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Contents

THE PRESIDENT		CUSTOMS BUREAU		MARITIME ADMINISTRATION	
PROCLAMATION		Notices		Notices	
Law Day, U.S.A.—1964.....	453	Order of succession of persons to act as Commissioner of Customs; establishment.....	480	American President Lines, Ltd.; application.....	480
EXECUTIVE AGENCIES		FEDERAL AVIATION AGENCY		NATIONAL PARK SERVICE	
AGRICULTURAL MARKETING SERVICE		Rules and Regulations		Proposed Rule Making	
Rules and Regulations		IFR altitudes; miscellaneous amendments.....		National Capital Region; use of lands subject to scenic or protective easements.....	
Fruit:		Standard instrument approach procedures; miscellaneous amendments.....		477	
California and Arizona; limitations:		458		Notices	
Grapefruit; shipments.....	469	Proposed Rule Making		Sagamore Hill National Historic Reserve; management and administrative assistants; authority delegation.....	
Lemons; handling.....	469	Operations authorized in restricted category aircraft; clarification.....		480	
Navel oranges; handling.....	468	FEDERAL MARITIME COMMISSION		PATENT OFFICE	
Florida; limes; quality and size.	470	Notices		Rules and Regulations	
Lettuce grown in Lower Rio Grande Valley in south Texas; shipments limitation.....	470	Italy/U.S. North Atlantic Freight Pool; agreements filed for approval (2 documents).....		Practice in patent cases; correspondence when no attorney or agent.....	
Notices		482		474	
W. H. Hodges & Co., Inc.; changes in names of posted stockyards...	480	FOOD AND DRUG ADMINISTRATION		POST OFFICE DEPARTMENT	
AGRICULTURE DEPARTMENT		Rules and Regulations		Rules and Regulations	
See Agricultural Marketing Service.		Administrative functions, practices and procedures.....		Fourth class mail; reformation of rates and other conditions of mailability.....	
ATOMIC ENERGY COMMISSION		471		474	
Notices		Food additives permitted in animal feed or feed supplements; definitions and interpretations...		SECURITIES AND EXCHANGE COMMISSION	
National Aeronautics and Space Administration; proposed issuance of facility license.....	481	472		Proposed Rule Making	
CIVIL AERONAUTICS BOARD		HEALTH, EDUCATION, AND WELFARE DEPARTMENT		Rules of national securities exchanges; reporting of proposed changes.....	
Notices		See Food and Drug Administration.		478	
<i>Hearings, etc.:</i>		INDIAN AFFAIRS BUREAU		Notices	
National Airlines, Inc., and Lewis B. Maytag, Jr.....	482	Rules and Regulations		Precision Metal Products, Inc.; cancellation of hearing and permanent suspension.....	
North Central Airlines, Inc.....	482	Leasing and permitting; Crow Reservation.....		483	
CIVIL SERVICE COMMISSION		INTERIOR DEPARTMENT		SMALL BUSINESS ADMINISTRATION	
Rules and Regulations		See Indian Affairs Bureau; National Park Service.		Notices	
Excepted service; General Services Administration.....	474	INTERSTATE COMMERCE COMMISSION		Director of Office of Fiscal Operations et al.; authority delegation.....	
COMMERCE DEPARTMENT		Notices		482	
See Maritime Administration; Patent Office.		Motor carrier transfer proceedings.....		TREASURY DEPARTMENT	
		482		See Customs Bureau.	

1787; 21 U.S.C. 348(d)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), Part 121 is amended by adding the following new section:

§ 121.200 Definitions and interpretations applicable to Subpart C.

(a) Regulations prescribing conditions under which additives may be safely used in animal feed, animal feed supplements, concentrates, or premixes or in animals intended for food use shall not be construed to relieve the use of such additives from the provisions of sections 505 and 507 of the act, where applicable, and §§ 121.7 and 121.9 of the food additive regulations.

(b) For the purposes of this Subpart C:

(1) A "complete feed" or "finished feed" is an article intended to be administered as the sole ration to an animal.

(2) A "feed additive supplement" or "supplement" is an article for the diet of an animal which contains one or more food additives, and is intended to be:

(i) Further diluted and mixed to produce a complete feed; or

(ii) Fed undiluted as a supplement to other rations; or

(iii) Offered free choice with other parts of the ration separately available.

A "feed additive supplement" is safe for the animal and will not produce unsafe residues in the edible products from food-producing animals if fed according to directions.

(3) A "feed additive concentrate" or "concentrate" is an article intended to be further diluted to produce a complete feed or a feed additive supplement and is not suitable for offering as a supplement or for offering free choice without dilution. It contains, among other things, one or more additives in amounts in a suitable feed base such that from 100 to 1,000 pounds of concentrate must be diluted to produce 1 ton of a complete feed. A "feed additive concentrate" is unsafe if fed free choice or as a supplement because of danger to the health of the animal and/or because of the production of unsafe residues in the edible products from food-producing animals in excess of the safe levels established in this Part 121.

