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Washington, Tuesday, July 18, 1939

The President

EXECUTIVE ORDER

AUTHORIZING THE INITIAL APPOINTMENT OF THE ASSISTANT ADMINISTRATOR OF THE FEDERAL SECURITY AGENCY AND ONE PRIVATE SECRETARY TO THE ASSISTANT ADMINISTRATOR WITHOUT COMPLIANCE WITH THE CIVIL SERVICE RULES, AND AMENDING SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me by the provisions of paragraph Eighth of subdivision SECOND of Section 2 of the Civil Service Act (22 Stat. 403, 404), it is hereby ordered as follows:

1. Subject to the establishment before the Civil Service Commission of the requisite qualifications in each case, the initial appointment of the Assistant Administrator of the Federal Security Agency, and one private secretary or confidential assistant to the said Assistant Administrator, may be effected without compliance with the competitive requirements of the Civil Service Rules.

2. Schedule A of the Civil Service Rules is hereby amended by adding thereto the following subdivision:

XXXVII. FEDERAL SECURITY AGENCY

(1) Two private secretaries or confidential assistants to the Administrator of the Federal Security Agency.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 14, 1939.

[No. 8205]

[F. R. Doc. 39-2583; Filed, July 15, 1939; 10:39 a. m.]

EXECUTIVE ORDER

REVOCATION OF EXECUTIVE ORDER No. 6432 OF NOVEMBER 16, 1933, WITHDRAWING PUBLIC LANDS

WYOMING

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, c. 421, 36 Stat. 847, Executive Order No. 6432 of November 16, 1933, withdrawing public lands in Wyoming pending a resurvey, is hereby revoked.

This order shall become effective upon the date of the official filing of the plats of the resurvey of the lands involved.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 14, 1939.

[No. 8206]

[F. R. Doc. 39-2582; Filed, July 15, 1939; 10:39 a. m.]

Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

FARM CREDIT ADMINISTRATION

[F. C. A. 139]

FEE ON APPLICATION FOR TRANSFER OF LOAN FROM ONE ASSOCIATION TO ANOTHER

JULY 14, 1938.

Part 19 of Title 6, Code of Federal Regulations, is amended by adding the following section:

§ 4009.1 *Fee on application for transfer of loan from one association to another.* In connection with each application for a transfer of a loan from another association to it, an association may:

(1) Absorb expenses incurred in connection with such application including the cost of its inspection; or

(2) Require the payment of a fee of not to exceed $5.00 to cover the cost of its inspection before it considers the application: *Provided, however,* That the total amount so collected shall not, in any case, exceed 1 percent of the unpaid balance of the indebtedness.

If the transfer is being made at the request of and for the convenience of the bank, the bank may pay the fee required by the association. If, however, the transfer is being made at the request of and for the convenience of the

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relate either to standards of quality or to matters governed by section 402 of the act. [cf. Sec. 10.000 (c), General Rules and Regulations Promulgated 1939]

Based upon the foregoing findings of fact, a conclusion in the form of a regulation which will promote honesty and fair dealing in the interest of consumers is hereby made and promulgated, as follows:

REGULATION UNDER THE FEDERAL FOOD, DRUG, AND COSMETICS ACT FOR FIXING AND ESTABLISHING A REASONABLE DEFINITION AND STANDARD OF IDENTITY FOR THE FOOD KNOWN UNDER ITS COMMON OR USUAL NAME AS TOMATO PASTE

§ 53.030 *Tomato paste—Identity; labeling of optional ingredients.* (a) Tomato paste is the food prepared from one or any combination of two or all of the following optional ingredients:

(1) The liquid obtained from mature tomatoes of red or reddish varieties.

(2) The liquid obtained from the residue from preparing such tomatoes for canning, consisting of peelings and cores with or without such tomatoes or pieces thereof.

(3) The liquid obtained from the residue from partial extraction of juice from such tomatoes. Such liquid is obtained by so straining such tomatoes or residue, with or without heating, as to exclude skins, seeds, and other coarse or hard substances. It is concentrated, and may be seasoned with one or more of the optional ingredients:

(4) Salt.
(5) Spice.
(6) Flavoring.

It may contain, in such quantity as neutralizes a part of the tomato acids, the optional ingredient:

(7) Baking soda.

When sealed in a container it is so processed by heat, before or after sealing, as to prevent spoilage. It contains not less than 25.00 percent of salt-free tomato solids, as determined by the following method:

Determine total solids by the method prescribed on page 499 under "Total Solids—Tentative," and sodium chloride by the method prescribed on page 500 under "Sodium Chloride—Official," of "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists," Fourth Edition, 1935. Subtract the percent of sodium chloride found from the percent of total solids found; the difference shall be considered to be the percent of salt-free tomato solids.

