintenance costs to the different accounting years on such bases as will effectively produce an appropriate matching of total aircraft maintenance costs with the operation of aircraft. At the option of the air carrier, maintenance reserves may also be established for aircraft engines. The purpose of such allocation is to prevent distortion of the operating and financial statements by reason of periodic peaks in maintenance costs in one accounting year which, in part, are properly applicable to operations performed in other accounting years. Waiver of the required reserves may be made by the Civil Aeronautics Board upon a factual demonstration that the expensing of such costs, as incurred, apportions the total direct maintenance costs between accounting years substantially in accordance with the use of aircraft.

Periodic aircraft maintenance reserves, required in order to prevent significant distortion of the financial statements, properly include all periodic direct maintenance expenses, whether related to periodic overhauls or to other aspects of periodic maintenance which, in aggregate, are sufficiently non recurrent as to result in an inequitable distribution of total maintenance costs as between different accounting periods.

The following practices shall be observed in accounting for periodic maintenance reserves:

(1) Provisions for periodic maintenance of both owned and leased flight equipment shall be charged, as appropriate, to account 70, "Reserve Provision—Aircraft Repairs" or, account 71, "Reserve Provision—Aircraft Engine Repairs", on the basis of rates of cost per hour flown in the air carrier's operations. The rates of accrual shall be established by each air carrier in accordance with its experienced cost per periodic maintenance operation with each type of equipment during the next previous representative accounting period and representative hours of use realized between equivalent periodic maintenance operations. The rate used for new equipment types may be based upon parallel experience adjusted to reflect such engineering or other information as may be available.

Each air carrier shall submit a statement detailing the plans upon which the accumulation of aircraft or aircraft engine reserves are based or revised as a supplement to CAB Form 41 for the period in which such reserves are established or revised. This statement shall set forth the rates by which the reserves are established and maintained or revised and shall include statistical data showing that the rates of accrual are fully and completely supported by the air carrier's experience and calculated to prevent accumulating excessive or deficient reserves. The rates set forth in such statement shall thenceforth be used by the air carrier unless it is notified by the Civil Aeronautics Board that the rates of accrual do not meet the requirements set forth herein.

(2) Accruals for maintenance of owned equipment shall be credited, in accordance with hours flown in the air carrier's operations, to account 2691, "Reserve for Maintenance—Aircraft" or, account 2692, "Reserve for Maintenance—Aircraft Engines", as appropriate, and concurrently charged to account 70, "Reserve Provision—Aircraft Repairs" or, account 71, "Reserve Provision—Aircraft Engine Repairs."

(3) Accruals for maintenance of leased equipment shall be credited, in accordance with hours flown in the air carrier's operations, to account 2170, "Other Current and Accrued Liabilities", up to an amount equivalent to that portion of the applicable maintenance cycle remaining unexpired at date of acquisition. Subsequent to the initial periodic maintenance operation performed by the air carrier, accrual of amounts equivalent to the portion of the applicable maintenance cycle remaining unexpired at date of acquisition shall be credited, in accordance with hours flown in the air carrier's operations, to account 2691, "Reserve for Maintenance—Aircraft" or, account 2692, "Reserve for Maintenance—Aircraft Engines", as appropriate, as an offset to such initial periodic maintenance which shall be charged to account 1609, "Improvements to Leased Flight Equipment", in amounts which represent a restoration of the maintenance cycle expired prior to acquisition by the air carrier. (See subparagraph (4) of this paragraph). Account 70, "Reserve Provision—Aircraft Repairs" or, 71, "Reserve Provision—Aircraft Engine Repairs", as appropriate, shall be concurrently charged, in accordance with hours flown in the air carrier's operations, with such accruals to maintenance liability or reserve accounts.

(4) The actual cost of periodic maintenance operations performed shall be generally charged directly to the applicable periodic maintenance reserve. In the case of equipment leased from others, that portion of the cost of each maintenance operation which represents a restoration of the maintenance cycle which remained unexpired at date of acquisition shall be charged against the maintenance liability account. That portion of the cost of the first periodic maintenance operation performed subsequent to acquisition of leased equipment or equipment purchased in used condition which represents a restoration of the maintenance cycle expired prior to acquisition, shall be charged to account 1609, "Improvements to Leased Flight Equipment" or other applicable property accounts. With the exception of that portion of the first periodic maintenance operation on leased or used equipment, discussed above, the cost of each periodic maintenance operation shall be simultaneously charged to the applicable objective expense accounts and credited, as appropriate, to account 70, "Reserve Provision—Aircraft Repairs" or, account 71, "Reserve Provision—Aircraft Engine Repairs", so that the total cost of maintenance is reflected in applicable appropriate objective expense accounts and total maintenance expense is equated in relation to operations performed between different accounting periods through the maintenance reserve provision accounts.

(5) Adjustments of accrued maintenance for differences between actual maintenance costs incurred and amounts accrued, or amounts accrued and amounts exchanged in settlement of lease arrangements, shall be credited or charged to account 70, "Reserve Provision—Aircraft Repairs" or, account 71, "Reserve Provision—Aircraft Engine Repairs", as applicable.

(6) In balance sheet presentations the balances in the maintenance reserve accounts shall be combined with reserves for depreciation and shown as an offset to the corresponding asset classification.

(j) (1) Depreciation is defined as losses occurring in physical property, either temporary or permanent, suffered through current lessening in service value due to wear and tear from use and the action of time and the elements, which are not replaced by current repairs; also, the losses in capacity for use or service occasioned by obsolescence, supersession, discoveries, change in popular demand, or the requirements of public authority.

(2) Group basis is defined as a plan under which (i) depreciation is based upon the application of a single depreciation rate to the total book cost of all property included in a given depreciable property and equipment account or class, despite differences in service life of individual items of property and equipment, (ii) the full original cost, less any salvage realized, of an item of depreciable property or equipment retired is charged to the reserve for depreciation regardless of the age of the item, and (iii) no gain or loss is recognized on the retirement of individual items of property or equipment.

(3) Residual value is defined as the predetermined portion of the cost of a unit of property or equipment excluded from depreciation. It shall represent a fair and reasonable estimate of recoverable value as of the end of the service life over which the property is depreciated. It shall reflect values which are dissipated by use but are normally restored to individual units of property through recurrent repairs and periodic maintenance operations, and shall include the estimated cost of periodic maintenance operations for which reserves are provided, which, if not reflected in such residual values, would produce duplicate charges to expense.

(4) Service value to the carrier is defined as the difference between book cost and residual value.

14. By substituting the following for § 241.2520 (b):

(b) (1) A reserve for inventory adjustment or obsolescence is generally prohibited. However, in the event waiver of this prohibition is granted (see Section 1, Item 10), accruals shall be made to this account for estimated losses from obsolescence of flight equipment expendable parts which it is anticipated will be on hand at the date of retire-

ment of the aircraft or aircraft engine type to which related. Where waiver is made to the general prohibition, accounting practices as set forth below shall be followed.

(2) The estimated loss shall be computed by estimating the inventory which will be on hand upon retirement of the aircraft or aircraft engine type to which related and deducting therefrom the estimated recoverable value. The estimated loss thus determined shall be accrued through equal annual charges to an appropriate sub-account under account 5977, "Depreciation—Other Flight Equipment". The reserve applicable to each class or type of expendable parts shall be recorded in separate subaccounts of this account.

(3) Expendable parts shall be charged to operating expenses as issued for use and shall not be charged to this account. Where changing conditions necessitate a revision or adjustment in rates of obsolescence accrual, such revision or adjustment shall be made applicable to current and subsequent accounting periods and shall not be applied retroactively to prior accounting periods. Following retirement of aircraft or aircraft engine types to which related, any balance remaining in this account shall be offset against related balances carried in account 1330, "Raw Materials and Miscellaneous Supplies" and the net cleared to account 7189, "Retirement of Property Profits or Losses—Net".

(4) A statement shall be filed with the Civil Aeronautics Board prior to the establishment or revision of reserves for obsolescence of flight equipment expendable parts which fully explains the bases of the estimated losses and the rates of accrual to the obsolescence reserves. No obsolescence reserves shall be established, revised or adjusted without the prior approval of the Civil Aeronautics Board.

(5) In balance sheet presentations, reserves for obsolescence of flight equipment expendable parts shall be offset against account 1330 Raw Materials and Miscellaneous Supplies.

15. By amending paragraphs (a), (b), and (c) of § 241.2600, "Reserve for Depreciation—Operating Property and Equipment", to read as follows:

§ 241.2600 *Reserve for depreciation and maintenance-operating property and equipment.* (a) This account shall include accrued depreciation and maintenance reserves relating to operating property and equipment used in transportation and incidental services.

(b) Entries shall be made to this account in accordance with Item 1, "Reserve for Depreciation and Maintenance" of this section.

(c) The reserve applicable to each classification of property included in account 1600, "Operating Property and Equipment", shall be recorded in the applicable accrued depreciation or maintenance reserve account.

16. By amending account 2608 in § 241.2600 to read as follows:

2608 Reserve for depreciation—flight equipment rotable parts and assemblies.

17. By inserting the following accounts in § 241.2600:

2691 Reserve for Maintenance—Aircraft.
2691 A Reserve for Maintenance—Owned Aircraft.
2691 B Reserve for Maintenance—Leased Aircraft.
2692 Reserve for Maintenance—Aircraft Engines.
2692 A Reserve for Maintenance—Owned Engines.
2692 B Reserve for Maintenance—Leased Engines.

18. By amending § 241.70 to read as follows:

§ 241.70 *Reserve provision—aircraft repairs.* This account shall include provisions to reserves for periodic maintenance of aircraft or for equalization of maintenance costs within the current accounting year. The direct costs actually expended in maintenance operations shall be charged as incurred to direct labor, materials and outside repairs accounts and concurrently credited to this account.

19. By amending § 241.71 to read as follows:

§ 241.71 *Reserve provision—aircraft engine repairs.* This account shall include provisions to reserves for periodic maintenance of aircraft engines or for equalization of maintenance costs within the current accounting year. The direct costs actually expended in maintenance operations shall be charged as incurred to direct labor, materials and outside repairs accounts and concurrently credited to this account.

20. By amending § 241.77, "Depreciation—Other Flight Equipment," to append to paragraph (a): "In the event of waiver by the Civil Aeronautics Board of the prohibition against accruals of reserves for obsolescence of flight equipment expendable parts, provisions for accruals to such reserves shall also be charged to this account. Amounts reserved through charges to this account shall be credited to account 2520, 'Other Valuation Reserves'."

21. By adding to the Account and Item List in § 241.77.

Expendable parts obsolescence provisions.

22. By amending § 241.7–1 to waive the requirement for filing schedule A–10 "Statement of Flight Equipment Spare Parts and Assemblies," for the year ending December 31, 1956.

23. By amending § 241.7–2 to append to the instructions for schedule A–6, columns 6 and 7, the following: "Balances in classification 2600, 'Reserve for Depreciation and Maintenance', shall be sub-divided as between reserves for depreciation and reserves for maintenance and separately reported in Column 7 on the appropriate line of this schedule."

[F. R. Doc. 56–3719; Filed, May 14, 1956; 8:46 a. m.]

[14 CFR Part 241]

[Economic Regs. Draft Release 82]

REVISED UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

PRESCRIPTION OF DEPRECIATION ACCOUNTING PRACTICES

APRIL 30, 1956.

Notice is hereby given that the Civil Aeronautics Board has under consideration the amendment of the accounting and reporting requirements of Part 241 of the Economic Regulations (14 CFR Part 241). This proposed rule provides for direct prescription by the Board of air carrier depreciation practices and prescribes uniform specific depreciation rates for certain classes of aircraft and related engines. These proposed amendments would be incorporated into both the uniform system now in effect and the revised system which becomes effective on January 1, 1957.

The principal features of the proposed regulation are explained in the explanatory statement set forth below, and the proposed revisions to Part 241 are also set forth below.

This regulation is proposed under the authority of sections 205 (a), and 407 (a) and (d), of the Civil Aeronautics Act of 1938, as amended, (52 Stat. 984, 1000, 1004; 49 U. S. C. 425, 487, 496).

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate and addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All communications received on or before the thirtieth day following the date of publication of the proposed rule in the FEDERAL REGISTER will be considered by the Board before taking further action thereupon. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] JOHN B. RUSSELL,
Acting Secretary.

Explanatory statement. In common with other regulatory acts, the Civil Aeronautics Act of 1938 directs that the Board shall prescribe a system of accounts. The pertinent provisions are in section 407 (d) as follows:

The Authority (Board) shall prescribe the forms of any and all accounts, records, and memoranda to be kept by air carriers, including the accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of money, and the length of time such accounts, records, and memoranda shall be preserved; and it shall be unlawful for air carriers to keep any accounts, records, or memoranda other than those prescribed or approved by the Authority (Board): *Provided*, That any air carrier may keep additional accounts, records, or memoranda if they do not impair the integrity of the accounts, records, or memoranda prescribed or approved by the Author-

ity (Board) and do not constitute an undue financial burden on such air carrier.

Under this authority the Board has proceeded, since its establishment, to prescribe the uniform system of accounts required to be kept by all certificated air carriers. The controlling purpose of such a uniform system of accounts is to provide the Board with financial statements which fairly reflect the financial condition of the air carrier, on the one hand, and the operating results of the carrier for a given period of time, on the other hand. The purpose of the system of accounts, therefore, is not to prescribe uniform titles under which information is to be reported but to prescribe uniform practices which will provide, in general substance, comparable information in respect to each of the various carriers subject to the accounting regulations. Financial statements would, of course, be useless to the Board unless they fairly reflected the actual financial condition of the carriers and the actual operating results of the services performed for the period reported.

In the past, the Board has, in general, prescribed rates of depreciation as a part of its rate-making process. The depreciation rates so prescribed through the rate-making proceedings of the Board have generally been used by air carriers for accounting purposes. So long as the depreciation rates used by the various air carriers for accounting purposes fairly reflected the depreciation costs as determined in the rate proceedings, further prescription of these rates through accounting regulation would have served no useful purpose. Moreover, until recent years, the widespread dependence of the industry upon Federal subsidies necessitated the frequent review by the Board of the operating results of the carriers, including an appraisal of the reasonableness of charges to expense for depreciation on property and equipment which resulted in bringing the depreciation practices of the carriers under frequent review by the Board. However, with the emergence of a large part of the industry from dependence upon subsidy, the opportunity for such frequent review of the reasonableness of depreciation charges to expense by the Board no longer exists. Nevertheless, the need for reliable financial data from which to appraise the true financial condition and operating results of the various air carriers continues. It is, therefore, concluded that the regulatory control over depreciation rates with a view of controlling the reasonableness of depreciation charges to expense may now better be exercised by the Board through the accounting regulations than through the rate-making process.

