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York, N.Y., Docket 7778, July 28, 1960; Garmisa Distributing Company, Inc. (Chicago, Ill.), et al., Docket 7781, July 6, 1960; Hull Records, Inc., et al., New York, N.Y., Docket 7829, July 19, 1960; Nashboro Record Company, Inc., et al., Nashville, Tenn., Docket 7875, July 19, 1960; Portem Distributing, Inc., et al., New York, N.Y., Docket 7877, July 28, 1960; and Specialty Records, Inc., et al., Hollywood, Calif., Docket 7885, July 28, 1960]

In the Matters of: (Docket 7778 c.o.) *Am-Par Record Corp., a Corporation Pamco Music, Inc., a Corporation, and Samuel H. Clark, Harry Levine, Edith Schaffer, and Simon B. Siegel, Individually and as Officers of Said Corporations;* (Docket 7781 c.o.) *Garmisa Distributing Company, Inc., a Corporation, Garmisa, Inc., of Wisc., a Corporation, and Leonard Garmisa, and Edward Yalowitz, Individually, and as officers of Said Corporations, and Myron J. Schulz, Individually, and as Officer of Garmisa Distributing Company, Inc.;* (Docket 7829 c.o.) *Hull Records, Inc., a Corporation, and William Kaslin, and Blanche Kaslin, Individually and as officers of Said Corporation;* (Docket 7875 c.o.) *Nashboro Record Company, Inc., a Corporation, and Ernest L. Young, Individually and as an Officer of Said Corporation;* (Docket 7877 c.o.) *Portem Distributing, Inc., a Corporation, and Gladys R. Pare, Individually and as an Officer of Said Corporation;* and (Docket 7885 c.o.) *Specialty Records, Inc., a Corporation, and Arthur N. Rupe, Individually and as an Officer of Said Corporation, and Arthur N. Rupe, as a General Partner Trading as Specialty Record Sales Co., a Limited Partnership*

These proceedings were heard by hearing examiners on complaints of the Commission charging manufacturers and distributors of phonograph records in various States with giving concealed "payola"—money or other material consideration—to disc jockeys of television and radio programs or others to induce broadcasting of their records.

Accepting consent agreements, the hearing examiners made their initial decisions and orders to cease and desist which became, on the dates above indicated, the decisions of the Commission.

The orders to cease and desist, combining the respondents in these six cases, are as follows:

It is ordered, That respondents, Am-Par Record Corp., a corporation, and its officers, Pamco Music, Inc., a corporation, and its officers, Samuel H. Clark, individually, and as an officer of said corporations, and Harry Levine, Edith Schaffer, and Simon B. Siegel, as officers of said corporations; Garmisa Distributing Company, Inc., a corporation, and Garmisa Inc. of Wis., a corporation, and their officers, and Leonard Garmisa, and Edward Yalowitz, individually and as officers of said corporations, and Myron J. Schulz, individually and as officer of Garmisa Distributing Company, Inc.; Hull Records, Inc., a corporation, and its officers, and respondents William Kaslin

and Blanche Kaslin, individually and as officers of said corporation; Nashboro Record Company, Inc., a corporation, and its officers, and Ernest L. Young, individually and as an officer of said corporation; Portem Distributing, Inc., a corporation, and its officers, and Gladys R. Pare, individually and as an officer of said corporation; and Specialty Records, Inc., a corporation, and its officers, and Arthur N. Rupe, individually and as an officer of said corporation, and Arthur N. Rupe, as a general partner trading as Specialty Record Sales Co., a limited partnership; and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with phonograph records which have been distributed in commerce, or which are used by radio or television stations in broadcasting programs in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Giving or offering to give, without requiring public disclosure, any sum of money, or other material consideration, to any person, directly or indirectly, to induce that person to select, or participate in the selection of, and broadcasting of, any such records in which respondents, or any of them, have a financial interest of any nature.

2. Giving or offering to give, without requiring public disclosure, any sum of money, or other material consideration, to any person, directly or indirectly, as an inducement to influence any employee of a radio or television broadcasting station, or any other person, in any manner, to select, or participate in the selection of, and the broadcasting of, any such records in which respondents, or any of them, have a financial interest of any nature.

There shall be "public disclosure" within the meaning of this order by any employee of a radio or television broadcasting station, or any other person, who selects or participates in the selection and broadcasting of a record, when he shall disclose, or cause to have disclosed, to the listening public at the time the record is played, that his selection and broadcasting of such record are in consideration for compensation of some nature, directly or indirectly, received by him or his employer.

