



FEDERAL REGISTER

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Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day 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.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 848(c)(1))

Dated: December 30, 1960.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of
Food and Drugs.

[F.R. Doc. 61-135; Filed, Jan. 9, 1961;
8:46 a.m.]

Title 7—AGRICULTURE

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

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—U.S. Standards for Grades of Florida Grapefruit¹

U.S. No. 1 BRONZE

On December 1, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 12298) regarding a proposed amendment to § 51.754 of United States Standards for Grades of Florida Grapefruit (7 CFR §§ 51.750 to 51.783).

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, § 51.754, as amended, of the United States Standards for Grades of Florida Grapefruit is hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627).

¹Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

Section 51.754 as amended, follows:

§ 51.754 U.S. No. 1 Bronze.

The requirements of this grade are the same as for U.S. No. 1 except that all fruits must show some discoloration. More than 30 percent, by count, of the fruits shall have more than one-third of the surface, in the aggregate, affected by discoloration; the predominating discoloration on these fruits shall be of rust mite type. (See § 51.761.)

It is hereby found and determined that good cause exists for not postponing the effective date of this amendment beyond the date of publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)); in that: (1) The harvest season for grapefruit is in progress and it is in the best interest of the public and the industry that the amendment be placed in effect at the earliest possible date; (2) no special preparation for compliance with the standards as amended, on the part of the citrus industry is required; and (3) notice of proposed rule making was published in the FEDERAL REGISTER December 1, 1960.

Dated: January 5, 1961, to become effective upon publication in the FEDERAL REGISTER.

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Service.

[F.R. Doc. 61-164; Filed, Jan. 9, 1961;
8:51 a.m.]

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Grades of Florida Oranges and Tangelos¹

U.S. No. 1 BRONZE

On December 1, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 12299) regarding a proposed amendment to § 51.1145 of United States Standards for Grades of Florida Oranges and Tangelos (7 CFR §§ 51.1140 to 51.1178).

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, § 51.1145, as amended, of the United States Standards for Grades of Florida Oranges and Tangelos is hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627).

As amended, § 51.1145 is set forth below:

§ 51.1145 U.S. No. 1 Bronze.

The requirements of this grade are the same as for U.S. No. 1 except that all fruits must show some discoloration. More than 30 percent, by count, of the fruits shall have more than one-third of the surface, in the aggregate, affected by discoloration; the predominating dis-

coloration on these fruits shall be of rust mite type. (See § 51.1152.)

(a) If any lot of U.S. No. 1 Bronze fruit also meets the internal specifications of "U.S. Grade AA Juice (Double A)" or "U.S. Grade A Juice" it may be so specified in accordance with the facts. (See §§ 51.1175-51.1178.)

It is hereby found and determined that good cause exists for not postponing the effective date of this amendment beyond the date of publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)); in that: (1) The harvest season for oranges and tangelos is in progress and it is in the best interest of the public and the industry that the amendment be placed in effect at the earliest possible date; (2) no special preparation for compliance with the standards as amended, on the part of the citrus industry is required; and (3) notice of proposed rule making was published in the FEDERAL REGISTER December 1, 1960.

Dated: January 5, 1961, to become effective upon publication in the FEDERAL REGISTER.

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Service.

[F.R. Doc. 61-165; Filed, Jan. 9, 1961;
8:51 a.m.]

Title 25—INDIANS

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

SUBCHAPTER P—MINING

PART 171—LEASING OF TRIBAL LANDS FOR MINING

PART 174—LEASING OF RESTRICTED LANDS OF MEMBERS OF FIVE CIVILIZED TRIBES, OKLAHOMA, FOR MINING

PART 175—LEASING OF OSAGE RESERVATION LANDS, OKLAHOMA, FOR MINING, EXCEPT OIL AND GAS

PART 176—LEAD AND ZINC MINING OPERATIONS AND LEASES, QUAPAW AGENCY.

Miscellaneous Amendments

On page 833 of the FEDERAL REGISTER of October 14, 1959, a notice of intention to amend §§ 171.6, 174.15, 175.4 and 176.13 of Title 25, Code of Federal Regulations, was published. The purpose of the amendments is to allow a reduced bond coverage when issuing permits and leases for mining minerals other than oil and gas if the Secretary of the Interior or his authorized representative believes that the interests of the Indians are adequately protected. Parts 172 and 173 are amended by reference, because the applicable sections refer to the section on bonds in Part 171.

Interested persons were given 30 days from the date of publication of the notice

in the FEDERAL REGISTER as an opportunity to submit their views, data, and arguments concerning the proposed amendments to the Commissioner of Indian Affairs. One written communication favoring the amendments to §§ 171.6 and 174.15, but suggesting an added phrase, was received within the specified period. The suggestion, that the consent of the Indian landowner be obtained before allowing reduced bond coverage, was accepted after discussion and careful consideration. As a result, the phrase "with the consent of the Indian landowner" has been inserted immediately after the words "the Secretary of the Interior or his authorized representative" in §§ 171.6(a), 174.15(a), 175.4 and 176.13.

The proposed amendments are hereby adopted as so changed and are set forth below. These amended regulations shall become effective at the beginning of the 30th calendar day following the date of the publication in the FEDERAL REGISTER.

ELMER F. BENNETT,

Acting Secretary of the Interior.

JANUARY 3, 1961.

1. Section 171.6(a) is amended to read as follows:

§ 171.6 Bonds.

