



# FEDERAL REGISTER

VOLUME 20 NUMBER 240

Washington, Saturday, December 10, 1955

## TITLE 7—AGRICULTURE

### Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

#### PART 52—PROCESSED FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

##### SUBPART—UNITED STATES STANDARDS FOR GRADES OF DRIED FIGS

In F. R. Doc. 55-9498, beginning on page 8681 of the issue for Saturday, November 26, 1955, the following corrections have been made:

1. In Table IV B of § 52.1027, and in the parenthetical heading of this table, insert a semi-colon after the word "Whole;" and insert a comma after the word "Sliced."

2. In § 52.1033, change the second grouping of words under the heading of "Defects" to read:

Damaged by scars or disease, sunburn, mechanical injury, visible sugaring, other similar defects.

Dated: December 7, 1955.

[SEAL] FRANK E. BLOOD,  
Acting Deputy Administrator  
Marketing Services.

[F. R. Doc. 55-9967; Filed, Dec. 9, 1955; 8:50 a. m.]

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

[Navel Orange Reg. 65]

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

##### LIMITATION OF HANDLING

§ 914.365 *Navel Orange Regulation 65—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 19 F. R. 2941) regulating the handling of navel oranges grown in Arizona and designated part of California, effec-

*This issue is divided into two parts, Part II of which contains a republication of Parts 600 and 601 of Title 14, Chapter II, of the Code of Federal Regulations.*

tive September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on December 8, 1955, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effec-

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There have been presented for inspection packed Soda Dipped Seeded (Valencia) Muscat raisins and packed Unseeded Loose Muscat raisins which have not had their capstems removed. These are packed raisins as defined in the order. The existing minimum grade standards provided in § 989.59, (a) (1) (i) of the order for packed Muscat raisins other than Layer Muscats are not entirely satisfactory for use in connection with the aforesaid Valencia and Loose Muscat raisins. It is necessary, of course, that appropriate minimum grade standards be prescribed for any raisins which may be presented for inspection under the order. Therefore, the present standards should be modified, insofar as they relate to packed Muscat raisins other than Layer Muscats, so that they include appropriate requirements for all of such raisins, including the Seeded Valencia Muscat raisins and Unseeded Loose Muscat raisins which have not had their capstems removed.

Accordingly, it is hereby ordered that the requirements contained in § 989.59 (a) (1) (i) of the order that all packed raisins except Layer Muscats and Dante Currants at least meet the minimum grade standards prescribed in "U. S. Grade C" as defined in "effective United States Standards for Grades of Processed Raisins," are modified in accordance with the authorization contained in § 989.59 (b) of the order as follows:

a. The minimum grade standards for all packed Muscat raisins other than Layer Muscats shall be those of "U. S. Grade C" of the grades of Muscat raisins contained in the aforesaid effective standards (now in § 52.1847, 20 F. R. 5760) except that: (1) In the case of Soda Dipped Seeded (Valencia) raisins, all the requirements applicable to Soda Dipped Unseeded (Valencia) raisins shall apply, other than the moisture and seed tolerance requirements which shall be those of Seeded Muscat raisins; and (2) in the case of Unseeded, Uncapstemmed, Loose, Muscat raisins, the limitation with respect to capstems shall not apply when the capstems remain attached to the berries, but in no event shall the total loose capstems exceed 20 per 16 ounces.

b. Otherwise, the minimum grade standards prescribed in § 989.59 (a) (1) as heretofore modified (20 F. R. 7808) continue in effect as presently effective.

It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and postpone the effective date of this document later than the date of its publication in the FEDERAL REGISTER (see section 4 of the Administrative Procedure Act; 5 U. S. C. 1001 et seq.) because the existing minimum grade standards for packed Muscat raisins other than Layer Muscats are restricting the marketing of such raisins; it is necessary that such standards be modified immediately so that normal marketing of such raisins may proceed; handlers require no time for preparation to comply with the changed regulation; and, in the circumstances, good cause exists for

making the provisions of this document effective at the indicated time.

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

Issued this 7th day of December 1955, to become effective upon publication in the FEDERAL REGISTER.

[SEAL]

S. R. SMITH,  
Director

Fruit and Vegetable Division.

[F. R. Doc. 55-9969; Filed, Dec. 9, 1955; 8:51 a. m.]

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### ENTIRE EXECUTIVE CIVIL SERVICE DEPARTMENT OF THE NAVY

Effective upon publication in the FEDERAL REGISTER, paragraphs (g) and (s) of § 6.101 and paragraph (a) (5) of § 6.106 are amended as set out below.

§ 6.101 *Entire executive civil service.* \* \* \*

(g) Any position in which the appointee will receive compensation aggregating not more than \$1,100 a year, the duties of which are part-time or intermittent, but such appointments shall not be for job employment. In Washington, D. C., such appointments shall be subject to the prior approval of the Commission.

(s) Temporary, part-time or intermittent positions of student assistant when the appointees are to assist scientific, professional, or technical employees. Persons employed under this provision shall be bona fide students at high schools or accredited colleges or universities pursuing courses related to the field in which employed. No person shall be employed under this provision (1) in a position of a routine clerical type; or (2) in excess of 130 working days a year; or (3) at a total compensation exceeding \$1,270 during such a period of one year.