The following additional order is included in Docket 7778, Am-Par Record Corp. et al.:

It is further ordered, That the complaint be, and hereby is, dismissed as to Harry Levine, Edith Schaffer, and Simon B. Siegel individually, but not as officers of the said corporate respondents.

By "Decision of the Commission", etc., in each case, reports of compliance were required as follows:

It is ordered, That respondents herein and Harry Levine, Edith Schaffer, and Simon B. Siegel, as officers (Docket 7778), shall, within sixty (60) days after service upon them of these orders, file with the Commission reports in writing setting forth in detail the manner and

form in which they have complied with the orders to cease and desist.

By the Commission.

Issued: July 6, 1960 (Docket 7781); July 19, 1960 (Dockets 7829, 7875); July 28, 1960 (Dockets 7778, 7877, 7885).

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-9190; Filed, Oct. 3, 1960; 8:45 a.m.]

Title 25—INDIANS

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

SUBCHAPTER I—LEASING AND PERMITTING

PART 131—LEASING AND PERMITTING

Navajo and Colorado River Reservations

Pursuant to the authority vested in the Secretary of the Interior by the Revised Statutes, sections 161, 463, and 465 (5 U.S.C. 22; 25 U.S.C. 2, 9), two new sections are added to Part 131, Title 25 of the Code of Federal Regulations, to read as set forth below. The purpose of these regulations is to implement Public Law 86-505 (74 Stat. 199), which authorizes lands on the Navajo Reservation to be leased for certain periods up to 99 years; and Public Law 86-506 (74 Stat. 199), which authorizes the leasing on the Colorado River Reservation of those lands situated within the State of Arizona.

It is the policy of the Department of the Interior to publish amendments to the Code of Federal Regulations as notice of proposed rule making before adoption. However, these regulations consist only of a restatement of the authority contained in the statutes and are being promulgated to incorporate these authorities in the published regulations governing the leasing of Indian lands, thereby making the general leasing authorities contained in Part 131 applicable to leases granted pursuant to these statutes. Because these regulations do not contain any authority or procedural matter other than that contained in the text of the statutes, notice and public procedure thereon have been deemed impracticable and the regulations shall become effective at the beginning of the 15th calendar day following the date of publication in the FEDERAL REGISTER. These regulations are hereby adopted as set forth below.

§ 131.30 Navajo Reservation.

Notwithstanding the provisions of § 131.14(a) leases of land on the Navajo Reservation for public, religious, educational, recreational, residential or business purposes may be made for a term of not to exceed ninety-nine years.

§ 131.31 Colorado River Reservation.

(a) The Secretary may lease any unassigned lands located within Arizona on the Colorado River Reservation for such

uses and terms as are authorized by these regulations. Lands heretofore assigned on this reservation may be leased by the holders of the assignments in accordance with these regulations.

(b) Income received from leases of unassigned lands may be expended or advanced by the Secretary for the benefit of the Colorado River Indian Tribes and their members. Income received from leases of assigned lands may be expended or advanced for the benefit of the assignee.

FRED G. AANDAHL,
Acting Secretary of the Interior.

SEPTEMBER 28, 1960.

[F.R. Doc. 60-9193; Filed, Oct. 3, 1960;
8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 2—DELEGATIONS OF AUTHORITY

Chairman and Vice Chairman, Board of Veterans Appeals

Part 2, Chapter I of Title 38 of the Code of Federal Regulations is amended by adding a new § 266 as follows:

§ 2.66 Chairman and Vice Chairman, Board of Veterans Appeals delegated authority to authorize assumption of jurisdiction of adjudicative determination not involved in appeal before Board where determination has not become final; administrative action on adjudicative determination not involved in appeal before Board where determination has become final; and determinations as body of original jurisdiction on questions of entitlement to emergency officers' retirement pay under provisions of section 11, Public Law 85-857; and to approve central office investigations of matters before the Board.

This delegation of authority is identical of § 19.0a of this chapter.

[SEAL] ROBERT J. LAMPHERE,
Acting Deputy Administrator.

[F.R. Doc. 60-9249; Filed, Oct. 3, 1960;
8:50 a.m.]

PART 19—BOARD OF VETERANS APPEALS

Miscellaneous Amendments

1. Section 19.0 is revised to read as follows:

§ 19.0 General appellate jurisdiction.

