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Washington, Friday, May 8, 1942

**Regulations**

**TITLE 7—AGRICULTURE**

**Chapter III—Bureau of Entomology and Plant Quarantine**

[B.E.P.Q. 499, Sup. 4, 1st Rev.]

**PART 301—DOMESTIC QUARANTINE NOTICES  
JAPANESE BEETLE ADMINISTRATIVE INSTRUCTIONS MODIFIED**

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48-6, Chapter III, Title 7, Code of Federal Regulations [regulation 6 of the rules and regulations supplemental to Notice of Quarantine No. 48 on account of the Japanese beetle], paragraphs (i) (4), (k) (1), and (m) (2) of § 301.48b [see pages 6, 8, and 15, respectively, of the mimeographed edition of circular B.E.P.Q. 499, issued June 9, 1939], are hereby modified, effective May 7, 1942, to read as follows:

§ 301.48b *Administrative instructions to inspectors on the treatment of nursery products, fruits, vegetables, and soil, for the Japanese beetle.* \* \* \*

(i) *Potting soil.* \* \* \*

(4) *Lead arsenate treatment—(i) Season.* The treatment must be applied before August 1.

(ii) *Condition and type of soil.* The soil must be friable. Wet soil must never be treated. The treatment is recommended only for soils that are slightly acid or neutral in reaction. Any type of soil may be treated provided it meets these requirements.

(iii) *Dosage.* Two pounds to 1 cubic yard.

(iv) *Application.* The lead arsenate must be thoroughly mixed with the soil.

(v) *Period of treatment.* Plants freed from soil and potted in soil treated in the above manner, by August 1, may be certified for shipment between the following October 1 and June 15, inclusive.

(vi) *Handling of potted plants.* When plants potted in lead-arsenate-treated soil are plunged in beds or set in frames exposed to possible infestation, the soil of those beds or frames must

previously have been treated with lead arsenate at the rate of 1,000 pounds per acre.

(vii) *Treated plants carried after June 15.* When plants potted in soil treated as prescribed are carried after June 15, they may be again eligible for certification between October 1 and June 15, inclusive, of the second year if, on August 1 of the second year, analyses show the soil to contain lead arsenate at the rate of 2 pounds per cubic yard.

(k) *Soil in and around coldframes, plunging beds, and heeling-in areas.* \* \* \*

(1) *Lead arsenate treatment—(i) Season.* The treatment must be applied before August 1 if the land is to be used in the fall.

(ii) *Condition of soil.* The soil must be friable and in good tilth.

(iii) *Dosage.* Twenty-three pounds to each 1,000 square feet, or 1,000 pounds per acre. For subsequent re-treatments, the quantity required to restore a concentration of 1,000 pounds per acre, as determined by chemical analyses, must be applied, except that determination by chemical analyses of a concentration of 900 pounds per acre will be acceptable without re-treatment.

(iv) *Application.* The lead arsenate must be thoroughly mixed and incorporated with the upper 3 inches of soil.

(v) *Period of treatment.* Plants must not be placed on or in the soil thus treated until after October 1.

(m) *Treatment of plants before digging.* \* \* \*

(2) *Lead arsenate treatment—(i) Season.* Treatment must be applied by July 1. Plants may be certified when the period of treatment is completed, and until the following June 15.

(ii) *Condition of soil.* The soil must be friable and in good tilth. This treatment is recommended only for soils that are slightly acid or neutral in reaction.

(iii) *Dosage.* Twenty-three pounds to each 1,000 square feet, or 1,000 pounds per acre. For subsequent re-treatments, the quantity required to restore a concentration of 1,000 pounds per acre, as determined by chemical analyses, must be applied, except that determination by

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chemical analyses of a concentration of 900 pounds per acre will be acceptable without re-treatment.

(iv) *Period of treatment.* Plants in plots treated initially must not be dug until October 1; those on re-treated plots may be dug on September 20.

(v) *Application.* Lead arsenate must be thoroughly mixed and incorporated with the upper 3 inches of soil. The ridge of soil between the plants in the rows and the soil about the base of the plants must be removed to a depth of 2 inches and placed in the space between the rows of plants. Lead arsenate may be applied with a suitable distributor, or broadcast by hand, before or after the hoeing operation is completed. Then the soil between the rows of plants must be cultivated three times. On the last cultivation, the cultivator is adjusted in such a manner that the treated soil is thrown toward the rows of plants. At least 3 inches of treated soil must be placed in the rows about the bases of the plants.

(vi) *Varieties of plants.* The varieties of plants which have been treated suc-

cessfully by this method are given in Bureau of Entomology and Plant Quarantine Circular E-418.

(vii) *Safety zone.* Same as that prescribed in paragraph (k).

(viii) *Marking.* Same as that prescribed in paragraph (k).

(7 CFR § 301.48; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161)

Done at Washington, D. C., this 2d day of May 1942.

[SEAL]

P. N. ANNAND,  
Chief.

[F. R. Doc. 42-4118; Filed, May 7, 1942; 11:29 a. m.]

#### TITLE 10—ARMY: WAR DEPARTMENT

##### Chapter VII—Personnel

##### PART 79—PRESCRIBED SERVICE UNIFORM<sup>1</sup>

##### § 79.18 Army nurses' clothing.

(b) *Articles authorized but not issued—*(1) *Coat, service, summer—*(i) *Material.* Cotton warp, mohair filling; rayon, plain weave, and worsted, tropical weight.

(2) *Hat, service, summer—*(i) *Material.* Cotton warp, mohair filling; rayon, plain weave, and worsted, tropical weight.

(3) *Skirt, service, summer—*(i) *Material.* Cotton warp, mohair filling; rayon, plain weave, and worsted, tropical weight.

(4) *Uniform dress—*(i) *Material.* Dark blue rayon of plain weave. (R.S. 1296; 10 U.S.C. 1391) [Par. 18b, AR 600-35, Nov. 10, 1941, as amended by Cir. 129, W.D., April 30, 1942, and Cir. 130, W.D., May 1, 1942]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-4109; Filed, May 7, 1942; 10:21 a. m.]

#### TITLE 14—CIVIL AVIATION

##### Chapter I—Civil Aeronautics Board

[Amendment 26-2, Civil Air Regs.]

##### PART 26—AIR-TRAFFIC CONTROL-TOWER OPERATOR CERTIFICATES

##### CITIZENSHIP REQUIREMENTS FOR AIR-TRAFFIC CONTROL-TOWER OPERATORS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 1st day of May 1942.

Acting pursuant to sections 205 (a) and 601 (a) of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective May 1, 1942, Part 26 of the Civil Air Regulations is amended as follows:

By amending § 26.1 to read as follows:

§ 26.1 *General.* An applicant must be a citizen of and of unquestionable

<sup>1</sup> § 79.18 (b) is amended.

loyalty to the United States, temperamentally fit, and not less than 21 years of age. He must be able to read, write, and understand the English language, and to speak the English language without any accent or impediment of speech which would interfere with two-way radio conversation.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 42-4094; Filed, May 6, 1942; 3:22 p. m.]

#### TITLE 17—COMMODITY AND SECURITIES EXCHANGES

##### Chapter II—Securities and Exchange Commission

##### PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

##### RULES RELATING TO FORM FOR QUARTERLY REPORTS OF REGISTERED INVESTMENT COMPANIES

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13, 15 (d) and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by said Act, hereby takes the following action:

##### I. Amendment of § 240.13a-6 (Rule X-13A-6)

Paragraph (d) of § 240.13a-6 is amended to read as follows:

##### § 240.13a-6 *Current reports.*

(d) The foregoing provisions of this rule shall not be applicable to issuers of securities which are registered pursuant to an application on Form 18, 19, 20 or 21 or to management investment companies registered under the Investment Company Act of 1940 (54 Stat. 789, et seq.; 15 U.S.C. 80a-1 to 53) which are required to file quarterly reports on Form N-30B-1.

Effective May 6, 1942.

##### II. Adoption of §§ 240.13a-8 and 240.15d-5 (Rules X-13A-8 and X-15D-5)

§ 240.13a-8 *Quarterly reports of investment companies.*

Every investment company registered under the Investment Company Act of 1940 (54 Stat. 789, et seq., 15 U.S.C. 80a-1 to 53), which has securities listed and registered on a national securities exchange and for which a form is prescribed below, shall file a quarterly report for each fiscal quarter for which it is required to file a quarterly report pursuant to section 30 (b) (1) of the Investment Company Act of 1940. (Sec. 30 (b), 54 Stat. 836; 15 U.S.C. 80a-30)

*Form N-30B-1 for management investment companies.* This form shall be used for quarterly reports of management investment companies except companies which issue periodic payment



plan certificates or which are sponsors or depositors of companies issuing such certificates. (Sec. 13, 48 Stat. 894; 15 U.S.C. 78m; sec. 23, 48 Stat. 901; sec. 8, 49 Stat. 1379; 15 U.S.C. 78W) [Rule X-13A-8, effective May 6, 1942.]

§ 240.15d-5 *Quarterly reports of investment companies.* Every investment company registered under the Investment Company Act of 1940 (54 Stat. 789 et seq.; 15 U.S.C. 80a-1 to 53) which is required to file supplementary information, documents and reports pursuant to section 15 (d) of the Securities Exchange Act of 1934, (Sec. 3, 49 Stat. 1377; 15 U.S.C. 780) and for which a form is prescribed below, shall file a quarterly report for each fiscal quarter for which it is required to file a quarterly report pursuant to section 30 (b) (1) of the Investment Company Act of 1940. (Sec. 30 (b), 54 Stat. 836; 15 U.S.C. 80a-30)

*Form N-30B-1 for management investment companies.* This form shall be used for quarterly reports pursuant to section 15 (d) of the Securities Exchange Act of 1934 (Sec. 3, 49 Stat. 1377; 15 U.S.C. 780) of management investment companies except companies which issue periodic payment plan certificates or which are sponsors or depositors of companies issuing such certificates. (Sec. 3, 49 Stat. 1377; 15 U.S.C. 780; sec. 23, 48 Stat. 901; sec. 8, 49 Stat. 1379; 15 U.S.C. 78W) [Rule X-15D-5, effective May 6, 1942.]