(4) A "feed additive premix" or "premix" is an article that must be diluted for safe use in a feed additive concentrate, a feed additive supplement, or a complete feed. It contains, among other things, one or more additives in high concentration in a suitable feed base such that up to 100 pounds must be diluted to produce 1 ton of a complete feed. A "feed additive premix" contains additives at levels for which safety to the animal has not been demonstrated and/or which may result in residues in the edible products from food-producing animals in excess of the safe levels established in this Part 121 when fed undiluted.

(5) In feeding chickens:

(i) "Broiler chickens" are chickens raised for meat purposes only.

(ii) "Replacement chickens" are chickens being raised for the purpose of egg production.

(iii) "Laying chickens" are chickens producing eggs for food.

(iv) "Breeding chickens" are chickens producing eggs used for hatching.

(6) In feeding swine:

(i) "Pre-starter ration" is a feed administered from the time the baby pigs begin to eat until they weigh approximately 12 pounds.

(ii) "Starter ration" is a complete feed administered to the animals as they grow in weight from approximately 10 pounds to 50 pounds.

(iii) "Grower ration" is a complete feed administered to the animals as they grow in weight from approximately 30 pounds to 125 pounds.

(iv) "Finisher ration" is a complete feed administered to the animals as they grow in weight from approximately 100 pounds to market weight.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections.

(Sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d))

Dated: January 13, 1964.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 64-478; Filed, Jan. 17, 1964;
8:46 a.m.]

Title 25—INDIANS

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

SUBCHAPTER I—LEASING AND PERMITTING

PART 131—LEASING AND PERMITS

Crow Reservation

On page 10676 of the FEDERAL REGISTER of October 3, 1963, there was published a notice of intention to amend § 131.15 of Title 25 Code of Federal Regulations, concerning the leasing of the trust lands of those Crow Indians classified as competent under the Act of June 4, 1920 (41 Stat. 751), as amended, who may lease their trust lands without the approval of

the Secretary of the Interior pursuant to the Act of May 26, 1926 (44 Stat. 658), as amended by the Act of March 15, 1948 (62 Stat. 80).

Interested persons were given an opportunity to submit their comments, suggestions, or objections in writing on the proposed amendment within thirty days from the date of publication of the notice in the FEDERAL REGISTER. During the thirty-day period, comments, suggestions, and objections were received and as a result certain changes have been made. Most of the communications which were received regarding this proposed amendment indicated concern that an attempt was being made to deprive Crow Indians classified as competent of the privilege of leasing their trust lands without Departmental approval under the special statutes. Changes have been made which, for the most part, are designed to make clear that such is not the case.

The proposed amendment as changed is hereby adopted and is set forth below. Because this amendment will greatly assist in the leasing program on the Crow Reservation by (1) more clearly defining the responsibilities of Crow Indians who avail themselves of the privilege of leasing their trust lands without Departmental approval; (2) defining the role of the Secretary of the Interior as the officer of the Federal Government charged with the responsibilities for the proper discharge of the obligations of the United States with respect to the trust lands of such Indians and (3) setting forth the Department's interpretation of the cited statutes, it has been determined that it is in the best interest of the Indians and the public to make the amendment effective immediately. Therefore, the amendment shall become effective on the date of this publication in the FEDERAL REGISTER.

Section 131.15 is amended to read as follows:

§ 131.15 Crow Reservation.

(a) Notwithstanding the regulations in other sections of this Part 131, Crow Indians classified as competent under the Act of June 4, 1920 (41 Stat. 751), as amended, may lease their trust lands and the trust lands of their minor children for farming or grazing purposes without the approval of the Secretary pursuant to the Act of May 26, 1926 (44 Stat. 658), as amended by the Act of March 15, 1948 (62 Stat. 80). However, at their election Crow Indians classified as competent may authorize the Secretary to lease, or assist in the leasing of such lands, and an appropriate notice of such action shall be made a matter of record. When this prerogative is exercised, the general regulations contained in this Part 131 shall be applicable. Approval of the Secretary is required on leases signed by Crow Indians not classified as competent or made on inherited or devised trust lands owned by more than five competent devisees or heirs.

(b) The Act of May 26, 1926 (44 Stat. 658), as amended by the Act of March 15, 1948 (62 Stat. 80), provides that no lease for farming or grazing purposes shall be made for a period longer than five years,

except irrigable lands under the Big Horn Canal; which may be leased for periods of ten years. No such lease shall provide the lessee a preference right to future leases which, if exercised, would thereby extend the total period of encumbrance beyond the five or ten years authorized by law.

