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Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

[B.E.P.Q.—516]

PART 301—DOMESTIC QUARANTINE NOTICES
ADMINISTRATIVE INSTRUCTIONS MODIFYING THE RESTRICTIONS OF THE JAPANESE BEETLE QUARANTINE BY ADVANCING THE DATE OF TERMINATION OF RESTRICTIONS ON FRUIT AND VEGETABLE SHIPMENTS UNDER § 301.48 OF THE JAPANESE BEETLE QUARANTINE TO SEPTEMBER 8 FOR THE YEAR 1941

Effective September 8, 1941.

It has been determined that the active period of the Japanese beetle in its relation to fruits and vegetables has already ceased for the present season and that it is therefore safe to permit the unrestricted movement of fruits and vegetables from the regulated areas. Therefore, pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the fourth proviso of § 301.48, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 48 on account of the Japanese beetle], it is ordered that the restrictions on the interstate movement of fruits and vegetables imposed by § 301.48-5 of Notice of Quarantine No. 48, revised effective February 12, 1941,¹ be removed effective on and after September 8, 1941. This order advances the termination of the restrictions as to fruits and vegetables provided for in § 301.48-5 from October 16 to September 8, 1941, and applies to this season only.

Done at Washington, D. C., this 6th of September 1941.

[SEAL]

P. N. ANNAND,
Chief.

[F. R. Doc. 41-6763; Filed, September 9, 1941; 11:10 a. m.]

¹6 FR. 909.

[B.E.P.Q. 503 Third revision]

PART 301—DOMESTIC QUARANTINE NOTICES
WHITE-FRINGED BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED

Introductory Note

Effective September 11, 1941.

Instructions as to various methods of treatment of plants in pots, or in soil balls, and of potting soil, as previously authorized in Circulars B.E.P.Q. 486, 489, and 503, are brought together in the present revision of this circular. In addition, the instructions as to treatment of balled nursery stock by methyl bromide solution as specified in paragraph (ii) of subsection (b) are somewhat modified as to treatments within the regulated areas other than New Orleans and vicinity. All treatments apply to both species of white-fringed beetles, *Pantomorus leucoloma* Boh. and *P. peregrinus* Buch., and are uniformly applicable to all regulated areas except the methyl bromide solution treatment of balled nursery stock, the specifications of which vary for the New Orleans area because of the type of soil in that locality. This circular supersedes all instructions in Circulars B.E.P.Q. 486, and 489, and previous issue of 503.

§ 301.72-5c¹ *Administrative instructions; treatments authorized.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by paragraph (a) of § 301.72-5, Chapter III, Title 7, Code of Federal Regulations [Regulation 5 of Notice of Quarantine No. 72 on account of the white-fringed beetle], the following methods of treatment for plants in pots, or with soil balls, and potted soil, are hereby authorized effective September 11, 1941, when carried out under the supervision of an authorized inspector of the United States Department of Agriculture.

(a) *Plants in pots or in soil balls—(1) Methyl bromide fumigation at atmospheric pressures.* (i) Fumigation must be done with methyl bromide at a dosage of

¹ Superseding §§ 301.72-5a and b.

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(c) *Disclaimer.* There has been opportunity to test these treatments on only relatively few varieties of plants and in authorizing the movement of potted plants, nursery stock, or potting soil fumigated according to the requirements stated above, it is understood that no liability shall attach either to the United States Department of Agriculture or to any of its employees in the event of injury to either plants or operators.

(d) *Caution—(1) Methyl bromide.* Methyl bromide is a gas at ordinary temperatures. It is colorless and practically odorless in concentrations used for fumigation of plants or potting soil. It is a poison and the operators should use approved gas masks when exposed to the gas in concentrations used in fumigation, or while preparing the solution. The plants in the fumigation chamber should be well aerated by blowing air through them, and the room adequately ventilated before it is entered. After fumigating the potting soil by methyl bromide the cover should be removed and the soil allowed to become aerated.

(2) *Carbon disulphide.* Carbon disulphide is a blood poison, but poisoning by this chemical is rare. Exposure to the vapor may cause giddiness and headache. When these symptoms develop, the individual should get into the open air.

Done at Washington, D. C., this 4th day of September, 1941.

[SEAL] P. N. ANNAND,
Chief.

[F. R. Doc. 41-6764; Filed, September 9, 1941; 11:10 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT
CHAPTER V—MILITARY RESERVATIONS AND NATIONAL CEMETERIES

PART 54—EXCHANGES¹

§ 54.11 Contracts.

(f) Contracts for the erection of temporary exchange buildings will contain a statement that the proposed construction is a post exchange transaction and that the post exchange alone is responsible for the debt, and not the Government.