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 42-4104; Filed, May 7, 1942; 10:07 a. m.]

**PART 250—RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935**

**AMENDMENT TO RULE DECLAIMING CERTAIN COMPANIES NOT TO BE DEEMED ELECTRIC OR GAS UTILITY COMPANIES UNDER THE ACT**

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly sections 2 (a) (3), 2 (a) (4), and 20 (a) thereof, and finding that such action is necessary and appropriate in the public interest and for the protection of investors and consumers and necessary to carry out the provisions of the Act, the Securities and Exchange Commission hereby amends paragraph (b) of § 250.7 (Rule U-7) to read as follows:

§ 250.7 *Companies deemed not to be electric or gas utility companies.*

(b) There may be excluded from the gross sales specified in paragraph (a):

- (1) Sales of electric energy or natural or manufactured gas to tenants or employees of the operating company for their own use and not for resale;
- (2) Sales of gas to industrial consumers or in enclosed portable containers; and
- (3) Sales of surplus electric energy at wholesale during the existence of the national emergency and for one year thereafter by any such company which is not a subsidiary of a registered hold-

ing company and which was not an electric utility company as of January 1, 1941.

Effective May 7, 1942.  
By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 42-4105; Filed, May 7, 1942; 10:07 a. m.]

**PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940**

**RULES RELATING TO FORM FOR QUARTERLY REPORTS OF REGISTERED INVESTMENT COMPANIES**

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly sections 30 (b) (1), 30 (c), 38 (a) and 38 (b) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by the said Acts, hereby takes the following action:

**I. Adoption of § 270.30b1-1 (Rule N-30B1-1)**

§ 270.30b1-1 *Form for quarterly report of registered investment companies.* The following form is hereby prescribed as the form for quarterly report which shall be filed by registered investment companies, pursuant to section 30 (b) (1) of the Act. (Sec. 30 (b), 54 Stat. 836; 15 U. S. C. 80a-30)

*Form N-30B-1 for registered management investment companies.* This form shall be used by registered management investment companies except companies which issue periodic payment plan certificates or which are sponsors or depositors of companies issuing such certificates. (Rule N-30B1-1, effective May 6, 1942)

**II. Adoption of § 270.30b1-2 (Rule N-30B1-2)**

§ 270.30b1-2 *Quarterly report for totally-held registered investment company subsidiary of registered investment company.* (a) Notwithstanding the provisions of § 270.30b1-1 [Rule N-30B1-1] a registered management investment company for which Form N-30B-1 is appropriate for quarterly reports and which is a totally-held subsidiary of a registered management investment company may file a statement in the form prescribed by paragraph (b) of this rule in lieu of a quarterly report on Form N-30B-1, if the following conditions are met:

- (1) The fiscal quarter of the subsidiary ends as of the same date as the fiscal quarter of the parent;
- (2) The information required by Items 1 to 7 inclusive, of Form N-30B-1 with respect to the subsidiary is included in the quarterly report of the parent;
- (3) All of the exhibits required by Form N-30B-1 with respect to the subsidiary are furnished with the parent's quarterly report; and
- (4) It is indicated on the facing page of the parent's quarterly report that such report is filed on behalf of itself and the subsidiary, naming the subsidiary.

(b) A totally-held registered investment company subsidiary which avails itself of the privilege accorded by this rule shall file with the Commission in quadruplicate, within the time prescribed by the instructions for Form N-30B-1 for filing quarterly reports a statement in the following form:

Pursuant to § 270.30b1-2 (Rule N-30B1-2) \_\_\_\_\_, a totally-held subsidiary of \_\_\_\_\_, a registered management investment company, hereby incorporates by reference as its quarterly report, pursuant to section 30 (b) (1) of the Investment Company Act of 1940, (Sec. 30 (b), 54 Stat. 836; 15 U.S.C. 80a-30), all information and documents contained in the quarterly report on form N-30B-1 (including any amendment thereto) filed by the latter company for the fiscal quarter ended \_\_\_\_\_

(c) The statement required by paragraph (b), above, shall be filed under cover of the facing sheet of Form N-30B-1. At least one copy of the statement shall be signed in the manner prescribed by Form N-30B-1.

(d) For purposes of this rule the term "totally-held subsidiary" has the same meaning as that set forth in instruction 4 of the instructions for Form N-30B-1. [Rule N-30B1-2, effective May 6, 1942]

(Sec. 30 (b), (c), 54 Stat. 836; 15 U.S.C. 80a-30; Sec. 38 (a), (b), 54 Stat. 841; 15 U.S.C. 80a-38)

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 42-4106; Filed, May 7, 1942; 10:07 a. m.]

**TITLE 32—NATIONAL DEFENSE**

**Chapter VI—Selective Service System**

[No. 73]

**EMPLOYEE NOTIFICATION**

**ORDER PRESCRIBING FORM**

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 82, entitled "Employee Notification Form," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup> Upon receipt of the revised DSS Form 82, the use of the original DSS Form 82 will be discontinued and all unused copies thereof will be destroyed.

The foregoing revision and discontinuance shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,  
Director.

FEBRUARY 2, 1942.

[F. R. Doc. 42-4110; Filed, May 7, 1942; 11:12 a. m.]

<sup>1</sup> Filed with the original document.



[No. 74]

## OCCUPATIONAL CERTIFICATION FOR REGISTRANTS DEFERRED BY REASON OF DEPENDENCY

## ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 42-B, entitled "Occupational Certification for Registrants Deferred by Reason of Dependency," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

The foregoing addition shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,  
Director.

APRIL 22, 1942

[F. R. Doc. 42-4111; Filed, May 7, 1942;  
11:12 a. m.]

[No. 75]

## DETERMINATION OF ALIENS' RESIDENCE

## ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following changes in DSS forms:

1. Addition of a new form designated as DSS Form 302, entitled "Alien's Application for Determination of Residence," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

2. Addition of a new form designated as DSS Form 303, entitled "Alien's Certificate of Nonresidence," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

3. Addition of a new form designated as DSS Form 304, entitled "Alien's Personal History and Statement," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

4. Addition of a new form designated as DSS Form 305, entitled "Notice of Determination of Alien's Residence," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

5. Addition of a new form designated as DSS Form 306, entitled "State Headquarters Alien Record," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

6. Addition of a new form designated as DSS Form 307, entitled "Notice of

Alien's Acceptability," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

The foregoing additions shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,  
Director.

FEBRUARY 15, 1942.

[F. R. Doc. 42-4112; Filed, May 7, 1942;  
11:12 a. m.]

Chapter IX—War Production Board  
Subchapter B—Division of Industry Operations

## PART 933—COPPER

## AMENDMENT TO GENERAL PREFERENCE ORDER M-9-a, AS AMENDED JANUARY 7, 1942 AND FEBRUARY 6, 1942—TO CONSERVE SUPPLY AND DIRECT DISTRIBUTION OF COPPER AND COPPER BASE ALLOYS AND PRODUCTS THEREOF

Section 933.2 (*General Preference Order M-9-a*)<sup>1</sup> as amended January 7 and February 6, 1942, paragraph (d) is hereby amended to read as follows:

(d) *Deliveries by all others except refiners.* Except as otherwise specifically authorized by the Director, orders for copper from dealers and orders for copper base alloy and copper products from any brass mill, wire mill, warehouse or foundry must be accepted and filled by them in accordance with Priority Regulation No. 1 as the same shall be amended from time to time except that no such order shall be accepted or filled by any such person which does not bear a preference rating of A-1-k or higher. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

This amendment shall be effective immediately.

Issued this 7th day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-4114; Filed, May 7, 1942;  
11:23 a. m.]

## PART 933—COPPER

CONSERVATION ORDER NO. M-9-C AS  
AMENDED MAY 7, 1942

Section 933.4 (*Conservation Order M-9-c*) is hereby amended so as to read as follows:

§ 933.4 *Conservation Order M-9-c—(a) Restrictions on manufacture of items appearing on lists "A" and "A-1".* (1) No manufacturer of any item on List "A" attached or of parts (including repair parts) for any such item, may, if such item or parts contain copper products or copper base alloy products, continue their manufacture after March 31, 1942 by means of processing, assembling or finishing.

(2) (i) No manufacturer shall after May 6, 1942, process or change the physical form in any way of any copper or copper base alloy plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot or powder for the purpose of manufacturing any item on List "A-1" attached or of parts (including repair parts) for any such item.

(ii) The manufacture of such an item or parts may complete their manufacture on or before May 31, 1942, by means of further processing, assembling or finishing copper products or copper base alloy products which on May 7, 1942 had been partly or completely fabricated from plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot or powder, but on May 31, 1942, the manufacture, processing, assembling or finishing of all such items or parts must be discontinued.

(3) Any manufacturer who on the effective date of this amended order was manufacturing an item on List "A", or parts therefor, using copper or copper base alloy for conductors of electricity alone, shall be governed by the provisions of paragraph (a) (2) of this section instead of paragraph (a) (1) when List "A" contains no exception with respect to such item for conductors of electricity.

(4) If an item or part has been plated, painted, sprayed or washed with copper or copper base alloy on the effective date of this order and contains no other copper or copper base alloy whatever, the foregoing restrictions do not apply to its manufacture, processing, assembling or finishing.

