

and form in which it has complied with the order to cease and desist.

Issued: December 7, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 61-3292; Filed, Apr. 12, 1961;
8:47 a.m.]

[Docket 8078 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Pacific Gamble Robinson Co.

Subpart—Discriminating in price under sec. 2, Clayton Act—Price Discrimination under 2(a): § 13.715 *Charges and price differentials.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1527; 15 U.S.C. 13) [Cease and desist order, Pacific Gamble Robinson Co., Seattle, Wash., Docket 8078. December 7, 1960]

Consent order requiring the nation's largest wholesaler of fresh fruits and vegetables, with headquarters in Seattle, Wash., and some 58 shipping centers in various states, to cease discriminating in price among its competing customers in violation of sec. 2(a) of the Clayton Act, by such practices as giving some retailers in the Yakima, Wash., area a 16 percent price advantage over others on purchases of lettuce.

The order to cease and desist is as follows:

It is ordered, That respondent Pacific Gamble Robinson Co., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in or in connection with the sale of grocery products, including fresh fruits and vegetables, in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from discriminating, directly or indirectly, in price by selling such grocery products of like grade and quality to any purchaser at prices higher than those charged any other purchaser:

1. Where such other purchaser competes with the disfavored purchaser in the resale and distribution of such products, or

2. Where respondent in the sale of such products is in competition with any other seller.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: December 7, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 61-3293; Filed, Apr. 12, 1961;
8:47 a.m.]

[Docket 8076 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Saxony Wool Corporation of New York et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: § 13.1185-90 *Wool Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-80 *Wool Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Saxony Wool Corporation of New York, et al., New York, N.Y., Docket 8076. December 1, 1960]

In the Matter of Saxony Wool Corporation of New York, a Corporation, and Anne Rivlin and Gerald B. Rivlin, Individually and as Officers of Said Corporation

Consent order requiring New York City manufacturers to cease violating the Wool Products Labeling Act by labeling as "95% wool, 5% other fibers", woolen stocks which contained substantial quantities of reprocessed or reused wool; and by failing to label other wool products as required.

The order to cease and desist is as follows:

It is ordered, That respondents Saxony Wool Corporation of New York, a corporation, and its officers, and Anne Rivlin and Gerald B. Rivlin, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of woolen stocks or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from:

A. Misbranding of such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to affix labels to such products showing each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents Saxony Wool Corporation of New York, a corporation, and its officers, and Anne Rivlin and Gerald B. Rivlin, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of woolen stocks or any other materials in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Misrepresenting the constituent fibers of which their products are composed or the percentages or amounts thereof in sales invoices or in any other manner;

2. Using the word "Seamers" or any other word or term of similar import in connection with woolen stocks which contain woven or felted woolen material or woolen material which has been used by the ultimate consumer, or the fibers reclaimed therefrom.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 1, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 61-3294; Filed, Apr. 12, 1961;
8:47 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

[Treasury Department Order No. 180-6]

PART 16—NARCOTICS

Whereas, section 4735(b) of the Internal Revenue Code of 1954, as amended, provides that:

The President is authorized and directed to issue such Executive orders as will carry into effect in the Canal Zone the intent and purpose of sections 4701 to 4707, inclusive, and sections 4721 to 4726, inclusive, of the Internal Revenue Code of 1954, by providing for the registration and the imposition of a special tax upon all persons in the Canal Zone who produce, import, compound, deal in, dispense, sell, distribute, or give away narcotic drugs;

and

Whereas, the President by Executive Order 10583 of December 18, 1954 (3 CFR, 1954 Supp. 98) delegated to the Secretary of the Treasury his powers under section 4735(b) of the Internal Revenue Code of 1954, as amended;

Now, therefore, by virtue of this authority it is hereby ordered that:

1. The heading of Part 16 of Title 35 is amended to read as set forth above, and the part is revised to read as follows. These sections supersede former §§ 16.1 to 16.9.

Subpart A—Administration of Laws and Regulations Relating to Narcotic Drugs

- Sec.
- 16.1 Authority of the Governor of the Canal Zone.
 - 16.2 Issuance of regulations.
 - 16.3 Redlegation.
 - 16.4 Prohibited acts.
 - 16.5 Registration and payment of tax.
 - 16.6 Issuance of order forms.
 - 16.7 Penalties.

Subpart B—[Reserved]

AUTHORITY: §§ 16.1 to 16.7 issued under 68A Stat. 559; 26 U.S.C. 4735(b).

Subpart A—Administration of Laws and Regulations Relating to Narcotic Drugs

§ 16.1 Authority of the Governor of the Canal Zone.

The Governor of the Canal Zone shall perform in the Canal Zone all of the duties required to be performed under the Act of Congress approved December 17, 1914, entitled "An Act To provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," as amended. These duties shall include the making of such inspections and the taking of such actions as may be necessary to enforce the provisions of the Act of December 17, 1914, as amended, and all orders and regulations issued thereunder, insofar as they apply to activities in or relating to the Canal Zone.