(c) All leases entered into by Crow Indians classified as competent, under the above-cited special statutes, must be recorded at the Crow Agency. Such recording shall constitute notice to all persons. Under these special statutes, Crow Indians classified as competent are free to lease their property within certain limitations. The five-year (ten-year in the case of lands under the Big Horn Canal) limitation is intended to afford a protection to the Indians. The essence of this protection is the right to deal with the property free, clear, and unencumbered at intervals at least as frequent as those provided by law. If lessees are able to obtain new leases long before the termination of existing leases, they are in a position to set their own terms. In these circumstances lessees could perpetuate their leaseholds and the protection of the statutory limitations as to terms would be destroyed. Therefore, in implementation of the foregoing interpretation, any lease which, on its face, is in violation of statutory limitations or requirements, and any grazing lease executed more than 12 months, and any farming lease executed more than 18 months, prior to the commencement of the term thereof or any lease which purports to cancel an existing lease with the same lessee as of a future date and take effect upon such cancellation will not be recorded. Under a Crow tribal program, approved by the Department of the Interior, competent Crow Indians may, under certain circumstances, enter into agreements which require that, for a specified term, their leases be approved. Information concerning whether a competent Crow Indian has executed such an instrument is available at the office of the Superintendent of the Crow Agency, Bureau of Indian Affairs, Crow Agency, Montana. Any lease entered into with a competent Crow Indian during the time such instrument is in effect and which is not in accordance with such instrument will be returned without recordation.

(d) Where any of the following conditions are found to exist, leases will be recorded but the lessee and lessor will be notified upon discovery of the condition: (1) The lease in single or counterpart form has not been executed by all owners of the land described in the lease, (2) there is, of record, a lease on the land for all or a part of the same term, (3) the lease does not contain stipulations requiring sound land utilization plans and conservation practices, or (4) there are other deficiencies such as, but not limited to, erroneous land descriptions, and alterations which are not clearly endorsed by the lessor.

(e) Any adult Crow Indian classified as competent shall have the full respon-

sibility for obtaining compliance with the terms of any lease made by him pursuant to this section. This shall not preclude action by the Secretary to assure conservation and protection of these trust lands.

(f) Leases made by competent Crow Indians shall be subject to the right to issue permits and leases to prospect for, develop, and mine oil, gas, and other minerals, and to grant rights-of-way and easements, in accordance with applicable law and regulations. In the issuance or granting of such permits, leases, rights-of-way or easements due consideration will be given to the interests of lessees and to the adjustment of any damages to such interests. In the event of a dispute as to the amount of such damage, the matter will be referred to the Secretary whose determination will be final as to the amount of said damage.

STEWART L. UDALL,
Secretary of the Interior.

JANUARY 13, 1964.

[F.R. Doc. 64-475; Filed, Jan. 17, 1964;
8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

General Services Administration

Effective upon publication in the FEDERAL REGISTER, subparagraph (8) of paragraph (a) of § 213.3337 is amended as set out below.

§ 213.3337 General Services Administration.

- (a) *Office of the Administrator.* * * *
(8) One Deputy Assistant Administrator.

* * * * *
(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 64-486; Filed, Jan. 17, 1964;
8:47 a.m.]

Title 37—PATENTS, TRADE-MARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 1—RULES OF PRACTICE IN PATENT CASES

Correspondence When No Attorney or Agent

The following amendment is made, to take effect thirty days after publication

in the FEDERAL REGISTER. Notice of the proposed amendment was published July 31, 1963, 28 F.R. 7783, and the amendment is made after consideration of all the submissions.

Section 1.33 of Title 37 CFR is amended by designating the present paragraph as paragraph (a) and by adding thereto the following new paragraph (b):

§ 1.33 Correspondence when no attorney or agent.

(b) An applicant who is not represented by a registered attorney or agent may be required to state whether he received assistance in the preparation or prosecution of his application, for which any compensation or consideration was given or charged, and if so, to disclose the name or names of the person or persons providing such assistance. This includes the preparation for the applicant of the specification and amendments or other papers to be filed in the Patent Office, as well as other assistance in such matters, but does not include merely making drawings by draftsmen or stenographic services in typing papers.

(Sec. 1, 66 Stat. 793, 35 U.S.C. 6)

EDWIN L. REYNOLDS,
Acting Commissioner of Patents.

Approved: January 9, 1964.

J. HERBERT HOLLOMON,
Assistant Secretary of Commerce for Science and Technology.

[F.R. Doc. 64-472; Filed, Jan. 17, 1963;
8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 25—FOURTH CLASS

Reformation of Rates and Other Conditions of Mailability of Fourth-Class Mail

Pursuant to the last paragraph of section 207(b) of the Act of February 28, 1925 (43 Stat. 1067), as amended by section 7 of the Act of May 29, 1928 (45 Stat. 942; 39 U.S.C. 1958 ed., sec. 247), this Department requested the Interstate Commerce Commission to consent to reformations of rates and conditions of mailability applicable to fourth-class parcel post subject to zone rates and to catalogs and similar printed advertising matter of the fourth class. Consent has been given by the Interstate Commerce Commission to such reformations in its decision dated January 15, 1964, in Docket No. 33750, Reformation of Rates and Other Conditions of Mailability of Fourth Class Mail. Accordingly, paragraphs (a) and (b) of § 25.1 of Title 39, Code of Federal Regulations, are hereby amended to read as follows effective April 1, 1964: