WASHINGTON, Friday, July 26, 1940

Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER I—AGRICULTURAL MARKETING SERVICE

FOUND + ORDER UNDER FEDERAL SEED ACT RE IMPORTATIONS OF MIXTURES OF SEED OF WHITE CLOVER AND SUCKLING CLOVER

JULY 25, 1940.

By virtue of authority vested in the Secretary of Agriculture by Section 202 of the Federal Seed Act of August 9, 1939 (53 Stat. 1275) I hereby find and do prescribe by this order, that the importation of mixtures of seed of suckling clover (Trifolium dubium) and white clover (Trifolium repens) for planting is not detrimental to the user of such seeds. This order shall become effective Aug. 15, 1940.

[SEAL]

GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 40-3071; Filed, July 25, 1940; 11:02 a. m.]

CHAPTER IX—SURPLUS MARKETING ADMINISTRATION

FIRST AMENDMENT TO COTTON STAMP PLAN, REVISED REGULATIONS AND CONDITIONS

Section 202 of the “Cotton Stamp Plan—Revised Regulations and Conditions,” made and prescribed by the Secretary of Agriculture on June 29, 1940, is hereby amended to read as follows:

Sec. 202. Certification of use. The issuance of a cotton stamp book or series of cotton stamp books to any eligible person shall be dependent upon either:

(a) The execution of such certification relative to the use of cotton stamps as the Administration may require; or

(b) After the issuance of the second cotton stamp book or series of cotton stamp books, the return of all the covers of cotton stamp books previously issued, properly certified, except the covers of

the cotton stamp book or series of books last issued.

If the Administration requires the return of cotton stamp book covers, a person who loses the cover of any cotton stamp book shall be eligible to receive further cotton stamp books only upon the execution and presentation to the issuing officer of an affidavit of loss containing such certification as may be required by the Administration.

Done at Washington, D. C., this 25th day of July 1940. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

GROVER B. HILL,
Acting Secretary of Agriculture.

Effective Date: July 25, 1940.

[F. R. Doc. 40-3071; Filed, July 23, 1940; 11:02 a. m.]

FIRST AMENDMENT TO FOOD STAMP PLAN, REVISED REGULATIONS AND CONDITIONS

Section 202 of the “Food Stamp Plan—Revised Regulations and Conditions,” made and prescribed by the Secretary of Agriculture on June 29, 1940, is hereby amended to read as follows:

Sec. 202. Certification of use. The issuance of a food stamp book or series of food stamp books to any eligible person shall be dependent upon either:

(a) The execution of such certification relative to the use of food stamps as the Administration may require; or

(b) After the issuance of the second food stamp book or series of food stamp books, the return of all the covers of food stamp books previously issued, properly certified, except the covers of the food stamp book or series of books last issued.

If the Administration requires the return of food stamp book covers, a person who loses the cover of any food stamp book shall be eligible to receive further food stamp books only upon the execution and presentation to the issuing officer of an affidavit of loss containing

\[5\] F. R. 2438.

\[16\] F. R. 2438.

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and finding that its action is desirable in the public interest and is necessary to carry out the provisions of and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Board hereby amends the Civil Air Regulations as follows:

Effective July 23, 1940, Part 20, as amended, of the Civil Air Regulations is amended by adding a new section: § 20.214, which reads as follows:

§ 20.214 Military instrument competence. An applicant who holds a valid instrument rating issued by the Army, Navy, Marine Corps, or Coast Guard and who holds a commercial pilot certificate may be issued an instrument rating valid only for piloting air carrier aircraft as a second pilot.

By the Civil Aeronautics Board.

[SEAL]   THOMAS G. EARLY,
Acting Secretary.

[F. R. Doc. 40-3066; Filed, July 25, 1940; 9:27 a.m.]

TITLE 15—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 3991]

IN THE MATTER OF PROSTEX COMPANY

§ 3.6 (c) Advertising falsely or misleadingly—Qualities or properties of product: § 3.8 (x) Advertising falsely or misleadingly—Results: § 3.9 (y) Advertising falsely or misleadingly—Representing, directly or by implication, in connection with offer, etc., in commerce, of respondent's medicinal preparation known as Glanterx, or any other similar preparation, that said preparation will cure prostatitis, cystitis, urethritis, sugar diabetes, dropsy, illo-colitis, gastritis, malaria, inflammation of the bladder, acute indigestion, prostatome poisoning, rheumatism, back aches, leg aches or broken down feeling or will serve as a safe, competent or effective treatment for any of such diseases or conditions;

(2) That said preparation will cure any disease or pathological condition or will serve as a competent or effective treatment therefor or that said preparation possesses any therapeutic value in excess of that due to its laxative properties.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he is complying with this order.

By the Commission.

[SEAL]   OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-3070; Filed, July 23, 1940; 10:03 a.m.]

TITLE 25—INDIANS

CHAPTER 1—OFFICE OF INDIAN AFFAIRS

Part 223—Regulations Governing Disbursement of Pro-Rata Shares of the Judgment Fund of the Shoshone Tribe of the Wind River Reservation, Wyoming

AMENDMENT

Section 223.59 of Title 25, Chapter 1, Subchapter S, Part 223, which reads:
§ 223.59 Trust status of property.
All personal property purchased shall be conveyed by a bill of sale in the name of the superintendent in trust for the individual. All real property purchased shall be taken in the name of the United States in trust for the Indian, except that title to real property situated outside the diminished portion of the Wind River Reservation shall not be taken in trust without the prior approval of the Commissioner of Indian Affairs. All livestock purchased and the offspring thereof shall be branded and also marked with the individual brand of the Indian. All property, including livestock, whether originally purchased or the income or increase therefrom, shall be held in trust unless released by the superintendent in the form of a permit or written record authorizing the sale or disposition of any such property or funds. It shall be the duty of the Indian, in carrying out his program, to make every effort to maintain the capital value of his original investment and any increase thereon. The whole or any part of the capital value shall not be permitted except in cases where, in the opinion of the superintendent, such sales or disposals are clearly to the advantage of the Indian. The provisions of this section are subject to the provisions of § 223.68.

is amended to read:

§ 223.59 Trust status of property.
All personal property purchased, except non-recoverable goods costing $25.00 or less, shall be conveyed by a bill of sale in the name of the superintendent in trust for the individual. All real property purchased shall be taken in the name of the United States in trust for the Indian, except that title to real property situated outside the diminished portion of the Wind River Reservation shall not be taken in trust without the prior approval of the Commissioner of Indian Affairs. All livestock purchased and the offspring thereof shall be branded and also marked with the individual brand of the Indian. All property, including livestock, whether originally purchased or the income or increase therefrom, shall be held in trust unless released by the superintendent in the form of a permit or written record authorizing the sale or disposition of any such property or funds. It shall be the duty of the Indian, in carrying out his program, to make every effort to maintain the capital value of his original investment, and any increase thereon. The whole or any part of the capital value shall not be permitted except in cases where, in the opinion of the superintendent, such sales or disposals are clearly to the advantage of the Indian. The provisions of this section are subject to the provisions of § 223.68.

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§ 223.59 Trust status of property.
All personal property purchased shall be conveyed by a bill of sale in the name of the superintendent in trust for the individual. All real property purchased shall be taken in the name of the United States in trust for the Indian, except that title to real property situated outside the diminished portion of the Wind River Reservation shall not be taken in trust without the prior approval of the Commissioner of Indian Affairs. All livestock purchased and the offspring thereof shall be branded and also marked with the individual brand of the Indian. All property, including livestock, whether originally purchased or the income or increase therefrom, shall be held in trust unless released by the superintendent in the form of a permit or written record authorizing the sale or disposition of any such property or funds. It shall be the duty of the Indian, in carrying out his program, to make every effort to maintain the capital value of his original investment, and any increase thereon. The whole or any part of the capital value shall not be permitted except in cases where, in the opinion of the superintendent, such sales or disposals are clearly to the advantage of the Indian. The provisions of this section are subject to the provisions of § 223.68.