(b) When optional ingredient (2) is present, in whole or in part, the label shall bear the statement "Made From ———" (or "Made in Part From ———", as the case may be) "Residual Tomato Material from Canning". When optional ingredient (3) is present, in whole or in part, the label shall bear the statement "Made From ———" (or "Made in Part From ———", as the case may be) "Residual Tomato Material from Partial Extraction of Juice". If both such ingredients are present, such statements may be combined in the statement "Made From ———" (or "Made in Part From ———", as the case may be) "Residual Tomato Material from Canning and from Partial Extraction of Juice". When optional ingredient (5) or (6) is present the label shall bear the statement or statements "Spice Added" or "With Added Spice," "Flavoring Added" or "With Added Flavoring," as the case may be. When optional ingredient (7) is present, the label shall bear the statement "Baking Soda Added." If two or all of the optional ingredients (5), (6), and (7) are present, such statements may be combined, as for example, "Spice, Flavoring, and Baking Soda Added." In lieu of the word "Spice" or "Flavoring" in such statement or statements, the common or usual name of such spice or flavoring may be used. Wherever the name "Tomato Paste" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement or statements herein specified showing the optional ingredients present shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

It is ordered that the regulation hereby prescribed and promulgated shall become effective on January 1, 1940.

Issued this 14th day of July 1939.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

[F. R. Doc. 39-2577; Filed, July 14, 1939; 4:22 p. m.]

TITLE 25—INDIANS

OFFICE OF INDIAN AFFAIRS

AMENDMENT OF REGULATIONS GOVERNING LEASES AND PERMITS ON RESTRICTED INDIAN LANDS

Section 171.12 of Title 25, Chapter I, Office of Indian Affairs, Department of the Interior, Sub-Chapter Q, Part 171, Leasing of Indian Allotted and Tribal Lands for Farming, Grazing and Business, which reads:

§ 171.12 *Tribal Lands, Approval of Permit or Lease.* The letting of tribal lands for farming, grazing, or business purposes shall be accomplished through leases for stated periods, or through permits revocable in the discretion of the Commissioner of Indian Affairs, after advertising as provided for in Section 171.9 of these regulations. Any permit covering the use of tribal lands for farming, grazing, or business purposes where the annual rental does not exceed $1,000 should be approved by the superintendent and need not be submitted to the Washington Office, except where the leasing laws expressly provide for approval by the Secretary. Permits calling for an annual rental in excess of $1,000, and all leases, regardless of the amount of rental involved, should be submitted to the Washington Office for consideration.

is amended to read:

§ 171.12 *Tribal Lands, Approval of Permit or Lease.* Tribal lands may be used for farming, farm-pasture, or business purposes under revocable permits or leases for stated periods, after advertising as provided in Section 171.9. In accordance with existing law and applicable provisions of the constitution and by-laws or charter of any Indian tribe, approval of permits and leases shall be handled in the following manner:

(a) *Permits.* Permits may be approved by the superintendent when the annual rental does not exceed $1,000, or by the Commissioner of Indian Affairs when the annual rental is more than $1,000 but does not exceed $5,000, but in the case of any permit in which the annual rental exceeds $5,000 or where the constitution and by-laws of the Indian tribe involved requires its approval by the Secretary of the Interior, such permit shall be submitted to the Secretary of the Interior for his approval.

(b) *Leases.* The approval of leases covering tribal lands of Indian tribes having corporate charters issued pursuant to the acts of June 18, 1934 (48 Stat. 984), May 1, 1936 (49 Stat. 1250), or June 26, 1936 (49 Stat. 1967) shall be handled in the same manner as the approval of permits as provided in subsection (a) hereof. All other leases regardless of the amount of annual rental shall be subject to the approval of the Secretary of the Interior.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.
JULY 6, 1939.

[F. R. Doc. 39-2595; Filed, July 17, 1939; 9:57 a. m.]

TITLE 26—INTERNAL REVENUE

BUREAU OF INTERNAL REVENUE

[T. D. 4911]

CAPITAL STOCK TAX

EXTENSION OF TIME FOR FILING CAPITAL STOCK TAX RETURNS AND PAYING TAX

To Collectors of Internal Revenue and Others Concerned:

§ 137C.1 *General extension.* Forms 707 and 708 for the filing of returns of capital stock tax under Chapter 6 of the Internal Revenue Code (53 Stat., Part 1), as amended, for the year ended June 30, 1939, are required to be filed and the tax paid on or before July 31, 1939, unless the time for filing returns and paying the tax is extended under the provisions of sections 1203 and 1205 of the aforementioned chapter.

In accordance with the provisions of these sections, the period during which the returns of capital stock tax may be

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