§ 6.106 *Department of the Navy—(a) General.* \* \* \*

(5) Student trainees in naval shipyards, whose salaries shall not aggregate more than \$1,100 a year. Only bona fide students engaged in the study of naval architecture shall be eligible for appointment under this subparagraph. Employment under this subparagraph shall not exceed 90 working days a year.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL]

WM. C. HULL,  
Executive Assistant.

[F. R. Doc. 55-9943; Filed, Dec. 9, 1955; 8:48 a. m.]

## PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

### DEPARTMENT OF THE INTERIOR

Effective upon publication in the FEDERAL REGISTER, paragraph (c) (6) is added to § 6.310 as set out below.

§ 6.310 *Department of the Interior* \* \* \*  
(c) *Fish and Wildlife Service.* \* \* \*

(6) Not to exceed June 1, 1956, one Assistant Director for Field Operations. (R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, 18 F. R. 1823, 3 CFR, 1953 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL]

WM. C. HULL,  
Executive Assistant.

[F. R. Doc. 55-9942; Filed, Dec. 9, 1955; 8:47 a. m.]

## TITLE 12—BANKS AND BANKING

### Chapter III—Federal Deposit Insurance Corporation

#### PART 329—PAYMENT OF DEPOSITS AND INTEREST THEREON BY INSURED NON-MEMBER BANKS

##### MISCELLANEOUS AMENDMENTS

###### *Correction*

In F. R. Document 55-9776 appearing in the issue for Tuesday, December 6, 1955, on page 8949, the chapter heading should read as set forth above.

## TITLE 25—INDIANS

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

#### Subchapter T—Patents in Fee, Competency Certificates, Sales and Reinvestment of Proceeds

#### PART 241—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, SALE OF CERTAIN INDIAN LANDS, AND REINVESTMENT OF PROCEEDS

##### MISCELLANEOUS AMENDMENTS

Sections 241.1, 241.2, 241.24, 241.26, and 241.49 are amended to read as follows:

§ 241.1 *Application for patent in fee.* Any Indian 21 years of age or over may apply for a patent in fee for land, the title to which is held in trust for said Indian by the United States. The application shall be made on a form approved by the Commissioner of Indian Affairs and shall be completed and filed with the Superintendent or other officer in charge of the Indian agency or other local facility having administrative jurisdiction over the land.

§ 241.2 *Issuance of patents in fee.* (a) The Secretary of the Interior may, in his discretion, and pursuant to the acts of February 8, 1887, as amended (24 Stat. 388, as amended; 25 U. S. C. 349) June 25, 1910, as amended (36 Stat. 855, as amended; 25 U. S. C. 372);

and May 14, 1948 (62 Stat. 236; 25 U. S. C. 483), and pursuant to other authorizing acts, issue patents in fee to Indians applying therefor in accordance with § 241.1. A patent in fee will not be issued pursuant to this paragraph unless it appears that the applicant is competent and capable of managing his or her own affairs. Prior to the issuance of a patent in fee pursuant to this paragraph the land shall be appraised at its fair market value. If an application is denied, the applicant shall be so notified in writing.

(b) The Secretary will, pursuant to the act of March 1, 1907 (34 Stat. 1015, 1034), issue a patent in fee to any adult mixed-blood Indian owning land within the White Earth Reservation in the State of Minnesota upon application being made by such Indian, and without regard to the applicant's competency and ability to manage his or her own affairs.

(c) Whenever the Secretary determines that land, or any interest therein, held in trust for an Indian by the United States, has been acquired through inheritance or devise by (1) a non-Indian or (2) an alien Indian or an Indian who has become an alien subsequent to the time of such acquisition, the Secretary may issue a patent in fee for the land or interest therein to such non-Indian or alien Indian, without regard to such person's competency and ability to manage his or her own affairs, and regardless of whether such person has applied for a patent in fee.

§ 241.24 *Appraisal, advertisement, consideration.* (a) Prior to making or approving a sale, exchange or gift of trust or restricted land, an appraisal shall be made indicating the fair market value of such land.

(b) Except as provided in paragraph (c) of this section, proposed sales of land shall be advertised for at least 30 days prior to the proposed date for opening bids on such land, unless a shorter period is otherwise authorized by the Secretary of the Interior. At the request of the owner, the advertisement may afford to the tribe occupying the reservation where the land is located, to members of such tribe, or to any reasonably defined class of Indians, a right to meet the high bid.

(c) The following types of conveyances need not be advertised and may be negotiated: (1) A sale to another Indian, an Indian tribe, the United States or an agency thereof, or a state or local government or agency thereof; (2) a conveyance to a member of the Indian's immediate family pursuant to the provisions of paragraph (d) of this section; (3) a sale to a non-Indian, when the Secretary determines that it is impractical to advertise; (4) an exchange; (5) temporary easements for rights of way not to exceed fifty years. Except as provided in paragraph (d) of this section, the consideration for a negotiated sale shall be not less than the appraised value of the land. The consideration for an exchange shall be either land, or a combination of land and money or other thing of value, the fair market value of which is not less than the appraised value of the trust or restricted land. Sales between Indians,

either of whom is an employee of the United States Government, are governed by the provisions of § 276.5 of this chapter.