(b) *Restrictions on manufacture of articles not appearing on Lists "A" or "A-1" out of inventory on hand on February 28, 1942.* No manufacturer of any article omitted from Lists "A" and "A-1" attached or of parts (including repair parts) for such an article, may continue the manufacture thereof after June 15, 1942 by means of processing, assembling, or finishing, if such articles or parts contain copper products or copper base alloy products which were in the inventory of the manufacturer on or before February 28, 1942.

(1) Unless such article or parts are being manufactured, processed, assembled or finished to fill an order, existing or prospective, bearing a preference rating of A-1-k or higher; and no such article or part so manufactured shall be delivered except to fill such an order; or

(2) Unless the manufacturer has been specifically authorized by the Director of Industry Operations, pursuant to an application made on Form PD-426 or otherwise, to manufacture, process, assemble or finish the article or parts in question with the copper products or copper base alloy products being used. The granting of a preference rating as such shall not constitute such a specific authorization under this paragraph (b) (2).

(c) *Applicability of order to certain Governmental agencies.* Until August 1, 1942, the prohibitions and restrictions contained in this order shall not apply to the use of copper products or copper

<sup>1</sup> Filed with the original document.

<sup>1</sup> 6 F.R. 3889; 7 F.R. 68, 162, 809, 1105, 1566.



base alloy products in the manufacture, processing, assembling or finishing of any item or article, or part thereof, which is being produced for purchase by, or for the account of, the Army or Navy of the United States, the United States Maritime Commission or the Coast Guard, where the use of copper products or copper base alloy products to the extent employed is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission or the Coast Guard applicable to the contract, subcontract or purchase order.

(d) *General restrictions on manufacture.* (1) Notwithstanding the provisions of paragraph (b) of this section, after May 6, 1942, no manufacturer may continue the manufacture of any article omitted from Lists "A" and "A-1" attached or of parts (including repair parts) for such an article if such article or parts are to contain copper products or copper base alloy products where the use of any less scarce material is practicable; and after that date no manufacturer may continue the manufacture of any article omitted from Lists "A" or "A-1" attached or of parts (including repair parts) for such an article, if they are to contain more copper products or copper base alloy products than is necessary for the article's proper operation or a greater percentage of copper metal than is necessary for the article's proper operation.

(2) (i) The use of copper products or copper base alloy products for plating any item on Lists "A" or "A-1" attached or any parts (including repair parts) of such an item shall cease on or before May 31, 1942. The use of copper products or copper base alloy products for plating any such item or any such parts in the period beginning with the effective date of this order and ending on or before May 31, 1942, is permitted: *Provided*, That such plating is not for decorative purposes or part of a decoration, and that the use of, or the normal wear on such item or parts, would make impracticable any other form of coating.

(ii) The use of copper products or copper base alloy products for plating any article omitted from Lists "A" or "A-1" attached and of parts (including repair parts) for such an article is permitted: *Provided*, That such plating is not for decorative purposes or part of a decoration, and that the use of, or the normal wear on such article or parts, would make impracticable any other form of coating.

(e) *General restrictions on deliveries.* (1) No manufacturer who has an inventory containing any copper or copper base alloy plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder or anodes, which cannot be used by reason of the provisions of this order or any other order of the War Production Board or of the Office of Production Management, or which make the manufacturer's inventory for any reason in excess of a practicable minimum working inventory as defined in Priorities Regulation No. 1,

shall sell or deliver such frozen or excessive inventory after the effective date hereof.

(i) Unless the orders pursuant to which delivery is made bear preference ratings of A-1-k or higher; or

(ii) Unless the delivery is to Defense Supplies Corporation, Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended or any person acting as agent for any such corporation; or

(iii) Unless the delivery is to the brass mill or wire mill from which it was originally purchased by the Manufacturer; or

(iv) Unless the delivery is made with the specific authorization of the Director of Industry Operations.

(2) No person shall accept delivery of any copper or copper base alloy plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder or anodes if such delivery is made in violation of the terms of this amended order.

(3) The prohibitions and restrictions of this paragraph (e) with respect to deliveries prohibit or restrict deliveries not only to other persons including affiliates or subsidiaries, but also prohibit or restrict deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under one ownership or control.

(4) Restrictions on deliveries by a manufacturer of scrap containing copper are contained in Supplementary Order M-9-b, and are applicable to the manufacturer with the same force and effect as if contained herein.

(5) Request for authorization under this paragraph (2) should be by letter addressed to the War Production Board, Washington, D. C., Reference M-9-c.

(f) *Special provisions.* (1) The foregoing provisions of this amended order shall not apply to the use of copper products and copper base alloy products in typography, engraving, photo-engraving, gravure plate making, electro-typing, stereotyping and printing in the printing and publishing industries. In those processes, the use of bronze powder, bronze ink, bronze paste and bronze leaf is controlled by Supplementary Conservation Order M-9-c-3<sup>1</sup> effective March 28, 1942; and all other uses in those industries of copper products and copper base alloy products, including scrap, is hereby limited in any calendar quarter to 70% of the usage in the corresponding quarter of the year 1940. Nothing contained in this paragraph (f) (1) affects the prohibition of the manufacture of powder, ink, paste and leaf with copper products or copper base alloy products contained in this amended order.

(2) On and after April 9, 1942, no person shall deliver, install or cut any copper or copper base alloy insect screening (i) unless such screening is to be delivered to, installed for or cut on the order of the Army or Navy of the United States,

<sup>1</sup> 7 F.R. 2448.

the United States Maritime Commission, the Panama Canal, the Coast Guard, any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or Defense Supplies Corporation, Metals Reserve Corporation or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended or any person acting as agent of any such corporation, or (ii) unless such delivery, installation or cutting shall be with the specific authorization of the Director of Industry Operations. The foregoing shall not apply to used or second hand insect screening or to insect screening in rolls partly used on the 9th day of April, 1942. Nothing contained in this paragraph (f) (2) affects the prohibitions on the manufacture of insect screening and screens with copper products or copper base alloy products contained in paragraph (a) of this amended order.

(g) *Restrictions on deliveries to manufacturers.* No person shall hereafter deliver copper products or copper base alloy products to any manufacturer, directly or indirectly, if he knows or has reason to believe that such products are to be used in violation of the terms of this order.

(h) *Miscellaneous provisions.*—(1) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this Order shall govern.

(2) *Appeal.* Any person who is affected by the restrictions of Paragraphs (a) (1), (a) (2), or (d) of this order and who considers that compliance therewith would interfere with the war effort may appeal to the Director of Industry Operations on Form PD-167 Revised, War Production Board, Washington, D. C., Reference M-9-c. Relief granted pursuant to an appeal under this order shall remain in effect despite any amendment to this order, unless the grant of relief is specifically revoked or modified by the Director of Industry Operations.

(3) *Communications.* Any reports required to be filed under this order and all communications concerning this order, shall, unless otherwise directed be addressed to: War Production Board, Washington, D. C. Reference M-9-c.

(4) *Applicability of order.* The prohibitions and restrictions contained in this amended order shall apply to the manufacture of items on Lists "A" and "A-1" and other article and of parts (including repair parts) thereof hereafter manufacturer, irrespective of whether such items, articles or parts are manufactured pursuant to a contract made prior or subsequent to the effective date of this amended order. Insofar as any other order of the War Production Board or of the Office of Production Management may have the effect of limiting or curtailing to a greater extent than herein provided the manufacture of items, articles or parts containing copper products or copper base alloy products or the sale and delivery of such



items, articles or parts, the limitation of such other order shall be observed.

(5) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(6) *Definitions.* For the purposes of this order:

(i) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(ii) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(iii) "Copper products" means products made of copper fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings or forgings or fabricated to any greater extent.

(iv) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingot, powder, anodes, castings or forgings or fabricated to any greater extent.

(v) "Manufacturer" means a person who manufactures, processes, assembles or finishes.

(7) *Installation.* The restrictions of this order with respect to manufacture, processing, assembling, or finishing shall not apply to the installation of an item or article, or part (including repair parts) therefor, for the ultimate consumer on his premises when any manufacturing, processing, assembling or finishing of such an item, article or part is incidental to such installation and is done on such premises.

(8) *Repair.* The restrictions of this order (other than those contained in paragraph (d) (1) of this section) shall not apply to a person repairing a used article off the premises of the owner if the person making the repair does not use copper products or copper base alloy products weighing in the aggregate more than two pounds and any manufacturing, processing, assembling or finishing done by him is for the purpose of making the specific repair.

(9) *Effective date.* This amended order shall take effect upon the date of issuance and shall continue in effect until revoked by the Director of Industry Operations.

(10) *Copper products or copper base alloy products not controlled by order.* From and after the respective dates set forth in this subparagraph, the provisions of this order shall not apply to the manufacture of the following items

or articles and parts (including repair parts) therefor, even though they contain copper products or copper base alloy products, since these items or articles are specifically governed by the following orders:

Shoe findings governed by Supplementary Conservation Order No. M-9-c-1 effective January 23, 1942.<sup>1</sup>

Fire protective equipment governed by General Limitation Order L-39 effective February 27, 1942.<sup>2</sup>

Motorized fire apparatus governed by General Limitation Order L-43 effective February 27, 1942.<sup>3</sup>

Bronze powder, bronze paste, bronze ink and bronze leaf used in printing, stamping, dusting or similar processes governed by Supplementary Conservation Order M-9-c-3 effective March 28, 1942.<sup>4</sup>

Jewelry governed by Supplementary Conservation Order M-9-c-2 effective April 4, 1942.<sup>5</sup>

This Amended Order does not apply to the manufacture of the articles listed in Appendix A of Order L-68<sup>6</sup> although it does apply to the manufacture of closures and similar products whether incorporated into such articles or not. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 7th day of May 1942.