The amount of depreciation charged to expense involves the substance of the accounts, the control over which is necessary to provide financial statements that produce a fair presentation of the carrier's financial condition and operating results for the periods reported to the Board. Insofar as the impact upon the carriers' financial condition and operating results is concerned, improper charges to expense for depreciation would undermine the integrity of the financial statements in exactly the same manner as inaccurate charges for salaries, rents and other operating expenses of the carriers. Depreciation is becoming an increasingly important operating expense for air carriers with the addition of new and more expensive aircraft equipment. Errors in the reporting of depreciation tend to accumulate over a period of years and are difficult to correct in the accounts of carriers once the inaccuracies have become rooted over an extended period of time. Improper reporting of depreciation expense will distort the accounts and financial statements of air carriers to such an extent that comparability will be seriously undermined or completely destroyed. Since the property and equipment on which depreciation is computed will continue in service over a period of years the distortion from misstatement of depreciation charges accumulates with the passage of time. Accordingly, the prescription of depreciation rates by the Board will prevent such comparative distortion and thus increase proportionately the relative reliability of the financial statements of certificated air carriers from the point of view of both the industry and the Board as well as the general public.

The Board believes that it has ample statutory authority to engage in the direct control of depreciation accounting practices. Section 407 (d) of the act grants the Board broad powers to control both the accounting methods used by air carriers and all specific entries in the books of accounts made pursuant to such methods. Moreover, the Supreme Court has sustained a requirement that all charges to operating expense accounts (including depreciation) be "just and reasonable" as a valid exercise of such general accounting powers. (AT&T Co. v. U. S. 229, U. S. 232 (1936).) Since the requirement that the straight-line method and prescribed depreciation rates be used relates only to the reasonableness of depreciation expense charges, it appears to be a proper exercise of such power.

Nor has the Board been persuaded by the various legal arguments presented by the industry in connection with the straight-line provision, formerly included in the revised manual, as originally circulated. These arguments are premised on the fact that Congress has specifically amended the enabling acts of various other federal agencies to expressly confer such power while failing to include a similar provision in the Civil Aeronautics Act. We have examined the various statutes involved, and their legislative histories, and concluded that they negate any inference that Congress intended to withhold such power from the Board.

The proposed rule set forth below requires all certificated air carriers to use the straight-line method in computing depreciation for all depreciable properties. The industry has urged that the Board should leave to the discretion of each individual carrier's management the choice of a proper method of spreading depreciation costs by years. However, the basic objective of the uniform system of accounts is to standardize accounting practices. Unless a single method is employed in all similar factual situations, the fundamental goal of readily comparable financial statements cannot be achieved. The ultimate objective of all depreciation accounting is to allocate the cost of property equitably over the period of its useful life. There are various generally accepted techniques for effecting such allocations. The straight-line method is one method which is commonly accepted throughout industry as producing reasonably equitable cost allocations. This method has been used historically by the Board for those properties for which depreciation charges have been determined in rate proceedings. Moreover, the air transport industry likewise has most commonly used straight-line depreciation of properties for which depreciation rates have not been so determined by the Board as well as for those properties for which depreciation rates have been so determined. It is recognized that support may exist in generally accepted accounting practice for other depreciation methods in tax administration, which is based upon various national interest objectives which override normal business considerations, or under circumstances in which it can be demonstrated that depreciation varies significantly between different annual periods. However, tax procedures are not necessarily geared to an accurate measure of year-to-year costs. In addition, there has been no factual demonstration to date that the second circumstance obtains with respect to properties of the air transport industry. As a matter of fact, experience to date would indicate that the magnitude of repairs and maintenance required to meet adequate safety standards largely eliminates wear and tear as the most significant elements in the depreciation of the major proportion of air carrier properties. Consequently, depreciation of such properties largely results from obsolescence factors rather than physical deterioration. It would seem most difficult to establish that the rate of obsolescence of air carrier properties diminishes with the passage of time as would be provided for under the typical alternative depreciation methods. Moreover, air carriers to date have been able to dispose of airframes and engines which have been largely or fully depreciated at a substantial profit. This circumstance attests to the continued serviceability and earning capacity of such equipment and largely negates any contention that such equipment has lost its value from use.

In the absence of positive control by the Civil Aeronautics Board of air carrier depreciation practices, the public interest is left unprotected against divergent management judgments which result in nonuniformity and inconsistency between carriers in recorded accounting facts. Moreover, in view of all the foregoing circumstances, it is concluded that regardless of the relative abstract merits in alternative depreciation techniques there is no justification in terms of the presently existing economics of air transport operations for a departure at this time from the straight-line depreciation method which to date has been commonly accepted by both the Board and the air transport industry as

producing reasonably equitable results between different accounting periods.

The proposed regulation also prescribes uniform rates of depreciation for certain classes of flight equipment. No attempt has been made to prescribe such rates for various new types of equipment not yet in service on a large scale or for certain older types of unpressurized equipment which appear to be of diminishing importance because they are used on a relatively limited scale and are already largely depreciated.

The Board has long employed a seven year life and fifteen percent residual value for such flight equipment in its rate-making determinations. The industry has commonly adopted substantially equivalent depreciation rates for accounting purposes as well. Consequently, the proposed rule conforms the determinations of depreciation for accounting purposes to those which represent present rate policy and commonly existing industry practice. It is recognized, of course, that changing conditions may warrant future revisions of either the specific rates prescribed or the classes of property included. Such revisions can be made, from time to time, as may prove necessary upon petition of the air carrier or carriers concerned or upon the Board's own initiative. It is the Board's intention to utilize formal or informal hearing procedures and conferences as may be appropriate. Moreover, it is also recognized that occasional circumstances affecting a particular air carrier or class of air carriers may warrant the granting of a waiver from use of the prescribed uniform rate for certain classes of property.

Nor does it appear that the Board, which plainly enjoys necessary legal power to control the exact amount charged to depreciation under its general authority to supervise accounting entries, lacks the power to control such entries directly by advance prescription. Support for this conclusion may be found in the very fact that Congress has mandatorily directed several federal agencies to take such action under statutes granting them such supervisory powers. And, the specific direction requiring uniform entries by class of carriers is within the recognized purview of accounting rules and regulations. Indeed, generality of application and uniformity of prescription are the essential elements of the rule-making process. True enough, the uniformity established by a system of accounts is normally uniformity of principle rather than uniformity of entry. This circumstance merely reflects the absence of any uncertainty concerning the facts typically recorded by accounting entries such as the price paid for materials or labor. However, depreciation accounting involves a complicated determination of the extent of anual depreciation, entailing an exercise of judgment as well as a forecast of the future. Thus, effective supervision of the depreciation accounts of regulated companies calls for centralized control of such entries to insure substantive uniformity of result.

The Board also desires to advise the industry that it intends to exercise its statutory powers, as implemented by the revised manual, to review depreciation rates used by individual carriers for classes of equipment for which no uniform rate has been prescribed. However, in view of the various objections raised by the industry to any exercise of power by the Board over depreciation accounting the Board does not intend to exercise its power to establish precise depreciation rates until finalization of the instant rule.

1. It is proposed to revise Part 241 of the Economic Regulations (14 CFR Part 241) in the following respects:

a. By amending § 241.1–10 (c) and (d) to read as follows:

(c) The residual values and service lives to be used by air carriers in calculating depreciation shall be those which may be prescribed from time to time by the Civil Aeronautics Board (see § 241.22) except that where no rates previously have been prescribed the air carrier shall calculate depreciation in accordance with the instructions herein. Where changing conditions make necessary a revision or adjustment in rates of depreciation prescribed by the Civil Aeronautics Board, or when the prescribed rates fail to recognize the impact of peculiarities of particular operations upon depreciation factors, the air carrier may petition for waiver of such prescribed rates. In the event such waiver is made, the revised rates shall become effective only as approved and from such date as shall be prescribed by the Civil Aeronautics Board. In the event residual values and service lives have not been prescribed by the Civil Aeronautics Board, depreciation shall be calculated by the air carrier in such manner as will prevent the charging of either excessive or inadequate expense or the accumulation of excessive or inadequate reserves, and shall be based upon a study of the air carrier's history and experience and such engineering or other information as may be available with respect to prospective future conditions and without regard to depreciation accounting practices adopted for tax purposes. Undepreciable residual values shall be established for each class of property and equipment and shall represent the fair and reasonable estimate of the recoverable value as of the end of the service life over which the property is depreciated. Residual values shall reflect values which are dissipated by use but are normally restored to individual units of property through recurrent repairs and periodic maintenance operations, and shall include the estimated cost of periodic maintenance operations for which reserves are provided, which, if not reflected in such residual values, would produce duplicate charges to expense.

(d) Within 90 days after the effective date of this section, each air carrier shall file a statement which clearly and completely describes for each category of property and equipment the bases upon which the respective residual values and service lives have been assigned. For each new type of property or equipment acquired subsequently, such a statement shall be submitted within 90 days after the property or equipment has been placed in regular service. Where changing conditions make necessary a revision or adjustment in rates of depreciation or residual values, on categories of property or equipment for which rates of depreciation or residual values have not been prescribed by the Civil Aeronautics Board, a supplementary statement shall be attached to CAB Form 41[1] filed for the period in which such revisions or adjustments are made which shall clearly and completely describe the bases upon which the residual values and service lives have been revised. Retroactive adjustments in depreciation rates are in general prohibited. The depreciation rates and residual values set forth in such statement shall thenceforth be used by the air carrier unless it is notified by the Civil Aeronautics Board that the service lives or residual values do not meet the requirements set forth herein.

b. By amending paragraph (g) of § 241.5–1 *Reserves for depreciation and maintenance* to read as follows:

(g) Rates of depreciation and undepreciable residual values applied to each class of depreciable property and equipment shall be calculated to distribute the estimated service value, under the straight-line method, in equal annual charges to operating expense accounts and other accounts over the estimated service life of the property and equipment; provided, that hours of life may be used for depreciation of specific classes of flight equipment other than aircraft and aircraft engines upon waiver of this requirement by the Civil Aeronautics Board following a factually supported demonstration that the service life of each such class of property corresponds more closely to hours of use than to calendar time.

c. By inserting § 241.22 *Property and equipment depreciation rates*, to read as follows:

§ 241.22 *Property and equipment depreciation rates.* For purposes of this system of accounts and reports, the following residual values and service lives are herewith prescribed:

(a) For each pressurized cabin aircraft, and each related aircraft engine, acquired subsequent to December 31, 1947, exclusive of Boeing B–377 aircraft and turbo-prop or jet propelled aircraft types: (1) An undepreciable residual value equivalent to 15 percent of book cost, plus the estimated one-time cost of each material periodic maintenance operation performed at intervals significantly longer than 12 months apart, and (2) a straight-line, seven year service life applied to the depreciable value.

2. It is also proposed to revise Part 241 of the Economic Regulations (14 CFR Part 241) which will become effective January 1, 1957, in the following respects:

a. By amending § 241.14 (c) and (d) to read as follows:

(c) The residual values and service lives to be used by air carriers in calculating depreciation shall be those

[1] Available upon request to the Government Printing Office, Washington 25, D. C.

which may be prescribed from time to time by the Civil Aeronautics Board (see § 241.35), except that where no rates previously have been prescribed, the air carrier shall calculate depreciation in accordance with the instructions herein. Where changing conditions make necessary a revision or adjustment in rates of depreciation prescribed by the Civil Aeronautics Board, or when the prescribed rates fail to recognize the impact of peculiarities of particular operations upon depreciation factors, the air carrier may petition for waiver of such prescribed rates. In the event such waiver is made, the revised rates shall become effective only as approved and from such date as shall be prescribed by the Civil Aeronautics Board. In the event residual values and service lives have not been prescribed by the Civil Aeronautics Board, depreciation shall be calculated by the air carrier in such manner as will prevent the charging of either excessive or inadequate expense or the accumulation of excessive or inadequate reserves, and shall be based upon a study of the air carrier's history and experience and such engineering or other information as may be available with respect to prospective future conditions and without regard to depreciation accounting practices adopted for tax purposes. Undepreciable residual values shall be established for each class of property and equipment and shall represent the fair and reasonable estimate of the recoverable value as of the end of the service life over which property is depreciated. Residual values shall reflect values which are dissipated by use but are normally restored to individual units of property through recurrent repairs and periodic maintenance operations, and shall include the estimated cost of periodic maintenance operations for which reserves are provided, which, if not reflected in such residual values, would produce duplicate charges to expense.

(d) Each air carrier shall file with the Civil Aeronautics Board on or before January 1, 1957, a statement which clearly and completely describes for each category of property and equipment the bases upon which the respective residual values and service lives have been assigned. For each new type of property or equipment acquired subsequently, such a statement shall be submitted within 90 days after the property or equipment has been placed in regular service. Where changing conditions make necessary a revision or adjustment in rates of depreciation or residual values, on categories of property or equipment for which rates of depreciation or residual values have not been prescribed by the Civil Aeronautics Board, a supplementary statement shall be attached to CAB Form 41 filed for the period in which such revisions or adjustments are made which shall clearly and completely describe the bases upon which the residual values and service lives have been revised. Retroactive adjustments in depreciation rates are in general prohibited. The depreciation rates and residual values set forth in such statement shall thenceforth be used by the air carrier unless it is notified by the Civil Aeronautics Board that the service lives or residual values do not meet the requirements set forth herein.

b. By amending § 241.5-4 (g) to read as follows:

(g) Rates of depreciation and undepreciable residual values applied to each class of depreciable property and equipment shall be calculated to distribute the estimated service value, under the straight-line method, in equal annual charges to operating expense accounts and other accounts, over the estimated service life of the property and equipment: *Provided*, That hours of life may be used for depreciation of specific classes of flight equipment other than airframes and aircraft engines upon waiver of this requirement by the Civil Aeronautics Board following a factually supported demonstration that the service life of each such class of property corresponds more closely to hours of use than to calendar time.

c. By inserting § 241.35, "Property and Equipment Depreciation Rates," to read as follows:

§ 241.35 *Property and equipment depreciation rates.* For purposes of this system of accounts and reports, the following residual values and service lives are herewith prescribed:

(a) For each pressurized cabin airframe, and each related aircraft engine, acquired subsequent to December 31, 1947, exclusive of Boeing B-377 aircraft and turbo-prop of jet propelled aircraft types: (1) An undepreciable residual value equivalent to 15 percent of book cost, plus the estimated one-time cost of each material periodic maintenance operation performed at intervals significantly longer than 12 months apart, and (2) a straight-line, seven year service life applied to the depreciable value.