(d) An Indian owner of trust or restricted land may, with the approval of the Secretary, convey land to a member of his or her immediate family for a consideration less than that prescribed in paragraph (c) of this section or for no consideration. For purposes of this section, "immediate family" is defined as the Indian's spouse, brothers and sisters, lineal ancestors of Indian blood, and lineal descendants.

§ 241.26 *Number of bids.* No bidder will be permitted to include more than one item in any single bid. If a bidder desires to bid on more than one item, he must bid a separate amount for each item.

§ 241.49 *Procedure for removing restrictions.* An Indian may apply for the removal of restrictions from land acquired by purchase, exchange or gift, and devised and inherited interests therein, held under an instrument of conveyance which recites that the land shall not be sold or alienated without the consent or approval of the Superintendent, the Commissioner of Indian Affairs, or the Secretary of the Interior. An application for the removal of restrictions from such land shall be filed with the superintendent or other officer in charge of the Indian agency or other local facility having administrative jurisdiction over the land. The application shall set forth the experience the applicant has had in the transaction of his business affairs and the reasons why a removal of restrictions is desired. If it appears that the applicant is competent and capable of managing his affairs or that the removal of restrictions is otherwise in the best interests of the applicant, an order removing restrictions against alienation of the land may be issued. Prior to the issuance of such an order the land shall be appraised at its fair market value.

(R. S. 161; 5 U. S. C. 22)

DOUGLAS MCKAY,  
Secretary of the Interior.

DECEMBER 5, 1955.

[F. R. Doc. 55-9935; Filed, Dec. 9, 1955; 8:46 a. m.]

## TITLE 26—INTERNAL REVENUE, 1954

### Chapter I—Internal Revenue Service, Department of the Treasury

#### Subchapter A—Income Tax

[T. D. 6154]

#### PART 1—INCOME TAX: TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

On October 28, 1955, notice of proposed rule making regarding the regulations under Pub. Law 74, 84th Congress, approved June 15, 1955, was published in the FEDERAL REGISTER (20 F. R. 8120). After consideration of such relevant suggestions as were presented by interested

persons regarding the proposals, the following regulations are hereby adopted:

Sec.

- 1.9000-1 Provisions of P. L. 74.
- 1.9000-2 Effect of repeal in general.
- 1.9000-3 Requirement of statement showing increase in tax liability.
- 1.9000-4 Form and content of statement.
- 1.9000-5 Effect of filing statement.
- 1.9000-6 Provisions for the waiver of interest.
- 1.9000-7 Provisions for estimated tax.
- 1.9000-8 Extension of time for making certain payments.

AUTHORITY: §§ 1.9000-1 to 1.9000-8 issued under sec. 7805, 68A Stat. 917, Pub. Law 74, 84th Cong.; 26 U. S. C. 7805.

§ 1.9000-1 *Statutory provisions.* Public Law 74, 84th Congress, approved June 15, 1955, provides as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. *Repeal of sections 452 and 462—*

(a) *Prepaid income.* Section 452 of the Internal Revenue Code of 1954 is hereby repealed.

(b) *Reserves for estimated expenses, etc.* Section 462 of the Internal Revenue Code of 1954 is hereby repealed.

SEC. 2. *Technical amendments.* The following provisions of the Internal Revenue Code of 1954 are hereby amended as follows:

(1) Subsection (c) of section 381 is amended by striking out paragraph (7) (relating to carryover of prepaid income in certain corporate acquisitions).

(2) The table of sections for subpart B of part II of subchapter E of chapter 1 (relating to taxable year for which items of gross income included) is amended by striking out

"Sec. 452. Prepaid income."

(3) The table of sections for subpart C of such part II (relating to taxable year for which deductions are taken) is amended by striking out—

"Sec. 462. Reserves for estimated expenses, etc."

SEC. 3. *Effective date.* The amendments made by this act shall apply with respect to taxable years beginning after December 31, 1953, and ending after August 16, 1954.

SEC. 4. *Saving provisions—(a) Filing of statement. If—*

(1) the amount of any tax required to be paid for any taxable year ending on or before the date of the enactment of this act is increased by reason of the enactment of this act, and

(2) the last date prescribed for payment of such tax (or any installment thereof) is before December 15, 1955,

then the taxpayer shall, on or before December 15, 1955, file a statement which shows the increase in the amount of such tax required to be paid by reason of the enactment of this act.

(b) *Form and effect of statement—(1) Form of statement, etc.* The statement required by subsection (a) shall be filed at the place fixed for filing the return. Such statement shall be in such form, and shall include such information necessary or appropriate to show the increase in the amount of the tax required to be paid for the taxable year by reason of the enactment of this act, as the Secretary of the Treasury or his delegate shall by regulations prescribe.

(2) *Treatment as amount shown on return.* The amount shown on a statement filed under subsection (a) as the increase in the amount of the tax required to be paid for the taxable year by reason of the enactment of this act shall, for all purposes of