(a) Lessee shall furnish with each lease a bond (Form 5-154b), and an assignee of a lease shall furnish with each assignment a bond (Form 5-154m), with an acceptable company authorized to act as sole surety, or with two or more personal sureties and a deposit as collateral security of any public-debt obligations of the United States guaranteed as to principal and interest by the United States, equal to the full amount of such bonds, or other collateral satisfactory to the Secretary of the Interior, or show ownership of unencumbered real estate of the value equal to twice the amount of the bonds. Lessee may file a bond on Form 5-154a without sureties and a deposit as collateral security of Government bonds equal in value to the full amount of the bond. Lease bonds shall not be less than the following amounts:

For less than 80 acres.....	\$1,000
For 80 acres and less than 120 acres...	1,500
For 120 acres and not more than 160 acres.....	2,000
For each additional 40 acres, or part thereof, above 160 acres.....	500

Provided, That for leases for minerals other than oil and gas the Secretary of the Interior or his authorized representative with the consent of the Indian landowner may authorize a bond for a lesser amount if, in his opinion, the circumstances warrant and the interests of the Indian landowners are fully protected: *Provided further*, That a lessee may file one bond (Form 5-154f), in the sum of \$15,000 for all leases of minerals, in any one State and which may also include leases on that part of an Indian reservation extending into States contiguous thereto, to which the lessee may become a party: *And provided further*, That the total acreage covered by the bond shall not exceed 10,240 acres.

2. Section 174.15(a) is amended to read as follows:

§ 174.15 Bonds.

(a) Lessee shall furnish with each mining lease a bond (Form 5-154b), and an assignee of a lease shall furnish with each assignment a bond (Form 5-154m), with an acceptable company authorized to act as sole surety, or with two or more personal sureties and a deposit as collateral security of any public-debt obligations of the United States guaranteed as to principal and interest by the United States, equal to the full amount of such bonds, or other collateral satisfactory to the Secretary of the Interior, or show ownership of unencumbered real estate of the value equal to twice the amount of the bonds. Lessee may file a bond on Form 5-154a without sureties and a deposit as collateral security of Government bonds equal in value to the full amount of the bond. Lease bonds, except as provided in paragraph (c) of this section, shall not be less than the following amounts:

For less than 80 acres.....	\$1,000
For 80 acres and less than 120 acres...	1,500
For 120 acres and not more than 160 acres.....	2,000
For each additional 40 acres, or part thereof above 160 acres.....	500

Provided, That for leases for minerals other than oil and gas the Secretary of the Interior or his authorized representative with the consent of the Indian landowner may authorize a bond for a lesser amount if, in his opinion, the circumstances warrant and the interests of the Indian landowners are fully protected: *Provided further*, That a lessee may file a bond (Form 5-154f), in the sum of \$15,000 for all leases of minerals up to 10,240 acres under the jurisdiction of the officer in charge of the Five Civilized Tribes Agency.

3. Section 175.4 is amended to read as follows:

§ 175.4 Bonds.

Lessee shall furnish with each lease at the time it is filed with the officer in charge an acceptable bond not less than the following amounts:

For less than 80 acres.....	\$1,000
For 80 acres and less than 120 acres...	1,500
For 120 acres and not more than 160 acres.....	2,000
For each additional 40 acres, or part thereof above 160 acres.....	500

Provided, That for leases for minerals other than oil and gas the Secretary of the Interior or his authorized representative with the consent of the Indian landowner may authorize a bond for a lesser amount if, in his opinion, the circumstances warrant and the interests of the Indian landowners are fully protected: *Provided further*, That the lessee shall be allowed to file bond, Form S¹ covering all leases to which he or they are or may become parties instead of a separate bond in each case, such bond to be in the penal sum of \$15,000. The right is reserved to change the amount of the bond in any particular case, or to require

¹ For further information concerning form, see § 175.24.

a new bond in the discretion of the Secretary of the Interior.

4. Section 176.13 is amended to read as follows:

§ 176.13 Bond.

Every mineral lease made and entered into under the regulations in this part, by an Indian or by the superintendent as his representative or in his behalf, must be accompanied by a surety bond, executed by the lessee and by a responsible surety company or two or more satisfactory sureties, guaranteeing the payment of all deferred installments of bonus and the payment of all specified royalties and rentals and the performance of all covenants and agreements undertaken by the lessee. Such bonds, unless authorized by the Secretary of the Interior or his authorized representative, with the consent of the Indian landowner, shall be not less than the following amounts:

For less than 80 acres.....	\$2,500
For 80 acres and less than 120 acres...	3,500
For 120 acres or more.....	5,000

Provided, however, That the lessee may, in lieu of such surety bond and upon execution of a proper penal bond to the United States in the sum prescribed and a proper power of attorney to the Secretary of the Interior, submit therewith United States bonds or notes in the aggregate sum prescribed as security for the carrying out of the terms, conditions, and provisions of the lease: *Provided further*, That a lessee may file in lieu of such individual lease bonds, one bond in a sum to be fixed by the Secretary of the Interior covering all leases to which he is or may become a party. The right is specifically reserved to the Secretary of the Interior to require an increase of the amount of any bond above the sum named in any particular case where he deems it necessary to require such increased bond.

[F.R. Doc. 61-128; Filed, Jan. 9, 1961; 8:45 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

PART 21—COMMISSIONED OFFICERS

After Twenty Years of Service

1. Subpart J of Part 21, Title 42, Code of Federal Regulations is amended by adding at the beginning thereof the following new center heading and sections:

AFTER TWENTY YEARS OF SERVICE

Sec. 21.165	Involuntary retirement of officers with 20 years of service.
21.166	Appointment of retirement boards.
21.167	Recommendations of boards.
21.168	Action by the Surgeon General or the Secretary.
21.169	Relationship of §§ 21.165-21.166 to disciplinary procedures.

AUTHORITY: §§ 21.165 to 21.169 issued under sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply sec. 211, 58 Stat. 688, as amended; 42 U.S.C. 212.