(g) When applicable, contracts for the erection of temporary buildings will contain a statement that immediately upon completion of the building, title thereto passes to the post exchange. (R.S. 161; 5 U.S.C. 22) [Par. 33f and g, AR 210-65, July 1, 1941, as added in Cir. 182, W.D., Aug. 28, 1941]

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-6754; Filed, September 9, 1941; 10:16 a. m.]

¹ § 54.11 (f) and (g) is added.

CHAPTER VI—ORGANIZED RESERVES

PART 61—OFFICERS' RESERVE CORPS¹

§ 61.1 Age and citizenship requirements.

(b) * * *

(4) No appointments in Military Intelligence are made in the grade of colonel.

(c) * * *

Section	Grade					
	2d Lt.	1st Lt.	Capt.	Maj.	Lt. Col.	Col.
Chaplains.....	40	44	49	53	58

(Sec. 37, 39 Stat. 189, 40 Stat. 73, Sec. 3, 48 Stat. 154, 48 Stat. 939; 10 U.S.C. 353) [Par. 13, AR 140-5, Jun. 17, 1941, as amended by Cir. 180, W.D., Aug. 26, 1941, and Cir. 184, W.D., Aug. 29, 1941]

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-6753; Filed, September 9, 1941; 10:16 a. m.]

TITLE 25—INDIANS

CHAPTER I—OFFICE OF INDIAN AFFAIRS

PART 71—GENERAL GRAZING REGULATIONS

Title 25, Chapter I, Subchapter I, Grazing, Part 71, General Grazing Regulations, § 71.23 is amended to read as follows:

§ 71.23 *Fees for execution of grazing permits.* The following fees must be charged to cover the approximate cost to the Government of preparing and issuing permits—(a) *To be paid by the permittee, subpermittee, or assignee for each permit.*

Total rental for full term of permit:	Fees payable
Not to exceed \$100.....	\$1.00
\$101-\$250.....	2.50
\$251-\$500.....	5.00
For each additional \$500 or fraction thereof.....	1.00

In the case of a subpermit or assignment the fee shall be based on the total amount yet to accrue under the instrument from the effective date thereof. When the permit is extended with the mutual consent of the parties concerned the fee shall be computed from the effective date on the same basis as the original instrument.

(b) *To be paid by each allotment for each allotment and for the tribal land under each permit.*

¹ § 61.1 (b) (4) and (c) is amended.

Total annual rental involved:

\$26-\$50.....	\$0.50
\$51-\$100.....	1.00
\$101-\$250.....	2.50
\$251-\$500.....	5.00
\$501-\$750.....	7.50
\$751 and over.....	10.00

A minimum fee of \$0.25 on income derived from each permit shall be charged in each case where the individual annual rental for each allotment under each permit is less than \$26, except that in any case where the individual income accruing from each allotment under any permit is less than \$0.25 per annum, such lesser sum shall constitute the total fee due from each individual permitter. (47 Stat. 1417; 25 U.S.C. 413)

[SEAL] OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

Date: August 27, 1941.

[F. R. Doc. 41-6751; Filed, September 9, 1941; 10:13 a. m.]

TITLE 30—MINERAL RESOURCES
CHAPTER III—BITUMINOUS COAL DIVISION

[Dockets No. A-414 and A-415]

PART 329—MINIMUM PRICE SCHEDULE, DISTRICT No. 9

ORDER GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD 9 FOR THE DELETION OF THE NAME "BLUE GRASS COAL PRODUCTS CORPORATION" FROM THE SCHEDULE OF EFFECTIVE MINIMUM PRICES; AND PETITION OF DISTRICT BOARD 9 FOR REVISION OF THE MINIMUM PRICES FOR MINE INDEX NOS. 28, 40, 45, 60, 67, 76, 79, 80, AND 81 INTO ALL MARKET AREAS

Petitions having been filed with the Bituminous Coal Division by District Board 9, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting certain revisions in the Schedules of Effective Minimum Prices for District No. 9 for All Shipments Except Truck and for Truck Shipments;

Petitions for leave to intervene having been filed by the Highland Creek Coal Company, the Pine Hill Mining Company, and the Wright Coal Mining Company, code member producers in District 9, and by District Boards 10 and 11;

Temporary relief pending final disposition of the petitions having been granted by Order of the Director;

The petitions having been consolidated, and a hearing in this matter having been held pursuant to Orders of the Director, before a duly designated Examiner of the Bituminous Coal Division at a hearing room of the Division in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The preparation and filing of a report by the Examiner having been waived and the matter thereupon having been submitted to the undersigned;