J. S. KNOWLSON,

Director of Industry Operations.

LIST "A" OF ORDER M-9-C AS AMENDED MAY 7, 1942

The manufacture, processing, assembling or finishing with copper products or copper base alloy products of the items listed below and of all parts (including repair parts) therefor is prohibited except to the extent permitted by the foregoing Amended Order M-9-c. Where this List contains an exception, the manufacture of the item or part therefor excepted is governed by paragraph (b) of this Amended Order.

*Automotive, trailer,<sup>1</sup> and tractor equipment*

Garage and automotive repair equipment.

Headlamps and headlamp parts (except for parts necessary for conducting electricity).

Heaters (except for parts necessary for conducting electricity).

Horns (except for parts necessary for conducting electricity).

Hub and gas-tank caps.

Miscellaneous fittings and trim.

Motorcycles (except for parts necessary for conducting electricity).

Mouldings.

Rear-view mirrors and hardware.

<sup>1</sup> See also under "Passenger Transportation Equipment" on List "A-1."

<sup>2</sup> 7 F.R. 510.

<sup>3</sup> 7 F.R. 1597, 3083, 3363.

<sup>4</sup> 7 F.R. 1596, 2817.

<sup>5</sup> 7 F.R. 2443.

<sup>6</sup> 7 F.R. 2708.

<sup>7</sup> 7 F.R. 2455.

*Building supplies and hardware (excluding supplies and hardware for ships and boats)*

Air-conditioning equipment (except for essential food storage, food transportation and industrial processing, and except for repair parts containing not more than 4 lbs. of Copper Products or Copper Base Alloy Products for use in "black out" plants).

Blinds, including fixture fittings and trimmings.

Builders' finish hardware, including hinges, except in those parts of plants where the use of nonsparking metal is necessary to prevent a hazard in the production or use of explosives. For locks see under "Miscellaneous" of List "A".

Conduits.

Decorative hardware—including house numbers.

Door knockers, checks, pulls, and stops.

Doors, door and window frames, sills and parts, including door handles and knobs.

Elevators and escalators (except for bearings, worm gears and parts necessary for conducting electricity).

Gravel stops and snow guards.

Grilles.

Gutters, leaders, downspouts, expansion joints, and accessories thereto.

Incinerator hardware and fittings.

Insect screens and screening.

Letter boxes and mail chutes.

Lightning rods (except as permitted by Order L-39).

Lighting fixtures (except for parts necessary for conducting electricity).

Ornamental metal work.

Pile butt protection.

Plumbing and heating supplies:

Bands on pipe covering.

Cistern and low-water floats.

Fixture fittings and trimmings (except as provided in Defense Housing Critical List. See also Order L-42 and its Schedules).

Hot-water heaters, tanks, and coils (except as provided in Defense Housing Critical List. See also Order L-42 and its Schedules).

Pipe, tube, tubing, and fittings therefor (except as provided in Defense Housing Critical List. See also Order L-42 and its Schedules).

Shower rods, and pans.

Shower heads.

Sinks and drainboards.

Toilet floats (except as provided in Order L-42).

Towel racks.

Push, kick, switch, floor, and all other device plates.

Roof, roofing, roofing nails, flashing valleys, and other roofing items.

Sheet, roll, and strip for building construction.

Shelves.

Stair and threshold treads.

Termite shields.

Terrazzo strips, reglets, and mouldings.

Unit heaters, unit ventilators, and convectors, space or local heaters, and blast heating coils, or any apparatus using such coils as part of its construction (except valves and controls).

Ventilators and skylights.



Water containers for humidification.  
Weatherstripping and insulation.

*Burial equipment*

Burial vaults.  
Caskets and casket hardware. See also Order L-64.  
Memorial tablets.  
Morticians' supplies.

*Dress accessories (see also Order L-68)*

Buckles.  
Buttons.  
Dress ornaments.  
Handbag fittings.  
Metal cloths.

*Home furnishings and equipment (including office and institutional)*

Andirons, screens, and fireplace fittings.  
Candlesticks.  
Cooking and table utensils.  
Curtain fasteners, rods, and rings.  
Cuspids.  
Fans.  
Furniture.  
Furniture hardware.  
Hollow-ware.  
Lamp standards, shades, shade holders, and stems.  
Portable heaters.  
Stoves and ranges (except for valves, ferrules for compression fittings, and controls other than timers, and except for parts necessary for conducting electricity).  
Table flatware (except as provided in Fed. Spec. R. R. T.-56).  
Trays.  
Upholsterers' supplies, including nails and tacks.  
Vases, pitchers, bowls, and artcraft.  
Washing tubs and washing boilers.  
Waste baskets, hat trees, humidors, and similar items.

*Jewelry, gifts and novelties*

All jewelry, gifts and novelties (except as provided in Order M-9-c-2) including, but not limited to:

Advertising specialties.  
Atomizers—except for medical purposes, and for use in the preparation of dried milk.  
Bar fittings.  
Book ends.  
Cosmetic containers.  
Lighters.  
Napkin rings.  
Picture frames.  
Smokers' accessories, including ash trays.  
Souvenirs.

*Miscellaneous*

Alarm and protective systems, other than fire protective systems covered by Order L-39 (except for the parts necessary for conducting electricity and except where the use of copper or copper base alloy is essential to the proper functioning of the parts).  
All plating primarily for decorative purposes.  
Barrel hoops.  
Beauty parlor equipment and barber shop supplies.  
Beverage dispensing units and parts thereof (except for parts necessary for conducting electricity in water coolers).

Bicycles, and similar vehicles. See also Order L-52.

Boxes, cans, jars, and other containers.  
Branding, marking, and labeling devices, and stock for same (except where the devices and the stock are for affixing governmental, notarial, and corporate seals or are adjustable stencils for addressing or identifying commercial products).

Chimes and bells.  
Fire extinguishers of soda-acid type. See Order L-39.

Fire-fighting apparatus. See Orders L-39 and L-43.

Hooks.  
Hydrants and sprinklers for fire-fighting purposes. See Order L-39.

Ladders and hoists (except for parts necessary for conducting electricity), including fittings.

Lanterns and lamps (except for valves and controls, and except for Copper Base Alloy in wicks).

Livestock and poultry equipment (except for valves, controls and thermostats other than wafer thermostats, and except for plating wafer thermostats).

Locks (except pin tumbler cylinder assembly, keys and essential interior working parts of Type 88, Type 97 and Type 114 locks used with pin tumbler cylinder assemblies and except for the interior working parts of railway switch padlocks).

Luggage fittings.  
Match and pattern plates, matrices, and flasks.

Name, identification, and medal plates.  
Nonoperating or decorative uses of copper or Copper Base Alloy, or the use of the same in parts of installations and of equipment (mechanical or otherwise), including bases, frames, guards, standards, and supports.

Paint (except for ship bottoms).  
Photographic equipment and supplies (except document copying machines and equipment therefor for business purposes).

Pleasure-boat fittings, hardware, and motors.

Pole-line Hardware.  
Powder, except for non-decorative uses, and paste.

Radios, (except for ships).  
Reflectors (except for electroplating of glass reflectors as a base for silvering when the reflectors are to be used in street and highway illumination, or for traffic signals, floodlights, searchlights and hospital operating room lights).

Saddlery hardware and harness fittings.  
Signs, including street signs.  
Slot, game and vending machines, including parking meters.

Stationery supplies:  
Desk accessories. See also Order L-73.  
Office supplies. See also Order L-73.  
Pencils.  
Pens and penholders.

Statues.  
Sundials.  
Toys.

Unions (except seats).  
Valve handles.  
Valves over 2-inch size (except seats, discs, and stems).

Weather vanes.

LIST "A-1" OF ORDER M-9-C AS AMENDED  
MAY 7, 1942

The manufacture, processing, assembling or finishing with copper products or copper base alloy products of the items listed below and of all parts (including repair parts) therefor is prohibited except to the extent permitted by the foregoing Amended Order M-9-c. Where this List contains an exception, the manufacture of the item or part therefor excepted is governed by paragraph (b) of this Amended Order.

*Automotive, trailer,<sup>1</sup> and tractor equipment*

Ambulance hardware.  
Defrosters (except for parts necessary for conducting electricity).  
Hearse hardware.  
Lights, lamps, and accessories (except for parts necessary for conducting electricity and except for headlamps and headlamp parts on List "A").  
Motor-driven scooters (except for parts necessary for conducting electricity).

*Building supplies and hardware*

Hangers and track for private garages.  
*Clothing and accessories*  
Insignia (except rank, branch, and "U.S." Insignia for the armed forces).

*Farm machinery*

All items under headings "Automotive, Trailer, and Tractor Equipment" on Lists "A" and "A-1."

*Home furnishings and equipment (including office and institutional)*

Mud scrapers.  
Timers for stoves and ranges.

*Home furnishings and equipment for hotels, apartment hotels, apartment houses, stations, clubs, fraternal organizations, union, churches, synagogues, temples, restaurants and stores*

All items under headings "Home Furnishings and Equipment" as shown on Lists "A" and "A-1."

Counters.

*Industrial machinery*

Pulp and paper manufacturing:

Beater bars and beaters.  
Head boxes.  
Jordan bars.  
Refiner bars.  
Save-alls.  
Stock and water lines.

*Passenger transportation equipment (including railroad cars, street and inter-urban railroad cars, busses, and trailers, but excluding locomotives)*

All items under heading "Home Furnishings and Equipment" as shown on Lists "A" and "A-1".

Air conditioning equipment for passenger cars (except for essential repairs, and except for parts necessary for conducting electricity).

Bands on pipe covering.  
Decorative, general, and finish hardware, and ornamental metal work.  
Door knockers, checks, pulls and stops.