[F. R. Doc. 56-3720; Filed, May 14, 1956; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Department Order 177-10]

TRANSFER OF FUNCTIONS OF REGISTER OF THE TREASURY TO COMMISSIONER OF PUBLIC DEBT

By virtue of the authority vested in me by Reorganization Plan No. 26 of 1950, the functions of the Register of the Treasury and of the Office of the Register of the Treasury are transferred to the Commissioner of the Public Debt.

The Commissioner of the Public Debt may make such provisions as he deems appropriate authorizing the performance of any of these functions by subordinates in the Bureau of the Public Debt.

This order shall be effective May 16, 1956.

Dated: May 9, 1956.

[SEAL] W. RANDOLPH BURGESS,
Acting Secretary of the Treasury.

[F. R. Doc. 56-3818; Filed, May 14, 1956; 8:51 a. m.]

2¾ PERCENT TREASURY BONDS OF 1956-59

NOTICE OF CALL FOR REDEMPTION

1. Public notice is hereby given that all outstanding 2¾ percent Treasury Bonds of 1956-59, dated September 15, 1936, due September 15, 1959, are hereby called for redemption on September 15, 1956, on which date interest on such bonds will cease.

2. Holders of these bonds may, in advance of the redemption date, be offered the privilege of exchanging all or any part of their called bonds for other interest-bearing obligations of the United States, in which event public notice will hereafter be given and an official circular governing the exchange offering will be issued.

3. Full information regarding the presentation and surrender of the bonds for cash redemption under this call will be found in Department Circular No. 300, Revised, dated April 30, 1955.

Dated: May 14, 1956.

[SEAL] G. M. HUMPHREY,
Secretary of the Treasury.

[F. R. Doc. 56-3819; Filed, May 14, 1956; 8:51 a. m.]

United States Coast Guard

[CGFR 56-17]

APPROVAL OF EQUIPMENT AND CHANGE IN NAME OF MANUFACTURER

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026), and in compliance with the authority cited with each item of equipment: *It is ordered*, That:

(a) All the approvals listed in this document which extend approvals previously published in the FEDERAL REGISTER are prescribed and shall be in effect for a period of five years from their respective dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and,

(b) All the other approvals listed in this document (which are not covered by paragraph (a) above) are prescribed and shall be in effect for a period of five years from the date of publication of this document in the FEDERAL REGISTER,

unless sooner canceled or suspended by proper authority; and,

(c) The change in the name of the manufacturer of approved equipment shall be made as indicated below.

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE) MODELS 2, 3, 5 AND 6

Approval No. 160.002/54/0, Model 6, child kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by Merit Manufacturing Corp., 99–15 172d Street, Jamaica 3, N. Y.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4481, 4482, 4488, 4491, 4492, as amended, sec. 11, 35 Stat. 428, secs. 1, 2, 49 Stat. 1544, secs. 6, 17, 54 Stat. 164, 166, and sec. 3, 54 Stat. 346, as amended, and 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 475, 481, 489, 490, 396, 367, 526e, 526p, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.002)

CLEANING PROCESSES FOR LIFE PRESERVERS

NOTE: Where buoyancy fillers are not removed from envelope covers during cleaning process.

Approval No. 160.006/20/0, U. S. Cleaners and Dyers cleaning process for kapok life preservers, as outlined in description of cleaning process, dated December 23, 1950, from U. S. Cleaners and Dyers, Inc., 716 Washington Street, Hoboken, N. J. (Extension of the approval published in FEDERAL REGISTER February 17, 1951, effective February 17, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4481, 4482, 4488, 4491, 4492, as amended, sec. 11, 35 Stat. 428, secs. 1, 2, 49 Stat. 1544, secs. 6, 17, 54 Stat. 164, 166, and sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 475, 481, 489, 490, 396, 367, 526e, 526p, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.006)

BUOYS, LIFE, RING, CORK OR BALSA WOOD

NOTE: The 20-inch and 24-inch diameter buoys are limited to service on motorboats only in accordance with 46 CFR 25.4–1.

Approval No. 160.009/33/0, 30-inch cork ring life buoy, dwg. No. CRB–2, dated November 24, 1950, manufactured by American Pad and Textile Co., 511 North Solomon Street, New Orleans 19, La. (Extension of the approval published in FEDERAL REGISTER March 21, 1951, effective March 21, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, secs. 6 and 17, 54 Stat. 164, 166, as amended, sec. 3, 54 Stat. 1333, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 481, 489, 367, 526e, 526p, 1333; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.009)

WINCHES, LIFEBOAT

Approval No. 160.015/67/0, Type HPH lifeboat winch for use with Type SPD–24 mechanical davit, fitted with wire rope not more than ½-inch in diameter and with not more than 2 wraps of the falls on the drums, approved for a maximum working load of 6,300 pounds pull at the drums (3,150 pounds per fall), identified by general assembly dwg. No. 3011–10R dated March 19, 1955, and revised February 16, 1956, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J.

Approval No. 160.015/68/0, Type H–68R lifeboat winch, approval is limited to mechanical components only, and for a maximum working load of 6,800 pounds pull at the drums (3,400 pounds per fall), identified by general arrangement dwg. No. 80020 dated February 24, 1955, and revised March 21, 1956, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 11, 35 Stat. 428, as amended, and secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 396, 367; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.015)

LAMPS, SAFETY FLAME

Approval No. 160.016/2/1, Koehler type, naphtha burning, key lock, flame safety lamp, dwg. dated January 8, 1951, manufactured by Koehler Manufacturing Co., Inc., Marlboro, Mass. (Extension of the approval published in FEDERAL REGISTER March 21, 1951, effective March 21, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 481, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.016)

LINE-THROWING APPLIANCE, SHOULDER GUN TYPE

Approval No. 160.031/4/0, Bridger 45/70 Model N shoulder-gun type line-throwing appliance, assembly dwg. No. A–604, dated October 28, 1950, manufactured by Naval Co., Old Easton Highway, Doylestown, Pa. (Extension of the approval published in FEDERAL REGISTER March 21, 1951, effective March 21, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 396, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.031)

DAVITS, LIFEBOAT

Approval No. 160.032/134/0, mechanical davit, crescent sheath screw, Type A, approved for a maximum working load of 7000 pounds per set (3500 pounds per arm) using not less than two part falls, identified by general arrangement dwg. No. DC–201, alteration A, dated February 24, 1956, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Cum. Supp.; 46 CFR 160.032)

MECHANICAL DISENGAGING APPARATUS, LIFEBOAT

Approval No. 160.033/37/1, Type R-50 releasing gear, approved for maximum working load of 10,000 pounds per set (5,000 pounds per hook), identified by general arrangement dwg. No. 3245-3 dated February 17, 1949, and revised September 6, 1955, manufactured by Welin Davit and Boat Division of Continental Copper and Steel Industries, Inc., Perth Amboy, N. J. (Reinstates and supersedes Approval No. 160.033/37/0 terminated in FEDERAL REGISTER May 12, 1954.)

Approval No. 160.033/51/0, Rottmer type, Size 0–1–C2, releasing gear, approved for maximum working load of 18,000 pounds per set (9,000 pounds per hook) identified by assembly drawing No. R–145 dated December 27, 1955, manufactured by Lane Lifeboat & Davit Corp., 8920 Twenty-sixth Avenue, Brooklyn 14, N. Y.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, and sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 367, 1333; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.033)

LIFEBOATS

Approval No. 160.035/110/1, 28.0' x 9.79' x 4.13' steel, motor-propelled lifeboat without radio cabin (Class B), 60-person capacity, identified by construction and arrangement dwg. No. 2827 dated September 11, 1946, and revised January 25, 1956, manufactured by Lane Lifeboat & Davit Corp., 8920 Twenty-sixth Avenue, Brooklyn 14, N. Y. (Reinstates and supersedes Approval No. 160.035/110/0 terminated in FEDERAL REGISTER October 1, 1952.)

Approval No. 160.035/178/3, 16.0' x 5.5' x 2.38' steel, oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement dwg. No. 16–1, dated January 31, 1947, and revised February 17, 1956, manufactured by Marine Safety Equipment Corporation, Point Pleasant, N. J. (Supersedes Approval No. 160.035/178/2 published in the FEDERAL REGISTER February 17, 1951.)

Approval No. 160.035/197/2, 18.0' x 5.75' x 2.42' steel, oar-propelled lifeboat, 15-person capacity, identified by construction and arrangement dwg. No. 18–2 dated October 14, 1947, and revised January 19, 1956, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Supersedes Approval No. 160.035/197/1 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 160.035/216/2, 14.0' x 5.0' x 2.17' steel, oar-propelled lifeboat, 9-person capacity, identified by construction and arrangement dwg. No. 14–1 dated January 26, 1948, and revised January 11, 1956, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Supersedes Approval No. 160.035/216/1 published in the FEDERAL REGISTER June 26, 1951.)

Approval No. 160.035/270/1, 16.0' x 5.0' x 2.08' steel, oar-propelled lifeboat, 10-person capacity identified by construc-

tion and arrangement dwg. No. 16-2 dated August 1, 1950, and revised January 12, 1956, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Supersedes Approval No. 160.035/270/0 published in the FEDERAL REGISTER February 17, 1951.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, 4492, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S .C. 391a, 404, 474, 481, 489, 490, 396, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.035)

BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD MODELS AK, CKM, CKS, AF, CFM, AND CFS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/70/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160. 047, manufactured by Acme Products, Inc., 152 Brewery Street, New Haven, Conn.

Approval No. 160.047/71/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Acme Products, Inc., 152 Brewery Street, New Haven, Conn.

Approval No. 160.047/72/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Acme Products, Inc., 152 Brewery Street, New Haven, Conn.

Approval No. 160.047/80/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 145–92 228th Street, Springfield Gardens, Long Island, N. Y.

Approval No. 160.047/81/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 145–92 228th Street, Springfield Gardens, Long Island, N. Y.

Approval No. 160.047/82/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 145–92 228th Street, Springfield Gardens, Long Island, N. Y.

Approval No. 160.047/83/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The S. E. Hyman Company, Fremont, Ohio.

Approval No. 160.047/84/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The S. E. Hyman Company, Fremont, Ohio.

Approval No. 160.047/85/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The S. E. Hyman Company, Fremont, Ohio.

Approval No. 160.047/86/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Safegard Corp., P. O. Box 66, Station B, Cincinnati 22, Ohio, for Life Products Co., Cincinnati 22, Ohio.

Approval No. 160.047/87/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Safegard Corp., P. O. Box 66, Station B, Cincinnati 22, Ohio, for Life Products Co., Cincinnati 22, Ohio.

Approval No. 160.047/88/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by The Safegard Corp., P. O. Box 66, Station B, Cincinnati 22, Ohio, for Life Products Co., Cincinnati 22, Ohio.

(R. S. 4405, as amended, 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.047)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/60/0, group approval for rectangular and trapezoidal fibrous glass buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of fibrous glass filling to be as per Table 160.048–4 (c) (1) (ii), manufactured by Jenkins & Frey, 1233 Northeast First Avenue, Miami 36, Fla.

Approval No. 160.048/65/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4 (c) (1) (i), manufactured by Elvin Salow Co., 273–285 Congress Street, Boston 10, Mass., for Gob Shops of America, Inc., Providence, R. I.

Approval No. 160.048/66/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by Sound Mattress and Felt Co., P. O. Box 1505, Tacoma 1, Wash.

Approval No. 160.048/67/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4 (c) (1) (i), manufactured by The Dennison Co., 200 Waverly Avenue, Newark 8, N. J.

Approval No. 160.048/68/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok U. S. C. G. Specification Subpart 160.048, manufactured by Swan Products Co., Inc., 145–92 228th Street, Springfield Gardens, Long Island, N. Y.

Approval No. 160.048/69/0, special group approval for rectangular kapok buoyant cushions 2½" thick, sizes and weights of kapok filling to be as per Briddell Upholstering Co. dwgs. A through M, dated February 2, 1956, manufactured by Briddell Upholstery Co., 106 West Vine Street, Salisbury, Md., for Chris-Craft Corp., Algonac, Mich.

Approval No. 160.048/70/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048–4 (c) (1) (i), manufactured by Elvin Salow Co., 273–285 Congress Street, Boston 10, Mass., for James Bliss & Co., Inc., 342 Atlantic Avenue, Boston 10, Mass.

Approval No. 160.048/71/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4 (c) (1) (i), manufactured by Correct Craft, Inc., Pinecastle, Fla.

Approval No. 160.048/72/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by The Comfort Cushion Co., 5062–84 Loraine, Detroit 8, Mich.

Approval No. 160.048/73/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4 (c) (1) (i), manufactured by The Safegard Corp., P. O. Box 66, Station B, Cincinnati 22, Ohio, for Lifo Products Co., Cincinnati 22, Ohio.

Approval No. 160.048/75/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20 oz. kapok, U. S. C. G. Specification Subpart 160.048, manufactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N. J.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.048)

LIGHTS (WATER); ELECTRIC, FLOATING, AUTOMATIC (WITH BRACKET FOR MOUNTING)

Approval No. 161.001/3/1, automatic floating electric water light (with bracket for mounting) dwg. No. 606, Alt. 2 dated October 30, 1950, manufactured by Pomill Manufacturing Corp., 17 Battery Place, New York 4, N. Y. (Extension of the approval published in FEDERAL REGISTER, February 17, 1951, effective February 17, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 367, 1333; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 161.001)

BOILERS, HEATING

Approval No. 162.003/116/1, Model M–500 heating boiler for steam or hot water service, all welded steel plate construction, maximum pressure 30 p. s. i., dwg. No. DAB–24912, Alt. E, dated March 14, 1956, 188,000 Btu. per hour, approval limited to bare boiler, manufactured by York-Shipley, Inc., York, Pa. (Supersedes Approval No. 162.003/116/0 published in FEDERAL REGISTER August 24, 1951.)

(R. S. 4405, 4417a, 4418, 4426, 4433, 4434, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 412, 489, 1333, 50 U. S. C. 198; 46 CFR Part 52)

VALVES, SAFETY (STEAM HEATING BOILERS)

Approval No. 162.012/21/0, Type 1511 Series cast iron safety valve for steam heating boilers and unfired steam generators, dwg. No. 3VP953, dated February 10, 1956, approved for a maximum pressure of 30 p. s. i. in the following sizes and relieving capacities:

Size (inches)	Type No.	Capacity (pounds per hour) at 30 p. s. i.
1½	1511 H	1,615
1½	1511 J	2,650
2	1511 K	3,790
2½	1511 L	5,875
3	1511 M	7,410
4	1511 N	8,935
4	1511 P	13,135

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4418, as amended, 4426 as amended, 4433, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 367, 391a, 392, 404, 411, 489, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.012)

FLAME ARRESTERS, BACKFIRE (FOR CARBURETORS)

Approval No. 162.015/29/0, No. OH Unimaze backfire flame arrester for carburetors, dwg. No. C17851, dated January 20, 1956, manufactured by Air-Maze Corp., 25,000 Miles Road, Cleveland 28, Ohio.