§ 16.2 Issuance of regulations.

The Governor of the Canal Zone shall prescribe such regulations as may be necessary to carry the provisions of this subpart into full force and effect. In doing so the Governor shall follow the form of regulations prescribed by the Commissioners of Narcotics and Internal Revenue and approved by the Secretary of the Treasury (26 CFR Part 151) so far as they can be made applicable to conditions in the Canal Zone.

§ 16.3 Redlegation.

The Governor of the Canal Zone is authorized to delegate to such officers or employees of the Canal Zone as he may deem appropriate any of his functions under this subpart when he deems a delegation necessary or desirable to carry out the purposes of this subpart.

§ 16.4 Prohibited acts.

No person shall produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away in the Canal Zone opium, opiates, or coca leaves, their salts, derivatives, or preparations, unless he shall have complied with the provisions of the Act of December 17, 1914, as amended, and all relevant orders and regulations issued thereunder.

§ 16.5 Registration and payment of tax.

Every person who by the terms of the Act of December 17, 1914, as amended, would be required, if located outside of the Canal Zone, to register with the director of internal revenue of his district, his name or style, place of business and place or places where such business is to be carried on, shall register that information with the Governor of the Canal Zone or his delegate on forms to be prescribed by the Governor. At the time of such registry, and on or before the first day of July annually thereafter, every person who produces, im-

ports, manufactures, compounds, deals in, dispenses, sells, distributes, or gives away any of the aforesaid narcotic drugs shall pay to the Governor of the Canal Zone, or to his delegate, a special tax at the rate or rates specified in section 4721 of the Internal Revenue Code of 1954, as amended; provided, however, that any person who would not be required, if located outside the Canal Zone, to register or pay a special tax shall not be required to register or pay the special tax as provided in this subpart.

§ 16.6 Issuance of order forms.

The Governor of the Canal Zone or his delegate shall cause suitable order forms to be prepared for sale to persons who shall have registered and paid the special tax as required by the Act of December 17, 1914, as amended, and by this subpart. The price to be paid for such order forms shall be \$1 per hundred. The Governor or his delegate shall be subject to the same limitation on sales of order forms as directors of internal revenue in districts outside of the Canal Zone.

§ 16.7 Penalties.

Any person who violates or fails to comply with any of the requirements of the Act of December 17, 1914, as amended, or of any applicable order thereunder in the Canal Zone shall be subject to the penalties provided for in that Act, as amended.

Subpart B—[Reserved]

2. To the extent that any order, regulation or circular heretofore issued may be in conflict with this order it is hereby revoked.

Dated: March 30, 1961.

[SEAL] A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 61-3331; Filed, Apr. 12, 1961; 8:53 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 1033—ONIONS GROWN IN SOUTH TEXAS

Approval of Expenses and Rate of Assessment

Notice of rule making regarding proposed expenses and rate of assessment, to be effective under Marketing Agreement No. 143 and Order No. 133 (7 CFR Part 1033; 26 F.R. 704) regulating the handling of onions grown in designated counties in South Texas, was published in the FEDERAL REGISTER March 23, 1961 (26 F.R. 2483). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, which proposals were adopted and submitted for approval by the South Texas Onion Committee

established pursuant to said marketing agreement and order, it is hereby found and determined that:

§ 1033.201 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the South Texas Onion Committee, established pursuant to Marketing Agreement No. 143 and this part for its maintenance and functioning during the fiscal period February 6, 1961, through January 31, 1962, will amount to \$40,000.

(b) The rate of assessment to be effective for the fiscal period February 6, 1961, through January 31, 1962, shall be one-cent (\$.01) per 50-pound sack of onions, or equivalent quantity, handled.

(c) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 143 and this part.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that: (1) the relevant provisions of said marketing agreement and this part require that rates of assessment fixed for a particular fiscal period shall be applicable to all assessable onions from the beginning of such period and (2) the current fiscal period began on February 6, 1961, and the rate of assessment herein fixed will automatically apply to all assessable onions beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 7, 1961.

FLOYD F. HEDLUND,
*Deputy Director,
Fruit and Vegetable Division.*

[F.R. Doc. 61-3313; Filed, Apr. 12, 1961; 8:49 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

GLYCERYL LACTOSTEARATE AND MONO- AND DIGLYCERIDES AS AN EMULSIFIER

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by The Glidden Company, 900 Union Commerce Building, Cleveland, Ohio, and other relevant material, has concluded that the following amendment to the food additive regulations should issue in conformance with section 409 of the Federal Food, Drug, and Cosmetic Act, with respect to the food additive glyceryl lactostearate and mono- and diglycerides as an emulsifier in or with shortening. Therefore, pursuant to the provisions of the act (sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348(c) (1)), and under the authority delegated to the Commissioner by the Secretary of