<sup>1</sup>See also under "Passenger Transportation Equipment" on List "A-1"



Doors and windows, door and window frames and window sills.  
Drinking water reservoirs.  
Lighting fixtures (except for parts necessary for conducting electricity).  
Pipe, tube, tubing, and fittings for plumbing and heating (except for essential repairs).  
Shower rods, heads and pans.  
Sinks and drainboards.  
Screens and screening.  
Towel and luggage racks.  
Water containers for humidification.  
Weather stripping and insulation.

#### Miscellaneous

Badges.  
Bar and counter equipment and fittings.  
Barber shop equipment.  
Bathroom accessories as defined in Order L-30.  
Beauty parlor supplies.  
Binoculars, including opera glasses.  
Bird and pet cages and stands.  
Bottle coolers.  
Cabinets.  
Canes.  
Carpet rods.  
Cash registers.  
Clips.  
Cleaning and polishing accessories, such as brooms, carpet sweepers, crumbing sets, dust pans, mops, pot scourers, whisk brooms and floor and furniture polishers.  
Clock and watch cases.  
Cooking utensils (except for commercial processing in canneries and factories).  
Cutlery.  
Dish washing machines and domestic garbage grinders.  
Dispensers, hand, for hand lotions, paper products, soap and straws.  
Dog collars and other similar harness and equipment for pets.  
Domestic ice refrigerators as defined in Order L-7.  
Domestic laundry equipment as defined in Order L-6 and scrubbing boards, clothes line pulleys and reels.  
Domestic mechanical refrigerators as defined in Order L-5.  
Domestic vacuum cleaners as defined in Order L-16.  
Electric blankets.  
Electric light bulbs and cord sets for Christmas trees, and bulbs and neon and fluorescent tubes for advertising and display purposes.  
Flashlights, electric lanterns used by railroad brakeman (except for parts necessary for conducting electricity).  
Floats for liquid level control.  
Flower pots, boxes and holders for same.  
Flower shears.  
Food dispensing utensils, devices and machines.  
Fountain pens.  
Fountains.  
Furniture grommets.  
Games, as defined in Order L-81.  
Garden tools and equipment.  
Hair curlers, hair brushes and combs, shoe horns and button hooks.  
Health supplies (except as permitted by Order P-29).  
Home and commercial electrical appliances, as defined in Order L-65.  
Ice cream freezers for use in the home.  
Kitchen utensils, devices and machines.

Kitchen, household and miscellaneous articles, as defined in Order L-30.  
Lace tips.  
Lamps, including valves and controls and parts necessary for conducting electricity (except for industrial, hospital, or office use). The term "Lamps" as used here does not include electric light bulbs, but see "Electric light bulbs" above.  
Lawn sprinklers, mowers, seeders and rollers.  
Luggage trim and hardware.  
Manicure implements.  
Medals.  
Mirrors.  
Motion picture and projection equipment.  
Musical instruments.  
Package handles and holders.  
Pencils, mechanical.  
Phonographs or other record player.  
Pins.  
Pleasure boat fastenings.  
Printing rollers (except to the extent that an equivalent poundage in Copper or Copper Base Alloy is returned to a brass mill in the form of old rollers).  
Razors operated by electricity (except for repair parts).  
Reclaimers for heating water.  
Refrigerator display cases.  
Scales, except commercial and industrial.  
Shells and caps for electric sockets except screw shells and except those used in connection with lamp signals in communications facilities.  
Soda fountain equipment.  
Sporting goods, and fishing and hunting equipment and supplies.  
Staples for fastening cartons and containers.  
Telescopes.  
Tent poles and parts.  
Thermos jugs and bottles.  
Umbrellas.  
Voting machines.  
Wool.  
Weight reducing and exercising machines.

[F. R. Doc. 42-4113; Filed, May 7, 1942; 11:22 a. m.]

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

##### INTERPRETATION NO. 1 OF § 944.2 OF PRIORITIES REGULATION NO. 1, AS AMENDED

The following official interpretation is hereby issued with respect to § 944.2<sup>1</sup> of Priorities Regulation No. 1, as amended:

Section 944.2 of Priorities Regulation No. 1, as amended, makes compulsory the acceptance and filling of rated orders for any material "in preference to any other contracts or purchase orders for such material". The "other contracts" referred to include not only ordinary purchase contracts but other arrangements achieving substantially the same results, though in form they may concern the use of production facilities rather than the material produced.

<sup>1</sup> 6 F.R. 4489, 6681.

Preference ratings are applicable to facilities as well as materials.

Examples of such "other contracts" which must be subordinated to higher rated orders are (1) arrangements whereby a producer, regularly engaged in producing a given product for sale to others, leases a portion of his plant, or the whole of it for a relatively short period, as a going concern to one of his customers and operations is continued under the producer's management and with the producer's regular personnel; and (2) arrangements whereby such a producer, in lieu of buying raw materials and selling the product, accepts raw materials belonging to a customer for processing pursuant to a toll agreement or similar undertaking. If the deliveries to be made to such customer carry a preference rating, the sequence of deliveries as compared with deliveries to other persons placing orders with the producer is to be determined as provided in § 944.7 of Priorities Regulation No. 1.

(F.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.).

Issued this 7th day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-4117; Filed, May 7, 1942; 11:22 a. m.]

#### PART 1209—HAND TRUCKS

##### GENERAL LIMITATION ORDER L-111

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of hand trucks for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1209.1 *General Limitation Order L-111*—(a) *Definitions*. For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Hand truck" means any truck or trailer, not self-power propelled, with free running wheels or casters, designed for handling material of any kind, except a hospital cart, or a trailer designed for use on the highway or for use in earth moving, mining, logging, or petroleum development.

(3) "Manufacturer" means any person who manufactures or assembles hand trucks.

(4) "Rubber tire" means any solid, pneumatic, or cushion tire, wheel or caster, made in whole or in part of any type of crude, reclaimed or synthetic rubber.

(b) *Restrictions on delivery of rubber tired hand trucks and rubber tires for hand trucks.* (1) On or after the date



of issue of this order, no manufacturer shall knowingly deliver rubber tired hand trucks, no person shall knowingly deliver rubber tires to a person other than a manufacturer of hand trucks for use on a hand truck, and no person shall accept delivery of any rubber tired hand truck or of any rubber tire for replacement purposes, except as follows:

- (i) Where the use of other wheels, tires or casters creates a definite explosion hazard; or
- (ii) Where the use of rubber tires is necessary to avoid explosions in transportation thereof; or breakage of, or damage to "green" foundry cores or unbaked grinding wheels in the transportation thereof; or breakage of, or damage to delicate instruments which are an integral part of the truck.

(2) Each person receiving delivery of a rubber tired hand truck shall certify to the manufacturer from whom he receives such delivery, as a condition to receiving such delivery, the following on the purchase order:

The undersigned hereby certifies that the rubber tired hand truck hereby ordered will be used:

- Cross out one:
1. Where the use of other wheels, tires or casters creates a definite explosion hazard;
  2. To transport \_\_\_\_\_;  
(here fill in explosives or other specified material)  
that the rubber tired hand truck will not replace another such hand truck diverted to a purpose not specified above, and that the undersigned has no suitable rubber tired hand truck on hand, used at present for a purpose not specified above.

By \_\_\_\_\_  
Company

(3) Each person receiving delivery of a rubber tire for replacement purposes shall certify to the manufacturer or other person from whom he receives such delivery, as a condition to receiving such delivery, the following on the purchase order:

The undersigned hereby certifies that the rubber tire hereby ordered will be used on a hand truck:

- Cross out one.
1. Where the use of other wheels, tires or casters creates a definite explosion hazard;
  2. To transport \_\_\_\_\_;  
(here fill in explosives or other specified material)  
that the undersigned has no Rubber Tires of the particular size for hand trucks in inventory, and that the tires are required for immediate use.

By \_\_\_\_\_  
Company

(4) No person shall make a delivery under this paragraph (b) who has reason to believe that the person accepting delivery has furnished a false certification under the terms of paragraphs (b) (2) or (b) (3); and no person shall falsely furnish the certification specified in paragraphs (b) (2) or (b) (3). The certifications specified in paragraphs (b) (2) and (b) (3) shall constitute representations to the War Production Board of the facts certified therein.

(5) On and after May 7, 1942, no manufacturer shall accept delivery of rubber tires unless expressly authorized by the Director of Industry Operations. A manufacturer may apply for such authorization by filing with the War Production Board, on or before the 10th day of each calendar month, on Form PD-468, an estimate of his requirements of rubber tires for the following calendar month. The Director of Industry Operations may thereupon, if he shall deem it necessary or appropriate in the public interest and to promote the national defense, authorize the delivery to such manufacturer of all or a part of such estimated requirements.

(6) The provisions of this paragraph (b), insofar as they deal with the delivery of rubber tires for replacement purposes, shall remain in effect only until such time as rules or regulations governing the delivery of such tires are issued by the Office of Price Administration.

(c) *Prohibition on other uses of rubber in the manufacture of hand trucks.* On and after May 7, 1942, no manufacturer shall use rubber in the manufacture or assembly of hand trucks, except as provided in paragraph (b).

(d) *Replacement of hand trucks.* No person shall accept delivery of another hand truck to replace a rubber tired hand truck, the tires of which are no longer serviceable, until he has made a diligent effort to replace the wheels on the rubber tired hand truck in his possession. Each manufacturer shall notify any person seeking delivery of a hand truck of the provisions of this section, and to the extent practicable, shall substitute other wheels, casters or tires on hand trucks operated by such person.

(e) *90-Day exemption of Army, Navy, and Maritime Commission.* The provisions of this order shall not apply to deliveries to the Army, Navy, or Maritime Commission until 90 days after the date of issue of this order. As used in this paragraph, the terms "Army," "Navy," and "Maritime Commission" shall not include any privately operated plant or shipyard, financed by or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis.