Approval No. 162.015/30/0, No. 1 Unimaze backfire flame arrester for carburetors, dwg. No. C17852, dated January 10, 1956, manufactured by Air-Maze Corp., 25,000 Miles Road, Cleveland 28, Ohio.

Approval No. 162.015/31/0, No. 2 Unimaze backfire flame arrester for carburetors, dwg. No. C17853, dated January 11, 1956, manufactured by Air-Maze Corp., 25,000 Miles Road, Cleveland 28, Ohio.

Approval No. 162.015/32/0, No. 4 Unimaze backfire flame arrester for carburetors, dwg. No. C17854, dated January 16, 1956, manufactured by Air-Maze Corp., 25,000 Miles Road, Cleveland 28, Ohio.

Approval No. 162.015/33/0, No. 5 Unimaze backfire flame arrester for carburetors, dwg. No. C17855, dated January 18, 1956, manufactured by Air-Maze Corp., 25,000 Miles Road, Cleveland 28, Ohio.

Approval No. 162.015/34/0, No. 7 Unimaze backfire flame arrester for carburetors, dwg. No. C17856, dated January 17, 1956, manufactured by Air-Maze Corp., 25,000 Miles Road, Cleveland 28, Ohio.

Approval No. 162.015/35/0, No. 8 Unimaze backfire flame arrester for carburetors, dwg. No. C17857, dated January 19, 1956, manufactured by Air-Maze Corp., 25,000 Miles Road, Cleveland 28, Ohio.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply secs. 10 and 17, 54 Stat. 165, 166, as amended; 46 U. S. C. 5261, 526p; 46 CFR 162.015)

VALVES, PRESSURE VACUUM RELIEF AND SPILL

Approval No. 162.017/66/3, Figure No. 120, pressure-only relief valve, atmospheric pattern, weight-loaded poppets, bronze, nickel cast iron or corrosion-resistant alloy steel body, dwg. No. 120–A, Rev. 3, dated August 31, 1955, approved for sizes 3", 4", 6" and 8", manufactured by Mechanical Marine Company, Inc., 17 Battery Place, New York 4, New York. (Supersedes Approval No. 162.017/66/2 published in the FEDERAL REGISTER August 7, 1953.)

Approval No. 162.017/67/2, Figure No. 130, pressure-vacuum relief valve, enclosed pattern, weight-loaded poppets, bronze, nickel cast iron or corrosion-resistant alloy steel body, dwg. No. 130–A, Rev. 5, dated August 31, 1955, approved for 3", 4", 5" and 6", manufactured by Mechanical Marine Co., Inc., 17 Battery Place, New York 4, N. Y. (Supersedes Approval No. 162.017/67/1 published in FEDERAL REGISTER October 6, 1954.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, and 4491, as amended; sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 489; 50 U. S. C. 193; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.017)

VALVES, SAFETY RELIEF, LIQUEFIED COMPRESSED GAS

Approval No. 162.018/5/3, Type MS–8, pop safety relief valve, flanged inlet, flat synthetic rubber gasket type, for liquefied petroleum gas and anhydrous ammonia service; dwg. No. 31–11869–G, revised August 28, 1950, net flow area 3.26 square inches, approved for a maximum set pressure of 250 pounds per square inch; flow rated at 105 percent of the following set pressures (discharge in cubic feet per minute measured at 60° F. and 14.7 pounds per square inch absolute); manufactured by American Car & Foundry Co., 30 Church Street, New York 8, N. Y.:

	100 p. s. i.	125 p. s. i.	200 p. s. i.	250 p. s. i.
Air	5,880	7,240	10,280	13,660
Liquefied petroleum gas	4,950	6,170	9,130	12,700
Anhydrous ammonia	7,430	9,130	12,780	16,900

(Extension of the approval published in FEDERAL REGISTER March 21, 1951, effective March 21, 1956.)

Approval No. 162.018/25/1, Type 1203, pop safety relief valve, flanged inlet "O" ring synthetic rubber gasket type, for liquefied petroleum gas and anhydrous ammonia service; dwg. No. 31–21697–B, revised August 28, 1950, net flow area 3.44 square inches, approved for a maximum set pressure of 250 pounds per square inch; flow rated at 105 percent of the following set pressures (discharge in cubic feet per minute measured at 60° F. and 14.7 pounds per square inch absolute); manufactured by American Car & Foundry Co., 30 Church Street, New York 8, N. Y.:

	100 p. s. i.	125 p. s. i.	200 p. s. i.	250 p. s. i.
Air	5,970	7,120	10,650	13,360
Liquefied petroleum gas	5,040	6,070	9,460	12,400
Anhydrous ammonia	7,550	8,960	13,210	16,520

(Extension of the approval published in FEDERAL REGISTER March 21, 1951 effective March 21, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, and 4491, as amended; sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 489; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.018)

APPLIANCES, LIQUEFIED PETROLEUM GAS CONSUMING

Approval No. 162.020/95/0, Model No. 18C23LP hot water heater for liquefied petroleum gas service approved by the American Gas Association, Inc., under Certificate No. 3–666–2.001, manufactured by Allcraft Manufacturing Company, Inc., 27 Hayward Street, Cambridge 42, Mass.

Approval No. 162.020/96/0, Model No. 20C8LP hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3–566–1.501, manufactured by Allcraft Manufacturing Company, Inc., 27 Hayward Street, Cambridge 42, Mass.

Approval No. 162.020/97/0, Model No. 25M26 hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3–(677–1.1 and –3.0).001, manufactured by Allcraft Manufacturing Company, Inc., 27 Hayward Street, Cambridge 42, Mass.

Approval No. 162.020/98/0, Model No. 25C26 hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3–(677–1.1 and –3.0).001, manufactured by Allcraft Manufacturing Company, Inc., 27 Hayward Street, Cambridge 42, Mass.

Approval No. 162.020/99/0, Model No. 30C10LP hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3–566–1.801, manufactured by Allcraft Manufacturing Company, Inc., 27 Hayward Street, Cambridge 42, Mass.

Approval No. 162.020/100/0, Model No. 45C8LP hot water heater for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 3–566–1.601, manufactured by Allcraft Manufacturing Company, Inc., 27 Hayward Street, Cambridge 42, Mass.

(R. S. 4405, 4417a, 4426, 4491, secs. 1, 2, 49 Stat. 1544, and sec. 2, 54 Stat. 1028, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 367, 375, 391a, 404, 463a, 489, 1333, 50 U. S. C. 198; 46 CFR 55.16–10)

BULKHEAD PANELS

Approval No. 164.008/33/0, "Navilite" inorganic composition board type bulkhead panel identical to that described in National Bureau of Standards Test Report No. 4515, Project No. 1002–30–4829, dated January 30, 1956, approved as meeting Class B–15 requirements in a ⅞" thickness, manufactured by Dansk Eternit-Fabrik A/S, Aalborg, Denmark.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 2, 54 Stat. 1028, as amended, sec. 5, 55 Stat. 244, 245, as amended; 46 U. S. C. 391, 391a, 392, 404, 369, 367, 1333, 463a, 50 U. S. C. App. 1275, E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 164.008)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/35/0, "Microlite B-305", glass fiber insulation type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10210-1972: FP3358, dated March 3, 1956, approved in one-half pound per cubic foot density, manufactured by L. O. F. Glass Fibers Company, 1810 Madison Avenue, Toledo 1, Ohio.

Approval No. 164.009/36/0, "J-M 302 Cement," incombustible material composed solely of asbestos fibers, diamataceous silicas and clay, manufactured by the Johns-Manville Sales Corporation, 22 East 40th Street, New York 16, N. Y.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 2, 54 Stat. 1028, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391, 391a, 392, 404, 369, 367, 1333, 463a, 50 U. S. C. 198; E. O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.; 46 CFR 164.009)

CHANGE IN NAME OF MANUFACTURER

The name of Northern Equipment Company has been changed to Copes-Vulcan Division, Blaw-Knox Company, Erie 4, Pa., for approval Nos. 162.024/2/0 through 162.024/6/0.

Dated: May 8, 1956.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 56-3816; Filed, May 14, 1956; 8:51 a. m.]

[CGFR 56-18]

TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026), and in compliance with the authority cited with each item of equipment, the following approvals of equipment are terminated because the approvals have expired. Notwithstanding this termination of approval of any item of equipment as listed in this document, such equipment in service may be continued in use so long as such equipment is in good and serviceable condition.

WINCHES, LIFEBOAT

Termination of Approval No. 160.015/56/0, Type CL-17.5A lifeboat winch, approved for maximum working load of 11,500 pounds pull at the drums (5,750 pounds per fall), for use on the S. S. "Constitution" and S. S. "Independence" only, identified by assembly dwg. No. CL-17.5-1, Alt. C, dated April 4, 1950, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER February 17, 1951. Termination of approval effective February 17, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 11, 35 Stat. 428, as amended, and secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 396, 367; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.015)

LIFEBOATS

Termination of Approval No. 160.035/211/1, 22.0' x 7.5' x 3.17' steel, oar-propelled lifeboat, 31-person capacity, identified by construction and arrangement dwg. No. 22-2, dated April 17, 1946, revised January 15, 1951, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER March 21, 1951. Termination of approval effective March 21, 1956.)

Termination of Approval No. 160.035/221/1, 24.0' x 7.63' x 3.21' steel, oar-propelled lifeboat, 35-person capacity, identified by construction and arrangement dwgs. Nos. 24-4 dated April 19, 1948, and revised January 17, 1951, and 24-4B dated June 14, 1948, and revised January 17, 1951, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER March 21, 1951. Termination of approval effective March 21, 1956.)

Termination of Approval No. 160.035/222/1, 24.0' x 8.0' x 3.73' steel, motor-propelled lifeboat without radio cabin, 37-person capacity, identified by construction and arrangement dwg. No. 24-1B, dated May 5, 1948 and revised September 28, 1950, submitted by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER February 17, 1951. Termination of approval effective February 17, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, 4492, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 490, 396, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.035)

VALVES, SAFETY RELIEF, LIQUEFIED COMPRESSED GAS

Termination of Approval No. 162.018/26/1, Type 1208, pop safety relief valve, flanged inlet "O" ring synthetic rubber gasket type, for liquefied petroleum gas and anhydrous ammonia service; dwg. No. 31-35367-A, dated August 28, 1950, net flow area 1.54 square inches, approved for a maximum set pressure of 250 pounds per square inch; flow rated at 105 percent of the following set pressures (discharge in cubic feet per minute measured at 60° F. and 14.7 pounds per square inch absolute); manufactured by American Car & Foundry Co., 30 Church Street, New York 8, N. Y.:

	100 p. s. i.	125 p. s. i.	200 p. s. i.	250 p. s. i.
Air	2,140	2,550	4,380	5,000
Liquefied petroleum gas	1,800	2,170	3,890	4,540
Anhydrous ammonia	2,700	3,190	5,380	6,120

(Approved FEDERAL REGISTER March 21, 1951. Termination of approval effective March 21, 1956.)

Termination of Approval No. 162.018/27/1, Type 1204, pop safety relief valve, 2½" screwed inlet, "O" ring synthetic rubber gasket type, for liquefied petroleum gas and anhydrous ammonia service; dwg. No. 31-36684-B, revised January 8, 1951, net flow area 1.54 square inches, approved for a maximum set pressure of 125 pounds per square inch; flow rated at 105 percent of the following set pressures (discharge in cubic feet per minute measured at 60° F. and 14.7 pounds per square inch absolute); manufactured by American Car & Foundry Co., 30 Church Street, New York 8, N. Y.:

	100 p. s. i.	125 p. s. i.
Air	2,140	2,550
Liquefied petroleum gas	1,800	2,170
Anhydrous ammonia	2,720	3,210

(Approved FEDERAL REGISTER March 21, 1951. Termination of approval effective March 21, 1956.)

Termination of Approval No. 162.018/28/1, Type 1209, pop safety relief valve, 3" screwed inlet, "O" ring synthetic rubber gasket type, for liquefied petroleum gas and anhydrous ammonia service; dwg. No. 31-36684-B, revised January 8, 1951, net flow area 1.54 square inches, approved for a maximum set pressure of 125 pounds per square inch; flow rated at 105 percent of the following set pressures (discharge in cubic feet per minute measured at 60° F. and 14.7 pounds per square inch absolute); manufactured by American Car & Foundry Co., 30 Church Street, New York 8, N. Y.:

	100 p.s.i.	125 p.s.i.
Air	2,140	2,550
Liquefied petroleum gas	1,800	2,170
Anhydrous ammonia	2,720	3,210

(Approved FEDERAL REGISTER March 21, 1951. Termination of approval effective March 21, 1956.)

Termination of Approval No. 162.018/29/1, Type 1206, pop safety relief valve, 4" screwed inlet, "O" ring synthetic rubber gasket type, for liquefied petroleum gas and anhydrous ammonia service; dwg. No. 31-36666-B, revised January 8, 1951, net flow area 3.44 square inches, approved for a maximum set pressure of 125 pounds per square inch; flow rated at 105 percent of the following set pressures (discharge in cubic feet per minute measured at 60° F. and 14.7 pounds per square inch absolute); manufactured by American Car & Foundry Co., 30 Church Street, New York 8, N. Y.:

	100 p. s. i.	125 p. s. i.
Air	5,970	7,120
Liquefied petroleum gas	5,040	6,070
Anhydrous ammonia	7,550	8,960

(Approved FEDERAL REGISTER March 21, 1951. Termination of approval effective March 21, 1956.)

Termination of Approval No. 162.018/30/1, Type 1207, pop safety relief valve, 3½" screwed inlet, "O" ring synthetic rubber gasket type, for liquefied petroleum gas and anhydrous ammonia serv-

ice; dwg. No. 31-36666-B, revised January 8, 1951, net flow area 3.44 square inches, approved for a maximum set pressure of 125 pounds per square inch; flow rated at 105 percent of the following set pressures (discharge in cubic feet per minute measured at 60° F. and 14.7 pounds per square inch absolute); manufactured by American Car & Foundry Co., 30 Church Street, New York 8, N. Y.:

	100 p. s. i.	125 p. s. i.
Air	5,970	7,120
Liquefied petroleum gas	5,040	6,070
Anhydrous ammonia	7,550	8,960

(Approved FEDERAL REGISTER March 21, 1951. Termination of approval effective March 21, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, and 4491, as amended; sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 489; 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.018)

INCOMBUSTIBLE MATERIALS

Termination of Approval No. 164.009/27/0, "Soft-Flex Glass Fabrics," fibrous glass type decorative fabrics identical to those described in National Bureau of Standards Report No. TG 10210-1735; FP 2980 (Test Folder G-4251), dated December 1, 1950, manufactured by Soft-Flex Glass Fabrics Corp., 1012 North Highland Avenue, Los Angeles 38, Calif. (Approved FEDERAL REGISTER February 17, 1951. Termination of approval effective February 17, 1956.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417, as amended, 4417a, as amended, 4418, as amended, 4426, as amended, sec. 5, 49 Stat. 1384, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 2, 54 Stat. 1028, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391, 391a, 392, 404, 369, 367, 1333, 463a, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 164.009)

Dated: May 8, 1956.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 56-3817; Filed, May 14, 1956; 8:51 a. m.]

DEPARTMENT OF DEFENSE

Office of the Secretary of the Air Force

SUPPLEMENTAL INFORMATION AS TO FINANCIAL INTERESTS OF EMPLOYEES

MAY 9, 1956.

Information required by section 302 (c) of Executive Order 10647, for the period 1 February 1956, is attached for the following Consultants employed in the Office, Secretary of the Air Force, Office, Assistant Secretary of the Air Force (Financial Management).

Name and Date of Appointment

Mr. Herman W. Bevis, September 30, 1955.
Mr. John B. Inglis, September 30, 1955.
Mr. John W. McEachren, September 30, 1955.
Mr. Robert M. Trueblood, September 30, 1955.

JOHN J. MCLAUGHLIN,
Administrative Assistant.

HERMAN W. BEVIS

APRIL 26, 1956.

Please be advised that there has been no change in the organizations in which I hold a financial interest from that described in my letter of December 21, 1955 (the same was true as of February 1, 1956), that is to say, my financial interests are confined to the accounting firm (partnership) of Price Waterhouse & Co. [Reference: FEDERAL REGISTER, 12/31/55, page 10172].

HERMAN W. BEVIS.

JOHN B. INGLIS

APRIL 13, 1956.

With respect to Executive Order 10647, I wish to advise you as follows:

On February 1, 1956 I owned common stocks in the following corporations: Continental Oil Company, Hercules Motors Company, Kennecott Copper Company, Missouri Public Service, Ohio Oil Company, Philco Corporation, Phillips Petroleum Company, Southern Pacific Company, Texas Company, Weyerhauser Company, Wood Conversion Company.

On February 1, 1956 I was, and still am, a partner in the following partnerships: Price Waterhouse & Co., Stagg, Mather & Hough. [Reference: FEDERAL REGISTER, 12/31/55, page 10172].

JOHN B. INGLIS.

JOHN W. MCEACHREN

APRIL 18, 1956.

In accordance with your letter of April 12th, the following information as of February 1, 1956, is submitted for the purpose of compliance under the President's Executive Order 10647:

1. None.
2. Thomas Industries, Inc. Scudder, Stevens & Clark Stock Fund. Pine Street Fund.
3. Touche, Niven, Bailey & Smart.
4. None.

The numbers relate to the series of questions set forth in your letter of December 15, 1955. [Reference: FEDERAL REGISTER, 12/31/55, page 10172.]

JOHN W. MCEACHREN.

ROBERT M. TRUEBLOOD

APRIL 18, 1956.

In regard to your request of April 12 for a semiannual statement of financial interests in the FEDERAL REGISTER as of February 1, 1956, the following information is supplied in accordance with your letter of December 15:

(1) None.
(2) Thomas Industries, Inc.
(3) None.
(4) None.

[Reference: FEDERAL REGISTER, 12/31/55, page 10172.]

ROBERT M. TRUEBLOOD.

[F. R. Doc. 56-3825; Filed, May 14, 1956; 8:52 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[C-012309]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 7, 1956.

Pursuant to Determination DA-370, Colorado, of the Federal Power Commission and in accordance with Order No. 541, section 2.5, of the Director, Bureau of Land Management, approved April 21, 1954 (19 F. R. 2473-2476), it is ordered as follows:

The lands hereinafter described, so far as they are withdrawn and reserved for power purposes, are hereby restored to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended.

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 1 N., R. 79 W.,
Sec. 12: SW¼NW¼, NE¼SE¼.

The lands described consist of 80 acres of public land.

The State of Colorado has been afforded a period of 90 days beginning February 4, 1956, and ending May 6, 1956, in which to file applications for rights-of-way for public highways or as a source of material for construction and maintenance of such highways, in accordance with and subject to the provisions of section 24 of the Federal Power Act, as amended.

This restoration is made in furtherance of an exchange under section 8 of the act of June 28, 1934, as amended by section 3 of the act of June 26, 1936 (48 Stat. 1272; 49 Stat. 1976; 43 U. S. C. 315g) by which the offered lands will benefit a Federal land program. This restoration is, therefore, not subject to the provisions contained in the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, granting preference rights to veterans of World War II and others.

Inquiries concerning the lands shall be addressed to the State Supervisor, Colorado State Office, Bureau of Land Management, 357 New Custom House, P. O. Box 1018, Denver 1, Colorado.

MAX CAPLAN,
State Supervisor.

[F. R. Doc. 56-3793; Filed, May 14, 1956; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[P. & S. Docket No. 5]

PEORIA UNION STOCK YARDS CO.

NOTICE OF PETITION FOR MODIFICATION OF RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued in this rate proceeding on July 27, 1953 (12 A. D. 851), which, as modified and continued in effect by an order issued on July 18, 1955 (14 A. D. 566), authorizes the respondent to assess the current schedule of rates and charges to and including August 1, 1957.

On May 1, 1956, respondent filed a petition requesting authority to put into effect as soon as possible certain modifications of its current schedule and to continue assessing the current schedule as so modified to and including August 1, 1957.

The modifications of the current schedule of rates and charges (Tariff No. 11) proposed by respondent are limited to Item 4 of Section 1 of such schedule, the present and proposed provisions of which are as follows:

PRESENT

Item 4. Charges will be collected on all livestock consigned to local packers and others at the following rate in cents per head.

NOTE: If weighed, full yardage as shown in Item 1 will apply.

Cattle	35
Calves	19
Hogs	12
Sheep	9

PROPOSED

Item 4. Charges will be collected on all livestock consigned to local packers and others at the following rate in cents per head.

Cattle	50
Calves	25
Hogs	16
Sheep	13

In view of the fact that most of the livestock described in item 4 of section 1 of the current schedule are weighed, full yardage rates apply to them instead of the rates shown in such item which are about one-half the full rates. Under the proposed new item 4 of section 1 all such livestock may be weighed and be charged for at the proposed new yardage rates which are about 70 percent of the full yardage rates. Accordingly, the effect of the modifications, if authorized, will be to increase the yardage rates on only such of the livestock described as are not being weighed at present, to produce less revenue for the respondent, and to reduce the cost of marketing livestock except as noted above. It appears that this public notice should be given of the filing of the petition and its contents in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days after the publication of this notice.

Done at Washington, D. C., this 9th day of May 1956.

[SEAL] H. E. REED,
Director,
Livestock Division,
Agricultural Marketing Service.

[F. R. Doc. 56-3829; Filed, May 14, 1956; 8:53 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3051 et al.]

NEW YORK-FLORIDA PROCEEDING

NOTICE OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on June 26, 1956, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., May 10, 1956.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 56-3833; Filed, May 14, 1956; 8:54 a. m.]

[Docket No. 5564]

TUCSON AIRPORT AUTHORITY

NOTICE OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on June 13, 1956, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., May 9, 1956.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 56-3834; Filed, May 14, 1956; 8:54 a. m.]

[Docket Nos. 6881 et al., 6901 et al.]

FIRST CLASS AND OTHER PREFERENTIAL MAIL RATES (EAST AND WEST)

NOTICE OF ORAL ARGUMENT

First class and other preferential mail rates (East), Docket No. 6881, et al.; first class and other preferential mail rates (West), Docket No. 6901, et al.

Notice is hereby given, pursuant to the provision of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceedings is assigned to be held on June 6, 1956, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., May 9, 1956.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 56-3835; Filed, May 14, 1956; 8:54 a. m.]

[Docket No. 5773 et al.]

REOPENED BONANZA RENEWAL CASE

NOTICE OF HEARING

In the matter of the Bonanza Renewal Case as reopened for further hearing.

Notice is hereby given that the hearing in the above-entitled proceeding is assigned to be held on June 6, 1956, at 10:00 a. m., P. s. t., in the Apple Valley Inn, Apple Valley, California, before Examiner Ferdinand D. Moran, and is to be recessed for further hearing on June 19, 1956, at 10:00 a. m., e. d. s. t., in Room E-224, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C.

Without limiting the scope of the issues, particular attention will be directed to the following matters and questions:

(a) Whether Southwest's certificate for route No. 76 should be amended to extend Segment No. 4 beyond Sacramento, Calif., to Reno, Nev.;

(b) Whether Southwest's certificate for route No. 76 should be amended to extend Segment No. 5 beyond Palmdale-Lancaster to Las Vegas, Nev., via Apple Valley, Calif.;

(c) Whether Bonanza's certificate for route No. 105 should be amended to extend such route between Las Vegas and Los Angeles, Calif., via the intermediate points Apple Valley, Riverside/Ontario, and Burbank;

(d) Whether Bonanza's certificate for route No. 105 should be amended to add Apple Valley as an intermediate or alternate intermediate point on Segment No. 3 of that route;

(e) Whether Bonanza's certificate for route No. 105 should be amended to extend such route between Las Vegas and Los Angeles, via the intermediate points Bakersfield and Burbank;

(f) Whether Southwest's certificate for route No. 76 should be amended to authorize a new segment which would serve Apple Valley and Riverside/Ontario between Las Vegas and Los Angeles/Burbank;

(g) Whether the public convenience and necessity require, and whether the Board should direct, the alteration, amendment, or modification of Western's certificate for route No. 13 so as to provide that the carrier shall render service between San Bernardino, Calif., and Las Vegas only on flights operated via Los Angeles;

(h) Whether Bonanza and Southwest are fit, willing and able to conduct the proposed air transportation and to conform to the provisions of the act and the regulations of the Board thereunder.

For further details regarding this proceeding interested parties are referred to the report of the prehearing conference in this matter served February 29, 1956, and Board Orders Nos. E-9825, E-9998, and E-10202 and the Docket in this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person not a party of record desiring to be heard in support or opposition to questions involved in this proceeding must file with the Board on or before June 6, 1956, a statement setting forth the matters of law or fact which he desires to advance. Any person filing such a statement may appear at the hearing in accordance with § 302.14 of the rules of practice in economic proceedings.

Dated at Washington, D. C., May 8, 1956.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 56-3836; Filed, May 14, 1956; 8:54 a. m.]

[Docket No. 7773]

AIR DISPATCH, INC.

NOTICE OF PREHEARING CONFERENCE

In the matter of the application of Air Dispatch, Inc., for approval of certain interlocking relationships and for approval, if necessary, of acquisition of control, under sections 408 and 409 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 15,

1956, at 10:00 a. m., e. d. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Dated at Washington, D. C., May 10, 1956.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F. R. Doc. 56-3837; Filed, May 14, 1956; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-10357]

JOHN W. MECOM

ORDER SUSPENDING PROPOSED CHANGES IN RATES

John W. Mecom (Applicant) on April 9, 1956, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings which are proposed to become effective on the date shown:

Description; Purchaser; Rate Schedule Designation; and Effective Date [1]

Supplemental agreement, dated January 7, 1956; United Gas Pipe Line Company; Supplement No. 1 to Applicant's FPC Gas Rate Schedule No. 3; May 10, 1956.

Notice of change, dated March 30, 1956; United Gas Pipe Line Company; Supplement No. 2 to Applicant's FPC Gas Rate Schedule No. 3; May 10, 1956.

The increased rates and charges proposed in the aforesaid filings 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 herinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplements be and the same hereby are suspended and the use thereof deferred until October 10, 1956, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplements hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Issued: May 9, 1956.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 56-3713; Filed, May 14, 1956; 8:45 a. m.]

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Applicant if later.

[Docket No. G-10358]

SOUTHEASTERN GAS CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Southeastern Gas Company (Applicant) on April 9, 1956, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings which are proposed to become effective on the date shown:

Description; Purchaser; Rate Schedule Designation; and Effective Date [1]

Supplement agreement, dated March 23, 1956; United Fuel Gas Company; Supplement No. 4 to Applicant's FPC Gas Rate Schedule No. 43; May 15, 1956.

Notice of change dated April 6, 1956; United Fuel Gas Company; Supplement No. 5 to Applicant's FPC Gas Rate Schedule No. 43; May 15, 1956.

The increased rates and charges proposed in the aforesaid filings 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 contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplements be and the same hereby are suspended and the use thereof deferred until October 15, 1956, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplements hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Issued: May 9, 1956.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 56-3714; Filed, May 14, 1956; 8:45 a. m.]

[Docket No. G-10359]

PHILLIPS PETROLEUM CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Phillips Petroleum Company (Applicant) on April 11, 1956, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings which are proposed to become effective on the date shown:

Description; Purchaser; Rate Schedule Designation; and Effective Date [1]

Letter, dated March 23, 1956; Consolidated Gas Utilities Corporation; Supplement No. 10 to Applicant's FPC Gas Rate Schedule No. 19; May 12, 1956.

Notice of change, dated April 9, 1956; Consolidated Gas Utilities Corporation; Supplement No. 11 to Applicant's FPC Gas Rate Schedule No. 19; May 12, 1956.

The increased rates and charges proposed in the aforesaid filings 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 contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplements be and the same hereby are suspended and the use thereof deferred until October 12, 1956, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplements hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Issued: May 9, 1956.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 56-3715; Filed, May 14, 1956; 8:45 a. m.]

[Project No. 2173]

PACIFIC NORTHWEST POWER CO.

ORDER FIXING HEARING

On September 7, 1955, Pacific Northwest Power Company, of Portland, Oregon, filed an application under section 4 (e) of the Federal Power Act (16 U. S. C. 791a–825r) for a license for proposed hydroelectric Project No. 2173, known as the proposed Mountain Sheep-Pleasant Valley Hydroelectric Project, and located on the Snake River in Adams and Idaho Counties, Idaho, and Wallowa County, Oregon.

Notice of the application was published in newspapers in the City of Council, Adams County, Idaho; City of Grangeville, County of Idaho, Idaho; City of Enterprise, Wallowa County, Oregon; and in the FEDERAL REGISTER on September 29, 1955 (20 F. R. 7278–79).

