

# FEDERAL REGISTER

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Pages 13577-13630

## CORRECTION

On the cover of Volume 31, Number 204 (Pages 13517-13576) the date "October 13" should read "October 20".

### Agencies in this issue—

Agricultural Stabilization and Conservation Service  
Agriculture Department  
Atomic Energy Commission  
Civil Aeronautics Board  
Consumer and Marketing Service  
Federal Aviation Agency  
Federal Communications Commission  
Federal Crop Insurance Corporation  
Federal Home Loan Bank Board  
Federal Maritime Commission  
Federal Power Commission  
Federal Reserve System  
Fish and Wildlife Service  
Food and Drug Administration  
Health, Education, and Welfare Department  
Indian Affairs Bureau  
Interior Department  
Interstate Commerce Commission  
Land Management Bureau  
National Park Service  
Securities and Exchange Commission

Detailed list of Contents appears inside.



# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[ 25 CFR Part 131 ]

### LEASING AND PERMITTING

#### Duration of Leases; Pyramid Lake Reservation

*Basis and purpose.* Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by sections 161, 463, and 465 of the Revised Statutes (5 U.S.C. 22; 25 U.S.C. 2 and 9), and the Act of April 27, 1966 (80 Stat. 132), it is proposed to amend § 131.8(a), Title 25, Code of Federal Regulations, as set forth below.

The purpose of this change is to implement the Act of April 27, 1966 (80 Stat. 132), "To amend the Indian Long-Term Leasing Act." This act added the Pyramid Lake Reservation to those for which authority has been granted under section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U.S.C. 415), to make leases for terms of not to exceed 99 years for public, religious, educational, recreational, residential, or business purposes, including the development or utilization of natural resources in connection with operations under such leases, and for those farming purposes which require the making of a substantial investment in the improvement of the land for the production of specialized crops.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Bureau of Indian Affairs, Washington, D.C. 20242, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 131.8(a) is amended to read as follows:

#### § 131.8 Duration of leases.

(a) Leases for public, religious, educational, recreational, residential, or business purposes shall not exceed 25 years but may include provisions authorizing a renewal or an extension for one additional term of not to exceed 25 years, except such leases of land on the Hollywood (formerly Dania) Reservation, Fla.; the Navajo Reservation, Ariz., N. Mex., and Utah; the Palm Springs Reservation, Calif.; the Southern Ute Reservation, Colo.; the Fort Mojave Reservation, Calif., Ariz., and Nev.; the Pyramid Lake Reservation, Nev.; and land on the Colorado River Reservation, Ariz. and Calif., as stated in § 131.18;

which leases may be made for terms of not to exceed 99 years.

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

OCTOBER 17, 1966.

[F.R. Doc. 66-11477; Filed, Oct. 20, 1966; 8:48 a.m.]

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[ 7 CFR Part 1012 ]

[Docket No. AO-347-A4]

### MILK IN TAMPA BAY MARKETING AREA

#### Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Tampa Bay marketing area.

Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by the third day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

*Preliminary statement.* The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Tampa, Fla., on September 13, 1966, pursuant to notice thereof which was issued August 23, 1966 (31 F.R. 11397).

The material issue on the record of the hearing relates to designating a cooperative as the handler of farm tank milk.

*Findings and conclusions.* The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

*Designating a cooperative as the handler of farm tank milk.* A cooperative association should be a handler for milk delivered from the farm to a pool plant in a tank truck owned and operated by or under contract to such association.

Currently, the operator of the plant receiving milk from producers must account for such milk and pay the producers. Once milk from a producer has been commingled with milk from other producers in a tank truck, there is no further opportunity to measure, sample or reject the milk of any individual producer whose milk is included in the load. A similar situation prevails when the milk of an individual producer is delivered in a tank truck to two or more plants. The operator of a pool plant to which bulk tank milk is delivered has an opportunity only to determine the weight and butterfat test of the total load.

If a tank truck picking up milk at the farm is owned and operated by or under contract to a cooperative association and the association determines the weight and butterfat content of each producer's milk, a handler has no control and generally takes no part in determining the weights and butterfat tests of milk at the farm. In some instances, the handler may not even know from which farms the milk is shipped.

Making a cooperative a handler on its producers' bulk tank milk as herein provided will afford a practicable basis of accounting for such milk. In addition, it will provide flexibility to a cooperative's operations in allocating its members' bulk tank milk among handlers and facilitate the diversion of such milk to nonpool plants by the cooperative when it is not needed at regulated plants.

The milk delivered by the cooperative as a bulk tank handler should be considered as a receipt of producer milk by the operator of the pool plant at which it was physically received. The pool plant operator's obligation for such milk to the producer-settlement fund, to the administration fund and to the cooperative would be the same as for producer milk received directly from the farm of an individual producer.

The full 2 percent shrinkage allowance on farm tank milk should be permitted the pool plant operator only if he is purchasing it on the basis of farm weights and has so notified the market administrator. Otherwise, the maximum shrinkage in Class III allowed the handler on such milk would be 1.5 percent, and the cooperative would be responsible for any difference between the gross weight of producer milk received in the tank truck at the farms and that delivered to pool plants. This procedure is followed in a number of other Federal orders.