All questions on claims involving benefits under the laws administered by the Veterans Administration are subject to review on appeal to the Administrator of Veteran Affairs, decisions in such cases to be made by the Board of Vet-

erans Appeals. Jurisdiction is vested by statute in the Board to make final decisions on all questions reviewed on appeal (38 U.S.C. 4004(a)). In its decisions, the Board is bound by the regulations of the Veterans Administration, instructions of the Administrator and precedent opinions of the chief law officer. The statutory jurisdiction vests responsibility in the Board to apply and exercise all the adjudicative criteria and authority in such controlling media properly for application by the department having original adjudicative responsibility for claims for benefits.

2. Section 19.0a is added as follows:

§ 19.0a Delegation of authority to Chairman and Vice Chairman, Board of Veterans Appeals.

In addition to the authority vested in the Chairman and Vice Chairman, Board of Veterans Appeals, by law, Veterans Administration regulations and manuals, authority is delegated to each as follows:

(a) To authorize assumption of jurisdiction of an adjudicative determination not involved in an appeal before the Board where the determination has not become final.

(b) To authorize administrative action on an adjudicative determination not involved in an appeal before the Board where the determination has become final.

(c) To authorize determinations as a body of original jurisdiction on questions of entitlement to emergency officers' retirement pay under the provisions of section 11, Public Law 85-857.

(d) To approve Central Office investigations of matters before the Board.

3. Sections 19.1, 19.2, and 19.3 are revised to read as follows:

§ 19.1 Subject matter of appeals.

More specifically, the Board's appellate jurisdiction covers questions of entitlement to compensation for service-connected disabilities; pensions for disability without regard to service connection; death compensation and pension; dependency and indemnity compensation; vocational rehabilitation, including need therefor; education and training allowance; subsistence allowance; educational assistance allowance and special training allowance (38 U.S.C. ch. 35); special allowance (38 U.S.C. 412); death gratuity (38 U.S.C. 423); insurance benefits, including maturity of contracts, waiver of premiums, and legal beneficiary; payment or reimbursement for unauthorized medical expenses; burial allowances; disability suffered as the result of examination, treatment or hospitalization or vocational training; emergency officers' retirement benefits; basic eligibility to loans and unemployment compensation; adjusted compensation; waiver or recovery of overpayments; forfeiture of rights; and all related mixed questions of fact and law, such as character and type of service, attorney fees, marital relations, dependency, validity of claims, apportionment, reduction and increase

in compensation or pension benefits, and similar questions.

§ 19.2 Time within which appeals must be filed.

(a) *Notice.* The claimant will be informed of the right of appeal and the time limit within which an appeal must be filed. This information will be included in each notification of a determination of entitlement or nonentitlement by an agency of original jurisdiction. Failure of a claimant to receive such written notice will not extend the time for filing appeal.

(b) *Time limit.*—(1) *General.* Applications for review on appeal shall be filed within 1 year from the date of mailing of notification of the result of the initial review or determination.

(2) *Contested claims.* Where one claim is allowed and one denied, or the allowance of one claim would result in payment of a lower rate to another claimant, application for review on appeal by the person adversely affected shall be filed within 60 days from the date of mailing of notification of the review or determination.

(c) *Acceptance of, postmark date.* Applications postmarked prior to the expiration of the applicable appeal period will be accepted as having been timely filed.

(d) *Appeals questioned as to timely filing.* If there is a question as to whether an appeal was in fact timely filed, or if a protest is received from a determination that an appeal was not timely filed, the agency of original jurisdiction will forward the case to the Board of Veterans Appeals, where jurisdiction will be finally determined.

§ 19.3 Right to a hearing.

A claimant who has filed an appeal to the Administrator shall be entitled upon request to a formal hearing before a section of the Board of Veterans Appeals or, at his discretion, before designated personnel acting as a hearing agency for the Board of Veterans Appeals in a district or regional office or center having adjudication activities. The claimant, or his authorized representative, or both, may be heard along with such witnesses as he may present. Appearance at a hearing shall be without expense to the Government.

4. Section 19.6 is revoked:

§ 19.6 Jurisdiction to correct errors.

[Revoked]

5. Section 19.7 is revised to read as follows:

§ 19.7 Administrative appeals; employees authorized to file appeals.

Pursuant to the authority contained in 38 U.S.C. 4005(c)(2), a chief director, service director of a department, the Chairman, Board on Waivers and Forfeitures, or the General Counsel is hereby authorized to file an administrative appeal within 1 year from the date of