Responses to the notice of application indicate a widespread public interest in the proposed development of the Snake River.

The Commission finds: It is appropriate and in the public interest in carrying out the provisions of the Federal Power Act that a hearing be held on the aforesaid application as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 4 and 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held commencing on June 18, 1956 at 10:00 a. m., P. s. t., in Vert Auditorium, Pendleton Junior High School Building at Pendleton, Oregon, said hearing to be recessed on June 19 to reconvene on June 21, 1956, at 10:00 a. m., P. s. t., in Lewis Clark Hotel at Lewiston, Idaho; said hearing at Lewiston to be recessed on June 22 to reconvene on July 17, 1956, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application, and particularly whether the proposed project is best adapted to a comprehensive plan of development for all public purposes as required by section 10 (a) of the act, and whether the Commission should find under section 7 (b) of the act that the United States itself should undertake the development of the water resources involved for public purposes.

(B) The hearing to be held at Pendleton, Oregon, and Lewiston, Idaho, shall be for the purpose of permitting the introduction of views and evidence of a non-technical nature, and expert and technical evidence shall be presented only at the reconvened hearing to be held in Washington, D. C.

Issued: May 9, 1956.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 56-3716; Filed, May 14, 1956; 8:45 a. m.]

OFFICE OF DEFENSE MOBILIZATION

JAMES F. HALEY

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

No change.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10186).

Dated: February 1, 1956.

JAMES F. HALEY.

[F. R. Doc. 56-3799; Filed, May 14, 1956; 8:48 a. m.]

R. C. PARSONS

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change in information as submitted on November 1, 1955.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10180).

Dated: February 1, 1956.

R. C. PARSONS.

[F. R. Doc. 56-3800; Filed, May 14, 1956; 8:48 a. m.]

H. W. HALE

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change in the information submitted previously with reference to my financial interests.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10185).

Dated: February 1, 1956.

H. W. HALE.

[F. R. Doc. 56-3801; Filed, May 14, 1956; 8:49 a. m.]

ANDREW H. BROWN

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change in the information submitted on October 28, 1955.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10182).

Dated: February 1, 1956.

ANDREW H. BROWN.

[F. R. Doc. 56-3802; Filed, May 14, 1956; 8:49 a. m.]

A. W. CAMPBELL

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change in the information submitted on Form OMD–163 dated November 1, 1955.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10182).

Dated: February 1, 1956.

A. W. CAMPBELL.

[F. R. Doc. 56-3803; Filed, May 14, 1956; 8:49 a. m.]

A. E. BAYLIS

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change in the list previously submitted by me on Form ODM–163.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10187).

Dated: February 1, 1956.

A. E. BAYLIS.

[F. R. Doc. 56-3804; Filed, May 14, 1956; 8:49 a. m.]

J. F. REILLY

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

No change in information previously submitted.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10184).

Dated: February 1, 1956.

J. F. REILLY.

[F. R. Doc. 56-3805; Filed, May 14, 1956; 8:49 a. m.]

J. J. MAHONEY

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Have been an officer of the Santa Fe Railway since May 1920.

In addition to my investment in Government bonds reported to you December 13, 1955, I have invested in Santa Fe common stock and Bailey-Selburn Oil and Gas.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10183).

Dated: February 1, 1956.

J. J. MAHONEY.

[F. R. Doc. 56-3806; Filed, May 14, 1956; 8:49 a. m.]

JAMES L. COOKE

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change in information as submitted on December 8, 1955.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10183).

Dated: February 1, 1956.

JAMES L. COOKE.

[F. R. Doc. 56-3807; Filed, May 14, 1956; 8:49 a. m.]

J. M. HOOD

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change in the information submitted in statement of December 8, 1955.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10185).

Dated: February 1, 1956.

J. M. HOOD.

[F. R. Doc. 56-3808; Filed, May 14, 1956; 8:49 a. m.]

G. A. STEINER

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

No change from the statement filed as of December 14, 1955.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10183).

Dated: March 30, 1956.

G. A. STEINER.

[F. R. Doc. 56-3809; Filed, May 14, 1956; 8:50 a. m.]

HERBERT SCHREIBER

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the name of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

No change in information previously submitted.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10187).

Dated: February 1, 1956.

HERBERT SCHREIBER.

[F. R. Doc. 56-3810; Filed, May 14, 1956; 8:50 a. m.]

JNO. C. RILL

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Add to data previously furnished: Ford Motor Company, Stock Ownership.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10182).

Dated: February 1, 1956.

JNO. C. RILL.

[F. R. Doc. 56-3811; Filed, May 14, 1956; 8:50 a. m.]

F. J. ORNER

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

For the period August 1, 1955, to February 1, 1956, there has been no change in the information submitted previously.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10182).

Dated: February 1, 1956.

F. J. ORNER.

[F. R. Doc. 56-3812; Filed, May 14, 1956; 8:50 a. m.]

G. H. SHAFER

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change in my financial holdings since the last report was submitted. Moreover, I am not a director or officer of any corporation.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10184)

Dated: February 1, 1956.

G. H. SHAFER.

[F. R. Doc. 56-3813; Filed, May 14, 1956; 8:50 a. m.]

GEOFFREY BAKER

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

There has been no change since last filing.

This amends statement previously published in the FEDERAL REGISTER December 31, 1955 (20 F. R. 10181).

Dated: April 27, 1956.

GEOFFREY BAKER.

[F. R. Doc. 56-3814; Filed, May 14, 1956; 8:50 a. m.]

C. R. MEGEE

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

This is to affirm that there has been no change in the information submitted previously.

This amends statement previously published in the FEDERAL REGISTER December 21, 1955 (20 F. R. 10183).

Dated: February 1, 1956.

C. R. MEGEE.

[F. R. Doc. 56-3815; Filed, May 14, 1956; 8:50 a. m.]

SELECTIVE SERVICE SYSTEM

STATEMENT OF ORGANIZATION, DELEGATIONS OF FINAL AUTHORITY, AND PLACES AT WHICH INFORMATION MAY BE SECURED

MISCELLANEOUS AMENDMENTS

The Statement of Organization, Delegations of Final Authority, and Places at which Information may be Secured made by the Selective Service System (14 F. R. 2676), as amended (17 F. R. 5405), is hereby further amended as follows:

1. Paragraph (a) of section 1 is amended to read as follows:

(a) The Selective Service System was established by Title I of the Universal Military Training and Service Act (62 Stat. 604; 50 U. S. C. App. 451–471), as amended. The Selective Service System includes a National Headquarters, State Headquarters in each State, Territory, and possession of the United States, and in the District of Columbia, civilian local boards, civilian appeal boards, and such other civilian agencies, including agencies of appeal, created and established by the President as may be necessary to carry out its functions with respect to the registration, examination, classification, selection, delivery for induction into the armed forces, ordering to perform civilian work in lieu of induction, and maintenance of records of the male persons who are required to register under that title. Under Executive Order 10650 of January 6, 1956 (21 F. R. 167), the Selective Service System selects persons who have certain critical skills for enlistment in the Ready Reserve of the Armed Forces under the provisions of section 262 of the Armed Forces Reserve Act of 1952 (69 Stat. 600; 50 U. S. C. 1013). Pursuant to the provisions of section 233 (a) of the Armed Forces Reserve Act of 1952 (66 Stat. 489; 50 U. S. C. 961 (a)), as amended, the Selective Service System determines the availability of members of the Standby Reserve of the Armed Forces for order to active duty in time of war or national emergency declared by Congress.

2. Section 3 is amended to read as follows:

SEC. 3. *Director of Selective Service.* The Selective Service System is headed by the Director of Selective Service who is appointed by the President with the advice and consent of the Senate and is responsible directly to the President for carrying out the functions of the Selective Service System under Title I of the Universal Military Training and Service Act, as amended. The Director decides appeals from the determinations of appeal boards as to the availability of members of the Standby Reserve for order to active duty under section 233 (a) of the Armed Forces Reserve Act of 1952, as amended. The Director maintains his office at the National Headquarters, Selective Service System, Washington, D. C.

3. Section 4 is amended to read as follows:

SEC. 4. *Organizational elements of the Selective Service System.* The Selective Service System consists of the following organizational elements:

(a) National Headquarters.
(b) State Headquarters.
(c) Local Boards.
(d) Appeal Boards.
(e) National Selective Service Appeal Board.
(f) National Selective Service Scientific Advisory Group.

4. Section 5 is amended to read as follows:

SEC. 5. *Organization and functions of National Headquarters.* The operations of the Selective Service System are largely decentralized. National Headquarters functions under the supervision of the Director of Selective Service as a coordinating agency for the State Headquarters in the several States, Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, the Canal Zone, and the District of Columbia. Within National Headquarters are the following organizational elements with functions as indicated:

(a) *Office of the Director*—(1) *Deputy Director.* The Deputy Director assumes the duties of the Director in his absence; represents the Director in activities with other agencies, as designated by him; obligates funds; and performs such other functions as the Director may delegate.

(2) *Assistants to the Director.* The Assistants to the Director carry out special assignments for the Director and perform related work as delegated.

(3) *Office of the General Counsel.* The Office of the General Counsel acts as legal counsel to the Director; advises and assists in connection with legal matters referred or assigned; perfects regulations, amendments, orders, memoranda, and such other documents as required; maintains liaison with the Department of Justice including United States Attorneys, on matters regarding law enforcement, and also maintains liaison with the Division of the Federal Register and legal departments of other Government agencies; maintains the law library in National Headquarters; maintains a digest of court decisions affecting selective service operations; maintains a digest of related laws which affect selective service operations; furnishes legal opinions and advice on pending legislation affecting the Selective Service System; and handles special assignments for the Director as delegated.

(4) *Office of Legislation, Liaison, and Public Information.* The Office of Legislation, Liaison, and Public Information serves as liaison to the Congress, to the White House, and to other agencies on matters not otherwise delegated; keeps the Director currently informed on all matters pertaining to legislation in which the Selective Service System might be concerned; prepares proposed legislation; studies pending legislation and related matters and prepares reports thereon as required; handles correspondence, telegrams, and telephone calls dealing with proposed or pending legislation; conducts a public relations program; clears all articles, speeches, or other information and material for publication, delivery, or dissemination; and handles special assignments for the Director as delegated.

(5) *Office of the Chief Medical Officer.* The Office of the Chief Medical Officer advises the Director on all medical, dental, and other matters coming within the purview of the healing arts; advises the Director relative to the appointment of area and State medical officers and medical advisors to the local boards; maintains liaison concerning medical functions with the Department of Defense, the medical services of the Armed Forces, the Health Resources Advisory Committee of the Office of Defense Mobilization, and other departments and agencies of the Government; maintains liaison with professional health associations at the national level; represents the Director in coordinating the work of the Healing Arts Advisory Committee and of the Healing Arts Educational Advisory Committee; maintains supervision over area medical officers; maintains liaison with State medical officers through the State Directors of Selective Service; establishes and maintains an appropriate health service for the personnel of National Headquarters; consults with the Department of Defense regarding the application of current physical, mental, and intellectual standards; advises the Director concerning examinations of registrants in accordance with current prescribed standards within the Selective Service System; and handles special assignments for the Director as delegated.

(6) *Office of the Chief Planning Officer.* The Office of the Chief Planning Officer develops plans and recommends regarding the availability of the manpower supply of the nation for national defense and related purposes; prepares plans anticipating the manpower procurement demands which may be made upon the Selective Service System under different Department of Defense policies and under varying degrees of emergency; develops plans and recommends policies and procedures regarding the procurement of manpower for service in the Armed Forces, or for any other type of service for which the Selective Service System might be given procurement responsibility; maintains planning contacts with other agencies engaged in manpower planning at the national level; prepares plans for the emergency functioning of the Selective Service System under conditions which might be caused by the direct impact of war or other catastrophe on the National Headquarters or other elements of the System; and handles special assignments for the Director as delegated.

(7) *Office of the Adjutant General.* The Office of the Adjutant General maintains the records of the officers of the Army, Navy, Marine Corps, Coast Guard, and Air Force on active duty assigned to the Selective Service System and of those officers who have been separated from the Active Reserve who were formerly so assigned; maintains the records of all Reserve officers not on active duty designated for assignment to the System exclusive of training records; secures orders calling officers to active duty, relieving them from active duty, and transferring them from one station to another; maintains duty rosters and leave records for officers and maintains and submits or supervises and assists in submitting all

required military reports for officers; arranges for the physical examination and hospitalization of officers; maintains a current file of military regulations and other publications issued by the Armed Forces; conducts all military correspondence pertaining to officers on active duty; maintains liaison on personnel matters with each of the Armed Forces; and handles special assignments for the Director as delegated.

(b) *Administrative Division.* The Administrative Division performs or supervises all civilian personnel functions required in the operation of the Selective Service System and maintains liaison in personnel matters with the Civil Service Commission and wage boards; prepares and maintains leave, retirement, and pay roll records for National Headquarters and is responsible for the control of civilian retirement records for the System; processes and audits travel and commercial bills of lading, and maintains imprest funds for National Headquarters; controls travel funds for National Headquarters and maintains the administrative accounts therefor; allocates office space, and maintains liaison with the Public Buildings Service, General Services Administration for building maintenance and services for National Headquarters; secures supplies and property for National Headquarters and maintains a stockroom for the issue thereof; maintains a property record for National Headquarters; maintains and administers fire and disaster warden services for National Headquarters; processes and distributes all printed material for the System and maintains liaison with the Public Printer; maintains reproduction, photographic, and photostatic facilities for National Headquarters; maintains a warehouse and provides for bulk shipments of forms, publications, supplies, and equipment; maintains a unit for general clerical, typist, and stenographic services; maintains mail and communications systems and messenger service; establishes filing systems for the System and has custody of and maintains the current files of National Headquarters; and performs such other functions as the Director may delegate.

(c) *Communications and Records Division.* The Communications and Records Division studies the use of and evaluates all records of the Selective Service System and provides the Director with recommendations relating to their creation, use, and disposal, including plans for microfilming; recommends procedures for the protection, preservation, microfilming, or destruction of current and noncurrent records; recommends procedures and provisions for locating, identifying, describing, and analyzing permanent records; recommends procedures with regard to the keeping, arranging, storing, transporting, physical custody, use, and withdrawal of all records of the System; supervises and coordinates the activities of the Federal Record Depots of National and State Headquarters; establishes, maintains, and operates a Records Management Program pursuant to the Federal Records Act of 1950; with the approval of the Director, requisitions such permanent records as may be considered advisable for deposit with this division or with the National Archives; maintains liaison with the Archivist of the United States and the General Services Administration in complying with the Federal Records Act of 1950; maintains liaison with the Bureau of the Budget in complying with the Federal Reports Act of 1942, as amended, with respect to clearing forms and forms procedures; furnishes technical advice on the development of selective service forms and forms procedures, and provides liaison with other Federal agencies in connection with the design of and procedures regarding such forms; maintains a forms control program and the Selective Service Form Manual; provides a correspondence unit responsible for answering all correspondence not specifically requiring handling by another division or Staff Office; maintains liaison with the records divisions of the several branches of the Armed Forces and with foreign countries on records matters; supervises the operational details of the emergency relocation center of the System and is responsible for its communications and for personnel assigned; receives visitors and telephone inquiries and answers all inquiries not specifically requiring handling by another division or Staff Office; and performs such other functions as the Director may delegate.