Oscar L. Chapman,
Assistant Secretary of the Interior.

July 12, 1940.

[FR Doc. 40-0575; Filed, July 25, 1940; 9:17 a.m.]

TITLE 23—LABOR

CHAPTER V—WAGE AND HOUR DIVISION

PART 585—MINIMUM WAGE RATES IN THE PULP AND PRIMARY PAPER INDUSTRY

WHEREAS on February 24, 1940, pursuant to Section 9 of the Fair Labor Standards Act of 1938, commonly called the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor by Administrative Order No. 41, appointed Industry Committee No. 11 for the Pulp and Primary Paper Industry, hereinafter called the Committee, and directed the Committee to recommend minimum wage rates for the Pulp and Primary Paper Industry in accordance with Section 8 of the Act; and

WHEREAS the Committee included six disinterested persons representing the public and a like number of persons representing the employees in the Pulp and Primary Paper Industry, and a like number representing employers in the Industry, and each group was appointed with due regard to the geographical regions in which the Pulp and Primary Paper Industry is carried on; and

WHEREAS on April 11, 1940, after investigation of conditions in the Industry, the Committee filed with the Administrator a report containing its recommendation for a 40 cent on hour minimum wage rate in the Pulp and Primary Paper Industry; and

WHEREAS after notice published in the Federal Register on April 26, 1940, Henry T. Hunt, Esquire, the Presiding Officer designated by the Administrator, held a public hearing in Washington, D.C., on May 20 and May 21, 1940, at which all interested persons were given an opportunity to be heard; and

WHEREAS the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator; and

WHEREAS all persons appearing at said public hearing before the Presiding Officer were given leave to file briefs on or before June 12, 1940; and

WHEREAS oral argument was held on June 12, 1940, before the Administrator; and

WHEREAS the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to Sections 5 and 8, concludes that the Industry Committee's recommendation for the Pulp and Primary Paper Industry as defined in Administrative Order No. 41, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of Section 3 of the Act; and

WHEREAS the Administrator has set forth his decision in an opinion entitled "Administrator's Findings and Opinion in the Matter of the Recommendation of Industry Committee No. 11 for Minimum Wage Rate in the Pulp and Primary Paper Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, Washington, D.C.;

NOW, THEREFORE, IT IS ORDERED, That:

§ 585.1 Approval of recommendation of Industry Committee. The Committee's recommendation is hereby approved.*

§ 585.2 Wage rates. Wages at a rate not less than 40 cents an hour shall be paid under Section 6 of the Act by every employer to each of his employees in the Pulp and Primary Paper Industry who is engaged in commerce or in the production of goods for commerce.*

§ 585.3 Posting of notices. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Pulp and Primary Paper Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.*

§ 585.4 Definition of Pulp and Primary Paper Industry. The Pulp and Primary Paper Industry to which this order shall apply is hereby defined as follows:

(a) For the purpose of this order the term "pulp and primary paper industry" means the manufacture of pulp, for any purpose, from fibrous material capable of yielding cellulose fibre and the manufacture of Paper and of Board from such pulp and from such fibrous material or either of them with or without addition of any non-cellulose fibre, colorant or filler.

(b) The term "manufacture" as used in this order means all operations involved in the production of pulp, paper, and board, starting with the unloading of raw materials at the mill site and ending with the delivery of the finished paper or board to carriers for sale as such or to converting departments within the same mill or company. It includes finishing operations normally performed in the paper or board mill, such as packing, trimming, cutting to

*§ 585.1 to 585.6 inclusive, issued under the authority contained in Sec. 8, 52 Stat. 1054; 25 U.S.C., Sup. IV, 233.