(f) *Miscellaneous provisions—(1) Applicability of Priorities Regulations No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Records and reports.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

Every manufacturer shall file Form PD-468, covering inventories and consumption of rubber tires, on or before the 10th day of each calendar month.

(3) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(4) *Violations.* Any person who willfully violates any provision of this order,

or who wilfully furnishes false information to the Director of Industry Operations in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director of Industry Operations.

(5) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Director of Industry Operations, Washington, D. C., Ref.: L-111, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: L-111.

(7) *Effective date.* This order shall take effect upon the date of the issuance thereof and shall continue in effect until revoked by the Director of Industry Operations subject to such amendments or supplements thereto as may be issued from time to time by the Director of Industry Operations. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 7th day of May 1942.  
J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-4116; Filed, May 7, 1942; 11:23 a. m.]

PART 1214—INCENDIARY UNITS

GENERAL LIMITATION ORDER L-115

The fulfillment of requirements for the defense of the United States has created shortages in the supplies for the war effort, for private account and for export, of materials entering into the production of incendiary units; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 1214.1 *General Limitation Order L-115—(a) Definitions.* For the purposes of this order: "Incendiary unit" means any incendiary bomb, or any unit, device or material for demonstration purposes, which when ignited simulates or produces or is represented to simulate or produce the action of an incendiary bomb.

(b) *General restrictions.* No person shall manufacture, complete the manufacture of, sell, purchase, deliver, accept delivery of, or obtain, any incendiary units except upon written authorization of the United States Army or the United States Navy.



(c) *Application of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(d) *Reports.* Any person who since September 1, 1941, has manufactured any incendiary units otherwise than for, or under the authorization of the United States Army or the United States Navy, shall forthwith execute and file with the War Production Board, a report on Form PD-449, setting forth the quantity manufactured and all other information required thereby. All persons affected by this order shall execute and file such other reports and questionnaires as the War Production Board shall from time to time prescribe.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him or would disrupt or impair a program of conversion from non-war to war work may appeal to the War Production Board, setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(i) *Communications.* All reports required to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Safety and Technical Equipment Branch, Washington, D. C. Ref.: L-115. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong. as amended by Pub. Law 89, 77th Cong.)

Issued this 7th day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-4115; Filed, May 7, 1942;  
11:23 a. m.]

## Chapter XI—Office of Price Administration

### PART 1335—CHEMICALS

#### AMENDMENT NO. 1 TO REVISED PRICE SCHEDULE NO. 42<sup>1</sup>—PARAFFIN WAX

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.

A new paragraph (f) is added to § 1335.460 and a new § 1335.460a is added as set forth below:

§ 1335.460 *Appendix A: Maximum prices for paraffin wax.* \* \* \*

(f) Notwithstanding anything to the contrary in the foregoing paragraphs, the Royal Netherlands Government, by its agent, the Netherlands Shipping and Trading Committee of New York City, may sell, deliver, and transfer to any industrial consumer or consumers for consumption only and not for resale, at a price not in excess of \$0.08 per pound f. o. b. New York City, that particular lot of paraffin wax, A. M. P. 124.3F, comprising 272 bags and weighing 60,000 pounds, which was originally purchased from the Boler Petroleum Company of Philadelphia, Pennsylvania, by Verkades Fabrieken, N. V. of Zaandan, the Netherlands, and was thereafter transferred to the Royal Netherlands Government by virtue of the Netherlands Royal Decree dated May 24, 1940.

§ 1335.460a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1335.460 (f)) to Revised Price Schedule No. 42 shall become effective May 9, 1942.

(Pub. Law 421, 77th Congress)

Issued this 6th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4098; Filed, May 6, 1942;  
5:10 p. m.]

### PART 1351—FOODS AND FOOD PRODUCTS

#### AMENDMENT NO. 1 TO REVISED PRICE SCHEDULE NO. 53<sup>2</sup>—FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new subparagraph (6) is added to paragraph (b) of § 1351.151 and paragraphs (c) and (d) thereof are amended to read as follows, and a new § 1351.159 is added, as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* \* \* \*

(b) \* \* \*

(6) On and after May 11, 1942, subparagraphs (1) to (5), both inclusive, of this paragraph (b) shall have no application to the following fats and oils and the maximum prices thereof shall be the following prices:

<sup>1</sup> 7 F.R. 1285, 1836, 2000, 2132.  
<sup>2</sup> 7 F.R. 1309, 1836, 2132.

(i) *Crude cottonseed oil.* F. o. b. mill, in cents per pound, as follows:

North Carolina, South Carolina and Tennessee.....	12.75
Mississippi Valley, Alabama and Georgia.....	12.625
Texas and Oklahoma.....	12.50

(ii) *Refined cottonseed oil.* Delivered, in tankcars, as follows:

	Bleachable prime summer yellow	Cooking or deodorized summer oil	Salad or winterized oil	Hydrogenated or margarine oil	High titre, hydrogenated oil	Cents per pound					
San Francisco, Calif.....	14.50	15.32	15.70	15.90	16.05						
New York, N. Y.....	14.30	15.12	15.50	15.70	15.85						
Columbus, Ohio.....	14.28	15.10	15.48	15.68	15.83						
Chicago, Ill.....	14.23	15.05	15.43	15.63	15.78						
Cincinnati, Ohio.....	14.23	15.05	15.43	15.63	15.78						
Louisville, Ky.....	14.19	15.01	15.39	15.59	15.74						
St. Louis, Mo.....	14.14	14.96	15.34	15.54	15.69						
Charlotte, N. C.....	14.00	14.91	15.29	15.49	15.64						
Kansas City, Mo.....	14.00	14.91	15.29	15.49	15.64						
Memphis, Tenn.....	13.99	14.81	15.19	15.39	15.54						

(a) The usual or normal differentials, above or below these delivered prices, shall apply to all other destinations.

(b) The usual or normal differentials for grade, above or below these prices for basic grades, shall continue to apply.

(c) The maximum price established in paragraph (b) (6) of this section shall be the maximum prices for cottonseed oil futures contracts traded on the New York Produce Exchange and on the New Orleans Cotton Exchange. The maximum prices for lard futures contracts traded on the Chicago Board of Trade shall be the closing bid prices on such Exchange as of October 1, 1941. The maximum prices for futures contracts for months, if any, after September 1942, shall not exceed the futures price for September 1942. The maximum prices for futures contracts, if any, traded in months currently inactive shall not exceed the maximum prices for the last active preceding month.

(d) The maximum prices for both domestic and imported fats and oils determined under subparagraphs (1) to (5), both inclusive, of paragraph (b) of this section, shall include at least the same absorption of transportation and other charges as were or would have been absorbed by the seller on comparable shipments to the same place of destination on October 1, 1941.

§ 1351.159 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1351.151 (b) (6), (c) and (d)) to Revised Price Schedule No. 53 shall become effective May 11, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 6th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4097; Filed, May 6, 1942;  
5:09 p. m.]



**TITLE 49—TRANSPORTATION AND RAILROADS**

**Chapter II—Office of Defense Transportation**

[General Order O.D.T. No. 8]

**PART 502—DIRECTION OF TRAFFIC MOVEMENT**

**SUBPART A—MOVEMENT OF IRON ORE ON THE GREAT LAKES**

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by section 6 (8) of the Interstate Commerce Act, as amended, in order to attain the purposes of Certification of Necessity for Priority Action No. 1 of the War Production Board, in respect of iron ore movements on the Great Lakes, which attainment is essential to the successful prosecution of the war:

*It is hereby ordered, That:*

Sec.

- 502.1 Definitions
  - 502.2 General and special permits for transportation of grain
  - 502.3 Use of all available vessels for transportation of iron ore
  - 502.4 Records and reports; effective date.
- AUTHORITY: §§ 502.1 to 502.4, inclusive, issued under E.O. 8989, 6 F.R. 6725.

§ 502.1 *Definitions.* As used in this subpart:

(a) The term "person" means any individual, firm, copartnership, corporation, company, association, joint stock association, or other form of legal entity, and includes any trustee, receiver, assignee, or personal representative thereof.

(b) The term "vessel" means any ship, whether or not self-propelled, having a gross register tonnage of one thousand tons or more, documented under the laws of the United States or owned by a citizen of the United States, which transports or which is capable of transporting cargo in bulk, but shall not include ships equipped with self-unloading devices.

§ 502.2 *General and special permits for transportation of grain.* From and after the effective date set forth in § 502.4, unless first authorized by a general or special permit issued by this Office, no person shall operate or permit the operation of any vessel in the transportation of grain:

(a) From any port, point, or place on Lake Michigan;

(b) From Fort William or Port Arthur, Ontario, Canada, or from any other Canadian port, point, or place on the Great Lakes.

§ 502.3 *Use of all available vessels for transportation of iron ore.* From and after the effective date set forth in § 502.4, unless first authorized by a general or special permit issued by this Office, no person shall operate or permit the operation of any vessel, which is capable of transporting iron ore, in the transportation of grain from or to any port, point, or place on the Great Lakes. The determination of whether any given vessel is or is not capable of transporting iron ore within the meaning of this section will be made by the Director of

Defense Transportation and shall be final.

§ 502.4 *Records and reports; effective date.* Every person owning, controlling, or operating a vessel on the Great Lakes, or their connecting or tributary waters, shall prepare and maintain such records and make such reports as this Office may hereafter require, and shall keep such records available for convenient inspection by accredited representatives of this Office.

This subpart shall become effective May 15, 1942.

Issued at Washington, D. C., this 6th day of May 1942.