(d) *Field Division.* The Field Division furnishes personal representation for the Director in the field; advises the Director and the Division Chiefs and Staff concerning State operations and other matters in the field relative to selective service operations; establishes and maintains liaison in the field with the State Directors of Selective Service, the State Governors, appropriate offices and commands of the Armed Forces, and agencies of the Federal Government, and, as may be deemed necessary, with other agencies and with industry, labor, agriculture, and other related activities; processes for selection applications of individual Reserve officers for designation for assignment to the Selective Service System, prepares and conducts training programs for Reserve officers so designated; and performs such other functions as the Director may delegate.

(e) *Fiscal and Procurement Division.* The Fiscal and Procurement Division procures supplies and equipment and exercises supervision over field procurement; receives and analyses reports of operating costs; devises and supervises fiscal accounting procedures and prepares regulations governing fiscal, property, and payroll procedures for the System; supervises and coordinates civilian payroll procedures for the System; supervises the execution of and reviews contracts and leases; audits and certifies carriers' bills for payment covering the cost of bills of lading and transportation requests for the entire System; maintains liaison with the Department of the Treasury, the Chief of Finance, United States Army, and other Federal agencies on matters connected with the responsibilities of the division; conducts field audits and inspections of the records and accounts of State Procurement Officers and Authorized Certifying Officers; prepares, edits, and maintains the Fiscal and Procurement Manual; administratively examines all accounts of the System before forwarding them to the General Accounting Office for final audit and settlement; prepares for presentation the budget estimates for obtaining the appropriation of funds for selective service operations; prepares apportionment schedules; maintains records of and makes recommendations for the allocation of funds; and performs such other functions as the Director may delegate.

(f) *Manpower Division.* The Manpower Division applies plans and programs for the registration, classification, selection for or deferment from military service, and delivery for induction of persons liable for training and service in the Armed Forces; initiates, prepares, and coordinates regulations, procedures, and forms required in the manpower procurement process; recommends quotas and credits and allocation of calls for the States, Territories, and possessions; maintains national records of availability and maintains national records of deliveries to the Armed Forces; evaluates the effectiveness of policies and procedures in manpower procurement, and plans for the improvement of the operation or its enlargement to meet more urgent or emergency situations; secures from industry, agriculture, and Government information on manpower problems, and evaluates and disseminates this information to the System as needed; maintains liaison with the Department of Defense and the various armed services on matters concerning the regulations, policies, procedures, and forms involved in the examination of registrants, their induction into military service, and the classification of registrants who have a military status; processes all correspondence and inquiries concerning the interpretation of policies and regulations on manpower procurement; processes all correspondence concerning the classification of individual registrants under the Universal Military Training and Service Act, as amended; investigates the selective service processing of individual registrants when necessary by securing their files and cover sheets from local boards and prepares recommendations to the Director on the action to be taken after briefing and evaluating the evidence in each case; plans, provides for, and supervises the performance by conscientious objectors of civilian work contributing to the maintenance of the national health, safety or interest in lieu of induction into military service; and performs such other functions as the Director may delegate.

(g) *Research and Statistics Division.* The Research and Statistics Division maintains and operates the statistical and research activities of the Selective Service System; collects, evaluates and disseminates statistical information; conducts statistical analyses of program nature; applies plans and programs for research in manpower mobilization and related subjects; performs statistical computations for divisions and Staff Offices as required; compiles, edits, and prepares reports designated by the Director; makes special studies and carries out other assignments as required; maintains and operates the reference library

in National Headquarters; and handles special assignments for the Director as delegated.

5. Paragraph (d) of section 6 is amended to read as follows:

(d) *Federal record depot.* The Federal record depot operates as a division of State Headquarters and is responsible under the State Director for the preservation and servicing of the remainder of the selective service records obtained in the State under the Selective Training and Service Act of 1940, as amended, and other selective service records placed in the depot pursuant to authorization of the Director of Selective Service, and for the furnishing of information from these records to registrants and their designated representatives and to authorized Federal, State, and local agencies.

6. Paragraphs (a), (b), (d), and (e) of section 7 are amended to read as follows:

(a) *Jurisdiction.* Each local board has the power to determine all questions or claims with respect to inclusion for, or exemption or deferment from, training and service in the Armed Forces of all men registered in, or subject to registration in, the area for which it was appointed. A local board is also authorized to select registrants having critical skills for enlistment in the Ready Reserve of the Armed Forces and to determine the availability of members of the Standby Reserve for order to active duty. The decision of a local board is final except where an appeal is authorized and is taken to the appeal board.

(b) *Functions.* The local board is responsible for the registration, examination, classification, selection, delivery to the Armed Forces for induction, ordering to perform civilian work in lieu of induction, selection for enlistment in the Ready Reserve, and maintenance of the records of men who are required by law to register and who are within the jurisdiction of the local board. A local board is also responsible for determining the availability for order to active duty of members of the Standby Reserve who are within its jurisdiction.

* * * * *

(d) *Government appeal agents.* For each local board a government appeal agent is appointed by the President upon recommendation of the Governor, and one or more associate government appeal agents are similarly appointed for a local board when requested by the government appeal agent or the local board, and for each county within an intercounty local board area. The government appeal agent is responsible for appealing from classifications of registrants by the local board which are brought to his attention and, in his opinion, should be reviewed by the appeal board in order to protect both the interests of the Government and the rights of the registrants, and for suggesting to the local board that it reconsider any case when he believes the interests of justice require such action.

(e) *Advisors to registrants.* Advisors to registrants may be appointed by the Director of Selective Service upon recommendation of the State Director of Selective Service. Whenever such advisors are appointed, they are responsible for advising and assisting registrants in the preparation of selective service forms and for advising registrants as to their obligations under the law.

7. Section 8 is amended to read as follows:

SEC. 8. *Appeal boards.* At least one appeal board has been established for each Federal judicial district in each of the States. Appeal boards have also been established in Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, the Canal Zone, and the District of Columbia. Each appeal board consists, normally, of five civilian members, residents of the appeal board area, appointed by the President upon recommendation of the Governor and includes one member from labor, one member from industry, one physician, one lawyer, and, where applicable, one member from agriculture. The functions of an appeal board are to review the cases of registrants and members of the Standby Reserve appealed to it and to affirm or change any decision of the local board.

8. Immediately following section 10 a new section is added to read as follows:

SEC. 11. *National Selective Service Scientific Advisory Group.* The National Selective Service Scientific Advisory Group has been established by the Director of Selective Service and is located at National Headquarters of the Selective Service System. The members of this group, both individually and collectively, advise the Director regarding problems which arise concerning manpower in the scientific fields.

9. Section 30 is amended to read as follows:

SEC. 30. *Places to secure information concerning functions and operations of Selective Service System.* Information concerning any of the functions for which the Selective Service System is responsible and its operations may be obtained in person or by letter at the office of the local board having jurisdiction over the area in which any person desiring such information is located. Information as to the location of the local board office for a particular area may be obtained from the respective State Headquarters for Selective Service. In the State of New York there are two State Headquarters, one in the City of New York with jurisdiction over that city and one in the City of Albany with jurisdiction over the remainder of that State. State Headquarters are located in the capital of each of the other States with the exception of the following:

State and Location of State Headquarters

Delaware: Wilmington.
Florida: St. Augustine.
Illinois: Chicago.
Iowa: Fort Des Moines.
Kentucky: Louisville.
Louisiana: New Orleans.
Maryland: Baltimore.
New Jersey: Newark.
Oregon: Portland.
South Dakota: Rapid City.
Utah: Fort Douglas.
Washington: Tacoma.

State Headquarters in the Territories, possessions, and District of Columbia are located as follows:

Alaska: Juneau.
Canal Zone: Balboa Heights.
District of Columbia: Washington.
Guam: Agana.
Hawaii: Honolulu.
Puerto Rico: San Juan.
Virgin Islands: St. Thomas.

10. Section 31 is amended to read as follows:

SEC. 31. *Places to secure information from records in Federal record depots.* Information contained in the remainder of the records obtained in each State under the Selective Training and Service Act of 1940, as amended, and in other records which are in the Federal record depots located at each State Headquarters, except in Guam and the Canal Zone, may be obtained by persons entitled thereto either by letter or in person at the respective State Headquarters having jurisdiction over the records. Certain records which are in the Federal record depots are confidential and information from such records may be supplied only to those persons or agencies entitled thereto under the provisions of Part 1670 of the Selective Service Regulations (32 CFR Part 1670). Information from other records is available to the public.

[SEAL] LEWIS B. HERSHEY,
Director of Selective Service.

MAY 10, 1956.

[F. R. Doc. 56-3797; Filed, May 14, 1956; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended March 1, 1956, 21 F. R. 1349).

The following learner certificates were issued authorizing the employment of not more than 10 percent of the total number of factory production workers as learners for normal labor turnover purposes:

Douphin Shirt Manufacturing Co., Elizabethville, Pa.; effective 4-18-56 to 4-17-57 (ladies' blouses).

Ecru Manufacturing Co., Ecru, Miss.; effective 5-1-56 to 4-30-57 (work shirts).

Ely & Walker Dry Goods Co., Ilimo, Mo.; effective 4-30-56 to 4-29-57 (dungarees, etc.).

Embassy Shirtmakers, Ltd., 24 Pine Street, Glens Falls, N. Y.; effective 4-24-56 to 4-23-57 (dress shirts).

Enro Shirt Co., Inc., Madisonville, Ky.; effective 4-29-56 to 4-28-57 (sport shirts).

Farwest Garments, Inc., 1100 Poplar Place, Seattle, Wash.; effective 4-16-56 to 4-15-57 (men's jackets).

Flemington Manufacturing Division, Inc., Route 12, Flemington, N. J.; effective 4-20-56 to 4-19-57 (dresses).

Freeland Sportswear Co., Inc., 246-250 Centre Street, Freeland, Pa.; effective 4-17-56 to 4-16-57 (jackets).

Hesteco Manufacturing Co., Inc., 10 West Locust Street, Ephrata, Pa.; effective 4-18-56 to 4-17-57 (children's dresses).

Mary Ann Manufacturing Division, 268 West Broadway, Jim Thorpe, Pa.; effective 4-29-56 to 4-28-57 (dresses).

Mode O'Day Corp., Plant No. 9, 419 East South Street, Hastings, Nebr.; effective 4-29-56 to 4-28-57 (ladies' blouses).

Rutledge Manufacturing Co., 317 North High Street, Baltimore, Md.; effective 4-17-56 to 4-16-57 (ladies' pajamas, etc.).

San-Dar Dress, 618-620 Washington Avenue, Jermyn, Pa.; effective 4-29-56 to 4-28-57 (dresses).

Sherman Manufacturing Co., 578 Forest Street, Orange, N. J.; effective 4-19-56 to 4-18-57 (dresses).

Shorenson Co., Lancaster County, Brownstown, Pa.; effective 4-23-56 to 4-22-57 (ladies' blouses).

United Mills Corp., Jubilee Division, Candor, N. C.; effective 4-23-56 to 4-22-57 (brassieres).

United Mills Corp, Garcrest Division, 1215 South Caldwell Street, Charlotte, N. C.; effective 4-23-56 to 4-22-57 (lingerie, nightwear).

United Mills Corp., Realcraft Division, 402 North Main Street, Mount Gilead, N. C.; effective 4-23-56 to 4-22-57 (lingerie, nightwear).

United Mills Corp., Jubilee Division, Main Street, Mount Gilead, N. C.; effective 4-23-56 to 4-22-57 (brassieres).

The following learner certificates were issued for normal labor turnover purposes and, except as otherwise indicated below, a maximum of 10 learners were authorized:

Bethlehem Stylecraft Corp., 126 Mechanic Street, Bethlehem, Pa.; effective 4-18-56 to 4-17-57; 5 learners (ladies' blouses).

Capeway Manufacturing Co., North Main Street, Randolph, Mass.; effective 4-16-56 to 4-15-57; 5 learners (women's apparel).

Elanor Frocks Manufacturing Co., 1113 Washington Avenue, St. Louis, Mo.; effective 4-16-56 to 4-15-57; 5 learners (women's apparel).

Elanor Frocks Manufacturing Co., 1113 Washington Avenue, St. Louis, Mo.; effective 4-16-56 to 4-15-57; 5 learners (men's robes).

Encino Shirt Co., 1119½ First Street, San Fernando, Calif.; effective 4-23-56 to 4-22-57 (sport shirts).

Gem Frock Co., 445 North Darien Street, Philadelphia, Pa.; effective 4-23-56 to 4-22-57; 5 learners (dresses).

Hanover Manufacturing Corp., Amsterdam, N. Y.; effective 4-19-56 to 4-18-57; 8 learners (dresses, cotton).

A. Oestreicher Co., Corner New Grove and Gilligan Streets, Wilkes-Barre, Pa.; effective 4-23-56 to 4-22-57; 5 learners (women's apparel).

Par-Mat Undergarment Co., Inc., 122 East High Street, Manheim, Pa.; effective 4-20-56 to 4-19-57; 5 learners (women's underwear and nightgowns).

Selro Manufacturing Co., 111 Gay Street, Cambridge, Md.; effective 4-20-56 to 4-19-57 (women's apparel).

Selro Manufacturing Co., Burlock, Md.; effective 4-18-56 to 4-17-57 (ladies blouses).

The following learner certificates were issued for plant expansion purposes. The number of learners authorized is indicated:

Blue Bell, Inc., Luray, Va.; effective 4-23-56 to 10-22-56; 25 learners (dungarees).

Chaffee Manufacturing Co., Inc., Chaffee, Mo.; effective 5-1-56 to 10-31-56; 20 learners (men's trousers).

Clinton Garment Manufacturing Co., Clinton, Ky.; effective 4-19-56 to 10-18-56; 75 learners (heavy outerwear jackets, etc.).

Dublin Garment Co., Inc., Dublin, Va.; effective 4-16-56 to 10-15-56; 30 learners (ladies' pajamas).