JOSEPH B. EASTMAN,  
*Director of Defense Transportation.*

[F. R. Doc. 42-4100; Filed, May 7, 1942; 10:02 a. m.]

**Notices**

**DEPARTMENT OF THE INTERIOR.**

**Bituminous Coal Division.**

**PRICE REVISION BY REASON OF CHANGE IN COST AVERAGE**

**ORDER SEVERING DOCKET NO. A-1424**

In the matter of determining the extent of change, if any, in excess of two cents per net ton in the weighted average of the total costs of any of the minimum price areas; and of revising the effective minimum prices as may be required by reason of any such change in costs. (General Docket No. 21)

In the matters of the petitions of certain bituminous coal producers boards for establishment of minimum prices based on costs determined in first phase of General Docket 21. (Dockets Nos. A-1299, A-1360, A-1422, A-1423, A-1424)

By a Notice and Order Concerning Consolidation and Hearing dated May 4, 1942, the original petition of District Board No. 9 in Docket No. A-1424 was consolidated for all purposes with General Docket No. 21 and with certain other matters.

It appears, however, that District Board No. 9, in its petition filed in Docket No. A-1424, has alleged as a basis for relief that costs of production have increased since the period for which determinations were made in the first phase of General Docket No. 21. Thus District Board No. 9's petition raises issues which, as indicated in the aforementioned Notice and Order, are not within the scope of the second phase of General Docket No. 21 which is strictly limited by the Order dated April 17, 1942, to determining what adjustments should be made in the existing minimum prices in order to reflect the changes in costs heretofore found by the Acting Director in that proceeding. I am, therefore, of the opinion that the consolidation of Docket No. A-1424 with General Docket No. 21 and the other matters should be cancelled.

Now, therefore, it is ordered, That Docket No. A-1424 be severed from Dockets Nos. A-1299, A-1360, A-1423, and General Docket No. 21, and that the

order herein dated May 4, 1942, be so modified.

*It is further ordered,* That in all other respects the orders herein dated April 17, 1942 and May 4, 1942 remain in full force and effect.

Dated: May 6, 1942.

[SEAL] DAN H. WHEELER,  
*Acting Director.*

[F. R. Doc. 42-4107; Filed, May 7, 1942; 10:11 a. m.]

**PETITIONS OF DISTRICT BOARD NO. 8  
MEMORANDUM OPINION AND NOTICE OF HEARING**

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. (Docket No. A-1392.)

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of the Draudy Mine (Mine Index No. 604) of D. M. Evans, a code member in District No. 8, for truck shipments, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. (Docket No. A-1392 Part II.)

Memorandum opinion and order severing Docket No. A-1392 part II from Docket No. A-1392, granting temporary relief in Docket A-1392 Part II, and notice of and order for hearing in Docket No. A-1392 Part II.

The original petition in the above-entitled matter which was filed with this Division requests the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 8.

As indicated in an order issued today in Docket No. A-1392, a reasonable showing of necessity has been made for the granting of relief prayed for by the original petitioner except as to the establishment of price classifications and minimum prices for the coals of the Draudy Mine (Mine Index No. 604) of D. M. Evans for truck shipments.

The original petition proposes the establishment of minimum prices for the Cannel coals of Mine Index No. 604 for truck shipments which have not heretofore been established for other comparable coals in Subdistrict No. 4 of District No. 8. It appears therefore that a hearing should be ordered to determine the proper prices for the coals of this mine.

Now, therefore, it is ordered, That that portion of Docket No. A-1392 relating to the coals of Mine Index No. 604 be and it hereby is severed from the remainder of Docket No. A-1392 and designated Docket No. A-1392 Part II.

*It is further ordered,* That a reasonable showing of the necessity therefore having been made as to the coals of this mine, temporary relief be, and it hereby is, granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments is supplemented to include the price classifications and minimum prices



set forth in the Schedule marked "Supplement T" annexed hereto and hereby made a part hereof.

*It is further ordered,* That a hearing in Docket No. A-1392 Part II under the applicable provisions of said Act and rules of the Division be held on June 2, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Division, 734 15th Street NW., Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

*It is further ordered,* That Scott A. Dahlquist or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, continue said hearing from time to time, and submit to the undersigned proposed findings of fact, conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before May 27, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 8 for the establishment of permanent price classifications and minimum prices for the coals of the Draudy Mine (Mine Index No. 604) of D. M. Evans for truck shipments, as follows:

*Cannel coal*

Lump	Egg	Chips	Machine cuttings
325	275	225	160

Dated: May 6, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4108; Filed, May 7, 1942; 10:11 a. m.]

OFFICE OF PRICE ADMINISTRATION.

POLLAK STEEL CO., EXCEPTION DENIED

ORDER NO. 8 UNDER REVISED PRICE SCHEDULE NO. 6<sup>1</sup>—IRON AND STEEL PRODUCTS

On March 13, 1942, the Pollak Steel Company, Cincinnati, Ohio, filed an amended request for an exception from the terms of Revised Price Schedule No. 6. This application has been considered as a petition under § 1306.7 (b) of Revised Price Schedule No. 6, as amended by Amendment No. 2 thereto. Due consideration has been given to the petition, and an opinion in support of this Order No. 8 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,<sup>2</sup> issued by the Office of Price Administration, *It is hereby ordered:*

That the petition for exception of Pollak Steel Company be, and it hereby is, denied.

This Order No. 8 shall become effective May 8, 1942. Issued this 6th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4099; Filed, May 6, 1942; 5:11 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-539]

IN THE MATTERS OF COLUMBIA GAS & ELECTRIC CORPORATION AND COLUMBIA OIL & GASOLINE CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of May 1942.

Notice is hereby given that declarations or applications (or both), have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named parties; and

Notice is further given that any interested person may, not later than May 12, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declarations or applications, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary,

<sup>1</sup> 7 F. R. 1215, 1836, 2132, 2153, 2299, 2997, 3115.

<sup>2</sup> 7 F. R. 971.

Securities and Exchange Commission, Philadelphia, Pa.

All interested persons are referred to said declarations or applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Columbia Gas & Electric Corporation, a registered holding company and subsidiary of The United Corporation, also a registered holding company, proposes to dispose of, and Columbia Oil & Gasoline Corporation, a subsidiary of Columbia Gas & Electric Corporation, proposes to acquire \$300,000 face amount of the subsidiary's debentures held by the parent, for \$312,000 in cash plus accrued interest, such amount being the redemption price specified in the indenture securing such debentures; the debentures so acquired to be tendered to the Trustee under the indenture in lieu of the semi-annual cash sinking fund required under the provisions of said indenture.

Sections 9, 10, 12 (c) and 12 (f) of the Act and Rules U-42 and U-43 of the Rules and Regulations of the Commission issued thereunder have been designated as applicable to the proposed transactions.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 42-4095; Filed, May 6, 1942; 3:22 p. m.]

[File No. 54-50]

IN THE MATTER OF NORTH AMERICAN LIGHT & POWER COMPANY

NOTICE OF FILING OF APPLICATION NO. 1 AND NO. 2; ORDER FOR HEARING FOR PURPOSE OF CONSIDERING SAID APPLICATIONS; AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of May A. D. 1942.

The Commission on December 30, 1941 having entered an order pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 directing that North American Light & Power Company shall be liquidated and its existence terminated, and further directing that North American Light & Power Company and The North American Company shall proceed with due diligence to submit to this Commission a plan or plans for the prompt liquidation of North American Light & Power Company in a matter consistent with the provisions of the Public Utility Holding Company Act of 1935; and said order having provided that before said companies take any step or action for the purpose of enabling North American Light & Power Company to comply with the provisions of said order that such step or action shall be the subject of an application or applications to this Commission for the entry of necessary or appropriate orders;

Notice is hereby given that North American Light & Power Company has



filed on April 24, 1942 an application designated as Application No. 1, which may be summarized as follows:

North American Light & Power Company proposes to dissolve Power and Light Securities Company, its wholly owned subsidiary, and upon dissolution transfer all the assets of the latter, consisting of 12,478 shares of Common Stock, \$25 par value, 12,478 shares of 5% Cumulative Convertible Preferred Stock, \$50 par value, and 12,478 Dividend Arrears Certificates of the Illinois Iowa Power Company to North American Light & Power Company.

Notice is further given that North American Light & Power Company has filed on April 30, 1942, an application designated as Application No. 2, which may be summarized as follows:

(1) North American Light & Power Company has presently outstanding 30 Year Sinking Fund Debentures, Series A, 5½%, due July 1, 1956, in the principal amount of \$9,000,000, \$5,623,500 of said debentures being owned and held by The North American Company, a registered holding company which also owns approximately 43.7% of the preferred stock and 85% of the common stock of North American Light & Power Company. The balance of said debentures, or \$3,376,500 principal amount thereof, are owned and held by persons other than The North American Company.

(2) North American Light & Power Company proposes to acquire and retire said \$3,376,500 principal amount of debentures held by persons other than The North American Company by the payment on July 1, 1942, of the principal thereof plus accrued interest to said date after giving notice by publication and mailing a copy of such notice to all registered owners of said debentures; said notice to provide that the debenture holders surrendering their debentures upon payment of principal amount thereof plus accrued interest will not be deemed to have waived their right to receive any call or redemption premium if it shall be determined in the event of judicial review that they are entitled to receive said premium. The proposed transaction does not contemplate the redemption or acquisition at the same time of the debentures held by The North American Company.

(3) As of April 1, 1942, North American Light & Power Company had on hand cash in the amount of \$3,868,897 of which \$524,478 is held by the trustee under the Debenture Agreement dated July 1, 1926, securing said debentures.

(4) Said Debenture Agreement provides that said debentures shall be redeemable, at the option of the company, in whole or in part on any date prior to maturity upon the payment of the principal amount thereof plus a premium of one and one-half percent (1½%) of the principal amount thereof if redeemed after July 1, 1941, and on or before July 1, 1946.

(5) The Application states said Debenture Agreement does not require the payment of any call or redemption premium in connection with the involuntary liquidation and dissolution of the com-

pany and accordingly the company does not propose to pay any call or redemption premium in connection with the retirement of said \$3,376,500 principal amount of debentures.

Notice is further given that said Applications state that the transactions therein proposed are steps in a contemplated general plan for the ultimate liquidation of said company and a termination of its existence pursuant to said order of the Commission of December 30, 1941.

Notice is further given that the North American Light & Power Company in its Application No. 1 requests the Commission to enter an order under section 11 (b) (2) of said Act, and other applicable provisions of the said Act, authorizing and approving the dissolution of Power and Light Securities Company and the transfer of its assets in a manner proposed; and in its Application No. 2 requests the Commission to enter an order under section 11 (b) (2) and other applicable provisions of the said Act authorizing and approving the retirement of said \$3,376,500 principal amount of said debentures, by the payment on July 1, 1942, of the principal amount thereof and the interest accrued to said date; such order to further provide that interest shall cease to accrue on said debentures after July 1, 1942.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said Applications No. 1 and No. 2;

It further appearing to the Commission that there are common issues of fact and law arising in connection with said Applications and the proceeding heretofore instituted by the Commission pursuant to section 11 (b) (1) of said Act entitled "In the Matter of The North American Company, et al. (File No. 59-10)," and the proceeding heretofore instituted by the Commission pursuant to section 11 (b) (2) of said Act entitled "In the Matter of North American Light & Power Company Holding-Company System and The North American Company (File No. 59-39)," and that the administration of the Act will be facilitated by consolidation of the said proceedings with the proceeding hereinafter ordered;

It is ordered, That a hearing shall be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, on the 18th day of May 1942, at 10:00 A. M., in such room as may be designated on such date by the hearing room clerk in Room 318. All interested persons are referred to said Applications which are on file in the office of said Commission for a full statement of the transactions therein proposed.

It is further ordered, That the proceeding herein ordered and the proceeding entitled "In the Matter of The North American Company, et al. (File No. 59-10)," and the proceeding entitled "In the Matter of North American Light & Power Company Holding-Company System and The North American Company (File No. 59-39)," be and are hereby consolidated; and that jurisdiction be and

is hereby reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, the matters herein consolidated.

It is further ordered, That James G. Ewell or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing ordered herein. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said Applications, particular attention shall be directed at said hearing to the following matters and questions:

(1) Whether North American Light & Power Company in discharging its obligation on said debentures shall be required to pay said premium of one and one-half (1½%) of the principal amount, in addition to the principal amount of and accrued interest on said debentures;

(2) Whether the proposed transactions described in Application No. 1 and Application No. 2, or each of them, are necessary to effectuate the provisions of section 11 (b) (2) of the Act and to comply with the Commission's order of December 30, 1941;

(3) Whether the proposed transactions, or each of them, are fair and equitable to the security holders of North American Light & Power Company and are in all other respects consistent with the provisions of Section 11 and other provisions of said Act;

(4) Whether the Commission shall enter an order or orders pursuant to section 11 (b) of said Act requiring that the applicant herein enter into the transactions proposed in said Applications;

It is further ordered, That the Secretary of the Commission shall serve notice of this hearing by mailing a copy of this order by registered mail to North American Light & Power Company, The North American Company and the City National Bank and Trust Company of Chicago, Illinois, Trustee under said Debenture Agreement of July 1, 1926, and that notice of said hearing is hereby given to all security holders of the North American Light & Power Company and to all other interested persons, such notice to be given by general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication in the FEDERAL REGISTER not later than seven days prior to the date hereinbefore fixed as the date of the hearing.

It is further ordered, That all persons desiring to be heard or otherwise wishing to participate herein shall notify the Commission in the manner provided by the Commission's Rules of Practice, Rule XVII, on or before May 15, 1942.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.



[File No. 70-542]

## IN THE MATTER OF FLORIDA POWER CORPORATION

## NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 6th day of May, A. D. 1942.

Notice is hereby given that an application or declaration (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Florida Power Corporation, a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and

Notice is further given that any interested person may, not later than May 14, 1942 at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

This Application involves a sale of utility assets by the applicant, consisting of electric distribution lines and facilities and other properties of the applicant, situated in the Counties of Gadsden and Leon, Florida, to Talquin Electric Cooperative, Inc., a rural cooperative association organized under the laws of the State of Florida, and said cooperative being subject to the jurisdiction of the Rural Electrification Administration, a Federal agency in St. Louis, Missouri.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.[F. R. Doc. 42-4103; Filed, May 7, 1942;  
10:06 a. m.]

[File No. 812-270]

## IN THE MATTER OF PACIFIC COAST MORTGAGE COMPANY

## NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of May, 1942.

An application under and pursuant to section 6 (c) of the Investment Company Act of 1940 having been duly filed by the above named applicant for an order ex-

empting it from the requirements of Rule N-30A-1 and Form N-30A-1 with respect to the form and content of financial statements required to be filed for The Pacific Coast Joint Stock Land Bank of Portland, a wholly owned subsidiary of applicant located at Portland, Oregon, and with respect to certifications of said financial statements by an accountant, on condition that applicant file financial statements on behalf of said bank, without certification, in form and content similar to financial statements filed with the Farm Credit Administration;

It is ordered, That a hearing on such matter under the applicable provisions of the Act and Rules and Regulations of the Commission be held on May 13, 1942, at 10:00 o'clock in the forenoon of that day in the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise the interested parties where such hearing will be held.

It is further ordered, That Charles S. Lobinger, Esq., or any officer or officers of the Commission designated by it for that purpose, shall preside at such hearing on such application. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.[F. R. Doc. 42-4101; Filed, May 7, 1942;  
10:06 a. m.]

[File No. 70-540]

## IN THE MATTER OF KENTUCKY-TENNESSEE LIGHT AND POWER COMPANY, KENTUCKY UTILITIES COMPANY

## NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 6th day of May, A. D. 1942.

Notice is hereby given that applications and declarations have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Kentucky-Tennessee Light and Power Company (hereinafter sometimes referred to as K-T), a subsidiary of Associated Electric Company, a registered holding company, which in turn is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, and Kentucky Utilities Company (hereinafter sometimes referred to as KU), a registered holding company and a subsidiary of The Middle West Corporation, also a

registered holding company. All interested persons are referred to said applications and declarations which are on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

KU and K-T propose to effect an exchange of properties as provided for in a certain agreement dated July 31, 1939.

K-T proposes to sell, transfer and convey to KU, and KU proposes to purchase and receive, the electric transmission and distribution systems consisting of poles, wires, meters, transformers, services and street lighting systems, including franchises and easements, presently owned by K-T and located in Lee, Estill, Shelby, Spencer, Nelson, Larue, Bullitt and Lincoln Counties, Kentucky. The transmission lines in the system being conveyed, consist of 26.9 miles of 33 KV and 41 miles of 11 KV wood-pole lines, and substations having a total capacity of 1942.5 KVA. The distribution systems being conveyed serve approximately 3,356 customers in the eight counties embraced within the territory served, including the following seventeen towns and villages: Irvine, Beattyville, Turnersville, McKinney, Hustonville, Moreland, Milledgeville, Lyons, Nelsonville, Boston, Lebanon Junction, Fairfield, Chaplin, Bloomfield, Wakefield, Taylorsville, Elk Creek.

As consideration for the above, KU proposes to sell, transfer and convey to K-T, and K-T proposes to purchase and receive all of the electric transmission and distribution systems consisting of poles, wires, meters, transformers, services and street lighting systems, including franchises and easements, presently owned by KU and located in Warren, Simpson, and Logan Counties, Kentucky. The transmission lines described above consist of 34 miles of 33 KV wood-pole lines and substations having an aggregate capacity of 925 KVA. The distribution systems described above serve approximately 1,500 customers in the three counties embraced within the territory served, including the towns of Auburn, Woodburn, and Franklin.

As further consideration for the transfer to KU of property first above described, KU will pay to K-T the sum of \$175,870.02, in cash.

The applicants and declarants herein consider sections 9 (a) (1) and 12 (d) of the Act and Rule U-44 of the General Rules and Regulations as being applicable to the proposed transaction.

It appearing to the Commission that it is appropriate and in the public interest and the interests of investors and consumers that a hearing be held with respect to the said declarations and applications and that said declarations shall not become effective or said applications be granted except pursuant to further order of the Commission, and that at said hearing there be considered, among other things, the various matters hereinafter set forth:

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on May 21, 1942,



at 10 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

*It is further ordered,* That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at any such hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered,* That, without limiting the scope of issues presented by

said applications or declarations, particular attention will be directed at said hearing to the following matters and questions:

1. How consideration involved in the exchange of the said properties was determined and the adequacy of such consideration.

2. Whether the properties to be acquired by K-T will prove readily salable and when such sale is contemplated.

3. Whether the public interest and the interests of investors or consumers require the imposition of terms and conditions in connection with the proposed transactions.

4. Whether the accounting entries to be made in connection with any or all of such proposed transactions comply with the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder.

5. Generally, whether all actions proposed to be taken comply with the requirements of said Act and rules, regulations or orders promulgated thereunder.

Notice of such hearing is hereby given to such declarants and applicants and to any other person or persons whose participation in such proceeding may be in the public interest and for the protection of investors or consumers. It is requested that any person desiring to be heard and to be admitted as a party to such proceeding shall file with the Secretary of the Commission on or before May 18, 1942, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
*Secretary.*

[F. R. Doc. 42-4102; Filed, May 7, 1942;  
10:06 a. m.]