Elizabethtown Manufacturing Co., Elizabethtown, N. C.; effective 4-16-56 to 10-10-56; 30 learners (dresses) (supplemental certificate).

Oshkosh B'Gosh, Inc., Celina Division, Celina, Tenn.; effective 4-18-56 to 9-14-56; 25 learners (work clothes) (supplemental certificate).

Glove Industry Learner Regulations (29 CFR 522.60 to 522.65, as amended March 1, 1956, 21 F. R. 581).

Frederic H. Burnham Co., Plymouth, Ind.; effective 4-20-56 to 4-19-57; 5 learners for normal labor turnover purposes (mittens).

The Schafer Co., Inc., 101-117 North First Street, Decatur, Ind.; effective 4-23-56 to 4-22-57; 5 learners for normal labor turnover purposes (work gloves).

Wells Lamont Corp., Eupora, Miss.; effective 5-2-56 to 5-1-57; 10 percent of the total number of factory production workers engaged in the authorized learner occupations, for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.43, as amended March 1, 1956, 21 F. R. 629).

Burlington Hosiery Co., Rockwood Plant, Rockwood, Tenn.; effective 5-2-56 to 5-1-57; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Fantashere, Inc., 1174 and 1294 Niagara Street, Buffalo, N. Y.; effective 4-23-56 to 4-22-57; 5 learners for normal labor turnover purposes.

Long Finishing Mills, Inc., 225 Trade Street, Burlington, N. C.; effective 4-17-56 to 4-16-57; 5 percent of the total number of factory production workers for normal labor turnover purposes.

Independent Telephone Industry Learner Regulations (29 CFR 522.70 to 522.74, as amended March 1, 1956, 21 F. R. 581).

Ogden Telephone Co., Spencerport, N. Y.; effective 4-20-56 to 4-19-57.

Knitted Wear Industry Learner Regulations (29 CFR 522.30 to 522.35, as amended March 1, 1956, 21 F. R. 581).

The following learner certificates were issued for normal labor turnover purposes, except as otherwise indicated.

Bonnie Lass Knitting Mills, 56 Colfax Avenue, Clifton, N. J.; effective 4-24-56 to 4-23-57; 5 learners (sweaters).

Chic Lingerie Co., Inc., 1126 Santee Street, Los Angeles, Calif.; effective 4-23-56 to 3-7-57; 5 percent of the total number of factory production workers (women's knitted lingerie) (replacement certificate).

P. H. Hanes Knitting Co., Sparta Plant, Sparta, N. C.; effective 4-23-56 to 10-22-56; 40 learners for plant expansion purposes (men's undershorts).

Hoffman Bros. Lingerie, 334 Adams Avenue, Scranton, Pa.; effective 4-19-56 to 4-18-57; 5 learners (ladies' knitted and woven lingerie).

Par-Mat Undergarment Co., Inc., 122 East High Street, Manheim, Pa.; effective 4-20-56 to 4-19-57; 5 learners (knit underwear and nightgowns).

R & J Lingerie, Inc., 34 Elm Street, Glens Falls, N. Y.; effective 4-20-56 to 4-19-57; 5 percent of the total number of factory production workers (ladies' knit and woven undergarments).

Redondo Lingerie Co., 963 High Lane, Redondo Beach, Calif.; effective 4-23-56 to 8-31-56; 40 learners for plant expansion purposes (women's knitted lingerie) (replacement certificate).

Sel-Mor Garment Co., Inc., 1136 Washington Avenue, St. Louis, Mo.; effective 4-16-56 to 4-15-57; 5 percent of the total number of factory production workers (ladies' knitted and woven lingerie).

Taylor Manufacturing Co., Division of Union Underwear Co., Inc., Greensburg Road, Campbellsville, Ky.; effective 4-22-56 to 4-21-57; 5 percent of the total number of factory production workers (men's underwear).

Union Underwear Co., Inc., Bowling Green, Ky.; effective 4-20-56 to 4-19-57; 5 percent of the total number of factory production workers (men's undershorts).

Shoe Industry Learner Regulations (29 CFR 522.50 to 522.55, as amended March 1, 1956, 21 F. R. 1195).

The following learner certificates were issued for normal labor turnover purposes, authorizing a maximum of 10 learners.

Ellen Shoe Co., Adams Co., Fairfield, Pa.; effective 4-23-56 to 4-22-57.

Jaro Footwear Co., Inc., 108 South Washington Street, Herkimer, N. Y.; effective 4-23-56 to 4-22-57.

Tru-Stitch Moccasin Corp., Constable Street Road, Malone, N. Y.; effective 4-19-56 to 4-18-57.

Regulations applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended February 28, 1955, 20 F. R. 645).

The following learner certificates were issued for normal labor turnover purposes to the companies listed below manufacturing miscellaneous products. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as follows:

American Pearl Button Co., Inc., 604 East Seventh Street, Washington, Iowa; effective 4-16-56 to 10-15-56; not less than 85 cents per hour for the first 320 hours and 90 cents per hour for the remaining 160 hours of the 480-hour learning period, for the occupations of finished button sorter and blank button cutter; authorizing the employment of 4 learners (pearl buttons and blanks).

Comfort Spring Corp., 12½ North Bethel Street, Baltimore, Md.; effective 4-18-56 to 10-17-56; not less than 85 cents per hour, for the occupation of spring assembler; a maximum of 320 hours; authorizing the employment of 11 learners (springs and spring assemblers).

Concord Heel Co., 42 Phoenix Row, Haverhill Mass.; effective 4-20-56 to 10-19-56; not less than 87 cents per hour for the first 240 hours and 93 cents per hour for the remaining 80 hours of the 320-hour learning period, for the occupation of heel builder; authorizing the employment of 4 learners (heels).

Decoratone Frame Manufacturing & Sales, Inc., 5710 Melrose Avenue, Los Angeles, Calif.; effective 4-23-56 to 10-22-56; not less than 80 cents per hour for the first 160 hours and 85 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupation of picture framer; authorizing the employment of 2 learners (picture frames).

Fremont Packaging Co., Weyauwega, Wis.; effective 4-23-56 to 10-22-56; not less than 80 cents per hour for the first 80 hours, 85 cents per hour for the next 40 hours, and 90 cents per hour for the remaining 40 hours of the 160-hour learning period, for the occupation of cheese wrapping; authorizing the employment of 3 learners (cheese).

Gamma Leather Goods Co., Inc., 288 Plymouth Avenue, Fall River, Mass.; effective 4-20-56 to 10-19-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupations of framer and hand cutter; not less than 90 cents per hour for a maximum of 160 hours, for the occupations of die and clicker machine operator, and automatic paring machine operator; authorizing the employment of 10 learners (ladies' handbags).

Gem Leather Goods Co., 2711 North Third Street, Milwaukee, Wis.; effective 4-19-56 to 10-18-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupation of sewing machine operators; authorizing the employment of 3 learners (leather goods).

Grossman Clothing Co., 79 Fifth Avenue, New York, N. Y., effective 4-16-56 to 10-15-56; not less than 85 cents per hour for the first 280 hours and 90 cents per hour for the remaining 200 hours of the 480-hour learning period, for the occupations of sewing machine operator, hand sewing, and finishing operators involving hand sewing; authorizing the employment of 4 learners (men's suits).

Melbourne Manufacturing Co., Inc., 1015 Washington Avenue, St. Louis, Mo.; effective 4-20-56 to 10-19-56; not less than 85 cents per hour, for the occupation of pocketbook makers' helper; a maximum of 160 hours; authorizing the employment of 4 learners (ladies' handbags).

Muscatine Pearl Works, Columbus Junction, Iowa; effective 4-16-56 to 10-15-56; not less than 85 cents per hour for the first 320 hours and 90 cents per hour for the remaining 160 hours of the 480-hour learning period, for the occupation of blank button cutter; authorizing the employment of 3 learners (pearl button blanks).

Scranton Embroidery Co., 616 Willow Street, Scranton, Pa.; effective 4-18-56 to 10-17-56; not less than 90 cents per hour, for the occupation of embroidery machine operator; a maximum of 320 hours; authorizing the employment of 1 learner (handkerchiefs).

Sneller's, 14-29 North Scott Street, Tucson, Ariz.; effective 4-18-56 to 10-17-56; not less than 85 cents per hour, for the occupation of sewing machine operator; a maximum of 320 hours; authorizing the employment of 4 learners (draperies, bedspreads).

The Three Weavers, 1206 Brooks Street, Houston, Tex.; effective 4-25-56 to 10-24-56; not less than 85 cents per hour, for the occupation of hand weaver; a maximum of 240 hours; authorizing the employment of 1 learner (children's blankets, etc.).

The following special learner certificate was issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated:

Caribe General Electric, Inc., Palmer, P. R.; effective 4-9-56 to 10-8-56; not less than 50 cents per hour for the first 240 hours and 60 cents per hour for the remaining 240 hours of the 480-hour learning period, for the occupations of punch press operator, stamping machine operator, die setter, welder, calibrating, and plastic molding press operator; not less than 50 cents per hour for a maximum learning period of 240 hours, for the occupations of plating, drill, tap, and rivet operators, assembly, plastic finisher, and inspector; not less than 50 cents per hour for a maximum learning period of 160 hours, for the occupations of grinding and polishing; authorizing the employment of 80 learners for plant expansion purposes (industrial and residential circuit breakers).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 27th day of April 1956.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 56-3794; Filed, May 14, 1956; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 10, 1956.

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. 32068: *Substituted service—Pennnsylvania Railroad Company.* Filed by Household Goods Carriers' Bureau, Agent, for interested motor carriers, and The Pennsylvania Railroad Company. Rates on household goods and other freight in trailers on railroad flat cars between (1) Chicago and East St. Louis, Ill., on the one hand, and Kearny, N. J., Philadelphia and Pittsburgh, Pa., on the other, and (2) between Pittsburgh, Pa., on one hand, and Kearny, N. J., on the other.

Grounds for relief: Competition with motor carriers.

FSA No. 32069: *Phosphatic feed supplements—from New Orleans, La.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on phosphatic feed supplements, carloads from New Orleans, La., to Base points in southern, official (including Illinois), southwestern and western trunk-line territories and points grouped therewith taking same rates.

Grounds for relief: Short-line distance formula and circuity.

Tariffs: Agent C. A. Spaninger's tariff I. C. C. 1535, Supplement 17 to Agent Kratzmeir's I. C. C. 4076.

FSA No. 32070: *Malted liquors and cereal beverages—Midwest to Southwest.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on malt liquors, viz.: ale, beer, beer tonic, porter or stout, also cereal beverages (non-intoxicating), straight or mixed carloads from specified points in Illinois, Indiana (points in the Chicago, Ill., area), Iowa, Minnesota, Missouri, Nebraska, and Wisconsin to specified points in Louisiana and Texas.

Grounds for relief: Modified short-line distance formula and circuity.

Tariffs: Supplement 133 to Agent Kratzmeir's I. C. C. 4049; Supplement 169 to Agent Kratzmeir's I. C. C. 4090.

FSA No. 32071: *Animal feed-Fontainebleau, Miss., to official territory.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on feed, animal, carnivorous, carloads, from Fontainebleau, Miss., to points in official (including Illinois) territory.

Grounds for relief: Short-line distance formula, market competition, and circuitous routes.

Tariffs: Supplement 180 to Agent Spaninger's I. C. C. 1324; Supplement 205 to Agent Spaninger's I. C. C. 1351.

FSA No. 32072: *Commodities between points in Texas.* Filed by J. F. Brown, Agent, for interested rail carriers. Rates on fish oil residuum, spent sulphuric acid, and iron or steel transformer hangers or hooks, carloads, from Port Arthur, Tex., to Amarillo, Tex., as to the fish oil residuum, and between points in Texas, as to the other commodities, over interstate routes.

Grounds for relief: Texas intrastate competition and circuitous routes.

Tariff: Supplement 22 to Agent Brown's I. C. C. 865.

FSA No. 32074: *Trailer-on-flat-car service, between central and southwestern territories.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on various commodities, moving on class and commodity rates, in highway trailers transported on railroad flat cars between specified points in Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania, and West Virginia, on one hand, and specified points in Arkansas, Louisiana, Oklahoma, and Texas, on the other.

Grounds for relief: Motor truck competition and circuity.

Tariff: Agent Kratzmeir's tariff I. C. C. 4196.

FSA No. 32075: *Corn and wheat—Cairo, Ill., to Baton Rouge, La.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on corn, shelled, and wheat, in bags, in bulk, carloads from Cairo, Ill., to Baton Rouge, La., for export and coastwise movement beyond.

Grounds for relief: Circuitous route.

Tariff: Supplement 69 to Agent Spaninger's I. C. C. 1353.

FSA No. 32076: *Anhydrous ammonia, to, from, and between southwestern territory.* Filed by F. C. Kratzmeir, Agent for interested rail carriers. Rates on anhydrous ammonia, tank-car loads from, to, and between points in southwestern

territory included in the tariff schedules listed below.

Grounds for relief: Short-line distance formula and circuity.

Tariffs: Supplement 10 to Agent Prueter's tariff I. C. C. A–4118; Supplement 141 to Agent Kratzmeir's tariff I. C. C. 4112.

FSA No. 32077: *Gypsum products—Southwest to South.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on gypsum, plaster, and related articles, carloads from Eldorado and Southard, Okla., Acme, Celotex, Rotan, and Sweetwater, Tex., to points in Alabama, Arkansas (Helena), Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Virginia included in tariff listed below.

Grounds for relief: Short-line distance formula, market competition, and circuity.

Tariff: Agent Kratzmeir's tariff I. C. C. 4200.

FSA No. 32078: *Coal—Menominee, Mich., to Shawano, Wis.* Filed by The Chicago and Northwestern Railway Company, for itself. Rates on bituminous fine coal from Menominee, Mich., to Shawano, Wis.

Grounds for relief: Market competition with Marinette, Wis., at Shawano, Wis.

Tariff: Supplement 19 to Chicago and Northwestern Railway tariff I. C. C. 11277.

AGGREGATE-OF-INTERMEDIATES

FSA No. 32073: *Commodities between points in Texas.* Filed by J. F. Brown, Agent, for interested rail carriers. Rates on fish oil residuum, spent sulphuric acid, and iron or steel transformer hangers or hooks, carloads from Port Arthur, Tex., to Amarillo, Tex., as to the fish oil residuum, and between points in Texas as to the other commodities.

Grounds for relief: Maintenance of proposed rates from and to or between points in Texas restricted not to apply in constructing lower combination rates from or to points beyond Texas.

Tariff: Supplement 22 to Agent Brown's I. C. C. 865.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 56-3795; Filed, May 14, 1956; 8:47 a. m.]